



# AGENDA

## CABINET

**MONDAY, 7 FEBRUARY 2005**

**10.30 AM**

**COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL,  
GRANTHAM**

Duncan Kerr, Chief Executive

<b>CABINET MEMBERS:</b>	Councillor Mrs. Linda Neal (Leader), Councillor Peter Martin-Mayhew (Deputy Leader/Portfolio: Housing), Councillor Teri Bryant (Portfolio: Community Affairs), Councillor Ray Auger (Portfolio: Environmental), Councillor Paul Carpenter (Portfolio: Technology), Councillor Mrs Frances Cartwright (Portfolio: Cultural) and Councillor John Smith (Portfolio: Economic)
Cabinet Support Officer:	Lena Shuttlewood tel: 01476 406119 e-mail: l.shuttlewood@southkesteven.gov.uk

**Members of the public are entitled to attend the meeting of the Cabinet at which key decisions will be taken on the issues listed on the following page. Key decisions are marked \*.**

1. **Apologies**
2. **Minutes**  
To approve the record of the Cabinet meeting held on 10<sup>th</sup> January 2005. **(attached)**
3. **Declarations of Interest (if any)**

**CATEGORY B PRIORITY ISSUES:**

4. **\*REVIEW OF GENERIC EQUALITIES SCHEME**  
Report number HR&OD75 by the Corporate Manager, Human Resources and Organisational Development. **(attached)**
5. **\*PROTECTION OF VULNERABLE PEOPLE - DRAFT POLICY AND PROCEDURES**  
Report number CSM11 by the Care Services Manager. **(attached)**
6. **URBAN CAPACITY STUDY AND INTERIM HOUSING POLICY STATEMENT**  
Report number PLA447 by the Head of Planning Policy and Economic Regeneration. **(attached)**
7. **LOCAL DEVELOPMENT SCHEME - REVISED**  
Report number PLA448 by the Head of Planning Policy and Economic Regeneration. **(attached)**

**CHANGE MANAGEMENT ACTION PLAN ISSUES:**

8. **\*BUDGET 2005/06 (INCLUDING SERVICE PLANS)**  
Report number FIN223 by the Director of Finance & Strategic Resources. **(attached)**
9. **TIMETABLE FOR REVIEW OF COUNCIL PRIORITIES IN 2005**  
Report number CEX268 by the Chief Executive. **(attached)**
10. **TRAINING PRGRAMME FOR MEMBERS OF DEVELOPMENT & SCRUTINY PANELS**  
Report number CEX272 by the Chief Executive. **(attached)**
11. **ANNUAL AUDIT AND INSPECTION 2003/04**  
Report number FIN224 by the Director of Finance & Strategic Resources. **(attached)**
12. **Matters Referred to Cabinet by the Council or the Development & Scrutiny Panels**
13. **Items raised by Cabinet Members including reports on Key and Non Key Decisions taken under Delegated Powers.**
14. **Representations Received from Members of the Public on Matters within the Forward Plan (if any)**
15. **Representations received from Non Cabinet Members**
16. **Any other business which the Chairman, by reason of special circumstances, decides is urgent**

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**MEETING OF THE CABINET**  
**10 JANUARY 2005 - 10.30 AM – 12.37 PM**

**PRESENT:**

**Councillor Peter Martin-Mayhew  
Councillor Terl Bryant  
Councillor Ray Auger  
Councillor Mrs Frances Cartwright  
Councillor John Smith**

**Councillor Mrs. Linda Neal – Leader / Chairman**

**Chief Executive  
Director of Regulatory Services  
Head of Waste and Contract Services  
Business Services Manager  
Member Services Manager  
Enforcement Officer  
Public Relations Consultant**

**PC Steve Cummins and PCSO Stuart McBride**

**Non Cabinet Members : Councillors Neil Dexter ;  
Dorrien Dexter ; Hewardine ; Kerr ; G. Taylor ;  
G. Wheat ; Wilks**

**CO88. APOLOGIES**

An apology for absence was received from Councillor Carpenter.

**CO89. FUTURE FUNDING OF THE STREET WARDEN SERVICE**

**DECISION:**

- (1) To approve the permanent employment of one Street Warden post based in the Earlesfield area;**
- (2) To defer appointment to the second Street Warden post pending further information on the funding aspect;**
- (3) Subject to (2) above, consideration be given to locating a Street Warden in the Harrowby ward area of Grantham.**

Considerations/Reasons for Decision:

- (1) Report number DCS11 by the Director of Community Services outlining the background to the Street Warden Programme. A successful bid was submitted by the Council to the Home Office in October 2001 for two street wardens to be employed in the Earlesfield area;
- (2) Presentation given at the meeting by PC Cummins and PCSO McBride on the success of the Street Warden scheme which had been recognised at national level and the positive impact that it had had on the quality of life for residents of the Earlesfield estate. PC Cummins also spoke on the Police's "Community Engagement" initiative of which the Street Warden was an integral part and the achievements of the Earlesfield Team over the last 18 months in tackling anti social behaviour, crime, drug related issues, graffiti, and the promotion of community participation to improve the quality of life for residents;
- (3) Details, appended to the report and described by PC Cummins, of the multi agency team work approach to support the street wardens and the range of projects instigated by the team. Whilst performance data in relation to reduced crime and anti-social behaviour should be available by the end of March 2005, the Home Office representative and the Divisional Commander of Police (South Division) have high regard for the work of the team and the improvements achieved in the Earlesfield area;
- (4) Details of total costs of the Street Warden service for 2004/05 and 2005/06 based on either one or two full time posts (a separate exempt information appendix to the report detailed staff costs associated with ceasing the service);
- (5) Options for alternative sources of funding to minimise the additional costs that will fall on the Council as a result of continuing the service;
- (6) Support for continuation of the service from the Corporate Manager Democratic & Legal Services and the Director of Regulatory Services and the suggestion that, if continued, one of the two posts be allocated to the Harrowby area and potentially other local "hot spots";
- (7) Representation from a local ward member on the positive impact of the work of the Street Warden ;
- (8) Information provided by PCSO McBride at the meeting about the funding for the existing PCSOs taken on in 2002 who were now on a permanent contract. Future PCSOs that come on stream from this year onwards will initially be on a 2 year fixed term contract and then

renewed. On the basis that the current Government remained in office, there were plans to increase the number of PCSOs to 25,000 by 2008. The Cabinet and Chief Executive indicated that they were unaware of this information which would need to be taken into account. For this reason and a query over the funding gap between the cost of one and the cost of two street wardens, the Cabinet agreed to defer confirmation of the second post until further information was available.

#### CO90. MINUTES

Subject to the following amendment, the minutes of the Cabinet meeting held on 6<sup>th</sup> December 2004 were confirmed as a correct record:

Minute CO85 2(A)(III): the word car to be amended to **care**; and (IV) **May**.

#### CO91. DECLARATIONS OF INTEREST

There were no declarations of interest made.

#### CO92. STREET SCENE ACTION PLAN

**DECISION: To approve the Street Scene Action Plan as presented consisting of the core elements: Street Cleaning; Litter enforcement; Graffiti; Fly Posting; Fly Tipping.**

Considerations/Reasons for Decision:

- (1) Report number WCS5 by the Head of Waste and Contract Services setting out the definition of what the Council meant by the term "Street scene" and the action to be taken under each element of the Action Plan;
- (2) Under the Council's prioritisation process Street Scene was identified as a Priority A;
- (3) To confirm that street furniture would remain within the Environment portfolio as issues of this nature could be addressed on an "as and when" basis.

#### CO93. EXTENSION OF LITTER FINES

**DECISION: To approve**

- (1) the issuing of litter fines throughout the whole district of South Kesteven;**

**(2) the issuing of litter fines for the dropping of litter from motor vehicles.**

Considerations/Reasons for Decision:

- (1) Report number WCS3 by the Head of Waste and Contract Services seeking approval for the extension of the areas where litter fines can be issued within South Kesteven. On 24<sup>th</sup> February 2003, a Cabinet decision was taken to implement a trial scheme of issuing litter fines for dropping litter on the High Street and St. Peter's Hill areas of Grantham;
- (2) The Council has powers under the Environmental Protection Act 1990 to issue fines for depositing litter in a public open space, including that deposited out of a vehicle;
- (3) The imposing of fines for the dropping of litter sends a clear message that the Council takes litter and the environment seriously. It will act as a deterrent to those who drop litter and will impact on the cleanliness of South Kesteven.

**CO94. ANNUAL STAKEHOLDER CONFERENCE: 9TH DECEMBER 2004**

**DECISION: That the outcome of the Annual Stakeholder Conference be taken into account in the Council's Change Management Action Plan.**

Considerations/Reasons for Decision:

- (1) Report number CEX265 by the Chief Executive outlining the background to the purpose of the stakeholder conference and its timing so that any outcome could be used to inform the development of the new Community Strategy and to feed into the Council's budget making process;
- (2) The conference was well attended and favourable feedback was received from delegates to pursue this type of event on an annual basis.

**CO95. LOCAL STRATEGIC PARTNERSHIP CONSULTATION OF FUTURE PRIORITIES**

**DECISION: To defer completion of the South Kesteven LSP priorities until the next meeting in order to allow opportunity for the Cabinet further to consider the issues raised.**

Considerations/Reasons for Decision:

- (1) Report number DCS13 by the Director of Community Services explaining that the current Community Strategy expires on 31<sup>st</sup> March

2005. Advice at County and Regional level point to the need for Community Strategies to be evidence based, compiled following consultation, and led by LSPs. In order to comply with this guidance, the Chairman of the LSP has started an extensive programme of consultation by circulating a questionnaire containing sixteen suggested priorities and an opportunity for respondents to add their own suggestions. Respondents are asked to identify their top five priorities;

- (2) In considering these priorities, the Cabinet was asked bear in mind the context of a multi agency approach where the LSP has an opportunity to develop joint approaches to a diverse range of issues facing local people in South Kesteven;
- (3) Advice from the Chief Executive on the selection that the CMT had made;
- (4) The Cabinet was concerned that an impression could be given that the Council was re-visiting its own prioritisation process. There was a need for a degree of separation between the two sets of priorities.

CO96. PERFORMANCE MANAGEMENT - NEW LOCAL INDICATORS/MEASURES 2005/06

- (1) **Subject to the following amendments, broadly to agree the proposed performance indicators/measures for each priority area as attached to report DOS266;**
  - **No. of Anti Social Behaviour Orders issued in a year: *add number of warning letters issued in a year.***
  - **Recycling/Composting: *amalgamate the two PIs.***
  - **No. of fixed penalty fines issued: *targets for 2005/06, 2006/07 and 2007/08 to be set at 60, 70, and 70 respectively.***
  - **No. of hits on SKDC website: *definition of "hits" to be provided.***
  - **No. of VAT registered businesses in district: *update "£4,150" figure to £4,400 for 2005/06 and increment target up to £4,450.***
  - **No. of commercial properties on NDR list: *delete***
- (2) **Local PIs amended to take account of: updated information; earlier decision regarding litter fixed penalties; to have some measure of people using services on line; PIs deleted if they were not providing useful information.**
- (3) **To request the Development and Scrutiny Panels review the suggested indicators/measures and targets for their relevant area;**
- (4) **To invite the Local Strategic Partnership to comment on the indicators;**
- (5) **To refer the proposed indicators for consultation at the forthcoming round of Local Area Assembly meetings.**

Considerations/Reasons for Decision:

- (1) Report DOS266 by the Director of Operations explaining that new local indicators were required for future years as part of the Council's on-going development of its performance management arrangements;
- (2) Not all the national indicators that councils are required to monitor and report their performance against are useful measures to help South Kesteven monitor its progress against its recently agreed priorities. The existing set of national best value performance indicators do not provide the full coverage required for SKDC to effectively monitor progress against its priorities;
- (3) The proposed indicators/measures will form the core of the Council's monthly performance monitoring and reporting for 2005/06.

CO97. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.

**(1) Councillor Ray Auger: Portfolio - Environment**

Reference Minute CO81: Car Parking Non Charging Policy

Having considered the issues raised under minute CO81 at the meeting held on 6<sup>th</sup> December 2004, Councillor Auger's decision is:

- (1) to declare Godsey Lane, Market Deeping and West Road, Billingborough surplus to requirements as Council operated car parks and proceed to market these sites for disposal, subject to restrictive covenants to retain as car parks;
- (2) to retain the car park site at Halfleet.

Reason for Decision:

In addressing the comments from the Environment DSP, I am satisfied that these have been addressed by advice given by Legal Services that the use as car parks can be retained by the use of restrictive covenants.

**Non Key Decision:**

Decision: To approve the appointment of Capita Symonds Ltd., Consulting Engineers of Leeds as consultants to carry out detailed investigations, contract procurement and full site supervision in connection with improvement works required at Wharf Road car park, Stamford for the sum of £52,562.

[Decision made 10.01.05]

**(2) Councillor Teri Bryant: Portfolio – Community Affairs**

Decision: To accept the lowest quotation submitted by Scott Wilson Consulting Engineers in the sum of £14,300 for the investigation and design of canal bank repair works to the section of Grantham canal owned by the District Council.

[Decision made 04.01.05]

**(3) Councillor John Smith: Portfolio - Economic**

Decision: To approve the proposed amendments to the existing boundary of the Market Deeping Conservation Area and to approve the Conservation Area Appraisal as a position statement with a view to its ultimate adoption as a supplementary planning document.

[Decision made 10.01.05]

Decision: To continue the District Council's participation in the project to purchase and refurbish Thurlby Youth Hostel with Lincolnshire County Council on the basis of a maximum contribution of £125,000 (inclusive of all project design and management costs incurred by SKDC) and subject to the following conditions:

- a) SKDC contribution to be in the form of a single grant payable to Lincolnshire County Council on completion of the purchase from YHA and subject to conclusion of the purchase by 31 March 2005;
- b) SKDC to have no ongoing joint ownership and, therefore, no ongoing liability or responsibility for the Youth Hostel;
- c) SKDC Property Services to cease further work on the project and to transfer all responsibility to Lincolnshire County Council for the design, management and procurement of refurbishment works.

[Decision made 04.01.05]

**The above decision has since been the subject of a call-in.**

**(4) Councillor Mrs Frances Cartwright: Portfolio - Cultural**

Decision:

- (1) Subject to a site visit with the Council's Amenities Manager to ensure the protection of the existing tree stock, to approve the request by the Wyndham Park Bowls Club for an extension of land allocated for their use to accommodate a new meeting room/catering outlet for the club;
- (2) To not accede to the Club's request that the Council waives both

planning and legal internal fees associated with transfer of the land/planning consent etc. and also provides financial assistance with the construction of the new pavilion.

[Decision made 20.12.04]

**(5) Councillor Mrs Linda Neal: Leader**

Decision: To award a 25% District Council Recreation grant of £646 to the Castle Bytham Village Hall Committee to support its re-roofing project.

[Decision made 04.01.05]

**DATE DECISIONS EFFECTIVE:**

Decisions as made on 10<sup>th</sup> January 2005 can be implemented on 19<sup>th</sup> January 2005 unless subject to call-in by the relevant Development and Scrutiny Panel.

**South Kesteven District Council, Council Offices, St. Peter's Hill, Grantham, Lincolnshire NG31 6PZ**

**Contact: Cabinet Support Officer - Tel: 01476 406119**  
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# Agenda Item 4

## REPORT TO CABINET

REPORT OF: CORPORATE MANAGER, HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT

REPORT NO: HR & OD 75

DATE: 7 February 2005

<b>TITLE:</b>	REVIEW OF COUNCIL'S GENERIC EQUALITIES SCHEME
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<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	Councillor Linda Neal Leader
<b>CORPORATE PRIORITY:</b>	Equality and Diversity
<b>CRIME AND DISORDER IMPLICATIONS:</b>	Reporting of racial incidents
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	
<b>BACKGROUND PAPERS:</b>	Generic Equality Scheme The Equality Standard for Local Government – Audit and Self-Assessment The Duty to promote Race Equality – A guide for Public Authorities – Commission for Race Equality

1. I ask that the Cabinet consider the Generic Equality Scheme noting that it has been pre-scrutinised. After consideration, I request the Cabinet to recommend this or a similar scheme to the Council for approval.

## **BACKGROUND**

2. The Council has a statutory duty to publish a Race Equality Scheme. In March 2003, it chose to incorporate its Race Equality Scheme within a Generic Equality Scheme covering gender, people with a disability, race, religious belief and age. The Council is required to review the scheme at least every three years.
3. A completely new scheme is presented with this Report. Over and above the statutory duty of the Council to regularly review its Equality Scheme (minimum every three years), there are a number of other reasons why a comprehensive review is appropriate at this time. These include:-
  - (1) Diversity is a Category B priority.
  - (2) In order to comply with our legal responsibilities the scheme requires significant development particularly in relation to assessing impact of individual Council functions.
  - (3) Many people perceive that the demographic composition of our local population is rapidly changing. The Council needs to prepare by mainstreaming the issue of race equality into policy development and consultation processes.
  - (4) There has been some change in legislation since the last scheme was published.
  - (5) The Council has identified access to services as a Category A priority. This has great significance to groups such as those with a disability or those whose first language is not English etc.
4. In preparing this revised scheme I have concentrated upon the issues of race. Although we have chosen to produce a generic scheme there are very specific duties concerning race with which the Council is legally required to comply. Some of these are not covered in the current scheme.
5. The underlying purpose of a Generic Equality Scheme is to set out a framework for the development of equality and diversity issues in a systematic way. Though the need for this has been driven by the Race Relations (Amendment) Act 2000 the systematic approach is very appropriate to all equality and diversity issues.

## **OUTCOME OF SCRUTINY**

6. The scheme was subject to pre-scrutiny by the Communications & Engagement DSP. The recommendations of that panel were:-
  - (1) To adopt the new Generic Equality Scheme

- (2) That Best Value targets relating to diversity should not be treated as a final objective but, when achieved, the Council should continue working on achieving further improvements in this area
- (3) To give further consideration to how itinerant travellers are addressed in the Action Plan
- (4) To inform the general public on the Generic Equality Scheme via the Local Area Assemblies.

**C J Sharp**  
**Corporate Manager**  
**Human Resources and Organisational Development**  
**January 2005**



## **SOUTH KESTEVEN DISTRICT COUNCIL**

**DRAFT**

# **GENERIC EQUALITY SCHEME**

**Version 2**

**January 2005**

Document enhancement for the visually impaired or translation from English is available on request. Telephone 01476 406200 or e-mail

[frontdesk@southkesteven.gov.uk](mailto:frontdesk@southkesteven.gov.uk)

**Any comments or suggestions about this scheme are welcome and should be addressed to Chris Sharp, Corporate Manager HR & OD, SKDC, St Peter's Hill, Grantham NG31 9RU. Tel 01476 406132**

[c.sharp@southkesteven.gov.uk](mailto:c.sharp@southkesteven.gov.uk)

## **FOREWORD**

*To be written by Leader and Chief Executive.*

## **INTRODUCTION**

### **Context**

1. The Council first published a Generic Equalities Scheme in March 2003. That was South Kesteven District Council's first response to new statutory responsibilities placed upon it by the Race Relations (Amendment) Act 2000. This act places certain positive responsibilities on the Council in relation to race equality. In order to satisfactorily discharge our responsibilities arising from the Act the original scheme requires development hence the publication of this revised scheme.
2. The publication of a Race Equality Scheme in itself is a specific requirement of the Act. The Council has chosen to publish its Race Equality Scheme within a wider Generic Equality Scheme which includes fair treatment and equal access to services and employment regardless of race, disability, gender, religious belief and sexual orientation.
3. The Council also aspires not to discriminate on the basis of age. The current state of UK legislation however, prevents the Council from meeting an absolute undertaking to not discriminate on the basis of age in the provision of some of its services. The UK government is required by the European Directive to outlaw age discrimination in UK legislation.
4. The specific aim of this first review of the Council's equality scheme is to develop the Council's responsibility with respect to race equality and the promotion of good race relations. It also incorporates the Employment Equality Regulations 2003 relating to sexual orientation and religious belief which have come into operation since the last scheme was published.

## **Content**

5. The contents of this scheme are those required of a race equality scheme. This will form the strategic framework for the development of equalities. The scheme is laid out as follows:

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<b>Definitions</b> .....	5
- Equality	
- Diversity	
<b>Legal Framework</b>	
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- General Duty	
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<b>Policy Framework</b> .....	8
- The Council's Priorities	
- Employment Equal Opportunity Policy	
<b>Equality and Diversity Aims and Objectives</b> .....	8
<b>How the Council will achieve its objectives</b> .....	10
- Roles and Responsibilities	
- Assessment of Functions for Relevance	
- Impact Assessment of Existing Functions	
- Assessment and Consultation on Proposed Future Policies	
- Three Year Action Plan	
<b>Monitoring and Scrutiny Arrangements</b> .....	12
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<b>Publicity and Access to Information</b> .....	17
- The Scheme	
- Results of Impact Assessments, Consultation & Monitoring	

Appendix 1 Assessment of functions for relevance to race equality

Appendix 2 Impact assessment of existing functions

Appendix 3 Assessment & consultation on Proposed future Policies

Appendix 4 Three year action plan

## **POLICY STATEMENT**

6. The council's overall vision is:

To ensure that the residents of South Kesteven are proud of their district and their Council.

7. To underpin our vision of a Council which is regarded with pride by all its stakeholders the Council's equality vision is:

**The Council aims to deliver services and employ people in such a way as to**

- (1) Avoid unlawful discrimination**
- (2) Promote equality of opportunity**
- (3) Promote positive relations between groups particularly different racial groups.**

## **DEFINITIONS**

8. It is useful to articulate exactly what the Council means by the terms 'equality and diversity'.
9. **Equality** means equal treatment irrespective of gender, race, disability, religious belief, sexual orientation and (aspirationally) age. Equal treatment does not necessarily mean the "same" treatment. It does mean treatment that will lead to the same outcome.
10. **Diversity** - an explanation of what we mean by diversity requires a more complex explanation.

Our society has always been made up of people who are different in one way or another - old and young, able bodied and those with a disability, men and women, poor and rich, differences in racial and ethnic origin, sexual orientation and religion among others. There are also those vulnerable people whose plight (or 'difference') remains hidden because of perceived stigma. Victims of domestic violence for instance.

Without meaning to do so it is likely that the council is providing better services for some groups than others. Perhaps even more importantly some groups feel included in our society whilst others feel excluded. It may be that access to services is likely to be better for the able-bodied than those with a disability, better for those who can speak English than those who cannot, better for those from a background attuned to

officialdom and form filling than those who are not, and increasingly better for those adept at utilising electronic communication than those who cannot. Additionally some minority groups of people tend to remain 'invisible' to the Council and other public agencies. In short, some feel 'included' and some feel 'excluded'.

In summary dealing with diversity involves:

- Recognising different groups which includes identifying those who are hard to reach
- Finding out how well we are serving their needs
- Ensuring our policies impact fairly on different groups
- Promoting good relations between groups particularly where difference is racial.

## **LEGAL FRAMEWORK**

### **Acts and Directives**

11. The Council's commitment to securing genuine equality of opportunity and anti-discriminatory practices is underpinned by the following legislation:-

#### Equal Pay Act 1970

To prevent discrimination between men and women in terms of their contract of employment, including pay.

#### Sex Discrimination Act 1975

It is illegal to discriminate directly or indirectly against men or women in selection for appointment, promotion or training.

#### Sex Discrimination Act Amendment 1999 – gender reassignment

It is illegal to discriminate against a person who is undergoing a gender reassignment in terms of employment or training.

#### Race Relations Act 1976

It is illegal to discriminate, directly or indirectly, on the grounds of colour, race, ethnic or national origin.

#### Race Relations (Amendment) Act 2000

All public bodies, including this Council, must eliminate unlawful racial discrimination; promote equality of opportunity; and promote good race relations. Local authorities have the specific duty to publish a Race Equality Scheme.

### Disability Discrimination Act 1995

It is illegal to discriminate against disabled people (with physical or mental impairments) in employment, provision of goods and services and buying or renting of land or property. Employers and service providers are required to make reasonable adjustments to overcome barriers.

### Human Rights Act 1998

Local authorities are legally required to consider the impact of people's human rights when setting policies and making decisions.

### Freedom of Information Act 2000

The act introduced a general right of access to information that is held by a range of public bodies, including the Council, with the aim of ensuring decision-making is open and accountable (comes into force 1<sup>st</sup> January 2005).

### Employment Equality (Sexual Orientation) Regulations and Employment Equality (Religion and Belief) Regulations 2003

The above regulations make it unlawful to discriminate against workers because of sexual orientation or religion or their beliefs.

## **General Duty**

12. Under the Race Relations (Amendment) Act 2000 the District Council has a general duty to have due regard to the need:-
  - To eliminate unlawful discrimination
  - To promote equality of opportunity
  - To promote good relations between persons of different racial groups

## **Specific Duties**

13. Again under the Race Relations (Amendment) Act 2000 the Council has the following specific duties:-
  - To prepare and publish a Race Equality Scheme with specific content
  - To identify the relevance of their current and proposed functions and policies to the general duty to promote race equality
  - To monitor for any adverse impact policies have on promoting race equality
  - Make arrangements for assessing and consulting on the likely impact of proposed policies on promoting race equality
  - Make arrangements for publishing the results of assessments, consultation and monitoring

- Make arrangements for ensuring people have access to information and services
- Make arrangements for training of staff on issues that are relevant to the general duty
- To comply with a number of responsibilities as an employer relating to race equality

## **POLICY FRAMEWORK**

### **The Council's Priorities**

14. The Council has recognised diversity as one of its priorities following the consultative exercise in examination of national priorities last year. It was significant that a well established ethnic minority group (the Grantham Chinese Association) chose diversity as their most important priority for the Council.
15. The Council has also established access to services as a priority. This is an important equality and diversity issue which will help prioritise the creation of strategies to improve access to services for hard to reach members of our community, people with a disability, people whose first language is not English etc.

### **Employment Equal Opportunity Policy**

16. The Council has an established Equal Opportunity Policy in its role as an employer. This policy underpins many of our corporate employment activities such as recruitment, provision of reasonable adjustments in the workplace, dealing with harassment, flexible working etc.

## **THE COUNCIL'S EQUALITY AND DIVERSITY AIMS AND OBJECTIVES**

17. The Council has the following equality and diversity aims:-
 

(For the purposes of these aims 'relevant groups' are those based on gender, race, disability, religious belief, sexual orientation and age.)

  - i. To have a more representative workforce at all levels in the Council
  - ii. To have no significant differences in satisfaction among staff based on their race, gender, disability, religious belief, sexual orientation or age.

- iii. To have no significant differences in public confidence in the Council based on people's race, gender, disability, religious belief, sexual orientation or age.
- iv. To have no significant differences in service outcomes between people of different race, gender, disability, religious belief, sexual orientation or age.
- v. To have no significant differences in people's satisfaction with services based on their race, gender, disability, religious belief, sexual orientation or age.

18. To help achieve these aims the Council has a number of specific objectives: -

- i. To reach Level 2 of the Local Government Equality Standard by the end of December 2005
- ii. To reach Level 3 of the Local Government Equality Standard by the end of December 2007
- iii. To improve diversity performance indicators as set out in the Council's Best Value Performance Plan
- iv. To have in place a well used and recognised process for consulting with minority ethnic and disability groups by December 2005
- v. To demonstrate good relations within the rapidly changing demographic composition of South Kesteven
- vi. To establish full single status as an employer by March 2006

## HOW THE COUNCIL WILL ACHIEVE ITS EQUALITY AIMS AND OBJECTIVES

### **Roles and responsibilities**

19. To ensure that the Council translates its objectives into actions it will ensure that relevant participants in the management of the Council are aware of their responsibilities in relation to equalities. The following responsibilities will be discharged as far as reasonably practicable.

#### **Elected Members will:**

- Be familiar with the Council's Generic Equality Scheme and understand the extent to which it has an impact on their role in the Council
- Observe and promote the Council's equality policies in the performance of their roles and duties
- Ensure adequate resources are available for the Council to meet its legal responsibilities concerning generic equality
- Contribute toward driving forward change and scrutinise activities to comply with our responsibilities where such actions are relevant to their role within the Council.

#### **The Chief Executive and Corporate Management Team will:**

- Serve as role models to the organisation and wider community
- Provide direction and create corporate policies and plans in relation to equalities
- Encourage the integration of equalities into all the services provided by the council
- Ensure that we fulfil our stated aims and responsibilities as an employer and service provider with respect to equalities
- Ensure that all policy amendment proposals carefully consider equality issues in the widest sense and highlight areas where the council may not comply with our equalities aims and objectives

#### **Service Managers will:**

- Carry out impact assessments, monitoring and reporting of outcomes in their service areas and in accordance with this scheme
- Reflect the council's equalities aims and objectives in service plans
- Ensure that all employment related issues are dealt with in accordance with the council's equal opportunity policy

- Identify specific training needs associated with equalities arising from appraisal meetings.
- Ensure that they carry out the council's procurement activities in accordance with the procurement strategy (relating to equalities).
- Ensure that all policy amendment proposals carefully consider equality issues in the widest sense and highlight areas where the council may not comply with our equalities aims and objectives.
- Act as or nominate a service champion to represent their section on the Equalities PMG and to champion equalities within the section.

**Staff will:**

- Be familiar with the Generic Equality Scheme and understand the extent to which it has a bearing on their role
- Demonstrate commitment to equalities by taking active steps to challenge discrimination and disadvantage
- Undertake appropriate training in equalities

**Assessment of Functions for Relevance**

20. The Council has a duty to identify its functions and policies that are relevant to the general duty relating to race equality. An assessment has been undertaken and is shown at Appendix 1. Functions were examined one by one against the following criteria:

- Could the duty to eliminate discrimination be relevant?
- Could the duty to promote equality of opportunity be relevant?
- Could the requirement to promote good race relations be relevant?
- Is there evidence or reason to believe that some racial groups could be differently affected? (The answer to this question is "yes" where no measurement currently takes place.)

21. Functions are then categorised as being of high, medium or low relevance according to the following criteria:

Three or more "yes" answers	- HIGH relevance to race equality
Two "yes" answers	- MEDIUM relevance to race equality
One "yes" answer	- LOW relevance to race equality
No "yes" answers	- No relevance

**Impact assessment of existing functions**

22. For higher relevance functions further analysis was undertaken to develop a high level action plan to enable the functions to be assessed through monitoring and consultation. This involved identifying policies relevant to functions, identifying how consultation is undertaken currently, identifying

monitoring requirements and arriving at a high level simple action plan for each function in order to assess impact of the policy on equalities in the future and address any adverse impact that is found. The outcome of this exercise is shown at Appendix 2 and forms an important action plan for the development of equalities function by function.

### **Assessment and consultation on proposed future policies**

23. The Council is committed to assessing impact on equalities and properly consulting on proposed changes in policy or new policy. The results of this process will be recorded on the current standard template for report writing under equal opportunities. The process for carrying out such assessments is shown at Appendix 3.

### **Three year action plan**

24. This Generic Equality Scheme contains a number of corporate actions which need to be undertaken in order to carry out what we promise to undertake to achieve our equality aims and objectives. The action plan is an essential tool for monitoring and organising the Council's progress on equalities. It is shown at Appendix 4.

## **MONITORING AND SCRUTINY ARRANGEMENTS**

25. The Council is committed to implementing effective monitoring encompassing service equality measures (action and targets) and workforce recruitment. Monitoring will take place at different levels in the organisation as illustrated in the following chart.

<b>ACTIVITY TO BE MONITORED</b>	<b>BY WHOM</b>	<b>FREQUENCY</b>
Three-year action plan (incorporated into Change Management Action Plan).	CMT Cabinet Communications and Engagement DSP	Monthly 3 monthly Annually
Service and employment targets and actions (within service plans).	Cabinet/CMT Head of Service Appropriate scrutiny panel	Bi-annually Quarterly Annually
Equality Performance indicators	CMT/Cabinet Communications and Engagement DSP	Quarterly Annually

26. Service and employment monitoring is particularly important as it is at the cutting edge of equalities action. For each high relevant policy it will be necessary to:-

- Monitor its affect on different groups
- Check whether there are any differences in its impact on different groups and
- Assess whether these differences have an adverse impact on some groups. Where there are differences there will be a need to either review the Policy or review how the Policy is being applied.

## **CONSULTATION ARRANGEMENTS**

27. The Council has an agreed consultation strategy. The strategy gives guidance on how the Council will go about reaching people who may be under represented in consultation exercises including young people, people with disabilities and people from ethnic minority groups. Through the strategy the Council has developed the concept of a Local Area Assembly through which consultation can be undertaken with local representatives including those from groups identified by the local assembly as being hard to reach. The concept of youth consultation groups (YELLS) has also been introduced by the strategy.

### **Race Equality Consultation Forum**

28. Recently the Council has begun to develop a Race Equality Consultation Forum for the district. At its inception this forum intends to be simply a meeting of representatives from ethnic minority groups living within the District. Amongst other things this panel will be consulted on policies and functions which have a high relevance to race equality and race relations.

29. The Council is mindful that the setting up of consultation machinery, however helpful, may not achieve a desired level of inclusiveness because of the composition of consultative panels. Within the equalities three year plan the Council is committed to reviewing its consultation strategy both to include the development of an ethnic minority forum within the strategy but also the composition of consultative groups with respect to gender, age, race and disability.

## **PROCUREMENT**

30. The Council is committed to identifying those of its functions provided by private companies or voluntary bodies that are relevant to the general duty. Where there is high or medium relevance found we shall ensure that future contracts include provision for race equality elements in accordance with this scheme and the Race Relations (Amendment) Act 2000. In cases where a contract already exists the Council will seek to amend those contracts in order that the function meets the general duty.
31. Within the National Procurement Strategy milestones the Council must develop a policy for dealing with small/medium-sized firms. The Council is committed to developing such a policy that will help facilitate equality of opportunity to such organisations. Ethnic minority organisations (as defined by the commission for Race Equality) are predominately small/medium sized.
32. A number of actions have been identified for the procurement function contained in the impact action plan at appendix 2 (actions 10.1 – 10.4)

## TRAINING

33. Equal opportunity training already forms part of the Council's standard induction training for both staff and members. In order to fulfil the general duty required by statute a far deeper understanding of equalities is required by many staff. The following scheme outlines the different levels of training which will be provided by the Council.

<b>Training Need</b>	<b>Who</b>	<b>When</b>
General awareness	All staff and members	At induction and whole authority as soon as possible.
Managing assessment, consultation and monitoring of functions	Heads of section CMT equalities champion	Part of management development programme or upon appointment to post with periodic refreshers.
To develop an understanding of the general and specific duties and the introduction of equal opportunity policy in large organisations	Member champion CMT Member support staff	Upon appointment and a whole authority programme as soon as possible. Periodic refreshers.
Managing frontline issues including monitoring and consultation	Customer Services staff and specific relevant managers	As above
Planning for consultation with hard to reach groups and research into the changing demographics of the district	Relevant Cabinet/CMT members and policy authors	Following the outcome of research to be carried out in Lincolnshire sponsored by District Councils.
Equal opportunity issues relating to employment and recruitment monitoring and relevant legislation.	HR Staff	Already part of CIPD qualification and annual provision of employment law training.
Specialist equality training	CMT equalities champion	As required and identified through appraisal

## **EMPLOYMENT**

34. The Council will continue monitoring recruitment activities in relation to equality and report outcomes to Cabinet on an annual basis. Where significant differences are identified positive action plans are created and pursued. The Council also monitors workforce composition figures relating to gender, disability and race. The Council is committed to continuing positive action where workforce composition figures show an imbalance in composition of the workforce at different levels in relation to the demographics of the local population.
35. The Council is committed to achieving full single status for its staff and this has been achieved in all areas other than for craft employees.
36. The Council has a number of other employment initiatives designed to fulfil the specific duty relating to employment. Details of these are contained within the Council's approved HR Strategy.

## **PUBLICITY AND ACCESS TO INFORMATION**

### **The Scheme**

37. The scheme will be made available in both electronic and printed form. The Council is committed to giving the scheme as wide publicity as possible in order that it can reach all parts of our community. The scheme is available in Braille, large print, audio tape and languages other than English on request. Such requests are likely to take some days to fulfil.
38. The Council will utilise its consultation processes to keep this scheme under review.

### **Results of Impact Assessments, Consultation and Monitoring**

39. The Council is committed to open government and scrutiny. In developing new policies the results of the impact assessments and consultation will be made fully available.
40. Observations and suggestions for improvement to the scheme are welcome and should be addressed to:

Chris Sharp  
Corporate Manager  
Human Resources & Organisational Development  
South Kesteven District Council  
Council Offices  
St Peter's Hill  
Grantham  
Lincs  
NG31 6PZ

01476 406132  
[c.sharp@southkesteven.gov.uk](mailto:c.sharp@southkesteven.gov.uk)

## APPENDIX 3

### ASSESSING AND CONSULTING ON PROPOSED POLICIES

1. The Policy is subject to examination of relevance to equality by applying the procedure shown at Appendix 2 of the Scheme.
2. Where a Policy is considered **high relevance** then a full impact assessment should be carried out consisting of the following steps.
  - (1) Identifying the aims of the Policy and how it will work.
  - (2) Examining the data and research available.
  - (3) Assessing the likely impact on race/gender/disability equality.
  - (4) Considering other ways of achieving the same policy goals.
  - (5) Consulting people who are likely to be affected by the policy.
  - (6) Making arrangements to monitor and review the policy and its impact.
  - (7) Publishing the results of the assessment.
3. Where **medium relevance** is found a partial impact assessment should be undertaken. As follows:-
  - (1) Estimate potential unequal impact.
  - (2) Supplement the estimate of impact by seeking advice from experts and interested groups.
4. Where **low relevance** is found it will be sufficient to carry out an initial estimate of potential unequal impact based on current data.

## ASSESSING FUNCTIONS OR POLICIES FOR RELEVANCE TO GENERAL DUTY

FUNCTION	RELEVANCE H, M, L	WHICH PART OF THE GENERAL DUTY DOES IT APPLY TO?	Promoting good race relations	Is there evidence or reason to believe that some racial groups could be differently affected?	Is there any public concern that the function or policy is being carried out in a discriminatory way?
<b>Building Control</b>	H	Y	Y	N	Y
Building Control	N/R				
Dangerous structures					
Demolitions	N/R				
Demolitions enforcement	M	Y	N	N	Y
Land charges – Property Search	L	Y	N	N	N
Land charges – personal search	M	Y	N	N	Y
Statutory register – street naming	L	N	N	Y	N
Street name plates	N/R				
<b>Business Management Services</b>					
Grants – recreation, voluntary and Leisure	H	Y	Y	Y	Y

Car Parks	L	Y	N	N	N	N	N
Best Value Reviews and CPA	H	Y	Y	Y	Y	Y	Y
Consultation	H	Y	Y	Y	Y	Y	Y
Travel concessions <sup>1</sup>	H	Y	Y	Y	Y	y	y
<b>Care Services</b>							
Warden service	H	Y	Y	Y	Y	Y	Y
Helpline service	H	Y	Y	Y	Y	Y	Y
<b>Cleansing and Contract Services</b>							
Refuse collection	L	N	N	N	N	Y	Y
Recycling	L	N	N	N	N	Y	Y
Street Cleaning		N/R					
Public conveniences	N/R						
Abandoned vehicles	N/R						
Commercial Waste – collection and disposal							
Removal of dead animals		N/R					
Fly tipping <sup>2</sup>	H	Y	Y	Y	N	Y	Y
Special collections (large items)	L	N	N	N	N	Y	Y
Street litter bins		N/R					
<b>Community Services</b>							
Community Safety (Crime/Disorder)	H	Y	Y	Y	Y	Y	Y
Public Relations and Media	H	Y	Y	Y	Y	N	N





Caravan Sites Standards	L	N	N	N	N	N	Y
Dog Control and Warden	L	Y	N	N	N	N	
Hackney Carriages Registration	H	Y	Y	Y	Y	Y	
<b>Financial Services</b>							
Accountancy	N/R						
Paymaster Services	L	Y	N	N	N	N	
Insurance	M	Y	N	N	Y	Y	
Procurement	H	Y	Y	Y	Y	Y	
<b>Housing</b>							
Homelessness	H	Y	Y	Y	Y	Y	
Allocations	H	Y	Y	Y	Y	Y	
Estate management	H	Y	Y	Y	Y	Y	
Strategy	H	Y	Y	Y	Y	Y	
Anti Social Behaviour	H	Y	Y	Y	Y	Y	
Housing Management	H	Y	Y	Y	Y	Y	
Private Sector	H	Y	Y	Y	Y	Y	
New Developments	H	Y	Y	Y	Y	Y	
Right to Buy	H	Y	Y	Y	Y	Y	
Evictions	H	Y	Y	Y	Y	Y	
Waiting list	H	Y	Y	Y	Y	Y	
Domestic violence	H	Y	Y	Y	Y	Y	
Safety inspections – HMOs	H	Y	Y	Y	Y	Y	
Squatters & unauthorised occupants	H	Y	Y	Y	Y	Y	

<b>Leisure &amp; Cultural Services</b>		<b>Leisure &amp; Cultural Services</b>					
Arts Centres	H	Y	Y	Y	Y	Y	Y
Arts development	H	Y	Y	Y	Y	Y	Y
Arts Education/Outreach	H	Y	Y	Y	Y	Y	Y
Play schemes	H	Y	Y	Y	N	Y	Y
Leisure Centres & sports facilities	H	Y	Y	N	N	Y	Y
Sports Development	H	Y	Y	Y	Y	Y	Y
Community activities	H	Y	Y	Y	Y	Y	Y
Playing fields	L	N	N	N	N	Y	Y
Play areas	L	N	N	N	N	Y	Y
Parks/Open Spaces	L	N	N	N	N	Y	Y
Fairs	L	N	N	N	N	Y	Y
Markets	M	N	Y	Y	Y	Y	Y
Burial Services	H	Y	Y	Y	Y	Y	Y
Christmas lights <sup>5</sup>	M	N	N	Y	Y	Y	Y
Bourne Corn Exchange	H	Y	Y	Y	Y	Y	Y
<b>Planning Policy</b>							
Business advice	H	Y	Y	Y	Y	Y	Y
Business Development Grants	H	Y	Y	Y	Y	Y	Y
Business support – business planning	H	Y	Y	Y	Y	Y	Y
Census information	N/R						
Commercial property	L	Y	N	N	N	N	N
Community strategy	H	Y	Y	Y	Y	Y	Y
Conservation areas	L	N	N	Y	N	Y	N

Conservation grants and advice	M	Y	N	N	N	Y
Planning policy (Allotments, Building and Landscape Design, Business, Environmental issues, Residential, Sites and Special Projects Policy, Transport, Zoning)	H	Y	Y	Y	Y	N
Property & Land Register		N/R				
Statutory Listed buildings		N/R				
Tourism	H	Y	Y	Y	Y	Y
Town Centre development <sup>6</sup>	H	Y	Y	Y	Y	Y
<b>Property Services</b>						
Closed churchyard	L	N	N	N	Y	
Awarded water courses	L	N	N	N	Y	
Home repair grants & renovation grants	H	Y	Y	Y	Y	
Bus shelters	N/R					
Disabled facilities grants	H	Y	Y	H	Y	
Council Housing (planned maintenance)	L	N	N	N	Y	
Adaptations to council properties	H	Y	Y	Y	Y	

Cycle paths	N/R								
Property & Land Register	N/R								
Asset management	N/R								
Facilities management	N/R								
Rural minibus routes	N/R								
Street furniture	N/R								
Street lighting	N/R								
Street nameplates	N/R								
Housing repairs	H	Y	Y	Y	Y	Y	Y	Y	Y
<b>Revenues</b>									
Customer Services	H	Y	Y	Y	Y	Y	Y	Y	Y
Collection and Enforcement	H	Y	Y	Y	Y	Y	Y	Y	Y
Fraud & Overpayments	H	Y	Y	Y	Y	Y	Y	Y	Y
Council Tax	H	Y	Y	Y	Y	Y	Y	Y	Y
Benefits	H	Y	Y	Y	Y	Y	Y	Y	Y
Banking Hall	H	Y	Y	Y	Y	Y	Y	Y	Y
Area Offices	H	Y	Y	Y	Y	Y	Y	Y	Y

## NOTES

- 1 Getting information to hard to reach groups.
- 2 Enforcement
- 3 Opportunity to eliminate adverse impact
- 4 Festival recognition



**FUNCTION/POLICY EQUALITY IMPACT ACTION PLAN**  
High Relevance Functions

FUNCTION	POLICY	ACTION	BY WHOM	BY WHEN
<b>BUILDING CONTROL</b>	• Building regulations	1.1 Review and implement monitoring arrangements.	SV	Mar 05
	• ODPM performance std	1.2 Review need to provide guidance notes/marketing information in other formats/languages.	SV	Jun 05
		1.3 Review handling of third party complaints some of which have been judged to be racially motivated.	SV	Feb 05
<b>BUSINESS MANAGEMENT SERVICES</b>	• Grants to voluntary bodies	2.1 Review and implement monitoring arrangements	IY	Mar 05
		2.2 Consult on current policy with minority groups and review policy	IY	Oct 05
	• Best Value Reviews	2.3 Review tool kit to ensure sufficient challenge is made to impact upon equality.	IY	Apr 05
	• Consultation	2.4 Review approved consultation strategy to incorporate the operation of an ethnic minority consultation forum.	IY	Apr 05
		2.5 Ensure that all surveys gather information on gender, disability and race.	IY	Jan 05
	• Travel concessions – bus pass national policy	2.6 Review application form to gather equality information.	IY	Mar 05
		2.7 Monitor take up of vouchers	IY	Mar 05
		2.8 Assess for equal impact	IY	Dec 05
<b>CARE SERVICES</b>	• Allocations Policy/Sheltered Housing SK document	3.1 Implement monitoring arrangements	SC	Mar 05
		3.2 Review for equal impact	SC	Dec 05
		3.3 Implement new complaints procedure and include in process relevant equality information	SC	Mar 05
	• Helpline Service Information Booklet	3.4 Review application for service form to include equality information	SC	Mar 05
		3.5 Include equality information in satisfaction survey	SC	Jan 05
<b>CLEANSING &amp; CONTRACT SERVICES</b>	Flytipping			
	• Statute	4.1 Review and implement monitoring arrangements	GK	Mar 05
<b>COMMUNITY SERVICES</b>	• Community Plan	4.2 Assess impact	GK	Mar 06
	• Public Relations and Media Communications	5.1 Ensure that the objectives of the approved Generic Equalities Scheme are reflected in the Local community Plan.	JP	July 05
		5.2 Utilise information of local diversity in order to enable the Council to more effectively communicate with all sectors of our community.	JP	On-going

## FUNCTION/POLICY EQUALITY IMPACT ACTION PLAN

### High Relevance Functions

FUNCTION	POLICY	ACTION	BY WHOM	BY WHEN
<b>CUSTOMER SERVICES</b> Complaints	<ul style="list-style-type: none"> <li>• Complaints Procedure</li> <li>• Reporting racial incidents</li> <li>• Customer Services Standard</li> </ul>	<p>6.1 Review complaints procedure and ensure equality data collected.</p> <p>6.2 Annual satisfaction survey of complaints handling – gather equality information.</p> <p>6.3 Examine information devised from monitoring for impact.</p> <p>6.4 Develop customer relations management (CRM) system to incorporate equality data.</p> <p>6.5 Analyse monitoring outcomes</p> <p>6.6 Review procedure for reporting racial incidents.</p> <p>6.7 Widely publicise procedure.</p>	JM JM	May 05 May 05
<b>DEMOCRATIC &amp; LEGAL</b> Electoral Registration & Elections	<ul style="list-style-type: none"> <li>• Statute</li> </ul>	<p>7.1 Review customer satisfaction processes.</p> <p>7.2 Develop monitoring for equalities associated with complaints management.</p>	NG NG	Mar 05 Sept 05
Itinerant Travellers	<ul style="list-style-type: none"> <li>• Statute on trespass</li> </ul>	<p>7.3 Monitor impact of policy.</p> <p>7.4 Assess outcome of monitoring.</p>	NG NG	Mar 05 Mar 06
<b>DEVELOPMENT CONTROL</b> Pre-application advice	<ul style="list-style-type: none"> <li>• Approved plans</li> </ul>	<p>8.1 Review how customer satisfaction measures could be sought.</p>	RE	June 05
Processing Planning Applications	<ul style="list-style-type: none"> <li>• Agreed processes</li> </ul>	<p>8.2 Introduce customer satisfaction survey (include equalities monitoring).</p> <p>8.3 Review outcome of survey in terms of equalities.</p>	RE RE	Mar 05 Mar 06
Enforcement	<ul style="list-style-type: none"> <li>• Statute</li> </ul>	<p>8.4 Review how customer satisfaction measures could be sought.</p> <p>8.5 Review for potential racially inspired complaints</p>	RE RE	Jun 05 Jun 05
<b>ENVIRONMENTAL</b> Health & Licensing Food Safety	<ul style="list-style-type: none"> <li>• Food framework agreement.</li> </ul>	<p>9.1 Add information relevant to equalities to monthly customer satisfaction survey.</p> <p>9.2 Review outcome of monitoring</p> <p>9.3 Review provision of information in different formats and languages.</p>	RH RH	Dec 05 Dec 06 Apr 05

FUNCTION	POLICY	ACTION	BY WHOM	BY WHEN
Occupational Health and Safety	• Licensing Policy	9.4 Develop written policy giving consideration to any equality issues.	RH	Jul 05
Alcohol Licensing	• Noise control procedures	9.5 Develop customer satisfaction surveys incorporating equalities 9.6 Carry out customer surveys and act on outcomes. 9.7 Develop monitoring arrangement for complainants and those complained against. 9.8 Review outcomes	RH RH	Mar 06 Jun 06 Mar 05
Noise Control	• Appropriate procedures	9.9 Monitor origin of applicants in current drivers. 9.10 Review testing arrangements for adverse impact.	RH RH	Mar 06 Ongoing Apr 05
Hackney Carriage Registration				
FINANCIAL SERVICES	• Procurement	10.1 Review standard conditions of contract to ensure race equality elements are specifically outlined. 10.2 Review existing contracts for race equality compliance 10.3 Develop a specific policy for procuring from small/medium sized firms. 10.4 Identify contractors by ethnicity following the guidance provided by the guide for public authorities published by the Commission for Racial Equality.	LY	Mar 05
HOUSING Homelessness	• Statute • Homelessness Strategy	) 11.1 ) 11.2 ) 11.3 )	PD	Mar 05
Allocations & waiting list	• Allocations Policy	) 11.2 ) 11.3 )	PD	Mar 05
Estate management	• Tenants handbook • Tenancy Agreement	) 11.4 )	PD	Mar 06 Mar 05

<b>Strategy</b>	<ul style="list-style-type: none"> <li>• Housing Strategy</li> <li>• Housing Services Anti-Social Behaviour Policy</li> </ul>	<ul style="list-style-type: none"> <li>)11.5 Analyse monitoring outcomes from 11.4.</li> <li>)11.6 Review need to provide guidance/information/application forms in other languages/formats.</li> </ul>	PD	Mar 06
<b>Private sector housing</b>	<ul style="list-style-type: none"> <li>• Private Sector Renewal Strategy</li> </ul>	)11.7 Develop consultation mechanisms and encourage representation from ethnic minority groups eg tenants compacts, Landlords forum.	PD	Dec 05
<b>New developments</b>	<ul style="list-style-type: none"> <li>• Section 106 Agreement</li> </ul>	)11.8 Monitor ethnic representation on tenant compacts.	PD	Mar 06
<b>Evictions</b>	<ul style="list-style-type: none"> <li>• Appropriate procedures</li> </ul>			
<b>Houses in multiple occupation inspections</b>	<ul style="list-style-type: none"> <li>• Statute</li> </ul>			

FUNCTION	POLICY	ACTION	BY WHOM	BY WHEN
<b>LEISURE &amp; CULTURAL SERVICES</b> Arts Centres	<ul style="list-style-type: none"> <li>Cultural Strategy</li> </ul>	12.1 Develop equality monitoring into interactive booking process. 12.2 Assess for access to service. 12.3 Ensure equalities data is collected through any customer satisfaction survey. 12.4 Monitor participants in workshops by ethnicity, disability and gender.	JS JS JS	Mar 05 Jun 05 Mar 05
<b>Arts education/outreach</b>	<ul style="list-style-type: none"> <li>Cultural Strategy</li> </ul>	12.5 Promote development of a social impact team.	JS	Sept 05
<b>Play schemes</b>	<ul style="list-style-type: none"> <li>Play Strategy</li> </ul>	12.6 Review customer satisfaction processes 12.7 Specifically consult hard to reach groups	JS JS	May 05 May 05
<b>Leisure Centre &amp; Sports Facilities and Sports Development</b>	<ul style="list-style-type: none"> <li>Contract to supply leisure services.</li> <li>Sports Strategy</li> </ul>	12.8 Encourage gender, disability and racial mix in user groups. 12.9 Ensure monitoring of customer satisfaction collects equality data 12.10 Introduce ethnicity into customer database in order to monitor access. 12.11 Develop social impact team.	JS JS JS	May 05 April 05 Mar 05
<b>Community Activities</b>	<ul style="list-style-type: none"> <li>Play Strategy</li> </ul>	12.12 Extend consultation to ethnic minority consultation forum.	JS	May 05
<b>Bourne Corn Exchange</b>	<ul style="list-style-type: none"> <li>Cultural Strategy</li> </ul>	12.13 Ensure that any customer satisfaction survey includes equalities monitoring. 12.14 Ensure any potential adverse impact is reviewed.	JS JS	Mar 05 Mar 06
<b>PLANNING POLICY</b> Business Advice/Business Support Business Development Grants		13.1 Business Survey to incorporate ethnicity of organisation. “Ethnicity” determined by reference to guidance offered by the Commission for Racial Equality 13.2 Ethnicity to be included on application form.	MS MS	Jul 05 Mar 05

FUNCTION	POLICY	ACTION	BY WHOM	BY WHEN
Community Strategy	<ul style="list-style-type: none"> <li>Community Strategy</li> </ul>	<p>13.3 Develop specific actions on equality and diversity issues for the community in the forthcoming review of the community strategy.</p> <p>13.4 Consider commissioning research into the composition and needs of minority groups in the district should the ODPM Capacity Bid for Lincolnshire fail.</p> <p>13.5 Encourage multi-agency working on equalities and diversity issues in the partnership.</p> <p>13.6 Ensure consultation on the revised strategy reaches ethnic minority groups, disability groups and organisations representing vulnerable people (e.g. victims of domestic violence).</p>	MS MS MS	Jun 05 April 05 Ongoing
Planning Policy	<ul style="list-style-type: none"> <li>Land Use Planning Policies relating to use of land</li> <li>Statement of community involvement</li> </ul>	<p>13.7 Utilise statement of community involvement to promote good race relations.</p> <p>Extend consultation to Race Equality Consultation Forum.</p>	MS MS	Jun 05 Jun 05
Tourism	<ul style="list-style-type: none"> <li>Tourism Strategy</li> </ul>	<p>13.9 Incorporate equality monitoring into customer satisfaction surveys</p> <p>13.10 Review outcome of monitoring</p>	MS MS	Mar 05 Mar 06
Town Centre Development	<ul style="list-style-type: none"> <li>Town Centre Development Plans</li> </ul>	<p>13.11 Encourage representation on management groups from ethnic minority representatives</p> <p>13.12 Encourage consideration of equality issues in development plans</p>	MS MS	Ongoing Ongoing
PROPERTY SERVICES Home repair grants	<ul style="list-style-type: none"> <li>Private Sector Renewal Strategy</li> </ul>	<p>14.1 Introduce equality monitoring into complaints process.</p> <p>14.2 Review outcome of monitoring</p>	PS PS	Mar 05 Mar 06

FUNCTION	POLICY	ACTION	BY WHOM	BY WHEN
<b>Housing Repairs</b>	• Tenant Handbook	14.3 Gather equality data from quality check questionnaires. 14.4 Review outcome of monitoring.	PS PS	Mar 05 Mar 06
<b>Renovation Grants</b>	• Tenant Handbook	14.5 Gather equality data from quality check questionnaires. 14.6 Review outcome of monitoring	PS PS	Mar 05 Mar 06
<b>Disabled Facilities Grant</b>	• Private Sector Renewal Strategy	14.7 Review marketing of grant availability for equal access 14.8 Introduce equality monitoring into customer satisfaction questionnaires 14.9 following grant application. Review outcome of monitoring	PS PS	May 05 Mar 05 Mar 06
<b>REVENUES</b>				
<b>Customer Services</b>	• Statute • Office Notes and • Procedures	)		
<b>Collection &amp; Enforcement</b>	• Statute • Office Notes and • Procedures	)		
<b>Fraud and Overpayments</b>	• Statute • Office Notes and • Procedures	) 15.1 Develop consultation process 15.2 Develop customer relations management system (CRM). 15.3 Review the need to publish leaflets in other languages and formats	KL KL KL	Apr 05 Dec 05 Jun 05
<b>Council Tax &amp; Benefits</b>	• Statute • Office Notes and • Procedures	) 15.4 Review accessibility	KL	Apr 05
<b>Banking Hall and Area Offices</b>	• Statute • Office Notes and • Procedures	)		

## APPENDIX 4

### THREE YEAR ACTION PLAN

	ACTION	BY WHOM	YEAR 1	YEAR 2	YEAR 3
<b>1 Consultation</b>					
1.1 Consult widely through the Local Area Assemblies and YELLS on equalities issues.		HR & OD	✓	✓	✓
1.2 Consult widely with community and stakeholder groups on service issues and priorities highlighting potential diversity and equality issues.	EQUALITIES PMG	✓	✓	✓	✓
1.3 Develop a Race Equality Consultation forum for the district.	HR & OD	✓			
1.4 Develop consultation forums to deal with issues of gender, age and disability.	HR & OD	✓			
1.5 Review equality content of the Community strategy.	CMT	✓			
1.6 Monitor results of annual survey (general survey) to assess views of residents from minority groups about equal treatment and satisfaction with council's services.	CMT	✓	✓	✓	✓
<b>2 Service review</b>					
2.1 Undertake impact assessments all policies and procedures where the function has been identified as having <b>high</b> relevance to race equality.	EQUALITIES PMG	✓			
2.2 Undertake impact assessments all policies and procedures where the function has been identified as having <b>medium</b> relevance to race equality.	EQUALITIES PMG	✓			
2.3 Undertake impact assessments all policies and procedures where the function has been identified as having <b>low</b> relevance to race equality.	EQUALITIES PMG	✓			

<b>ACTION</b>	<b>BY WHOM</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>
2.4 Develop service planning template to further accommodate assessment of policies and functions against equality objectives.	HR & OD	✓		
2.5 Develop service level equality objectives and targets.	CMT/SECTION HEADS	✓	✓	✓
<b>3 Monitoring</b>				
3.1 Implement monitoring arrangements as shown in paragraph 25 of Generic Equality Scheme.	SEE PARA. 25	✓		
3.2 Develop guidance on monitoring.	HR & OD	✓		
3.3 Develop monitoring and information systems.	HR & OD	✓		
3.4 Monitor service level equality objectives and targets on a monthly basis.	CMT	✓		
3.5 Review monitoring undertaken by sections.	CMT	✓	✓	✓
<b>4 Publishing outcomes</b>				
4.1 Review publishing arrangements.	HR & OD	✓		
4.2 Publish equalities objectives and outcomes through the Council's Freedom of Information process and the Performance Plan.	BUSINESS MANAGEMENT SERVICES <b>BY WHOM</b>	✓	✓	✓
<b>ACTION</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	
4.3 Report to Cabinet annually on profile of job applicants.	HR & OD	✓	✓	✓
4.4 Report to Cabinet annually on workforce profile.	HR & OD	✓	✓	✓

<b>5 Training</b>				
5.1 Undertake training as per schedule in paragraph 33 of the Generic Equality Scheme.	HR & OD	✓	✓	✓
5.2 Review training and development in relation to equal opportunities.	HR & OD	✓	✓	✓
<b>6 Access to services</b>				
6.1 Complete service specific action plan.	SECTION HEADS	✓	✓	
6.2 Review telephony arrangements for equal access.	ICT SERVICES	✓	✓	
6.3 Review SKDC website for accessibility.	ICT SERVICES	✓	✓	
6.4 Audit SKDC buildings for compliance with the Disability Discrimination Act.	PROPERTY SERVICES	✓	✓	✓
<b>7 Employment</b>				
7.1 Carry out equal pay audit (to also include ethnic origin, disability and age).	HR & OD	✓		
7.2 Carry out Local Labour Market assessment.	HR & OD	✓	✓	✓
7.3 Consult with staff via staff satisfaction survey on their satisfaction with the council and monitor outcomes in terms of equalities.	HR & OD	✓	✓	✓
7.4 Monitor recruitment and selection process in terms of equality.	HR & OD	✓	✓	✓
7.5 Introduce Local Government JE scheme to Cleansing and Direct Works Organisation.	HR & OD	✓		
7.6 Review recruitment procedures to ensure the council does not unfairly restrict range of applicants.	HR & OD	✓	✓	✓

ACTION	BY WHOM	YEAR 1	YEAR 2	YEAR 3
<b>8 Procurement/partnership</b>				
8.1 Ensure that the equality policy and objectives are incorporated in 'partnership' arrangements/Public Service Agreements.	SOLICITOR TO THE COUNCIL	✓		
8.2 Amend current contracts to comply with the general duty.	SOLICITOR TO THE COUNCIL	✓		
8.3 Ensure future contracts include provision for race equality elements in accordance with the Equality Scheme and the Race Relations Amendment Act 2000.	SOLICITOR TO THE COUNCIL	✓		
8.4 Review joint working practices with other partnership agencies through the LSP e.g. Health Authority, Police service, with regard to duties under the Act	CMT	✓		
8.5 Develop policy to facilitate equality of opportunity for small and medium sized firms.	CORPORATE DIRECTOR FINANCE & STRATEGIC RESOURCES	✓		
8.6 Monitor and review outcomes for procurement.	HR & OD	✓		
<b>9 Racial incident reporting</b>	BY WHOM	YEAR 1	YEAR 2	YEAR 3
9.1 Complete service specific actions 6.6 and 6.7.	CUSTOMER SERVICES MANAGER	✓		

9.2 Ensure harassment on grounds of disability, gender, age, sexual orientation and religious belief are treated in the same way as racial harassment both for service users and employees.	HR & OD	✓	✓	✓
9.3 Review racial incidents and consider service impacts.	CMT/SECTION HEADS	✓	✓	✓
<b>10 Development of the Generic Equality Scheme</b>				
10.1 Extend the Generic Equality Scheme to other areas of equality e.g gender, age, disability, sexual orientation and religious belief.	HR & OD	✓		
10.2 Achieve level 3 of Local Government Equalities standard.	COUNCIL	✓		
10.3 Review published scheme.	COUNCIL	✓		

# Agenda Item 5

## REPORT TO CABINET

REPORT OF: CARE SERVICES MANAGER

REPORT NO: CSM11

DATE: 7<sup>th</sup> February 2005

<b>TITLE:</b>	<b>PROTECTION OF VULNERABLE PEOPLE – DRAFT POLICY &amp; PROCEDURES</b>
<b>FORWARD PLAN ITEM:</b>	Protection of Vulnerable Persons
<b>DATE WHEN FIRST APPEARED IN FORWARD PLAN:</b>	1 <sup>st</sup> January 2005
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	Key Decision

<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	Cllr P Martin-Mayhew
<b>CORPORATE PRIORITY:</b>	Vulnerable People
<b>CRIME AND DISORDER IMPLICATIONS:</b>	None
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	To be included in Publication Scheme
<b>BACKGROUND PAPERS:</b>	Protection of Vulnerable People – Policy & Procedures

## **1. INTRODUCTION**

- 1.1 A policy and procedure for the protection of vulnerable people helps to provide a safe and positive environment for children and vulnerable people. Although no standards or procedures can offer complete protection implementing a policy minimises the risk of abuse and exploitation.
- 1.2 The Policy clarifies what is requested of staff in relation to the protection of children and vulnerable people and sets out standards of behaviour for staff when they are around vulnerable people and what to do if they notice or are told about inappropriate behaviour in others. The policy is a statement of intent that demonstrates the Council's commitment to safeguarding children and vulnerable people from harm.

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## **2. RECOMMENDATIONS**

**The Cabinet is recommended to:-**

- (1) **Approve the draft Policy and Procedures for the Protection of Vulnerable People and undertake consultation.**
- (2) **Invite comments from key agencies and organisations through a process of consultation.**
- (3) **Following the consultation period forward the Policy and Procedure to Council for consideration and approval.**

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## **3. DETAILS OF REPORT**

- 3.1 The purpose of the document, Protection of Vulnerable people – Policy and Procedures - detailed in Appendix 1, is to introduce a council wide policy that would clearly demonstrate what the council's responsibilities and obligations are in respect of protecting vulnerable members of the community.
- 3.2 The procedures clearly identify what action should be taken if a member of staff from Leisure and Cultural Services, Care Services, DWO tradesman, a Housing Officer, a Customer Services staff member or a Building Inspector (ie any member of the council's staff) or an Elected Member were to witness or observe an incident that caused them to have concerns as to the safety or welfare of a child or a vulnerable adult who they may come across in the course of carrying out their duties.
- 3.3 There is some evidence that staff have been placed in very difficult circumstances and action has had to be taken to protect, not only the children or adults involved, but also the employee. Where such circumstances apply and managers have received concerns expressed by staff they have been able to take correct and appropriate action and this may have included referral to the proper agencies such as social services or the police for further

investigation. There is absolutely no suggestion that anything other than correct action has been taken in such situations in the past.

3.4 However, to properly ensure that the council deal with such situations in the correct manner for the future (ie compliance with county wide procedures and involvement with the Area Child Protection Committee) and to ensure total consistency across the whole of the authority's workforce in how such incidents are handled, policies and procedures that all staff and Members understand need to be introduced and implemented so that we can clearly demonstrate our role in safeguarding the safety and welfare of children, young people and vulnerable adults.

The policy and procedures document, as detailed in Appendix 1, aims to help all council staff and members to:

- describe the different forms of abuse that children and vulnerable people may be subjected to
- recognise the possible signs of abuse
- describe situations in which children and adults may be particularly vulnerable
- describe the council's procedures for dealing with cases of suspected abuse.

3.5 A considerable amount of work is required to ensure that all members of the council's staff and Elected Members are made aware of this document and its' likely impact on the council and its' activities. In this respect, there are a number of actions that need to be taken to ensure full integration of this policy :-

- to disseminate the document to all service managers for them to consider the implications of introducing the policy and procedures in their service area(s) and to nominate section co-ordinators to ensure training and awareness issues are catered for.
- to disseminate the document to all elected members for information and awareness purposes.
- to create a small officer / member working group
- to oversee the implementation of the policy across the council,
- to ensure it is embedded in the day-to-day activities of the council,
- to evaluate training needs and then provide appropriate training at all levels,
- to act as a central monitoring point within the authority responsible for dealing with all concerns, reports and referrals to other agencies
- to review changes in associated legislation, amending the policy and procedures as required.

#### **4. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES**

No comments.

**5. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)**

No comments.

**6. CONCLUSIONS**

- 6.1 In approving this policy and associated procedures, the council will be taking account as to the workings of the Lincolnshire Adult Protection Committee – Multi-Agency Policy and Procedures for the Protection of Vulnerable Adults and the Lincolnshire Area Child Protection Committee and the Local Safeguarding Children Board.
- 6.2 The Policy sets out standards of behaviour for staff and raises the awareness of this important issue. The Policy will help to safeguard children and vulnerable people from them.

**7. CONTACT OFFICER**

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24<sup>th</sup> January 2005



# **Protection of Vulnerable People**

## **Policy & Procedures**

**March 2005**

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## 1. Protection of Vulnerable People - Introduction

Staff working in most areas of South Kesteven District Council's services will inevitably come into contact with people who need help and protection from others who may be seeking to abuse and harm them.

Abuse of children and vulnerable people is a problem, which has in recent years been increasingly recognised. The abuse of any individual, irrespective of their age, is clearly an issue of concern, but the abuse of children and vulnerable older people whose ability to protect themselves is reduced because of age, physical or mental frailty, is of particular concern and often goes unreported.

Children, older people and people with disabilities and mental health problems are particularly at risk because they are often dependent on others for care and support. Those carers may be relatives or other people close to them, or they may be paid carers or support workers.

An important part of the role of a member of staff working with children and vulnerable adults or coming across them in carrying out day-to-day council activities involves an acknowledgement of the possibility of abuse, the recognition of signs of possible abuse and the ability to manage abusive situations when they arise.

The purpose of this document is to **introduce a council wide policy** that would clearly demonstrate what our **responsibilities and obligations** are and go on to state what should happen if a DWO tradesman, a Housing Officer, a Customer Services staff member or a Building Inspector (ie any member of the council's staff) were to witness / observe an incident that caused them to have concerns as to the safety or welfare of a child or a vulnerable adult who they may come across in the course of carrying out their duties.

It is quite obvious that workmen and council officers have on many occasions been placed in very difficult circumstances and action has had to be taken to protect, not only the children or adults involved, but also the employee. Where such circumstances apply and managers have received concerns expressed by staff they have been able to take correct and appropriate action and this may have included referral to the proper agencies such as social services or the police for further investigation. There is absolutely no suggestion that anything other than correct action has been taken in such situations.

However, to properly ensure that the council deal with such situations in the correct manner for the future (ie compliance with County wide procedures and involvement with the Area Child Protection Committee) and to ensure **total consistency across the whole of the authority's workforce** in how such incidents are handled, policies and procedures that all staff understand need to be introduced and implemented so that we can clearly **demonstrate our role in safeguarding the safety and welfare of children, young people and vulnerable adults.**

South Kesteven District Council, taking account as to the workings of

- the Lincolnshire Adult Protection Committee – Multi-Agency Policy and Procedures for the protection of Vulnerable Adults and
- the Lincolnshire Area Child Protection Committee and the Local Safeguarding Children Board,

accepts the responsibility for implementing and monitoring the effectiveness of the policies and procedures contained in this document.

In accepting that responsibility, this document also aims to help all SKDC staff and members to :

- describe the different forms of abuse that children and vulnerable people may be subjected to
- recognise the possible signs of abuse
- describe situations in which children and adults may be particularly vulnerable
- describe the council's procedures for dealing with cases of suspected abuse.

Because of the complexity of the issues involved and because there are well established procedures and policies for dealing with what are entirely different situations, many of the sections within this document are divided into those that affect only children or only adults.

## 2. What is abuse?

There is not a simple and straightforward answer to this question. In general, abuse refers to any situation where a person's rights are restricted or denied by others. This should include:

- the right to choose
- the right to privacy
- the right to independence
- the right to a decent quality of life
- the right to dignity and respect
- the right to information
- the right to protection and safety

This can result in distress, exploitation, neglect or physical harm to the person child or adult alike. There are times when the individual concerned is not aware s/he is being abused, for example, when the person suffers from a mental health problem or disorder.

Even for those experienced in working with child abuse, it is not always easy to recognise a situation where abuse may occur or has already taken place. SKDC staff and volunteers working with children are not experts at such recognition. However, they do have a responsibility to act if they have any concerns about the behaviour of someone (an adult or another child) towards a young person.

Another problem in defining abuse is that what may present as an abusive situation for one person may not be considered abusive by another. This is particularly relevant in dealing with older people.

The following examples may, or may not constitute abuse. How many of these examples have council officers observed or heard about in the course of their duties :-

- an older person does not want to move from her home, but relatives threaten her with withdrawing their help and support
- a daughter tells her mother how much she has to do and how all the extra support she has to give is making her ill
- a confused person is locked in their room/flat at night to prevent them from wandering and disturbing others
- a relative who does an older person's shopping takes money each time to put petrol in the car
- a scheme manager or housing benefit officer breaches confidentiality
- a person's walking frame is removed when the carer goes out so that she cannot move around and fall

- relatives take a valuable item to 'look after'
- an older Asian resident is excluded from social activities
- getting a person out of bed in the morning when s/he wants to stay in bed or making them go to bed at a set time
- an older person is bruised when her carer is trying to lift her out of the chair
- a person is left alone and unable to get to the toilet while the carer goes out shopping
- a person with dementia throws things at and hits the carer
- people talk about the person as if s/he wasn't there

There have been a number of studies, which suggest children or adults with disabilities are at increased risk of abuse. Various factors contribute to this, such as stereotyping, prejudice, discrimination, isolation and a powerlessness to protect themselves or adequately communicate that abuse has occurred.

People from black and minority ethnic groups are likely to have experienced harassment, racial discrimination and institutional racism. Racism causes significant harm and may be categorised as a form of emotional abuse or bullying. All organisations should address institutional racism, defined in the Macpherson Inquiry Report on Stephen Lawrence as '***the collective failure by an organisation to provide appropriate and professional service to people on account of their race, culture and/or religion***'.

These examples show how difficult it is to define what actions are abusive and how actions, some of which may be intended for the person's 'good' or protection can in fact deny rights to choice, decision-making, dignity and respect.

Another element in defining abuse is whether the person feels the action or behaviour to be abusive, in other words the effect it has on them.

### 3. Types of Abuse – Children

Child abuse, particularly sexual abuse, can arouse strong emotions in those facing such a situation. It is important to understand these feelings and not allow them to interfere with judgements about any action to take. Abuse can occur within many situations including leisure activities. Some individuals will actively seek employment or voluntary work with young people in order to harm them. A coach, instructor, teacher, official or volunteer may have regular contact with young people and be an important link in identifying cases where a young person needs protection.

Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by a stranger.

- **Neglect** – where adults fail to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development (eg failure to provide adequate food, shelter and clothing, failing to protect a child from physical harm or danger, or the failure to ensure access to appropriate medical care or treatment.) It may also include refusal to give a child love, affection and attention. Neglect could include an activity leader not ensuring children were safe, exposing them to undue cold, heat or to unnecessary risk of injury.
- **Physical abuse** – where adults physically hurt or injure children by hitting, shaking, throwing, poisoning, burning, biting, scalding, suffocating, drowning or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes ill health to a child whom they are looking after (e.g. factitious illness by proxy or Munchausen's Syndrome by proxy).
- **Sexual abuse** – where girls and boys are abused by adults (both male and female) who use children to meet their own sexual needs. This could include full sexual intercourse, masturbation, oral sex, anal intercourse and fondling. Showing children pornographic material (books, videos, pictures) is also a form of sexual abuse.
- **Emotional abuse** – is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children to feel frightened or in danger by being constantly shouted at, threatened or taunted which may make the child very nervous and withdrawn. Some level of emotional abuse is involved in all types of ill treatment of a child. Emotional abuse may occur if children are subjected to constant criticism, name-calling, sarcasm, bullying or unrealistic pressure to perform to high expectations consistently.

The above definitions are adapted from Department of Health (1999) *Working Together to Safeguard Children – A guide to inter-agency working to safeguard and promote the welfare of children*.

### 3.1 Indicators of Abuse - Children

Indications that a child may be being abused include the following:

- Unexplained or suspicious injuries such as bruising, cuts or burns, particularly if situated on a part of the body not normally prone to such injuries.
- An injury for which the explanation seems inconsistent.
- The child describes what appears to be an abusive act involving him/her.
- Someone else (a child or adult) expresses concern about the welfare of another child.
- Unexplained changes in behaviour (eg becoming very quiet, withdrawn or displaying sudden outbursts of temper).
- Inappropriate sexual awareness.
- Engaging in sexually explicit behaviour.
- Distrust of adults, particularly those with whom a close relationship would normally be expected.
- Has difficulty in making friends.
- Is prevented from socialising with other children.
- Displays variations in eating patterns including overeating or loss of appetite.
- Loses weight for no apparent reason.
- Becomes increasingly dirty or unkempt.

It should be recognised that this list is not exhaustive and the presence of one or more of the indicators is not proof that abuse is actually taking place. **It is not the responsibility of SKDC staff to decide that child abuse is occurring but it is their responsibility to act on any concerns.**

### 3.2 Children & Bullying

It is important to recognise that in some cases of abuse, it may not always be an adult abusing a young person. It can occur that the abuser may be a young person, for example in the case of bullying. Bullying may be seen as deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves.

Although anyone can be the target of bullying, victims are typically shy, sensitive and perhaps anxious or insecure. Sometimes they are singled out for physical reasons – being overweight, physically small, having a disability or belonging to a different race, faith or culture.

Bullying can include:

- Physical: hitting, kicking and theft.
- Verbal: name-calling, constant teasing, sarcasm, racist or homophobic taunts, threats, graffiti and gestures.
- Emotional: tormenting, ridiculing, humiliating and ignoring.
- Sexual: unwanted physical contact or abusive comments.

The damage inflicted by bullying can frequently be underestimated. It can cause considerable distress to children, to the extent that it affects their health and development or, at the extreme, causes them significant harm (including self-harm).

There are a number of signs that may indicate that a child is being bullied:

- Behavioural changes such as reduced concentration and/or becoming withdrawn, clingy, depressed, tearful, emotionally up and down, reluctance to go to school, training or sports club.
- A drop off in performance at school or standard of play.
- Physical signs such as stomach aches, headaches, difficulty in sleeping, bed-wetting, scratching and bruising, damaged clothes and bingeing for example on food, cigarettes or alcohol.
- A shortage of money or frequent loss of possessions.

#### 4. Types of abuse – Adults and Older People

Abuse may take many different forms, but these are usually categorised as:

- physical abuse including hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions
- sexual abuse including rape and sexual assault or sexual acts to which the person has not consented or could not consent or was pressured into consenting
- psychological abuse including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or support networks
- financial or material abuse including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, misuse of property, possessions or benefits
- neglect and acts of omission including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational facilities, the withholding of the necessities of life such as medication, adequate nutrition and heating
- discriminatory abuse including racist, sexist, that based on a person's disability and other forms of harassment, slurs or similar treatment

(Source: *Department of Health No Secrets 1999*)

Any of these forms of abuse may be inflicted as the result of deliberate intent, negligence or ignorance.

There is also another form of abuse:

- institutional abuse which includes poor professional practice, repeated incidents of poor care, ill treatment within an institution which has responsibility for providing care or support.

Research suggests that, for a variety of reasons, institutions may sometimes develop practices which allow the abuse of residents and which undermine the rights of residents. In respect of one council activity involving older people, supported and sheltered housing indicators of abuse could include:

- staff using master keys without due cause
- staff entering flats/rooms without permission or not waiting for replies
- breaches of residents' confidentiality
- discriminatory behaviour
- restrictive or discriminatory practices in the use of communal facilities

- staff receiving of gifts of money or goods or asking for payment for errands
- patronising or belittling communication
- treating a person less favourably than others

Abuse can also be:

- a one-off incident
- ongoing and repeated
- deliberate or premeditated
- on the spur of the moment
- stress related
- action taken or not taken
- in a wide variety of relationships, family, care or other professional situation.

#### **4.1 Who is vulnerable?**

The broad definition of a 'vulnerable adult' is a person

"who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him or herself: or unable to protect him or herself against significant harm or exploitation"

(Source: *Department of Health No Secrets 1999*)

#### **4.2 Who may abuse?**

Vulnerable adults may be abused by a wide range of people including partners, relatives and family members, professional staff, paid care workers, volunteers, other residents or tenants, neighbours, friends and, of course, by strangers.

Most abuse takes place within the context of a pre-existing relationship, either with family members, partners or within professional care giving. People may be abused by a person they care for and people may abuse someone who cares for them.

#### **4.3 Where does abuse take place?**

Abuse can take place in any setting or environment. It may be when a vulnerable person lives alone or with a relative or partner. It may occur in any housing situation but more often will be in a nursing, residential, day care, sheltered or supported housing setting. It can occur in any setting where people are in a position of power in relation to the vulnerable adult, such as when the person depends on another for his/her care and support.

#### 4.4 Factors associated with the risk of abuse

The causes of abuse are complex and have often focused on abuse as the result of stress on carers and a history of poor family relationships.

More recently, greater emphasis has been placed on the importance of ageism and ableism (discrimination against people based on negative perceptions of older people and people with disabilities). Where people are devalued or viewed negatively, and where they are disempowered by dependency on others for their care, the risk of abuse becomes greater.

Abuse happens for many reasons and a number of factors have been identified as being associated with a high risk of abuse:

- a history of mental illness, drug or alcohol problems or violent behaviour on the part of the abuser
- where there has been a previous history of violence and poor relationships between the abuser and the abused (such as marital violence or abuse by a parent of a child in the past)
- social isolation - people who are abused frequently have fewer social contacts especially outside the family the person who abuses is dependent on the person they abuse for accommodation or financial support (eg. an adult son or daughter living with the parent)
- a high level of physical or mental dependency in the older person especially where the older person has an illness which affects intellectual functioning and causes behaviour problems
- where the abused person has communication difficulties
- stress on the carer, where the older person is excessively demanding or where the carer has not received appropriate help and support, where the carer is exhausted
- where the carer feels trapped in the caring role, is isolated and lacks other relationships for support
- where there are financial pressures or a significant change in lifestyle
- living arrangements - sharing accommodation increases opportunity for abuse, but also places more stress on a relationship and may limit personal space.

Where abuse occurs within the context of professional care giving or support, whether that is within the person's own home or in an institutional setting, there is evidence that factors indicating increased risk of abuse include:

- stress

- poor supervision and management
- lack of clear guidance and policies
- low pay and poor working conditions
- staff feel under-valued
- lack of recognition for work undertaken
- lack of training
- working in isolation
- discriminatory attitudes

#### **4.5      Sheltered Housing**

You can see that many of these are related to the nature of the working environment as well as to attitudes of workers. Evidence regarding abuse in professional care settings has generally related to residential care, but many of the issues may be applicable to sheltered housing and much care and support is now provided through homecare services.

What is perhaps the most important factor is not the nature of the organisation but the culture of the environment. This is where sheltered housing, with its predominant philosophy of maintaining and promoting independence may be different from residential care. Sheltered housing has a focus which is (or should be) enabling rather than dependency creating and this may encourage a different relationship between scheme managers and sheltered housing workers and their residents/tenants.

The potential for abuse is greatest where the vulnerable person is isolated. The regular contact and visits within supported housing may therefore afford some protection against abuse, but it is important not to be complacent and overlook the potential for abuse of vulnerable people in all settings, including supported and sheltered housing.

#### **4.6      Possible signs of abuse**

There are a number of signs that *may* indicate abuse. These are generally what are known as 'indicators' - possible signs - their presence does not necessarily mean that abuse has taken place, only that the presence of these 'indicators' should give cause for concern. Presence of these 'indicators' should highlight the need for investigation.

##### Physical signs

- bruising especially on the arms and legs that may indicate 'grabbing' and finger-mark bruising
- repeated falls and injuries
- unexplained fractures
- failure to give medication or over use of medication
- bed sores and skin ulcers
- weight loss

- dirty, unkempt appearance
- being left in a wet or soiled bed
- burns

### Psychological signs

- depression or anxiety
- appearance of being afraid or agitated
- withdrawn
- sudden change in behaviour

### Financial signs

- unpaid bills
- unexplained withdrawals from a bank account
- disappearance of valuables
- lack of food, failure of the person controlling money to buy clothing or toiletries
- inability of the older person to explain what is happening to their money

### Sexual signs

- pain, itching, bleeding or bruising in the genital area
- difficulty walking or sitting

### Other general signs include:

- difficulty in gaining access to the older person alone
- older person is isolated in one room
- support services are refused
- carer appears under considerable stress

Presence of these 'indicators' should highlight the need for further investigation. It is important not to jump to conclusions but signs of abuse can easily be overlooked or denied. The risk of this may be particularly great where the person is mentally disordered, where allegations may not be believed.

The effects of any major trauma can be confusion, disbelief, feelings of vulnerability, feelings that life has lost its meaning and purpose. The person may be irritable, touchy or emotional. They may become apathetic or angry and abusive. They may experience sleep disturbance, difficulty in concentrating and be more vulnerable to physical illness. The experience of abuse is often traumatic and can give rise to stress reactions, which if prolonged and unidentified, can have serious psychological consequences for the person who experiences it.

## 5. The Legal Context - Adults

Unlike the protection of children in relation to the Children Act 1989, there is no legal framework for intervention in cases of adult abuse unless the person concerned is 'mentally disordered'. The law assumes adults are responsible for their own decisions and should use the usual channels for reporting to the police. This of course poses many problems, because people who have been abused are often not prepared to take action such as involving the police.

Some of the reasons a person may not take action are:

- they are dependent on the abuser for daily care
- they do not want the abuser punished
- they are frightened that the abuse will get worse or there might be further retaliation from the abuser
- they do not perceive the situation as abusive
- they may be concerned about professional involvement e.g. social services particularly if they fear they may be moved from their home
- they are afraid they will not be listened to or believed
- they care for the abuser
- they do not want to be left alone
- the abuser has 'power' over them
- they are ashamed or embarrassed

Some reasons a professional may not take action or may not be able to take action are:

- the abused person does not want them to and is assessed as capable of making that decision
- they are unable to gain access to the abused person to confirm suspicions

Without legal sanctions workers may be limited in what they can do if, for example, a victim of abuse refuses help or a carer refuses access.

Where abuse occurs it is possible to use the criminal law against crimes such as sexual assault or rape, physical assault or theft, but there are clearly problems associated with this as victims may be reluctant to give evidence in a court and this could be a very stressful experience for vulnerable people. Police may be reluctant to prosecute where they feel the victim may not be able to give 'good' evidence. Unlike in child abuse cases where children may give evidence on videotape and be cross-examined through the use of closed-circuit television, there is no such provision for vulnerable adults.

Provision under mental health legislation allows a social worker to enter and inspect premises where a person is living if there is reason to believe they are not receiving proper care.

Provision under the same legislation gives the social worker the power to remove the person if they are believed to be the subject of abuse or ill-treatment, but only for up to 72 hours.

It is possible to remove a person from his/her home, but in practice this is a last resort as often removal can have a more detrimental effect than the abuse experienced.

In matters of financial exploitation it is possible to use safeguards such as the Court of Protection.

It is possible to see that professionals are often faced with difficult decisions and limited choices. As 'No Secrets' states:

***"the vulnerable adult's capacity is the key to action since if someone has 'capacity' and declines assistance this limits the help that he or she can be given."***

This is what is often known as a professional dilemma - a situation in which a person is confronted by choices between equally unacceptable alternatives. It is not easy to stand back and watch a situation in which a resident or tenant you feel is being abused carries on much as it did before. It is easy to feel that the statutory services are failing in their duty. However, it is important to be aware that the client's wishes must be respected and intervention can lead to a change in the abused persons circumstance that they would not have wanted.

## 6. Inter Agency Working

### 6.1 Children

Social services have a statutory duty under **The Children Act 1989**, to ensure the welfare of children and work with the local Area Child Protection Committee (ACPC) to comply with its procedures.

In addition, the Children Bill 2004 is concerned with the development of universal and specialist services for children. One aim of this bill is for intervention at an early stage by agencies to resolve difficulties and to shift the balance toward effective prevention rather than dealing with abuse after it has happened. It creates a new duty to establish effective partnerships between key local agencies in order to promote the well-being of children, strengthen safeguarding arrangements.

It is therefore important to recognise the role South Kesteven staff play in this multi-agency commitment to the protection of young people.

When an SKDC staff member makes a child protection referral, this would be immediately referred to Lincolnshire Social Services. Their staff have a legal responsibility to make enquiries when it appears that a child may be at risk of 'significant harm'. This may involve talking to the child and family, and gathering information from other people who know the child. Enquiries may be carried out jointly with the police. If action needs to be taken urgently and out of office hours, then the police will deal with the enquiry sensitively and effectively.

### 6.2 Adults

Similarly, guidance from the Department of Health requires Social Services Departments to develop local policies and practice guidance for the protection of vulnerable adults. The aim of codes of practice should be to provide a framework for action within which all agencies work together to ensure a consistent approach. The primary aim should be to prevent abuse but where abuse does occur, to ensure procedures are in place for investigation and assessment.

In this respect, Lincolnshire Adult Protection Committee has drawn together a "Multi Agency Policy and Procedure for the Protection of Vulnerable Adults in Lincolnshire".

This document clearly outlines :

- the roles and responsibilities of all agencies and levels of staff to ensure that staff understand their role and limitations
- statement of procedures for dealing with allegations of abuse including dealing with emergencies, initial assessment and deciding whether intervention is appropriate

- list of referral points including how to access support, advice and protection at all times, in and out of normal working hours with a list of contact addresses and telephone numbers for local and national organisations
- indication as to how to record allegations of abuse, their investigations and subsequent action
- full description of inter-agency communication and procedures for decision making
- list of services offering support.

This SKDC document sets out internal procedures and guidelines that relate to these multi-agency policies and set out the responsibilities of staff to operate within them. These guidelines will help staff to :

- identify children, young people and vulnerable adults who are particularly at risk
- recognise risk from different sources and in different situations and recognising abusive behaviour from other service users, colleagues and family members
- establish routes for making referral and channels of communication within and beyond the agency
- give assurance of protection for 'whistle-blowers'
- work within agreed operational guidelines
- set out rights of staff and how employers will respond where abuse is alleged against them.

## 7. The role of SKDC Staff

### 7.1 Responding to Suspicions - Children

It is not the responsibility of anyone working for SKDC in a voluntary or paid capacity, or those working in affiliated organisations, to take responsibility or to decide whether or not child abuse is taking place.

However, there is a responsibility to protect children in order that appropriate agencies can then make enquiries and take any necessary action to protect the young person.

Discuss any concerns you may have with your line manager. If after those discussions, concerns still exist, you could also, without necessarily identifying the child in question, discuss your concerns with your peers or senior colleagues. This may be an important way of you developing an understanding of the reasons for your concerns about the child's welfare.

### 7.2 Sharing Concerns with Parents

There is always a commitment to work in partnership with parents or carers where there are concerns about their children. Therefore, in most situations, it would be important to talk to parents or carers to help clarify any initial concerns or seek their agreement to making a referral. For example, if a child seems withdrawn, there may be a reasonable explanation. He/she may have experienced an upset in the family, such as a parental separation, divorce or bereavement.

### 7.3 When it is Not Appropriate to Share Concerns with Parents

There are circumstances in which a young person might be placed at even greater risk if concerns are shared (eg where a parent or carer may be responsible for the abuse or not able to respond to the situation appropriately). In these situations or where concerns still exist, any suspicion, allegation or incident of abuse must be reported to the person in charge as soon as possible and recorded.

### 7.4 Social Services

If after all such discussions have taken place you still have concerns and you consider the child is or may be in need, you should, in conjunction with your line manager, refer the child and family to social services.

As stated in an earlier section, social services staff have a legal responsibility to make enquiries when it appears that a child may be at risk of 'significant harm'. This may involve talking to the child and family, and gathering information from other people who know the child. Enquiries may be carried out jointly with the police. If action needs to be taken urgently and out of office hours, then the police will deal with the enquiry sensitively and effectively.

If you are not sure what to do, you can obtain advice by telephoning the local social services department and speak to the duty worker or call the NSPCC 24-hour free phone Helpline on 0808 800 500. The police also have specially trained child protection teams who will give guidance and support, and deal with out-of-office-hours enquiries when social services are not available.

## 7.5 Records and Information

Information passed to the social services or the police must be as helpful as possible, hence the necessity for making a detailed record at the time of the disclosure/concern. The incident record form in **Appendix A** should be used.

Information should include the following:

- The nature of the allegation.
- A description of any visible bruising or other injuries.
- The child's account, if it can be given, of what has happened and how any bruising or other injuries occurred.
- Witnesses to the incident(s).
- Any times, dates or other relevant information.
- A clear distinction between what is fact, opinion or hearsay.

Reporting the matter to the police or social services department should not be delayed by attempts to obtain more information. Wherever possible, referrals telephoned to the social services department should be confirmed in writing within 24 hours. A record should also be made of the name and designation of the social services member of staff or police officer to whom the concerns were passed, together with the time and date of the call, in case any follow-up is needed.

## 8. The role of SKDC Staff

### 8.1 Responding to Suspicions – Vulnerable Adults

Evidence suggests that an vulnerable adult or older person is more likely to admit abuse to someone with whom s/he has built up a relationship of trust, such as a Housing Benefits Officer, Housing Officer, sheltered or supported housing worker or a DWO tradesman. It is crucial that the person is listened to and allegations are taken seriously.

Staff have a role in:

- prevention
- recognition
- reporting
- monitoring

You might observe what you feel to be possible signs of abuse, for example:

- bruises, cuts or burns
- a person being locked in or restrained
- threats to the older person about putting them 'in a home'
- unpaid bills when previously the older person managed their money well
- overhearing verbal abuse.

### 8.2 Response

The response to an allegation will depend on the nature of the abuse and the location or environment in which it takes place. Abuse by a stranger (eg. bogus caller) will require a different response to abuse within an ongoing relationship or in a sheltered housing setting.

It is important not to collude with the abuser by ignoring the abuse - this will allow the abuse to continue and it may escalate, but never challenge a possible abuser at an early stage. You could put the vulnerable person more at risk and you need to be sure of your facts.

### 8.3 Abusive regimes

If you feel that your organisation or that of another agency is allowing abusive practices or you become aware of abuse by a particular individual (such as a sheltered housing scheme manager or social services home care worker), you should express your concerns to your line manager.

Your comments will of course carry greater weight if they are backed up with written notes that aim to provide factual evidence, and if they are made in a non-emotive way. Commenting on the working practices of your or any other

organisation is a difficult and sensitive matter but remember that your first duty is to ensure the health and well being of your client.

It may be very difficult to 'blow the whistle' on a colleague in your own organisation or a worker in another agency who you feel to be behaving in an abusive way. Again, it will be important to ensure that you keep good factual records and that you share your concerns with a line manager at the earliest opportunity.

**Appendix A** attempts to map out the course of action to follow where concerns are expressed about a member of staff. It is crucial that Human Resources are informed of any suspicions at the earliest possible stage.

## 9. Reporting Abuse – Generic Procedure

The following steps outline the council's procedures for dealing with allegations of abuse. Staff, acting in the role of an Alerter, should take the following actions on identifying or suspecting abuse.

The basic procedure is outlined below, **using the principle of the Four R's**. It applies equally, whether the abused person is a child, a young or older person.

### a. Reacting

1. Try to talk to the abused person or child alone, but you may have to wait to do this. It is important not to raise the subject if others are present.
2. When you can, tell the abused person about your suspicions and that you want to help; find out or clarify what they would like you to do. They may be too afraid and ask you to do nothing, but you should be clear about your responsibility to deal with abuse and offer your support during resolution of the problem.
3. You may need to judge whether you are dealing with an emergency or non-emergency. This will dictate the speed with which you need to respond. Depending on the situation you may need to call the emergency service and the family involved, provided they are not the perpetrators of the abuse.
4. Remember that whatever you are told is given to you as a representative of the council and not to you personally. This means that any disclosure cannot be kept to yourself. Confidentiality causes confusion in these circumstances but try to ensure that the person is aware of your responsibilities in this respect.
5. Older people are adults and have a right to be able to determine their own lives and make their own decisions. You should provide them with information and talk through options with them. Where an older person chooses to live with the abuse their wishes should be respected, so long as they have the mental capacity to understand the risk and make an informed choice.
6. Where you (and your managers) feel that the older person lacks the capacity to make an informed decision, action will be taken to protect the vulnerable person by referral to Social Services.

### b. Reporting

7. Immediately inform your nominated section co-ordinator of your suspicions and ask for guidance on how to proceed. In their absence, consult your line manager or service manager.

### c. Recording

8. Record facts and incidents and date your entries. Use the special form shown in **Appendix A**. Keep opinions to a minimum and concentrate on factual evidence. Remember that all such notes will be subject to Data Protection disclosure obligations. Make sure that your records are stored confidentially or given to your line manager for retention.
9. It may be very difficult to 'blow the whistle' on a colleague in your own agency or a worker in another agency who you feel to be behaving in an abusive way. Again, it will be important to ensure that you keep good factual records and that you share your concerns with a line manager at the earliest opportunity.
10. **Appendix B** attempts to map out the course of action to follow where concerns are expressed about a member of staff. It is crucial that Human Resources are informed of any suspicions at the earliest possible stage.
11. All suspected incidents, recorded on the special form, will be referred by your line manager to the Care Services Manager who will formally record the incident, making reference to the "Multi Agency Policy and Procedure for the Protection of Vulnerable Adults in Lincolnshire" or the Area Child Protection Committee policies and procedures.

### d. Refer

12. Concerns will then be referred to Social Services who will have links with the Police regarding investigation of abuse. Wherever possible, involvement of other agencies will be done with the consent of the abused person, particularly in respect of an older person. If s/he does not want other services involved their wishes will be respected unless they are felt to be at immediate risk. It could be that the situation can be dealt with through encouraging the older person to accept an assessment under the NHS and Community Care Act 1990.
13. Investigation into alleged abuse will normally be undertaken by Social Services but where a criminal offence may have occurred this may be in conjunction with the Police. Investigation will be co-ordinated so as to limit the distress to the abused child or vulnerable person.
14. The purpose of investigation and assessment of alleged or suspected abuse is:
  - to establish the facts
  - to determine the level of risk the child or vulnerable person is facing
  - to assess the ability of the person to make competent decisions about their situation
  - to understand the person's view of the situation
  - to identify support networks and resources available

- an assessment of the alleged abuser and the causal factors in the abuse
- the best way to support the child or vulnerable person and the best way to support the “alerter”.

15. Assessment will always be planned and careful consideration given to how and when assessment should take place, to ensure privacy and offer protection.

16. Decisions about the course of action, if any, to be taken will follow investigation and may take place within a multi-agency case conference.

17. An action plan, which details the steps to be taken to prevent further abuse, will be incorporated into the child or vulnerable person's care or support plan.

## **10.0 Policy Statement**

Clarification or further determination on this policy can be obtained from the Corporate Director of Community Services or his representative.

### **10.1 Responsibilities**

South Kesteven District Council will:

- Accept the moral and legal responsibility to implement procedures to provide a duty of care for young people and vulnerable adults, safeguard their well-being and protect them from abuse
- Respect and promote the rights, wishes and feelings of young people, vulnerable and disabled adults
- Ensure that it provides appropriate housing and support services to all of its residents, but especially to those that are vulnerable
- Ensure better protection for vulnerable adults, taking as its guideline the Governments' national framework document "No Secrets – guidance on developing and implementing multi agency policies and procedures to protect vulnerable adults from abuse."
- Recruit, train and supervise its employees to adopt best practice to safeguard and protect young people and vulnerable adults from abuse and themselves against false allegations
- Require staff to undergo an enhanced Criminal Records Bureau (CRB) check.
- Require staff to adopt and abide by the South Kesteven District Council Code of Conduct for Council Staff
- Respond to any allegations appropriately and implement the appropriate disciplinary and appeals procedures.

### **10.2 Principles**

The procedures within this policy are guided by the following principles:

- The welfare of young people (the Children's Act 1989 defines a young person as under 18 years of age) and the welfare of vulnerable adults in the community as a whole are the primary concern.

- All young people and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, religious belief and/or sexual identity have the right to protection from abuse.
- It is the responsibility of the child and adult protection experts to determine whether or not abuse has taken place but it is everyone's responsibility to report any concerns.
- All incidents of poor practice and allegations should be taken seriously and responded to swiftly and appropriately.
- Confidentiality should be upheld in line with the Data Protection Act 1998 and the Human Rights Act 2000.

## **10.0 Conclusions**

This policy document has highlighted some of the issues relating to the abuse of young people and vulnerable adults. It has examined some of the different settings in which abuse may occur and some of the possible risk factors. It has also considered some of the possible indicators of abuse and how to respond to these.

It is important to balance the need to be alert to possible signs of abuse, but at the same time not to jump to conclusions and to ensure a full assessment of the situation.

South Kesteven District Council, in partnership with Lincolnshire Social Services, now has clear policies and procedures in respect of dealing with reports of young people and adult abuse. These should be followed where staff have reason to suspect that a person has been abused or is at risk.

## Appendix A

### INCIDENT RECORD FORM

Your name:	
Your position:	
Young Person or Adult's name:	
Their address:	
Date of birth:	
Date and time of any incident:	
Your observations:	
Exactly what was said and what you said: (Remember, do not lead the complainant – record actual details. Continue on separate sheet if necessary)	
Action taken so far:	
External agencies contacted (date & time)	
<b>Police</b> yes/no	If yes – which: Name and contact number: Details of advice received:

<b>Social services</b> yes / no	If yes – which: Name and contact number: Details of advice received:
<b>Other</b> (eg NSPCC, Age Concern)	Which: Name and contact number: Details of advice received:

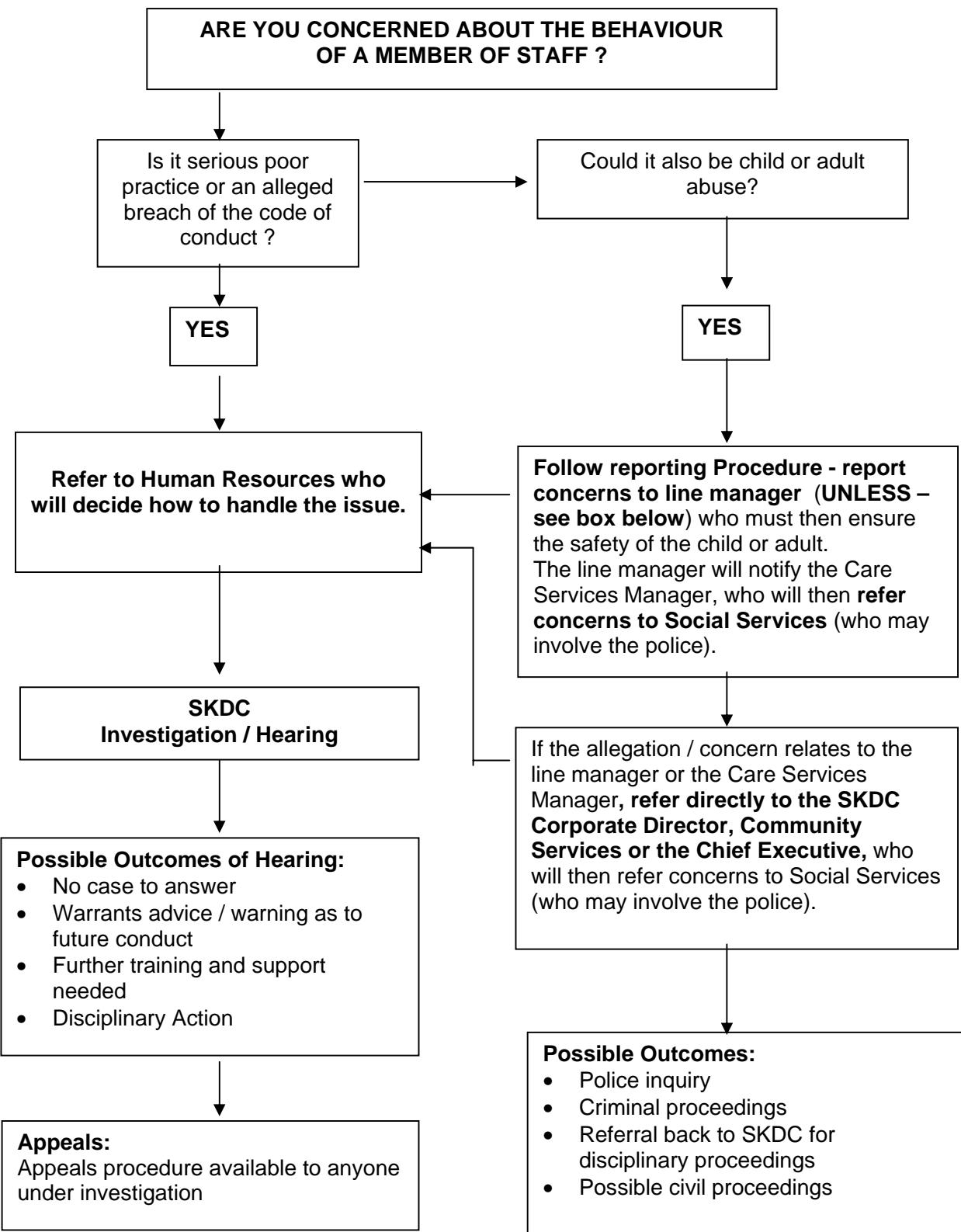
Signature:  Print name:
Date:

**A copy of this form should be sent to the Care Services Manager who will arrange for it to be forwarded to Social Services.**

Remember to maintain confidentiality on a **need to know** basis – only if it will protect the child or adult concerned. Do not discuss this incident with anyone other than those who need to know.

## Appendix B

### Appropriate Action in Relation to Concerns About a Member of Staff



# Agenda Item 6

## REPORT TO CABINET

REPORT OF: Head of Planning and Economic Regeneration

REPORT NO. PLA477

DATE: 7<sup>th</sup> February 2005

<b>TITLE:</b>	Urban Capacity Study and Housing Supply Policy statement
<b>FORWARD PLAN ITEM:</b>	Not included
<b>DATE WHEN FIRST APPEARED IN FORWARD PLAN:</b>	N/A
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	Local Development Framework is a Key decision

<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	Cllr John Smith Economic and Cultural Portfolio
<b>CORPORATE PRIORITY:</b>	Planning and Conservation and Affordable housing
<b>CRIME AND DISORDER IMPLICATIONS:</b>	Minor
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	Minor
<b>BACKGROUND PAPERS:</b>	Lincolnshire Structure Plan, Regional Planning Guidance, National Planning Guidance, South Kesteven Urban Capacity Study

## 1. INTRODUCTION OR SUMMARY

- 1.1 This report outlines the findings of the Urban Capacity Study prepared as background evidence for the Local Development Framework. This study reveals that there is a realistic capacity on brownfield (previously developed) sites within the four towns (of Grantham, Stamford, Bourne and the Deepings) for approximately 2577 dwellings to be built during the 17 year period to 2021. The total number of houses built since April 2001, and those with planning permission at September 2004 in the district is 6571. Taken together these figures total 9148. The Lincolnshire Structure Plan sets a requirement for 9200 dwellings to be built in the district between 2001 and 2021. There is therefore only a very small residual requirement of 52 dwellings.
- 1.2 The conclusion drawn from these findings is that very little new residential development, other than on sites with planning permission and identified through the urban capacity study, needs to be built during the period to 2021. Part of the changes to the planning system introduced by the Planning and Compulsory Purchase Act 2004 is the promotion of a flexible and responsive system in which “plan, monitor and managing” the amount of housing development is a key component. The emerging LDF will need to address this issue with a robust policy framework to ensure that the Structure Plan requirement is met and not exceeded. In the meantime, however, applications will continue to be received for residential proposals across the district. All development proposals must be considered in light of the development plan policy and other relevant material considerations which will include this information on housing capacity.
- 1.3 Currently the development plan policies for the district are provided by the South Kesteven Local Plan (Adopted 1995) and the Approved Lincolnshire Structure Plan which includes Alterations No.1 and 2. Since these documents were approved national and regional policy has developed to give much greater emphasis to the issue of sustainable patterns of development. Whilst Structure Plan policy has changed to reflect this, in the recently published Deposit version (April 2004), work on the local plan review has ceased as we move over to the new Local Development Framework (LDF). National and Regional Planning policy included in PPG1(General Policy and Principles) and PPS1 (Creating Sustainable communities) consultation draft), PPG3 (Housing), PPG 13 (Transport), PPS7 (Sustainable Development in Rural Areas) and RPG8 (Regional Planning Guidance for the East Midlands) guide the location of new residential development to ensure sustainable development objectives can be met. The advice provided by these documents supersedes some of the policies included in the adopted South Kesteven Local Plan. In particular policies H6 and H7
- 1.4 If the current somewhat permissive local plan policy were to continue the Structure Plan housing requirement will be met and exceeded long before the end of the plan period. It is therefore essential that the current position with

regard to housing numbers is taken into consideration in all new and resubmitted housing proposals. A position statement has therefore been drawn up setting out the situation and providing clear policy guidance for the consideration of all new housing proposals.

1.5 The guidance in this statement is based upon the following principles:

- Urban brownfield sites have preference over all other sites in particular greenfield sites; and
- Development must be in sustainable locations, well served by existing services and facilities with access to good and frequent public transport.

1.6 The Conclusions of this approach are that

- no new greenfield residential development is acceptable in any location
- No new housing development in the rural areas (other than affordable housing or agricultural and forestry workers accommodation where a need is proven.)
- New housing development in the four towns should be restricted to brownfield sites only.

1.7 Three levels of policy control will therefore apply, depending on the location.

- Within the built up areas of Grantham, Stamford, Bourne and the Deepings housing proposals are generally considered acceptable where they are for:
  - a) sites identified in the urban capacity study
  - b) windfall sites which meet the definition of "previously developed land" in Annex A of PPG3
  - c) Conversion and re-use of existing buildings
  - d) replacement dwelling
- Within the built up area of main villages which are considered "sustainable" housing proposals are generally considered acceptable where they are for:
  - a) Renewal of an existing permission on a brownfield site
  - b) Rural Exception sites for affordable housing or agricultural and forestry workers accommodation to meet a proven local need
  - c) Replacement dwelling (one for one)
  - d) Conversion of listed building where no other use can be found
- All other villages and the countryside – considered the "rural area" housing proposals will only be considered acceptable if they are for :
  - a) Rural Exception sites for affordable housing or agricultural and forestry workers accommodation to meet a proven local need
  - b) Replacement dwelling (one for one)
  - c) Conversion of listed building where no other use can be found

1.8 A number of consequences of this approach are expected which will have an effect on the need for additional policy guidance and explanation. In particular it is expected that additional guidance will be needed for:

- Affordable housing (particularly rural exceptions)
- Agricultural / forestry workers dwellings
- Back land development
- Replacement dwellings

## 2. RECOMMENDATIONS

2.1 Cabinet is asked to:

- i. endorse the Urban Capacity Study (attached at Appendix A) for consultation.
- ii. approve the new housing policy (shown in bold in the Conclusion of this report) to replace policies H6 and H7 of the adopted South Kesteven Local Plan for use as an interim measure in determining planning applications for new housing proposals.
- iii. Delegate the preparation and approval of an Interim Housing Policy Statement to explain and justify this new policy to the Head of Planning Policy and Economic Regeneration and the Economic and Culture Portfolio member
- iv. Publish this policy and supporting statement for public consultation.

## 3. DETAILS OF REPORT

### **Urban Capacity Study**

3.1 To meet the requirements of the Planning and Compulsory Purchase Act the adopted South Kesteven Local Plan is being reviewed and a series of development plan documents are being prepared to form the new Local Development Framework. A fundamental part of the LDF will be the allocation of specific sites for housing development to meet the strategic requirements for the district currently set out in the Lincolnshire structure Plan.

3.2 Planning Policy Guidance Note 3 (PPG3) Housing recommends that all potential sources of capacity for housing development in larger settlements is identified as part of the process of identifying housing land supply in the development plan. PPG3 and its companion guides "Tapping the Potential" and "Managing the Release of Housing Land" provide detailed advice and guidance about the process of identifying potential capacity through the preparation of an urban capacity study, and on the need to plan, monitor and manage the supply of land for housing development.

3.3 In accordance with this advice an urban capacity study has been undertaken for the four towns in the District. The study has been prepared jointly by the Council's Planning officers and a private sector practitioner from Humberts. This joint approach has enabled a balanced and realistic approach to be given to the identification and consideration of sites. Only sites which are considered suitable and feasible (from both a planning and development point

of view), and which present a realistic opportunity for housing redevelopment have been given a capacity figure in the survey.

3.4 In total some 150 sites were originally identified. However about 60% of these sites have been discounted as it is considered that they are unsuitable or unlikely to come forward for development. The reasons for this discounting can be summarised as follows:

- Market knowledge
- Land value and economic constraints
- Planning / development constraints (eg highway restrictions, existing use and policy restrictions such as Greenfield sites)
- Physical constraints (eg flood risk, land locked)
- Planning history
- Developer interest

3.5 As a result of this work it is considered that there is capacity for about 2580 new dwellings to be built within the 17 year plan period to 2021 on brownfield sites within the four towns of the District. The table below summarises the findings of the urban capacity study:

	Grantham	Stamford	Bourne	Deepings	District
No. sites considered	68	45	21	19	153
No. sites Discounted	31	28	13	14	95
Sites considered now with planning permission	5	4	0	0	9
Remaining sites	32	13	8	5	58
Capacity identified on remaining sites	1614	581	274	108	2577

3.6 The urban capacity study only considered large sites – that is sites of 0.4 ha or greater. Within the towns there are a number of smaller sites with redevelopment potential which will come forward for development within the plan period. These sites are almost impossible to identify and calculate, they are therefore considered as windfall sites. PPG3 advises that provision should also be made in the calculation of housing land supply for windfall sites.

3.7 An example of such a small site windfall would be a house within a large garden. PPG3 provides a definition of what is considered Brownfield land. Included within the definition is the garden of a residential property, therefore a large garden subdivided to accommodate 1-2 new dwellings would be considered acceptable as brown field development. Alternatively the

subdivision of a large housing or its demolition to provide flats would also be considered as a windfall site.

3.8 A windfall allowance for the towns has therefore been made as part of the urban capacity study. This allowance is based upon past completion rates for small sites which has been extrapolated for future years.

	Grantham	Stamford	Bourne	Deepings	District
Annual rate	20	15	10	5	50
Windfall allowance 2004- 2021	340	255	170	85	850

3.9 The detailed findings of the urban capacity study which includes an information sheet for each site considered and 4 maps showing the location of all sites considered in each town has been prepared. A summary of the detailed study is attached as Appendix 1 to this report and copies of the full study are available for inspection in the Members Room. To give the findings of the study a greater degree of confidence and in the spirit of greater community involvement in the early stages of the plan process it is proposed that the Urban Capacity Study goes out for public consultation before being finalised as a background document to the LDF.

3.10 Consultation should begin as soon as practicable. Efforts will be made to ensure that agents and landowners to whom the study relates are aware of the availability of the study and of the consultation period.

### **Housing Land Supply**

3.11 The findings of the urban capacity study play an important part in the calculation of housing land supply for the district. National planning policy advises that the supply of housing land should follow a “plan, monitor and manage” approach to ensure that supply is maintained at an appropriate level throughout the plan period.

3.12 The District has a duty to meet the strategic housing requirement set by the Structure Plan. The district requirement forms part of the Lincolnshire county requirement which is in turn set by Regional Planning Guidance.

3.13 Strategic planning guidance for Lincolnshire has been complicated over recent years by a succession of Structure Plan Alterations and reviews, not all of which have been approved by the Secretary of State. A new Structure Plan was placed on deposit in April last year which reflects the approved regional housing requirements for the County. These figures are lower than the annual rates which have been promoted for the County in the past and represent a shift in policy from “planned growth” towards a more restrictive approach.

3.14 This shift in policy and reduction in strategic housing requirements has a serious knock on effect for the districts in Lincolnshire as a whole, and for South Kesteven particularly, because we are still relying upon the old adopted

local plan policies which are in accordance with the more permissive “planned growth” approach of the old Structure Plan. In particular policies H6 and H7 of the South Kesteven Local Plan imply that most housing proposals within settlements in the district will be acceptable. This approach has ensured that over the last 13 years the district has maintained an average completion rate of about 670 per year (for the calendar years 1991 – 2001, and financial years March 2001- April 2004) which is slightly higher than that required by the approved Structure Plan (1988-2001) of 615 per annum.

- 3.15 The deposit Structure Plan (April 2004) covers the next 20 year period from 2001 – 2021. The district requirement in this plan is for 9200 houses to be built during that 20 year period, giving an annual build rate of 460. Almost four years of this period have already passed during which time some 2125\* dwellings have been built and planning permission for a further 4446\* dwellings have been approved. (\*Figures given are at 30<sup>th</sup> September 2004). This represents more than two thirds of the districts requirement for the 20 year period.
- 3.16 If the urban capacity figures are added into the calculation (2577 urban capacity and 850 small site windfall allowance) the total supply for the district will be exceeded by almost 800 dwellings. It appears therefore that no new housing proposals will be required for the period to 2021 other than on sites which already have planning permission and on those sites identified in the urban capacity study.
- 3.17 The timetable for preparing the development plan documents which form the LDF is protracted (see report on the LDS) and will mean that these key policy documents will not be adopted until late 2007. In the meantime however planning applications continue to be made for housing development sites across the district, many of which are not in sustainable locations and which would result in greenfield development. It is therefore essential that action is taken now to ensure that the strategic housing requirement is not grossly exceeded.
- 3.18 An interim policy statement has therefore been prepared to address this issue. The statement clearly shows existing housing supply and that which is predicted by the urban capacity study. The conclusion of this evidence of housing supply is that new housing development within the district must be restricted. The councils policy to restrict development must however reflect national and regional guidance on the location of development and must embrace the concept of sustainable development. Of particular importance to this matter is the sequence of site suitability set out in paragraph 31 of PPG3 and policies 2 and 3 of RPG8.
- 3.19 PPG3 clearly sets out that brown field sites should be developed in preference to greenfield sites, and that where there is sufficient supply of brownfield land available greenfield development should be rejected. The new policy must therefore make it clear that greenfield housing proposals are not acceptable.

3.20 National and regional policy also emphasises the need to ensure sustainable patterns of development. New development should be located where it minimises reliance upon the private car, therefore sustainable locations are those where ones daily needs can be met by existing services and facilities within the immediate locality and where public transport is available to facilitate access to larger commercial centres. In a largely rural area such as South Kesteven it is hard to justify the sustainability of many of the rural settlements. Planning applications for new houses have been refused in the more remote locations of the district as being contrary to the principles of sustainable development for over 6 months. Many of these decisions have been successfully upheld at appeal. It is now appropriate to consider extending this approach to all of the villages in the district, concentrating new development on the four towns only.

3.21 As an exception to this, affordable housing and accommodation for agricultural and / or forestry workers would be acceptable in the villages where a need can be proven. Also the conversion of listed buildings for residential use would be acceptable in the rural area where other commercial options for the re-use of such a building have been considered.

3.22 Renewal of applications. Within the 4446 dwellings which already have planning permission, 850 are located in the rural area. Where such applications lapse they will only be renewed in settlements which are considered sustainable. These settlements have been identified based on the services and facilities provided within them. For example it is considered essential that a village has at least one full time shop, a post office, a primary school, a regular bus service and a public house. At the time of writing, the following settlements are considered “sustainable settlements” by virtue of the range of facilities within them.

- Caythorpe
- Harlaxton
- Corby Glen
- Ancaster
- Billingborough
- Long Bennington
- Barrowby
- Morton
- Great Gonerby
- Colsterworth
- Baston
- Thurlby
- Barkston
- Langtoft

3.23 The housing supply situation is monitored on a regular basis in this district. It is proposed that the annual monitoring of commitments and completions which is usually undertaken at the end of March each year will inform an annual review of this policy. This will allow the assumptions of the urban capacity

study to be tested, and will also allow consideration to be given to the rate of completions and commitments and whether the number of un-renewed permissions makes any overall difference to the supply calculation.

#### **4. OTHER OPTIONS CONSIDERED AND ASSESSED**

- 4.1 The alternative option would be to maintain the current situation, where policies H6 and H7 of the Local Plan continue to be used to determine planning applications for new houses and await the preparation for the Housing and Economic Development Policy DPD in the LDF. In the draft timetable this plan should be adopted by the end of 2007. If the completion rates continues at a similar level to the previous 4 years (between 550 – 600) during this 2 ½ year period, by the end of March 2007 it is likely that a total of 3200 houses will have been built and that some 4000 dwellings will have planning permission. A number of these permissions will include new greenfield sites which will have gained permission during the two years since 2004. Whilst some of the new permissions are likely to be on identified urban capacity sites it is probable that a large number will also be on sites in less sustainable locations and on greenfield sites.
- 4.2 The consequences of continuing this approach is that the Structure Plan requirement for the district could be met by actual completions and commitments by 2010, some ten years early. Presenting the possibility of a ten year period during which no housing development will be permitted.

#### **5. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES**

None

#### **6. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)**

None

#### **7. COMMENTS OF OTHER RELEVANT SERVICE MANAGER**

None

#### **8. CONCLUSIONS**

- 8.1 As part of the background work for the preparation of a housing and economic development plan document an urban capacity study has been carried out. The report of the findings of this study has been prepared and is ready to be published for consultation.
- 8.2 The results of the urban capacity study reveal a realistic capacity for some 2580 dwellings to be built on previously developed sites and for approximately 850 small site windfalls to be built in the four towns during the period to 2021.

8.3 The urban capacity figures form part of the calculation of housing land supply in the district, and will contribute towards meeting the Strategic housing requirement proposed by the Deposit Structure Plan (April 2004).

8.4 Housing land supply in the district is monitored regularly. Completions since 1<sup>st</sup> April 2001 and the number of houses with planning permission at September 2004 total 6571. Taken together with the identified urban capacity and the estimated windfall allowance, the existing known and predicted supply of new houses in the district already exceeds the Structure Plan requirement of 9200 (2001-2021).

8.5 To address this it is proposed that a policy statement is prepared to demonstrate and justify the introduction of a new interim policy to replace policies H6 and H7 of the adopted South Kesteven Local Plan as set out below.

#### **New Housing Development in South Kesteven**

**New Housing Development will not be permitted on green field sites within the district.**

**In the four towns of Grantham, Stamford, Bourne and the Deepings new housing development will only be permitted which involves:**

- a) a previously developed site (in accordance with the definition included in PPG3 Annex C)
- b) Conversion and re-use of existing buildings
- c) replacement dwelling

**Within the main villages which are considered “sustainable,” housing proposals will only be permitted where they are for:**

- a) Renewal of an existing permission on a brownfield site
- b) Rural Exception sites for affordable housing or agricultural and forestry workers accommodation to meet a proven local need
- c) Replacement dwelling (one for one)
- d) Conversion of listed building where no other use can be found

**In all other villages and the countryside housing proposals will only be considered acceptable if they are for :**

- a) Rural Exception sites for affordable housing or agricultural and forestry workers accommodation to meet a proven local need
- b) Replacement dwelling (one for one)
- c) Conversion of listed building where no other use can be found

**In all cases planning permission will also be subject to all relevant policies of the “saved” Adopted South Kesteven Local Plan**

## **9. CONTACT OFFICER**

9.1 Mike Sibthorp, Head of Planning Policy and Economic Development

## GRANTHAM

Reference	Site Location	Town	Site Area (hec)	Usage	Yield
Gr01	Vacu-Lug, Gonerby Hill Foot	Grantham	4.717	Short term = commercial Medium term = residential	95
Gr02	Gonerby House, Gonerby Road	Grantham	1.789	Single Use Residential	12
Gr03	Bookers Cash & Carry	Grantham	1.388	No Change	0
Gr04	Mount Street	Grantham	0.948	Mixed Use	25
Gr05	Crystal Garage, Barrowby Road	Grantham	1.652	Residential	30
Gr06	BGB, Dysart Road	Grantham	0.678	Commercial (no change)	0
Gr07	Factory on north end of Trent Road	Grantham	1.997	Short/Med term = commercial Long term = residential	65
Gr08	Venture Way	Grantham	1.434	No Change	0
Gr09	Shaw Road / Swingbridge Road	Grantham	2.001	Mixed use (including social housing)	25
Gr10	Calder Close	Grantham	1.009	Residential	34
Gr11	North side of Jct Trent & Harlaxton Road	Grantham	1.873	Employment	0
Gr12	South side Jct of Trent & Harlaxton Road	Grantham	1.31	Commercial	0
Gr13	Willow Lane	Grantham	1.535	Single or Mixed Commercial	0
Gr14	Belvoir Avenue	Grantham	0.366	No Change	0
Gr15	Land to the rear of Isaac Newton PH	Grantham	0.409	Commercial	0
Gr16	Springfield Park	Grantham	14.202	Mixed use (substantial housing component 10Ha)	300
Gr17	Land between Springfield Rd, Harlaxton Rd	Grantham	3.657	Mixed use (including residential)	75
Gr18	Depot on Huntingtower Road	Grantham	0.295	Residential	15
Gr19	Former Foundry, Springfield Road	Grantham	1.481	Commercial / Industrial	0
Gr20	Impress Metal Packaging, Springfield Road	Grantham	5.503	Residential	170
Gr21	Land at rear of Stamford Street	Grantham	0.454	No Change	0
Gr22	Wordsworth Holdings	Grantham	19.124	No Change	0
Gr22a	Wordsworth Holdings	Grantham	4.881	Residential	100
Gr23	Dysart Park former Indoor Cricket Centre	Grantham	0.418	Residential	20
Gr24	Old Maltings, Bridge Street	Grantham	0.468	Residential Consented	0
Gr25	Land on Inner Street	Grantham	2.47	Mixed Use commercial	0
Gr26	Tennis Court, rear of Safeway Supermarket	Grantham	0.161	No Change	0
Gr27	Safeway Supermarket site	Grantham	2.124	Retail	0
Gr28	Commercial premises London Road	Grantham	0.436	Commercial / Retail	0
Gr28a	2-10 London Road	Grantham	0.148	Residential Consented	0
Gr29	Former School, Launder Terrace	Grantham	0.366	Residential	25
Gr30	Timber Yard, Brewery Hill	Grantham	0.509	Residential	20
Gr31	Jewsons Builders Yard, Wharf Road	Grantham	1.547	No Change	0
Gr32	Railway Club, Huntingtower Road	Grantham	0.585	Residential	32
Gr32a	Land adj. Huntingtower Primary School	Grantham	0.37	No Change	0
Gr33	Hampsons, Harlaxton Road	Grantham	0.461	Residential	54
Gr34	Land off Dysart Road / Old Wharf Road	Grantham	19.161	Mixed Use	100
Gr35	Former Dysart Centre	Grantham	2.095	Residential Consented	0
Gr36	Autumn Park & adj. Commercial Uses	Grantham	10.29	Mixed / Residential	100
Gr37	Cattle Market	Grantham	0.803	Retail / Commercial	0
Gr37a	Land / buildings r/o Westgate	Grantham	1.033	Residential	27
Gr37b	Conduit Lane Car Park	Grantham	0.169	Mixed Use / Residential	25
Gr38	Union Street Car Park	Grantham	0.288	Commercial	0
Gr39	Watergate Car Park	Grantham	0.279	Residential	30
Gr40	Brook Street Petrol Station	Grantham	0.169	Educational	0
Gr41	Land r/o Gladstone Terrace	Grantham	0.616	No Change	0
Gr42	Land to the rear of Belton Lane / Harrowby Lane	Grantham	1.409	Residential	10
Gr43	Land r/o Belton Lane	Grantham	0.332	No Change	0
Gr44	Belton Lane Industrial Estate	Grantham	1.857	Single Use Residential	60
Gr45	Royal Queen Public House	Grantham	0.296	No Change	0
Gr46	Cherry Tree PH	Grantham	0.273	No Change	0
Gr47	Land r/o Tennyson Ave & Rosetti Court	Grantham	0.443	Single Use Residential	20
Gr48	Land at the rear of New Beacon Rd & Brittan Drv	Grantham	2.093	No Change	0
Gr49	Grantham College Annexe	Grantham	0.4	No Change	0
Gr50	41a & Gardens at rear of Harrowby Lane	Grantham	1.409	No Change	0
Gr51	Stonebridge House, Avenue Road	Grantham	1.695	High Density Residential	25
Gr52	Albion House, Stonebridge Road	Grantham	0.302	Residential	20
Gr53	Former Tyre Dept. & House Welham Street	Grantham	0.175	High Density Residential	40
Gr54	Welham Street Car Park	Grantham	0.365	No Change	0
Gr55	Land and buildings, St Catherines Road	Grantham	0.421	Multi-Use	10
Gr56	Corner of Grove End Road & Avenue Road	Grantham	0.06	Residential Consented	0
Gr57	Former Kwik Save, Castlegate / East Street	Grantham	0.739	Mixed Retail / Com. / Res.	30
Gr58	Conservative Club, Castlegate	Grantham	0.336	Mixed Use / Residential	10
Gr59	Elm House	Grantham	0.453	No Change	0
Gr60	Car Parking and premises, Elmer Street South	Grantham	0.454	No Change	0
Gr61	Car Park, Greenwood Row	Grantham	0.309	No Change	0
Gr62	Old Tannery, Earlefield Lane	Grantham	0.3	Residential Consented	0
Gr63	Commercial buildings, Cambridge Street	Grantham	0.206	Residential	10

**TOTAL = 1614**

## STAMFORD

Reference	Site Location	Town	Site Area (hec)	Usage	Yield
St01	Land adj. to Dundee Drive	Stamford	0.642	No Change	0
St02a	Redundant Williamson Cliff Brickworks and Clay pits	Stamford	1.417	Single Use - Residential	200
St02b		Stamford	3.118		
St02c		Stamford	4.955		
St03	Streets Haulage Yard n/o Waverly Gardens	Stamford	0.24	Residential Consented	0
St04	Roman Mill Little Casterton Road	Stamford	0.545	Single Use - Residential	20
St05	Land n/o of Casterton Road Empingham Road	Stamford	1.41	No Change	0
St06	Land adj. 38 Casterton Road	Stamford	0.196	No Change	0
St07	Public Car Park, Scotgate	Stamford	0.116	No Change	0
St08	Grounds at Barn Hill House	Stamford	0.388	No Change	0
St09	Jacksons Building Centre, Radcliffe Rd & yard	Stamford	0.297	Single Use - Residential	30
St10		Stamford	0.088		
St10a	Yards / Gardens / Buildings North Street	Stamford	0.407	No Change	0
St11	Former Club, adj to North Street Car Park	Stamford	0.088	Residential Consented	0
St12	Land adj. 30. Conduit Lane	Stamford	0.04	No Change	0
St12a	Hazel Grove, Emlyn Street	Stamford	0.258	No Change	0
St13	Garage on Alexandra Road / Emlyn Street	Stamford	0.035	No Change	0
St14	Garage Site, Between 80-82 Elizabeth Roa	Stamford	0.059	No Change	0
St15	Garges, Kesteven Road	Stamford	0.179	Single Use - Residential	15
St16	Garages, Glen Crescent	Stamford	0.11	Single Use - Residential	15
St17	Garages, Lincoln Road	Stamford	0.152	Single Use - Residential	15
St18	Stamford Hospital, Ryhall Road	Stamford	3.316	Mixed Use inc. Residential	30
St19	Stables Cottage, Uffington Road	Stamford	0.161	No Change	0
St20a	Paddock adjacent to The Priory Ancient M	Stamford	2.008	No Change	0
St20b	Allotments n/o Priory Road	Stamford	2.622	Mixed Use inc. Residential	100
St20c		Stamford	1.722		
St21	Works site between Adelaide Street & Riv	Stamford	2.504	No Change	0
St22	Land between 7 & 8 St. Leonard Street	Stamford	0.144	Single Use - Residential	14
St23	Vacant car showroom, Wharf Road	Stamford	0.158	Single Use - Residential	12
St24	Harrison Ford, Wharf Road	Stamford	0.422	No Change	0
St24a	Former gas site, Gas Street	Stamford	0.231	Residential Consented	0
St25	Wharf Road Car Park	Stamford	0.577	Mixed Use inc. Residential	60
St26	Depot & Works, Wharf Road	Stamford	0.702	Residential Consented	0
St26a	Sharmans Depot, Barnack Road	Stamford	0.316	Single Use - Residential	20
St26b	Vacant Allotment, Barnack Road	Stamford	0.916	No Change	0
St27	Football Ground, Kettering Road	Stamford	1.6	Residential	50
St28	Cattle Market & Car Park	Stamford	1.409	No Change	0
St29	Bus Station, Stamford	Stamford	0.242	No Change	0
St30	Sycamore Garage off West Street	Stamford	0.32	No Change	0
St30a	Sommerfields Supermarket, West Street	Stamford	0.834	No Change	0
St31	Tinwell Road Lane	Stamford	0.625	No Change	0
St32		Stamford	0.4		
St33		Stamford	0.096		
St34	Sites adj. To Empingham Road Playing Field	Stamford	0.258	No Change	0
St35		Stamford	0.139		
					<b>TOTAL = 581</b>

# BOURNE

Reference	Site Location	Town	Site Area (hec)	Usage	Yield
Bo01	Land between South Rd & Drummond Rd	Bourne	0.589	No Change	0
Bo02	Land r/o Willoughby Road	Bourne	0.594	Residential	10
Bo03	Bourne Car Auctions, Cherry Holt Road	Bourne	0.219	No Change	0
Bo04	Land & buildings between Spalding Rd & Manning	Bourne	1.694	No Change	0
Bo05	Brooks Bourne Services Ltd, Manning Road	Bourne	0.712	Residential	30
Bo06	Johnson Bros, Manning Road	Bourne	0.532	Residential	20
Bo07	Access & Car park adj. 36 & 38 Abbey Road	Bourne	0.093	No Change	0
Bo08	Commercial premises, South Street (E)	Bourne	0.287	No Change	0
Bo08a	Commercial premises, South Street (W)	Bourne	1.975	Residential	60
Bo09	Old Mill, South Street	Bourne	0.079	Residential	10
Bo10	Car Park & Retail service area, r/o Market Place	Bourne	0.539	No Change	0
Bo11	Operational car park & unused land, Manor Lane	Bourne	0.53	Part Residential	20
Bo12		Bourne			
Bo13	Land & buildings between Burghley St, North St and Market Place	Bourne	1.492	Mixed use / Residential	40
Bo14		Bourne			
Bo15		Bourne			
Bo16	Bus Station, North Street	Bourne	0.178	No Change	0
Bo17		Bourne			
Bo18	Land off North Road (The Croft)	Bourne	2.721	Residential	84
Bo19		Bourne			
Bo20	Land r/o Mill Drove	Bourne	0.777	No Change	0
<b>TOTAL = 274</b>					

## THE DEEPINGS

Reference	Site Location	Town	Site Area (hec)	Usage	Yield
De01	Corner Farm, Towngate West	Deepings	0.381	No change	0
De02	Land at the rear of 14-18 Towngate East	Deepings	0.413	No change	0
De03	Land at rear of 25-31 Halffleet	Deepings	0.324	No change	0
De04	Land adj. 1, The Avenue	Deepings	0.137	No change	0
De05	Land at rear of 50-88 Church Street	Deepings	1.297	No change	0
De06	40a Stamford Road	Deepings	0.455	No change	0
De07	Service areas and car park to The Rainbow Superstore	Deepings	0.407	Residential on part	15
De08		Deepings	0.077		
De09		Deepings	0.149		
De10	Workshop adj. to entrance to Rainbow Store	Deepings	0.216	Residential	15
De11	The Still, Clover Road	Deepings	0.383	Residential consented	0
De12	Deepings Community Centre, Douglas Road	Deepings	0.161	No change	0
De13	Shop Units, Riverside Park, High Street	Deepings	0.167	No change	0
De14		Deepings	0.185		
De15	Terry Wright Cycle Shop & Workshop, Horsegate	Deepings	0.223	No change	0
De16	Churchfield, Spalding Road / Broadgate Lane	Deepings	1.978	Residential	38
De17	Redundant works, Spalding Rd & Hall Meadow Rd	Deepings	1.365	No change	0
De18	AMPY Automation, Frogna	Deepings	0.892	Residential	30
De19	Land off Wellington Way	Deepings	0.309	Residential	10
<b>TOTAL = 108</b>					

# Agenda Item 7

## REPORT TO CABINET

REPORT OF: Head of Planning Policy and Economic Development

REPORT NO. PLA478

DATE: 7<sup>th</sup> February 2005

<b>TITLE:</b>	Local Development Scheme - Revised
<b>FORWARD PLAN ITEM:</b>	Included in Forward Plan
<b>DATE WHEN FIRST APPEARED IN FORWARD PLAN:</b>	17 <sup>th</sup> May 2004
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	Key Decision

<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	The LDF will set future District Council land use planning policy
<b>CORPORATE PRIORITY:</b>	Planning and Conservation, Affordable housing, Town Centres
<b>CRIME AND DISORDER IMPLICATIONS:</b>	Minor
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	Minor
<b>BACKGROUND PAPERS:</b>	Draft LDS (Nov 2004), Lincolnshire Structure Plan (Adopted and Deposit Draft), Regional Planning Guidance, Planning Policy Statement 12 Letter from GOEM 6 <sup>th</sup> January 2005

## **1. SUMMARY**

1.1 Cabinet considered and approved the Draft Local Development Scheme (LDS) for submission to Government Office for the East Midlands (GOEM) on 24<sup>th</sup> November 2004.

1.2 The Council has now received a response from GOEM setting out changes which need to be made to the LDS before it can be approved. The most fundamental of these changes is that the three development plan documents cannot be prepared in parallel, and that the "Core Strategy for the location and principles of development" should be prepared and subject to examination first. The reason given for this is a reflection of advice given to the ODPM from the Planning Inspectorate (PINs). Due to the volume of work expected to arise from the new planning system the PINs is unable to commit to a programme of 3 DPD examinations at the same time and that no more than two documents should be taken to examination in any year.

## **2. RECOMMENDATIONS**

2.1 That the draft timetable for the preparation of the various documents which will form the Local Development Framework should be amended to reflect the requirements of GOEM and the PINs.

2.2 The LDS must be revised ready for resubmission to GOEM before 27<sup>th</sup> March in order that the target for planning delivery grant is met. It is therefore suggested that this revision be treated as a non-key decision.

## **3. DETAILS OF REPORT**

2.3 GOEM has recommended that the timetable is amended to stagger the first phase of DPD's, producing the Core Strategy first and delaying the preparation of the Housing and Economic Development and the Development Control Policy Documents. It has also suggested that the Action Area Plans for Grantham, Stamford and Bourne should be prioritised over the Supplementary Planning Documents, and again the production should be staggered to ensure that no more than two documents are brought to examination in any year.

2.4 The implications of these comments upon the proposed timetable is serious and present the possibility of the District being without full, up to date planning policy coverage for almost 7 years. The draft timetable submitted to GOEM in December indicated that the three key policy documents would be adopted by May 2007, with SPD and Action Area Plans being adopted by the end of 2008. The changes recommended by GOEM would mean that whilst the Statement of Community Involvement and Core Strategy could be still be adopted by May 2007, the Housing and Economic Development and the Development Control

Policy Documents would not be adopted for another year. With complete policy coverage not being in place until the adoption of the three Action Area Plans is achieved by the end of 2010 as a worse case scenario.

- 2.5 It is clear that the GOEM will not approve the Council's LDS if the Planning Inspectorate will not commit to our timetable for examinations. The timetable must therefore be amended to reflect the advice provided.
- 2.6 The GOEM has also suggested that the Core Strategy could include additional areas of policy to cover areas where we currently have a policy vacuum (for example affordable housing) This should be considered further, and may result in the decision that a Development Control Policy Document will not be needed. This will shorten the timetable and allow work to begin on the Action Area Plans and SPD earlier.

**4. OTHER OPTIONS CONSIDERED AND ASSESSED**

- 4.1 If the LDS is not changed the GOEM will not approve it. The council needs to formally submit the LDS to GOEM by 27<sup>th</sup> March 2005 to ensure that it meets the target for planning delivery grant. It is important that GOEM and the PINs approve the Councils LDS.

**5. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES**

None

**6. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)**

None

**7. COMMENTS OF OTHER RELEVANT SERVICE MANAGER**

None

**8. CONCLUSIONS**

- 8.1 The response of the GOEM to the Council's LDS has been received. The GOEM has indicated that they will not approve the LDS as currently proposed because the Planning Inspectorate cannot commit to undertaking the number of examinations proposed.
- 8.2 The timetable for the preparation of each documents should be reviewed and the recommendations of the GOEM taken into account.
- 8.3 The number of DPD's proposed by this council and their content should be reviewed. This may result in the Development Control Policy document not being required.

8.4 Consideration may need to be given to the preparation of interim policy statements for particular issues which need resolving earlier.

**9. CONTACT OFFICER**

**Mike Sibthorp**

**Head of Planning Policy and Economic Development.**

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Our ref: RA / PAR76  
Date: 6<sup>th</sup> January 2005

Dear Mike,

### **SOUTH KESTEVEN LOCAL DEVELOPMENT SCHEME – CONSULTATION DRAFT**

Thank you for the revised draft of your Local Development Scheme (LDS), which was received by the Government Office on 16<sup>th</sup> December 2004.

The Government Office is satisfied that the majority of the criteria set out by *Planning Policy Statement 12: Local Development Frameworks* have been met. Several amendments will, however, be needed before the Local Development Scheme can be considered to be fit for purpose. These are set out in the following paragraphs.

- Figure 2 is a little confusing and might positively be simplified. Something along the lines of the attached would be more appropriate;
- Timetables for the production of most of the Local Development Documents are clear and comprehensive. However, start dates for the production of each Supplementary Planning Document should be provided;
- ODPM's guidance on the preparation of the Core Strategy before other DPDs reflected advice given to ODPM by the Planning Inspectorate. The need to obtain the Planning Inspectorate's commitment to the proposed programme of DPD examinations is the key issue. The authority should stagger the first tranche of DPDs, by producing the Core Strategy first and pushing back the DPDs on Housing and Economic Development and Development Control Policy. Staggering the production of the first group of DPDs in this way would have the added advantage of creating a more realistic and achievable timetable for the production of all LDDs included in the LDS;
- The authority should also prioritise the production of the Area Action Plans for Grantham, Bourne and Stamford over the Supplementary Planning Documents. Paragraph 2.43 ii. of



*Planning Policy Statement 12* observes that a supplementary planning document “must be clearly cross-referenced to the relevant development plan document policy which it supplements”. If an SPD linked to an AAP were to be produced before that AAP, it would have to be revised after AAP adoption. The production of the three AAPs should also be staggered, so that no more than two are brought forward for examination in any year.

- Further consideration should be given to the issue of planning for affordable housing. *Checklist 8e: Content of the Submission Development Plan Document*, on page 100 of *Creating Local Development Plan Frameworks*, gives details of the likely content of a submission DPD. Policy for affordable housing, together with the justification of that policy, is included. In the circumstances, the authority might give further thought to the most appropriate vehicle for planning for the provision of affordable housing. Is there any reason why affordable housing could not be better dealt with through the Housing and Economic Development DPD?
- In addition to considering the staggering and prioritisation of the various Local Development Documents, the authority should bear in mind the time needed for the Planning Inspectorate to assess the draft LDS. When the Government Office (GO) considers a draft LDS to be “fit for purpose”, a copy is sent to the Planning Inspectorate (PINS). PINS then consider whether the specified timescales are realistic and informs the Government Office, which advises the Local Planning Authority of any suggested alterations. After considering these comments, the LPA submits its final LDS to the GO, which then has 28 days to sign off the LDS unless further time is required to assess it. PINS then seeks a high level agreement with the LPA on the agreed LDS.

Please do not hesitate to contact me if you require clarification of any of the above points, or feel that I might be of further assistance.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Fiona Forgham'.

**Fiona Forgham**  
Planning, Transport, Waste and Sustainable Development Team,  
Lincolnshire & Rutland Directorate

Enc.

# Agenda Item 8

## REPORT TO CABINET

REPORT OF: Director of Financial and Strategic Resources

REPORT NO: FIN223

DATE: 7<sup>th</sup> February 2005

<b>TITLE:</b>	<b>BUDGET 2005/06</b>
<b>FORWARD PLAN ITEM:</b>	<b>YES</b>
<b>DATE WHEN FIRST APPEARED IN FORWARD PLAN:</b>	<b>1<sup>st</sup> June 2004</b>
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	<b>POLICY FRAMEWORK PROPOSAL</b>

<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	<b>CABINET RESPONSIBILITY</b>
<b>CORPORATE PRIORITY:</b>	<b>CORPORATE GOVERNANCE</b>
<b>CRIME AND DISORDER IMPLICATIONS:</b>	
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	
<b>BACKGROUND PAPERS:</b>	

### RECOMMENDATIONS

1. For the Cabinet to give any further guidance on the preparation of the budget for 2005/06 on issues in FIN223.
2. To accept the recommendations in FIN221 (Appendix 4)
3. To accept the recommendations in FIN222 (Appendix 6)

## **INTRODUCTION**

1. The purpose of this report is to update the Cabinet on the budget preparation for 2005/06. The Cabinet will then present its full budget report to the Full Council meeting on 24 February 2005.

## **SECTION A**

### **BACKGROUND TO BUDGET PREPARATION AND CONSULTATION**

2. Building upon the process of involving policy and development committees as part of the 2004/05 budget work, this has been replicated for 2005/06 by using the Capacity and Resources Development and Scrutiny Panel (DSP) with co-opted members of the three other DSP's.
3. The role of that budget working group has been to get a full understanding of the issues impacting upon the Council's budget situation of 2005/06. This has covered diverse areas from the Local Government Settlement and Pension Fund– to the service by service analysis of net spend, and exploration of cross-cutting issues such as utilities management.
4. The Capacity and Resources DSP has given a series of recommendations to the Cabinet in relation to the budget and these are included in the attachments.
5. In accordance with the development of Service Plans, I have tried to involve portfolio holders and relevant service managers in a better understanding of the linkages between service and corporate priorities and to highlight those areas of non priority. The development of service plans does have implications for the formulation of the budget and I have given more details about this in the future issues section of the report.
6. External consultation has involved joint working with the Lincolnshire County Council and Police Authority through the Viewpoint Panel. A meeting held with a representative sample of the panel was held on 11<sup>th</sup> January. The meeting was observed by those group leaders or nominees that were able to attend.
7. Further consultation through the Local Area Assemblies is being undertaken. This has included a likely position for each of the main precepting authorities. I have attached a copy of the consultation papers, including those slides used at the Viewpoint Panel meeting.
8. The result of consultations on South Kesteven's budget so far indicate that the majority of respondents prefer a Council Tax increase of up to 6% with very few advocating a higher increase. The table below shows the current position.

	4-5%	5-6%	> 6%
Viewpoint Panel	6	8	3

9. The Capacity and Resources DSP following its analysis has indicated that the Cabinet should carefully consider the Council Tax increase for 2005/06.

## **SECTION B**

### **OVERALL REVENUE BUDGET POSITION AND CAPPING**

#### **GENERAL FUND**

10. I can confirm that the original budget requirement assuming a 6% rise in Council Tax can be achieved. Given the advice received from Nick Raynsford, the Local Government Minister, on the likelihood of capping for those authorities with increases of greater than 5%, I have reviewed the budget and can confirm that such an increase could be achieved, whilst still investing in the new priority areas. If the Council was to be capped the cost of re-billing and the detrimental cash flow position that would ensue, could cost £50,000, greater than the additional tax revenue the additional 1% increase would raise.
11. I am, as the Council's responsible finance officer, required to prepare an independent statement to the Council on the robustness and sustainability of the Council's budget proposals. Given the advice on capping and the Council's reserve position, my advice would be for the Cabinet to consider a Council Tax increase of 5% for 2005/06, with a resultant budget requirement of £13.3m.

#### **SPECIAL EXPENSE AREAS (SEA)**

12. The Capacity and Resources DSP's had a detailed report on the operation of SEA's. The budget for 2005/06 has been prepared on a breakeven position with a 5% rise in Council Tax. I believe the expenditure incurred within the SEA's should be reviewed for 2005/06 to ensure value for money for those residents contributing to the costs.

#### **SUSTAINABILITY AND RISK AREAS ASSOCIATED WITH THE BUDGET**

13. The more important issue for the Cabinet to consider is the sustainability of the budget in the medium term. 2005/06 will see an increase in expenditure in those areas identified as priorities, but those areas of savings will not necessarily begin to accrue at the same pace, for example the decisions on Travel Vouchers and Discretionary Business Rate Relief will not have a positive budget impact until 2006/07. It will be important over the year 2005/06 that work continues to ensure (a) further savings are identified and (b) those areas already targeted deliver the required cashable amounts.

I outline below some of the current areas of risk within the budget. Any further areas of concern will be raised at the meeting.

(a) Pest Control

The full cost recovery of this service is a big change. If the price is set too high and demand drops off it will be necessary to take decisive corrective action early in the financial year to protect the overall budget position. An appropriate charge will need to be levied to achieve the Council objective.

(b) Car Park Closures (Wharf Road, Stamford)

Car park income is a contributor to the development of town centres and plays an important role in the Council's overall budget plans. The budget anticipates a loss of car park income for a period up to 3 months at Wharf Road, Stamford, whilst the contamination clearance takes place, this equates to £24,000. If the car park remains closed for a longer period this will clearly have an impact upon the council's financial position.

(c) Increasing Base Budgets on Receiving Reward Grants

The Council has anticipated receiving planning reward grant for 2005/06, estimated at approximately £500,000. This will need to be spent on planning related matters; if it is used for recruitment of staff, the overall base budget will increase if planning grant is not received in future years. Thus it is imperative that any specific grants received are carefully utilised to avoid a future burden falling upon the Council Tax charge. Ideally, one-off items of expenditure would be the best use of those time limited grants.

(d) Interest Receipts

The Council has become reliant upon the level of interest receipts accruing to the General Fund. This arises because of the levels of reserves the Council holds. In the medium term financial strategy it is expected that the level of specific reserves will fall, leading to a reduction in the level of interest receipts. Effectively, interest receipts changes will have a 'gearing' impact traditionally associated with the changes in external support from government.

The above leads to a focus upon future value for money work within the budgetary framework.

## **GERSHON EFFICIENCY TARGETS AND VALUE FOR MONEY**

14. At the time of preparing this report the final advice from the government is awaited – due on 27<sup>th</sup> January. I have attached a background paper on the Gershon Efficiency savings. Overall I expect there will be a requirement to deliver cashable rather than non cashable savings. Early in 2005/06 a programme of work will be required to ensure the efficiency savings are achieved.
15. Linked with the efficiency work, will be a requirement to ensure the services being delivered offer value for money. The balanced scorecard approach used on the front of the service plan are a useful starting point but more detailed benchmarking will be required over the coming year. Since the incidence of the costs of job evaluation have now been shown at service level it may show a change in the way some services perform against other authorities or the private sector. The work on formal market testing and procurement will help underpin this activity.

## **SECTION C**

### **SCALE OF CHARGES REVIEW**

16. The charges for the financial year 2005/06 are derived from a number of sources. The charges in respect of recreation (excluding leisure centres) are increased in line with inflation in accordance with the best value review recommendation. Leisure centre charges are increased in accordance with the management contracts. Car parking charges remain unchanged for the forthcoming year but will be reviewed for 2006/07. The Grantham cemetery charges have been increased to reflect the inflationary increase applied to grounds maintenance. Pest Control charges will need to be set at a level that should achieve full costs recovery of the service. The remaining charges have either been set nationally (eg air pollution charges) or where they are set at the Council's discretion, remain unchanged for the forthcoming year. The current inflationary indice used for Council service increases is 3.4%.

## **SECTION D**

### **HOUSING REVENUE ACCOUNT (HRA)**

17. I have attached a separate report on the proposals for rent and service charges for 2005/06. These have been discussed and agreed with the District Compact and follow the Government Guidance for 2005/06.
18. The budget for the HRA is being developed along the lines included within the 30 year business plan being developed as part of stock option appraisal. Dependent upon which option is chosen the medium term plan for the HRA may require amendment during 2005/06. The budget for 2005/06 does include for an increase in expenditure for management of the stock, a requirement if the Council is going to achieve the 2 star status it has set itself.

19. Overall the stock option appraisal process is providing a detailed risk assessment through the detailed financial planning which should ensure the chosen option is sustainable.
20. The main area of concern within the Housing Revenue Account relates to the warden service, and the less than anticipated level of income being received from supporting people grant. This issue is currently being considered by the Supporting People Team and I will update the Cabinet at the meeting on the latest position. It is likely a review of the charging structure will be required during 2005/06.

## **SECTION E**

### **COUNCIL TAX REGULATIONS 2<sup>ND</sup> HOMES DISCOUNT**

21. I attach a report from the Revenue Services Manager regarding the discretionary powers on the reduction of discounts on second homes and long term empty properties. In line with the rest of Lincolnshire if the proposals are approved it would allow the additional revenue raised on behalf of the major precepting authorities to be spent within South Kesteven. If approval is given, I will liaise with the County Council and Police Authority on the Council's priorities for this additional revenue. It may be a positive move to ask that the funding be directed at the local strategic partnership for delivery of the community strategy.

## **SECTION F**

### **DEVELOPMENT OF SERVICE PLANS AND FINANCIAL MANAGEMENT**

22. As outlined in paragraph 5, this has been the first year when service plans have been developed alongside the budget process. It is appreciated that improvements can be made next year, but the difficulties of bringing together the complexities of budget preparation mean it will need to be handled carefully. I believe we need to encourage service managers in their involvement with all aspects of the budget.
23. I would appreciate any views the portfolios have on the process used in this year. The service plans will now be published on the Intranet to support the main budget process.

## **SECTION G**

### **NEXT STEPS**

24. The capital programme budgetary position is being finalised, and this will need to be reviewed by the Cabinet in preparing its report to Council. I will undertake the necessary work on (a) the prudential code, (b) statement of robustness and adequacy of reserves (c) to feed any further consultation of information from the IAA's or Capacity and Resources DSP, in time for the final budget preparation reports.

## **CONCLUSION**

25. The information required by the Cabinet in formulating its budget proposals is nearly complete. I will update the Cabinet with any amendments at the appropriate time.

J Blair  
Director of Finance and Strategic Resources

## **ATTACHMENTS FOR FIN223**

1. Budget Summary General Fund – DRAFT
2. Summary for DSP's – DRAFT
3. Budget Consultation Papers
4. Gershon Efficiency Paper
5. Proposals for Council Tax 2<sup>nd</sup> Homes Regulations
6. Proposals for Housing Revenue Account 2005/06

## SUMMARY OF GENERAL FUND ESTIMATES

	2004/2005 Estimate Base £'000	2004/2005 Projected Outturn £'000	2005/2006 Estimate Base £'000
Capacity and Resources Development and Scrutiny Panel			
- Services	2,253	2,290	2,872
- Under/(Over) allocation of Support Services	7	0	0
Communications and Engagement Development and Scrutiny Panel	969	952	1,055
Community Development and Scrutiny Panel	1,036	1,023	1,198
Economic and Cultural Development Development and Scrutiny Panel	5,175	5,329	5,366
Environment Development and Scrutiny Panel	5,011	4,344	5,255
Special Expense Areas	622	655	620
Capacity Building, Priority Setting and Service Improvements	300	-	-
<b>TOTAL SERVICE COSTS</b>	<b>15,373</b>	<b>14,593</b>	<b>16,366</b>
Surplus - Direct Works Organisation	(30)	(30)	(30)
Asset Management Revenue Account	(946)	(1,033)	(1,133)
Interest and Investment Income	(300)	(600)	(300)
Contribution to Capital Financing Reserve			
- Provision for the Repayment of External Loans	(1,459)	(1,517)	(1,509)
Financing of Capital Expenditure	822	250	250
Movement on Reserves			
- Decrease in Specific Reserves	(971)	(400)	-
- Budget Surplus/(deficit)	76	1,302	(308)
<b>BUDGET REQUIREMENT - GENERAL FUND</b>	<b>12,565</b>	<b>12,565</b>	<b>13,336</b>
Revenue Support Grant	(4,546)	(4,546)	(4,711)
Non Domestic Rate Income	(3,419)	(3,419)	(3,656)
Council Tax Collection Fund Surplus	(14)	(14)	(53)
<b>DISTRICT NET EXPENDITURE</b>	<b>4,586</b>	<b>4,586</b>	<b>4,915</b>
SKDC Budget Requirement	4,115	4,115	4,417
Bourne Special Expense Area	17	17	18
Deepings Special Expense Area	10	10	11
Grantham Special Expense Area	314	314	333
Langtoft Special Expense Area	16	16	17
Stamford Special Expense Area	114	114	120
Parish Precepts	831	831	870
<b>GENERAL FUND EXPENDITURE/CALL ON COLLECTION FUND</b>	<b>5,417</b>	<b>5,417</b>	<b>5,786</b>

## SUMMARY OF GENERAL FUND ESTIMATES

	<b>2004/2005 Estimate Base</b>	<b>2004/2005 Projected Outturn</b>	<b>2004/2005 Estimate Base</b>
Band D Properties on which charges are based	42,853.1	42,853.1	43,396.2
<b><u>BAND D CHARGES</u></b>			
South Kesteven District Council Charge	£96.03	£96.03	£101.79
Bourne Special Expense Area Charge	£4.14	£4.14	£4.32
Deepings Special Expense Area Charge	£2.43	£2.43	£2.52
Grantham Special Expense Area Charge	£30.69	£30.69	£32.19
Langtoft Special Expense Area Charge	£20.07	£20.07	£23.04
Stamford Special Expense Area Charge	£17.01	£17.01	£17.85
Average Parish Band D Charge	£19.39	£19.39	n/k

**CAPACITY AND RESOURCES**  
**DEVELOPMENT AND SCRUTINY PANEL**

**REVENUE ESTIMATES**

**SUMMARY OF SERVICE HEADS**

	Detail	2004/2005 Estimate Base	2004/2005 Projected Outturn	2005/2006 Estimate Base
		£'000	£'000	£'000
1	Corporate Costs	518	491	527
2	Council Tax Collection and Benefits Administration	1,063	992	1,202
3	Access Programme	-	299	600
4	Non Domestic Rate Collection	20	19	25
5	Pension Costs	306	265	265
6	Welland Partnership	346	224	253
7	<b>NET GENERAL FUND CHARGE</b>	<b>2,253</b>	<b>2,290</b>	<b>2,872</b>

**CAPACITY AND RESOURCES**  
**DEVELOPMENT AND SCRUTINY PANEL**

**REVENUE ESTIMATES**

**SUMMARY OF SERVICE HEADS**

	Detail	2004/2005 Estimate Base	2004/2005 Projected Outturn	2005/2006 Estimate Base
		£'000	£'000	£'000
<b>CENTRAL SERVICE SECTIONS</b>				
1	Chief Executive's Services	1,320	1,293	1,401
2	Environmental Health Services	1,031	860	964
3	Financial Services	3,251	3,058	3,356
4	Housing Services	870	1,041	1,094
5	Land Use Planning Services	462	389	400
6	Leisure and Cultural Services	168	158	174
7	Property Services	1,086	1,036	1,153
8	<b>TOTAL TO BE CHARGED</b>	<b>8,188</b>	<b>7,835</b>	<b>8,542</b>
9	Administrative Buildings	89	89	100
10	Capital Schemes	188	221	248
11	Direct Service Organisations	132	132	151
12	Holding Accounts	145	147	163
13	Housing Revenue Account	2,233	2,234	2,414
14	Special Expense Areas	92	88	94
15	Welland Partnership	32	13	0
16	<b>CHARGED TO NON GENERAL FUND SERVICES</b>	<b>2,911</b>	<b>2,924</b>	<b>3,170</b>
17	Capacity and Resources DSP	1,590	1,423	1,568
18	Communications and Engagement DSP	387	378	414
19	Community DSP	536	552	594
20	Economic and Cultural Development DSP	1,487	1,486	1,605
21	Environment DSP	1,284	1,072	1,191
		5,284	4,911	5,372
22	Under/(Over) allocation of Support Service sections	(7)	0	0
23	<b>CHARGED TO GENERAL FUND SERVICES</b>	<b>5,277</b>	<b>4,911</b>	<b>5,372</b>

**COMMUNICATIONS AND ENGAGEMENT**  
**DEVELOPMENT AND SCRUTINY PANEL**

**REVENUE ESTIMATES**

**SUMMARY OF SERVICE HEADS**

	Detail	2004/2005 Estimate Base	2004/2005 Projected Outturn	2005/2006 Estimate Base
		£'000	£'000	£'000
1	Civic Functions	50	52	32
2	Democratic Representation	681	688	774
3	Elections	16	22	22
4	Public Relations and Communications	101	80	111
5	Registration of Electors	121	110	116
6	<b>NET GENERAL FUND CHARGE</b>	<b>969</b>	<b>952</b>	<b>1,055</b>

**COMMUNITY**  
**DEVELOPMENT AND SCRUTINY PANEL**

**REVENUE ESTIMATES**

**SUMMARY OF SERVICE HEADS**

	Detail	2004/2005 Estimate Base	2004/2005 Projected Outturn	2005/2006 Estimate Base
		£'000	£'000	£'000
1	Closed Circuit Television	354	322	367
2	Community Safety	61	49	103
3	Footway Lighting and Maintenance	171	159	164
4	Grants to Voluntary Associations	88	78	66
5	Gypsy Caravan Site	-	-	-
6	Helpline	13	20	79
7	Housing Area Improvement Initiatives	118	66	76
8	Housing Association Loans	(1)	2	-
9	Loans - Private	6	5	5
10	Private Sector Housing	221	322	341
11	Sure Start	5	0	(3)
12	<b>NET GENERAL FUND CHARGE</b>	<b>1,036</b>	<b>1,023</b>	<b>1,198</b>

**ECONOMIC AND CULTURAL DEVELOPMENT**  
**DEVELOPMENT AND SCRUTINY PANEL**

**REVENUE ESTIMATES**

**SUMMARY OF SERVICE HEADS**

	Detail	2004/2005 Estimate Base	2004/2005 Projected Outturn	2005/2006 Estimate Base
		£'000	£'000	£'000
1	Arts Development and Arts Centres	974	1,037	1,066
2	Building Control	146	(21)	54
3	Community Activities	156	132	160
4	Community Development	117	105	145
5	Conservation	112	139	150
6	Corn Exchange, Bourne	172	186	185
7	Development Control	206	162	(256)
8	Economic Regeneration and Town Centre Development	715	673	874
9	Fairs	(1)	0	(1)
10	Historic Building Grants and Enhancements	45	26	-
11	Industrial Estates	(232)	(218)	(228)
12	Land Charges	(112)	(114)	(104)
13	Leisure Centres and Stadium	2,058	2,263	2,359
14	Leisure Grants and Loans	103	122	76
15	Leisure Premises	(16)	(17)	(18)
16	Licensing	101	139	71
17	Markets	(3)	27	26
18	Miscellaneous Property	144	180	219
19	Planning Policy	200	188	263
20	Play Areas and Open Spaces	221	254	254
21	Street Naming and Numbering	69	66	71
22	<b>NET GENERAL FUND CHARGE</b>	<b>5,175</b>	<b>5,329</b>	<b>5,366</b>

**ENVIRONMENT**  
**DEVELOPMENT AND SCRUTINY PANEL**

**REVENUE ESTIMATES**

**SUMMARY OF SERVICE HEADS**

	Detail	2004/2005 Estimate Base	2004/2005 Projected Outturn	2005/2006 Estimate Base
		£'000	£'000	£'000
1	Awarded Watercourses and Sewer Dykes	84	79	116
2	Bus Stations	79	95	95
3	Car Parks	(622)	(536)	(521)
4	Closed Burial Grounds	52	54	55
5	Commercial and Environment	723	559	678
6	Control of Dogs	67	78	59
7	Cycle Centre and Cycleways	47	28	44
8	Drainage Rates	511	486	511
9	Emergency Planning	18	19	23
10	Grass Cutting - Verges	23	23	26
11	Night Soil, Private Sewers and Itinerant Travellers Control	2	18	3
12	Pest Control	124	98	(2)
13	Public Conveniences	211	205	230
14	Recycling	445	375	924
15	Refuse Collection	1,943	1,646	1,717
16	Street Cleansing	800	694	836
17	Street Furniture	28	19	23
18	Supported Travel	476	404	438
19	<b>NET GENERAL FUND CHARGE</b>	<b>5,011</b>	<b>4,344</b>	<b>5,255</b>

## **LOCAL AREA ASSEMBLIES**

### **BUDGET BRIEFING** **ON BEHALF OF LINCOLNSHIRE COUNTY COUNCIL, POLICE** **AUTHORITY AND SOUTH KESTEVEN DISTRICT COUNCIL**

#### **Introduction**

1. The major precepting authorities have agreed to hold a joint consultative process with Council taxpayers for consideration of Council Tax proposals for 2005-06. This took place on Tuesday 11 January with an invited audience of Council Tax payers. The views from that event are being fed back into the reporting structure for each of the three authorities.
2. I have agreed to circulate the slides used at that evening to members of the LAA's operating in South Kesteven. I have produced a summary of the main proposals that each Authority is considering for 2005/06, and a pro-forma for completion that will be fed back to the relevant body.

#### **Council Tax Proposals in South Kesteven**

	£	%
South Kesteven Increase		
2004/05 Existing Band D (SKDC, LCC, PA)	1,066.05	
Proposals		
- SKDC	5.76	6
- LCC	42.03	4.9
- PA	<u>8.19</u>	<u>7.3</u>
New Band D (excluding parishes)	1,122.03	5.25

3. Please either complete the proforma on the evening and return to the clerk or forward it to me in the envelope provided.
4. If any LAA member requires more detail please do not hesitate to contact me on 01476 406202 or [j.blair@southkesteven.gov.uk](mailto:j.blair@southkesteven.gov.uk).

Thank you.

J Blair  
Director of Finance and Strategic Resources  
On behalf of South Kesteven, LCC and Police Authority

## LINCOLNSHIRE COUNTY COUNCIL

### Council Tax Statistics

- Currently third lowest county level tax
- Some 7% or £63.35 below the county average
- Some 18% or £193.40 below the highest county (Nottinghamshire)
- Government is assuming an average increase in income from Council Tax of 4.8%
- County Council's current recommendation is for a 4.9% increase for 2005/06
  - Band A +£28.02 per annum or 54p per week
  - Band D +£42.03 per annum or 81p per week
  - Band H +£84.06 per annum or £1.62 per week
- 80% of properties in Lincolnshire in lower bands A to C

### Revenue - Priorities

Education - Schools Budget (passporting)	+ £20m
- Home to School Transport	+£4.5m
Social Services	+13.3m
Waste	+3.7m
Fire, Trading Standards, Civil Protection	+2m
Other Improvements	+£5.8m
Efficiency Savings	-£6.3m
Capital Programme	£94m - see presentation sheets

### County Council Consultation Questions

Do you think the County Council's proposals spending on services and Council Tax are:

Please Tick

Too high?

About right?

Too low?

Which one of these services would you most like to see improved?

Schools

Roads

Social Services

None of these/other

## LINCOLNSHIRE POLICE AUTHORITY

### Priorities

1. Reducing domestic burglary
2. Reducing vehicle crime
3. Reducing violent crime
4. Reducing road collisions involving death or serious injury
5. Reducing the number of disorder incidents
6. Increasing the number of sanctioned detections

Expenditure estimated to increase by 7.9% or £7.1m

### Main Items

	£
Police Pensions	3.9m
Inflation	1.9m
Commitments	1.8m
Other	<u>1.0m</u>
	8.6m
Less Savings	<u>1.5m</u>
	7.1m

### Council Tax Proposal

7.3% increase or £8.19 per annum on Band D - £120.42  
= 16p per week

What range do you think the Council Tax increase should be in?

Please Tick

0 - 2.5%

2.6 - 5.0%

5.1 - 7.5%

7.6%

## **SOUTH KESTEVEN DISTRICT COUNCIL**

### **Council Priorities**

1. Recycling
2. Anti-social Behaviour
3. Street scene
4. Town Centre Development
5. Access to Services

£500,000 Additional Revenue Spend

Supported by Government Grants

£200,000 Efficiency Savings Required

### **Council Tax Proposal:**

Bottom 20 in County for Council Tax  
Proposal - 6% rise or £6.42 per annum or 12.3p per week

Band D (including SEA's) 2005/06 - £113.45

### **Council Tax Options**

Please Tick

Increase greater than 6%	> £6.50 pa	<input type="checkbox"/>
Increase between 5 - 6%	£5.35 - £6.49 pa	<input type="checkbox"/>
Increase between 4 - 5%	£4.28 - £5.35 pa	<input type="checkbox"/>

### **ON COMPLETION OF QUESTIONS FOR STATISTICAL PURPOSES**

NAME: .....

ORGANISATION: .....

ANY OTHER COMMENTS: .....

.....

.....

.....

# **REPORT TO CORPORATE MANAGEMENT TEAM AND CABINET**

**REPORT OF:** DIRECTOR OF FINANCE AND  
STRATEGIC RESOURCES

**REPORT NO:** FIN 221

**DATE:**

<b>TITLE:</b>	GERSHON EFFICIENCY SAVINGS
---------------	----------------------------

<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	
<b>CORPORATE PRIORITY:</b>	

1. The purpose of this report is to bring the CMT up to date on the Gershon Efficiency process for 2005/2006 and beyond. The Lincolnshire Financial Officers Association is co-ordinating a country-wide approach to the Gershon issue, which will dovetail with our own approach.
2. An Efficiency Technical Note for Local Government has been forwarded by the Audit Commission. The final Government guidance was due to be published by December 2004. At the time of writing this report the guidance has not yet been published. This report draws upon the technical release and discussions with Lincolnshire Finance Officers.

### Background

3. The local government target, calculated upon the 2004/2005 baseline is £6.45b to be achieved by 2007/2008. At least half of this must be cashable. This target is calculated by reference to more than government department and those impacting on districts is shown in the table below.

<u>Sector</u>	<u>Where Reported</u>
Cross cutting efficiency from Corporate Services, Procurement, Productive time and transactions	Local Government Efficiency Target
Culture and Sport	Department of Culture and media target
Local Roads and Transportation	Department for Transport
LA Social Housing	Reported against Local Government target
Supporting People	ODPM efficiency target
Waste Management	DEFRA efficiency target

4. Three district processes are required:
  - i) Assessment of the Baseline Position
  - ii) Preparation of the Efficiency Statement
  - iii) Assessment of the Efficiency Statement.

### Assessment of the Baseline

5. Each Council has a target to achieve of 2.5% of their 2004/2005 baseline of which at least half should be cashable.
  - 2004/2005 will (at this stage) be based upon budgeted not actual expenditure
  - transfer payments are excluded from the baseline.

6. The assessment of baseline will follow the same approach for the whole of the local authority targeted figure. Guidance is required on how to calculate this - in particular relating to 'net' capital spend and how the Housing Revenue Account is to be treated.
7. South Kesteven has already set an efficiency target for 2005/2006 of £200,000. this may be higher or lower than the calculated baseline target but is a useful start to the process.
8. The Chief Executive has previously explained how efficiency gains are defined, and are summarised below:
  - Reduced inputs (money, people, assets) for some output
  - Reduced prices (procurement, labour costs) for some output
  - Additional outputs or improved quality (extra service, productions) for same inputs
  - Improved ratios of cost/output (unit costs).
9. In developing the framework it is hoped that the principles adopted will ensure:
  - Each Council is able to identify and quantify the efficiency gains that have been attained in its sphere of operations
  - The system is flexible in terms of the activities that can be counted
  - The approach is robust, simple and streamlined
  - It is helpful in terms of promoting good practice
  - Any additional burdens on local authorities are limited as far as possible.
10. The efficiency gains will be measured in four 'Gershon' work streams

- Procurement
- Corporate Services
- Productive Time
- Transactions

These will be discussed in more detail later in the report.

11. Lincolnshire Finance Officers are working together to have a common approach to assessing the baseline. A meeting with the Audit Commission representative, Neil Bellamy, is to be convened to agree the approach.

#### Annual Efficiency Statement

12. The annual efficiency statement will be in two parts and signed by the Leader and Chief Executive. The parts will be
  - (a) Forward looking - one or two pages outlining the strategy of securing efficiency gains, proposed actions, and efficiency gains expected to result from these actions. This is required from April 2005.
  - (b) Backward looking - sets out the efficiency gains achieved, split between cashable and non-cashable, by service and by cross-cutters. This is required from June 2006.

The statement will be audited to the Audit Commission as part of its annual audit process, on the statement of accounts.

13. Thus for 2005/2006, providing I can calculate a suitable baseline figure, a statement can be produced outlining the Council's approach to the efficiency achievements. It can be broad, perhaps looking three years ahead, highlighting 'easy efficiency gains', medium and longer term areas.
14. The harder job will take place in 2005/2006. That of proving the efficiency gains made against the assessment framework.

### Assessment Framework

15. At the current time two models are being considered

- (a) Self Assessment
- (b) Framework Assessment

#### Self Assessment

The main principles:

- In setting annual budget and as part of the medium term financial strategy, identify actions to improve efficiency and quantify the estimated expected gains.
- Following end of financial year, we would identify the £ impact of actions by service-cross-cutters for that year relative to previous year eg 2005/2006 compared to 2004/2005.
- Claimed efficiency gains are only valid if service quality is maintained. A consultation process on a definition for quality maintenance is to be issued. It is likely to be based upon Audit Commission indicators, inspections or CPA judgements.
- The Council's report on efficiency gains would then be audited. An audit trail for judgements would be required; the auditors would then draw attention to areas of change in service quality.

If efficiency gains have been made in 2004/2005, it may be credit will be given as part of the process. This is subject to consultation.

#### Framework Assessment

The main principles:

- Councils report upon a core group of approximates to efficiency indicators relating to the various work streams and service areas.
- These will identify efficiencies achieved in terms of reducing unit costs or reducing unrequired volume.

- In addition, self assessments would be required in areas not covered by the 20 indicators.
- Like the self assessment, potential indicators of quality would come from Audit Commission Inspectors or national indicators.
- The process would be audited as in the Self Assessment Approach.

## 16. Technical Issues

Inflation needs to be adjusted for. The Government will supply the relevant indicator of inflation. In theory, if a service area maintains a given quality and the expenditure in 2005/2006 is the same as 2004/2005 this will be an efficiency gain at least equal to inflation. But the baseline position will need to clarify the differences between gross expenditure and net expenditure to make sure that the impact of inflation is treated correctly. I assume this will be covered within the final guidance.

## 17. Cashable and Non-Cashable

### Definitions

Cashable - represents the potential to release savings in cash for other areas of spending.

Non-Cashable - improved outputs or enhanced service quality for the same expenditure, efficiencies that achieve reductions in fees and charges to the public, and improvements to productive time.

By Workstream - Procurement - through economies of scale or lower prices = cashable. Including areas where prices agreed below rate of inflation (?) higher quality goods and services procured for same price (after inflation?).

I have put ? in brackets behind the word inflation to illustrate the difficulty - the definition of inflation being used is the GDP deflator eg a bit like the RPI; since local authority services are staff based the pay award will normally outstrip the GDP deflator. The latter is more applicable to the purchase of goods from suppliers.

Corporate Services - will be cashable if outcomes are maintained for less expenditure; non-cashable where better outcomes are achieved for the same expenditure.

Transactions - same as corporate services.

Productive time - cashable gains include those where the input costs have decreased. Increased input levels (through reduced absenteeism) or increased output levels represent non-cashable gains.

## 18. I have included the Annexes to the Technical Release which provides further guidance on definitions of work streams and the approach to self assessment/assessment.

## 19. Lincolnshire Approach

The Lincolnshire Financial Officers Association is reporting to the Chief Executives group at their next meeting. This is aimed at:

- (a) co-ordinating activity on this area of work-in particular the shared services work on purchasing and procurement
- (b) asking to pool resources to avoid duplication of effort
- (c) to agree a standard approach for dealing with Auditors
- (d) to ask the Chief Executive for a steer on driving partnership working.

From South Kesteven's perspective, I advise

- (a) producing the forward looking efficiency statement as part of the main budget. It can be refined and formally adopted between April - June 2005 (depending on guidance).
- (b) ensuring we set broad targets within the four workstreams - these can then be more accurately assessed through 2005/2006.
- (c) accept that in 2005/2006 the easier efficiency gains to achieve will be in our control; over the next two years it will need supplementing by partnership working, market testing and shared services.
- (d) the forward Looking Plan to have a three year time horizon.
- (e) a review of the guidance and our capacity to deliver the required audit trails on the measurement of efficiency savings.

## **ANNEXS TO REPORT**

Annex 1 - Self Assessment Approach

Annex 2 - Framework Assessment Approach

## ANNEX 1 - SELF-ASSESSMENT APPROACH

Further refinement and development is required, but the following sets out an indication of the type of template that Councils would be expected to complete:

Table 3 Illustrative example of self-assessment approach

2005/2006		Nature of saving	Cash-Able	Non-cash	Total
Education (excl. Schools)		...			
Children's Services		...			
Environmental Services		...			
Local Transport		...			
Culture and Sports		...			
Social Housing		...			
Fire		...			
Cross-cutting procurement	1	e-auction to reduce stationery costs	£80,000	£0	£80,000
	2	mobile technology used to reduce time spent travelling to meetings		£12,000	£120,000
			£80,000	£0	£80,000
<b>Total</b>					

The supporting narrative to the Statement should briefly explain:

- The nature of the saving;
- How it was achieved; and
- Duration of the saving (whether it was a 'one-off' that will only apply during the year in question, or whether efficiencies are on-going).

The savings should be those for the relevant year as reflected in the audited accounts for that year.

A suitable cross-check on quality has to be satisfied for efficiencies in a given sector to be counted. In the illustration above, if the cross-check on quality for cross-cutting efficiency was the Council's CPA use of resources score, the efficiency gains shown above would be counted providing that score was maintained or increased.

## ANNEX 2 - FRAMEWORK ASSESSMENT APPROACH

To give Councils a clearer picture of the approach, the following initial list of indicators has been developed for use in the consultation process. If this approach was to be adopted, further development would be essential.

Table 4 Potential efficiency indicators with framework assessment approach

<b>Sector specific</b>	<b>Type of measure</b>	
Adult Social Services	Efficiency indicator	Unit cost of residential care for older people
	Efficiency indicator	Unit cost of home care for adults and older people
	Self assessed	Other efficiencies in adult social care
	Quality check	% users very or extremely satisfied with social services
Children's services	Efficiency indicator	Avg. weekly expenditure per looked after child in a children's home
	Self assessed	Other efficiencies in children's services
	Quality check	Health of children looked after
Culture and sport	Efficiency indicator	Procurement of library books
	Self assessed	Other efficiencies in culture and sport
	Quality check	CPA service block for culture *
Environmental services	Efficiency indicator	Unit cost of waste management
	Self assessed	Other efficiencies in environmental services
	Quality check	Progress on meeting the requirements of the Environmental Protection Act
Fire	Efficiency indicator	Expenditure per head on fire services
	Quality check	Maintain performance on BVPIs 142,143 and 206
Local transport	Efficiency indicator	Ratio of supported public transport vehicle km to cost of producing service
	Efficiency indicator	Unit cost of road maintenance
	Self assessed	Other efficiency gains from local transport
	Quality check	CPA transport service block secure
Supporting people	Efficiency indicator	Average cost per contact hour
	Quality check	Overall average score in Quality Assessment Framework
<b>Cross cutting</b>		
Corporate services	Efficiency indicator	Unit cost of HR per employee
	Efficiency indicator	Unit cost of operational ICT per end user
	Efficiency indicator	Cost of finance as proportion of total spend
	Self assessed	Other efficiencies in corporate services
	Quality check	Employee satisfaction
Procurement	Efficiency indicator	Unit cost of basket of 10 commonly purchased goods and services
	Self assessed	Other efficiency gains in cross-cutting procurement
Productive time	Efficiency indicator	Sickness absence
	Self assessed	Other efficiencies in productive time

	Quality check	Employee satisfaction
Transactions	Efficiency indicator	Ration of expenditure on processing Council Tax to total liable population
	Efficiency indicator	Unit cost of handling householder planning applications
	Quality check	Proportion of Council Tax collected
Other	Self assessed	All other efficiencies achieved
	Quality check	Overall score on CPA

\* the availability of this measure is subject to the consultation process currently being conducted by the Audit Commission.

The following provides an illustrative example of how this would work.

**Table 5 - Illustrative example: Environmental Services in Council Y (2005/2006)**

	Spend (£m) 2004/2005	% change in unit cost - 2.5% inflation	Unit cost efficiency (£)	Volume efficiency (£)	Total efficiency (£)
Unit cost of waste Management	£0.3m	-10.0%	£30,000	£0	£30,000
Efficiencies in street cleaning - self assessed	X	X	X	X	£50,000
Waste management - reduced waste for disposal	£1.5m	-	-	£0.2m	£200,000

Efficiency gains of £280,000 are recorded providing the quality cross-check (in this instance, progress on meeting the requirements of the Environmental Protection Act) indicates that service quality is being maintained.



## REPORT TO CABINET

REPORT OF: Revenues Manager

REPORT NO. FIN/

DATE: January 2005

<b>TITLE:</b>	<b>SECOND HOMES DISCOUNT</b>
<b>FORWARD PLAN ITEM:</b>	N/A
<b>DATE WHEN FIRST APPEARED IN FORWARD PLAN:</b>	N/A
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	

<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	Peter Martin-Mayhew
<b>CORPORATE PRIORITY:</b>	B
<b>CRIME AND DISORDER IMPLICATIONS:</b>	N/A
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	N/A
<b>BACKGROUND PAPERS:</b>	None

## 1. INTRODUCTION OR SUMMARY

The Local Government Act 2003 gave billing authorities new **discretionary** powers to reduce council tax discounts in respect of second homes and long term empty properties.

Members decided to retain the discount at 50% for 2004/05, a decision in line with all the other Lincolnshire Authorities.

The purpose of this report is to formally decide to what degree and from what date we will operate these new discretions

## 2. RECOMMENDATIONS

**That with effect from 1 April 2005 and until further notice, the Council will use its discretion to reduce the council tax discount on Second Homes Class B (those where occupation is NOT prohibited by law for a continuous period of at least 28 days in a relevant year) from 50% to 10%.**

## 3. DETAILS OF REPORT

Second homes are defined in the regulations as **dwellings which are furnished but not used as anyone's main home**. For the purposes of using the discretion to reduce the council tax discount on these homes, regulations break them down into 2 classes:

- Class A - those where occupation is restricted by a planning condition preventing occupancy for a continuous period of at least 28 days
- Class B - those without such a planning restriction on occupancy (which could therefore be lived in all year round).

We have the discretion to reduce the council tax discount for all such second homes for the whole of our area or even for any part of it. The extent of this discretion is to reduce the discount on either or both of the above classes from 50% to a minimum of 10% or anything in between (an exception is where the liable person is required to live in "job related accommodation" as part of his job). If we decide to operate this discretion, owners of furnished let property **will** be caught by this **between leases** even though most people would not think of such property as being a "second home" in the everyday use of the phrase. However, service personnel living in armed forces accommodation in England will keep the 50% discount if they have a second home in England too. In the same way, the 50% discount will also be retained for most clergy with second homes.

If we choose to reduce the discount on second homes, the additional revenue raised will be retained locally and shared between ourselves, the County Council and the Police **without any restrictions on how we choose to spend our shares**. The extra revenue will be divided up in proportion to the shares of the overall council tax amount for the relevant year.

In Lincolnshire, all the other District Councils are intending to reduce the discount for second homes to 10%. We interpret this to mean Second Homes Class B only as it seems unfair to charge the maximum if year round occupation is prohibited. In South

Kesteven District Council, we are not aware of such properties and so it does not seem justifiable or worthwhile altering the statutory entitlement to the 50% discount for them when no-one could live in them as their main home anyway. The view is likely to be different for those authorities with large concentrations of such property – for example seaside resort areas with lots of holiday chalets.

The county-wide approach is on the understanding that the County Council and Police Authority will spend their shares of the additional revenue, which we'll be collecting for them at our expense, on additional services within our area. In South Kesteven District Council, we expect this will be achieved by the County Council and Police Authority supporting the Local Strategic Partnership. We have had confirmation of this from the County Council and we await confirmation from the Police Authority.

We currently have approximately 190 second homes in the South Kesteven District Council area (Second Homes Class A). The experience of other Council's in the country suggests that there could be a reduction in second homes as a consequence of operating the new discretion. We think it would be prudent to assume about a 15% reduction throughout the first year

Clearly there are sound financial reasons for reducing the discount on second homes. However, that would hardly seem sufficient justification alone to the owners of such property. They are likely to perceive that they benefit from certain council services to a much lesser extent than those who occupy their homes all the time and so therefore they would argue that they should get more than the new minimum 10% discount. However, the Government has introduced this discretionary power specifically to ensure that billing authorities can ask second home owners to contribute a greater amount towards the cost of council services – they can achieve this through reducing their council tax discount. The increased council tax burden will raise more money locally, act as a disincentive to keeping a second home or result in a combination of both of these.

There is reasonable justification for using our discretion to reduce the discount for second homes to the minimum of 10%. Second homes, which by definition are not occupied all the time (some only very occasionally), reduce the demand on local services (for example buses, shops and pubs). They can also drive property prices up where demand is high and effectively price local people out of the housing market. In addition, some would no doubt argue that people with second homes can afford to pay full council tax and so continuing to grant the statutory 50% discount is perceived to be unfair.

#### **4. OTHER OPTIONS CONSIDERED AND ASSESSED**

We could continue with only the statutory discounts (which apply nationally) and not operate these new discretions at all.

#### **5. COMMENTS OF DIRECTOR OF FINANCE AND STRATEGIC RESOURCES**

None.

**6. COMMENTS OF CORPORATE MANAGER, DEMOCRATIC AND LEGAL SERVICES (MONITORING OFFICER)**

Monitoring Officer had no specific comments to make in respect of this report.

**7. COMMENTS OF OTHER RELEVANT SERVICE MANAGER**

None - report complied in conjunction with Service Manager.

**8. CONCLUSIONS**

None.

**9. CONTACT OFFICER**

Kevin Legg – Revenues Manager

Direct dial: 01476 406224

Email: [k.legg@southkesteven.gov.uk](mailto:k.legg@southkesteven.gov.uk)

## REPORT TO CABINET

REPORT OF: Director Finance and Strategic Resources

REPORT NO. FIN222

DATE: 7 February 2005

<b>SUBJECT:</b>	<b>Housing Revenue Account and Housing General Fund Rents and Service Charges 2005/06</b>
<b>FORWARD PLAN ITEM:</b>	<b>Budget 2005/06</b>
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	<b>Key Decision and Policy Framework Proposal Budget Setting 2005/06</b>
<b>COUNCIL AIMS/PORTFOLIO HOLDER:</b>	<b>Cllr Peter Martin-Mayhew</b>
<b>CORPORATE PRIORITY:</b>	<b>Corporate Health</b>
<b>CRIME AND DISORDER IMPLICATIONS:</b>	<b>None</b>
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	<b>None</b>
<b>BACKGROUND PAPERS:</b>	

### **HOUSING REVENUE ACCOUNT AND HOUSING GENERAL FUND RENTS AND SERVICE CHARGES 2005/06**

#### Introduction

1. The report outlines the proposed increases in Housing Revenue Account rents and service charges and General Fund Helpline charges for 2005/06.

#### Recommendations

2. I recommend the following be adopted by the Council for 2005/06:
  - i) Dwelling rents to be increased by guideline rent increase of 4.03% with continued observance of the rent restructuring rules.

- ii) Garage rents to be increased in line with the dwelling rent increase of 4.03%.
- iii) The increase in the number of properties for homelessness be noted.
- iv) The weekly sewerage charge be replaced with annual bills based on actual cost.
- v) The proposed scale of charges for Helpline Services be adopted from 1 April 2005.

## **HOUSING REVENUE ACCOUNT**

### Dwelling Rents

- 3. The Office of the Deputy Prime Minister (ODPM) have now issued details of the guideline rent increase for 2005/06. Plans to amend the rent restructuring policy have been deferred for a year to allow proper investigation of the issues raised at consultation. Consequently the rent increase policy is the same as for previous years.
- 4. The guideline increase for 2005/06 is 4.03%, being a 1.5% cash increase plus 2.53% as measured by the current GDP deflator. Individual rents will continue to be limited in their change up or down by RPI (as at September 2004) plus 0.5% plus or minus £2 per week. This equates to 3.6% plus or minus £2 per week.
- 5. It is anticipated the average rent will rise to £49.65 per week on a 52 week basis.

### Garage Rents

- 6. Garage rents are set locally, but in past years have followed the guideline rent increase to avoid charge erosion. Thus I recommend an increase of 4.03% for 2005/06.
- 7. The increase for tenants equates to £0.21 per week resulting in a charge of £5.53 per week. Non tenants who are also required to pay VAT on the charge will have an increase of £0.25 per week to £6.50. Both are 52 week charges.

### Grouped Old Persons' Dwelling Service Charges

- 8. These service charges will be considered under a separate report.

### Homelessness Service Charge

- 9. It should be noted the number of properties classified as available for the homeless has increased to 14.
- 10. There is no proposal to increase this service charge.

### Sewerage Service Charge

11. It was decided by the Council in 1976/77 that tenants of houses not served by main drainage would be subject to a service charge equal to the cost of emptying and maintaining their septic tanks. At the time this was £15 per annum (30p per week on a 50 week rent year) This remained unchanged until last year when the charge was increased to £24 per annum (50p per week).
12. In 1976 there were 170 properties paying the charge. Currently, due to the Right to Buy purchases, there are 66 properties. The Council, however, continues to pay bills for disposal and maintenance for both privately owned and tenanted properties. In 2003/04 the net cost was £24,960.83.
13. The owner occupiers have been advised they will be billed in future for the costs incurred. It is proposed to extend this to tenanted property reverting back to the original decision and charging all those who benefit from the emptying and maintenance of non-main sewerage systems the economic cost of the work. This will be via a debtor account rather than a service charge.

### HOUSING GENERAL FUND

#### Helpline Service Charge

14. Again to avoid charge erosion it is necessary to increase the Helpline charges. It is proposed that they are increased in line with RPI (rounded to the nearest 5pence) which at November 2004 indicated an increase of 3.4%. The following table outlines the proposed charges inclusive of VAT to be implemented from 1 April 2005.

Service Type	Current Charge £	Proposed Charge £
<b>Purchased Helpline/Portal:</b>		
Monitoring Only	1.23	1.29
Monitoring and Mobile Warden	3.76	3.88
<b>Rented Helpline:</b>		
Monitoring Only	3.00	3.11
Monitoring and Mobile Warden	5.52	5.70
<b>Rented Portal:</b>		
Monitoring Only	2.64	2.76
Monitoring and Mobile Warden	5.17	5.35
Daily Call Out from Care Centre	1.23	1.29
Responsive Visit by Mobile Warden	9.34	9.69
Monitoring of Rented Fall Detector	0.53	0.53

J.Blair  
Director of Finance and Strategic Resources

## REPORT TO CABINET

**REPORT OF:** Chief Executive

**REPORT NO.** CEX268

**DATE:** 7th February 2005

<b>TITLE:</b>	Timetable for Review of Council Priorities in 2005
<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	Leader Organisational Development and Performance Management
<b>CORPORATE PRIORITY:</b>	All
<b>CRIME AND DISORDER IMPLICATIONS:</b>	Dealt with in the Report
<b>FREEDOM OF INFORMATION ACT IMPLICATIONS:</b>	None
<b>BACKGROUND PAPERS:</b>	CEX255

### Introduction

Although the priorities are intended to be implemented over several years, when approving the Council's priorities in May 2005, the Council resolved to re-consider the priorities annually. In this way it was intended to ensure that the Council's priorities were reviewed in the light of changes in local or national priorities, or indeed, the success of the Council in achieving its aims.

Although the five category A priorities were set in May, the prioritisation process was not completed until October 2004 and indeed, the first significant release of funds from non-priority areas cannot commence until April 2005. As a result of this action plans have not yet been approved for all of the current priorities.

One factor that could have prompted an early review of priorities would have been if the Local Government budget settlement had released significant new resources for investment. This has not proven to be the case, indeed the imposition of the Gershon efficiency target means that the Council will have to re-consider the efficiency and effectiveness of its current services.

Another factor to consider in determining the timetable for the review is the recommendation arising from the CPA re-fresh to reconsider the responsibility of Cabinet portfolio-holders in the light of the Council's priorities. As the responsibilities of portfolio-holders have to be detailed within the Council's constitution, it is most easy to accommodate any changes to the allocation of responsibilities at the Council's AGM which is on the 28<sup>th</sup> April 2005.

On this basis the following timescale for the review of the Council's priorities is proposed:

<b>Date</b>	<b>Actions</b>
January 2005	Residents survey ascertaining views on current priorities
February 2005	Consultation by the LSP on its vision and priorities
21 <sup>st</sup> February	Briefing to Cabinet on outcome of survey
7 <sup>th</sup> March	Report to Cabinet on proposed priorities.
March/April	Consultation with all DSPs
28 <sup>th</sup> April	Report to Annual Council

Recommendation

That the above timetable be endorsed by the Cabinet and reported to Council.

Duncan Kerr  
Chief Executive

## REPORT TO CORPORATE MANAGEMENT TEAM AND CABINET

REPORT OF: DIRECTOR OF FINANCE AND STRATEGIC RESOURCES

REPORT NO: FIN 224

DATE:

<b>TITLE:</b>	ANNUAL AUDIT MANAGEMENT LETTER 2003/2004
<b>COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:</b>	<b>The Leader, Councillor Mrs Linda Neal</b>
<b>CORPORATE PRIORITY:</b>	<b>Change Management Action Plan</b>

### Introduction:

I have pleasure attaching the annual Audit Management Letter for 2003/2004 that has been received from the Audit Commission. The Audit Management letter contains a number of recommendations that the Cabinet should be made aware of.

### Recommendations:

1. It is recommended that the changes highlighted within the letter are included within the Council's revised change management plan.
2. The letter is now circulated to all members of the Council.



## Annual Audit and Inspection Letter

### South Kesteven District Council

#### INSIDE THIS LETTER

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- Executive Summary
- Key messages
- Council performance
- Accounts and Governance
- Other work
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- Closing remarks

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##### Appendix 1

- Reports issued during 2003/04

##### Appendix 2

- Scope of audit and inspection

##### Appendix 3

- Audit and Inspection fees

<b>Reference:</b>	KE011 Annual Audit & Inspection Letter
<b>Date:</b>	December 2004

## Executive Summary

### The purpose of this letter

This is our audit and inspection 'Annual Letter' for Members which incorporates the Annual Audit Letter for 2003/04, and is presented by the Council's Relationship Manager and District Auditor. The letter summarises the conclusions and significant issues arising from our recent audit and inspections of the Council.

We have issued separate reports during the year. These reports are listed at Appendix 1 for information.

Appendix 2 sets out the scope of audit and inspection.

Appendix 3 provides information about the fees charged.

## Key messages

### Council performance

Following CPA the Council has been quick to make initial progress in establishing a robust framework aimed at addressing shortcomings and building on strengths, and signal an increased focus on improvement.

A key first milestone has been met in establishing the change plan, and some initial improvements to corporate processes to deliver the Council's ambitious vision have been made but much more remains to be done. Following the strengthening of senior management and comprehensive reassessment of priorities the Council is now entering a crucial stage in ensuring changes result in sustainable improvements in service performance. The enthusiasm, commitment and momentum built up so far will be critical in ensuring this carries through.

A robust and embedded performance management framework will also be crucial and the Council needs to build on the work commenced in this area.

We gave an unqualified opinion on the Council's BVPP and PIs.

### The Accounts

We have given your accounts an unqualified audit opinion. The final accounts closedown process is now increasingly more complex and will continue to be so. More demanding technical requirements such as pensions accounting requirements need to be met as well as increasingly early accounts closedown deadlines.

### Financial position

The Council's financial position provides challenges for members. For the 2005/06 budget the Council will need to respond to the Gershon regime that will require 2.5 per cent efficiency savings. The Council will also need to ensure that its budget for 2005/06 is within the specified capping criteria to avoid being capped and incurring significant extra costs and having to make difficult decisions about service cuts at short notice.

The Council also needs to ensure that the housing options appraisal exercise is completed on time.

### Other accounts and governance issues

Your overall internal control arrangements cover the major areas we would expect, but they are not as strong as they could be in some key areas and would benefit from strengthening.

### Action needed by the Council

- Ensure the focus and momentum generated so far in compiling the change plan is sustained in delivering improvement priorities and projects contained within it.
- Implement a more robust performance management framework.
- Re-appraise the accounts closedown process to ensure that earlier deadlines are achieved.
- Secure a balanced budget for 2005/06 within council tax limitations, incorporating Gershon efficiency savings regime.

- Strengthen key internal control arrangements including embedding risk management and further member training and development.
- Ensure that the housing options appraisal exercise is completed by the July 2005 deadline.

## Council performance

*Following CPA the Council has been quick to make initial progress in establishing a robust framework aimed at addressing shortcomings and building on strengths, and signal an increased focus on improvement.*

*A key first milestone has been met in establishing the change plan, and some initial improvements to corporate processes to deliver the Council's ambitious vision have been made but much more remains to be done. Following the strengthening of senior management and comprehensive reassessment of priorities the Council is now entering a crucial stage in ensuring changes result in sustainable improvements in service performance. The enthusiasm, commitment and momentum built up so far will be critical in ensuring this carries through.*

*A robust and embedded performance management framework will also be crucial and the Council needs to build on the work commenced in this area.*

*We gave an unqualified opinion on the Council's BVPP and PIs.*

## CPA and improvement

In March 2004 the Audit Commission published the results of the Comprehensive Performance Assessment of South Kesteven District Council which had been carried out in November 2003.

The Council was assessed as a fair council which is self aware and has recognised the need to change and improve. The report also noted that the Council was in a state of rapid transformation, having strengthened its senior management team, with the new political and officer leadership driving change.

The main objective of CPA is to help council's achieve and sustain improvements in the services provided to local people, and key to this is the way the Council sets about addressing key shortcomings and building on strengths identified in the CPA report and in its own self assessment.

Whilst we have not completed a formal assessment of progress this year, in this section of the letter we comment on the progress the Council has made so far. The Council has sought external peer update of progress and this shows that despite good initial progress there is still much to do.

The Council recognised the need to respond swiftly to the issues in CPA and has established a framework within which this can be achieved, known locally as the change management action plan (the plan). This is a good platform from which improvement can be built, and is subject to dedicated monitoring both within the Council and externally via the Change Management Monitoring group. The plan prioritises 22 key projects where it intends to focus improvement over the forthcoming years. These cover the key issues in the CPA report.

Throughout the last year the Council has been active in implementing the plan. In particular it has consulted widely with the public and stakeholders on what the priorities and non priorities for the Council should be to try to ensure that these reflect community needs, and over the next four years ensure resources are re-aligned to match these.

The CPA report recognised that the corporate management team had recently been strengthened and the Council has been successful in accessing additional resources from the ODPM Capacity Building Fund to develop member and officer capacity.

However the path to improvement is long term by nature and it is essential that the full commitment of members and officers so far generated is maintained and that monitoring by the cabinet is both challenging and supportive.

The plan should become one key means whereby the Council can measure and demonstrate its own success at responding to CPA. The Council needs to ensure it maintains focus and momentum on achieving the plan.

It is too early after nine months to assess the impact of the plan on service performance but the Council is well placed to ensure this happens in the longer term.

## Performance Information

We gave an unqualified audit opinion on the Council's Best Value Performance Plan and the Best Value Performance Indicators.

One area where the CPA report was critical was in the way the Council used performance information and indicators as part of its performance management arrangements. It concluded that longer term and more stretching targets were needed.

The Council has already introduced a more focused means of reporting and monitoring key indicators using a traffic light system, and ensuring potential performance problems are being addressed.

The Council's BVPIS for 2003/04 show that overall service levels are reasonable but that there is scope for improvement.

The Council measures its performance using its top 50 PIs and a traffic lights system. The current position up to October 2004 is as follows.

### TOP 50 PI COMPARISON - OCTOBER 2004

Number of PIs green – at or better than target performance	24
Number yellow or red – below target	26
Total number of top PIs	50

This shows the Council needs to improve its performance on around half its PIs. To achieve this it needs to build on the work already started as part of the plan and ensure a robust performance management framework is developed and where appropriate use lessons learned from BV reviews and CPA.

## Accounts and Governance

*We have given your accounts an unqualified audit opinion. The final accounts closedown process is now increasingly more complex and will continue to be so. More demanding technical requirements such as pensions accounting requirements need to be met as well as increasingly early accounts closedown deadlines.*

*Your overall internal control arrangements cover the major areas we would expect, but they are not as strong as they could be in some key areas and would benefit from strengthening.*

### Audit of 2003/04 accounts

*We gave an unqualified opinion on the Council's accounts on the 29 November 2004.*

#### Matters arising from the final accounts audit

The published accounts are an essential means by which the Council reports its stewardship of the public funds at its disposal and its financial performance in the use of those resources. Members approved the Council's annual accounts on 18 August 2004.

In last year's Annual Audit and Inspection Letter we emphasised that timeliness in producing the accounts will become increasingly important over the next few years as the deadline for completion of the accounts is brought forward to 31 July 2005, then 30 June 2006 in line with the Government's requirement. Whilst the accounts have been prepared to meet the requirements this year, the deadlines will become increasingly more difficult to achieve and will require early planning and thoughtful scheduling of key tasks and cooperation of service managers next year.

In June 2004 we held a workshop for the Council's accountancy staff and discussed a range of technical accounting issues and ways of streamlining the closedown process to ensure timeliness and accuracy in the accounts.

The Council needs to reappraise the accounts closedown process to ensure that earlier deadlines are achieved.

Report to those with responsibility for governance in the Council

We are required by professional standards to report to those charged with governance if there are concerns before we give an opinion on the financial statements. However this year, again there were no unadjusted amendments nor were there any significant matters of concern, so we issued a SAS 610 letter confirming that there were no matters that we wished to raise.

## Financial standing

*The Council's financial position provides challenges for members. For 2005/06 budget the Council will need to respond to the Gershon regime that requires 2.5 per cent efficiency savings. The Council will also need to ensure that its budget for 2005/06 is within the specified capping criteria to avoid significant extra costs and difficult decisions at short notice.*

*The Council also needs to ensure it completes the housing options appraisal exercise by the deadline.*

### General fund spending and balances

In 2003/04 the Council's net expenditure was £13.2 million which was £960,000 less than budget. The £960,000 was largely used to increase revenue reserves to £6.073 million.

Current forecasts show that 2004/05 spending is expected to be in line with budget which should leave around £2.5 million in revenue balances.

### Gershon efficiency savings for 2005/06

For 2005/06 budget round the Council will need to respond to the Gershon efficiency regime. Key points include:

- Councils should aim for 2.5 per cent savings based on 2004/05 budget as a baseline (but excluding rent allowances and rebates).
- Half of these savings should be cashable – these are where resources can be redirected eg. lower costs for the same service level.
- Non cashable savings include improved performance or quality or outputs for the same levels of resources.
- Cashable savings can be reinvested in local services.

- Service cuts will not count as efficiency gains.
- Council's have discretion over how to deliver the savings i.e. how much from each service.
- The AES will be audited, and is likely to inform future CPA assessments.

Detailed guidance is expected in December 2004 and the Annual Efficiency Statement (AES) for 2005/06 submitted by April – June 2005.

Progress will need to be closely monitored during the year to ensure the Council achieves its Gershon savings.

The change management plan will be an essential element in enabling the Council to meet Gershon targets over the longer run. Particularly ensuring the Council adopts a procurement strategy which allows potential sources of savings to be secured which do not affect the quality of service delivered.

### Council Tax increases and Capping

Members will recall that six councils had their 2004/05 proposed budgets capped. The criteria for capping in 2004/05 were:

- more than 2 per cent increase in net expenditure;
- more than £137 average band D council tax; and
- more than 8.5 per cent increase in council tax.

Expectations are that the 2005/06 criteria will be much tighter with lower increases and the government expectation is that average council tax increases nationally will be at 5 per cent. The level of provisional grant settlement will impact on levels of budget reductions and council tax increases needed.

The provisional settlement for 2005/06 was 5 per cent which was better than expected. One other major cost pressure is the level of employer's superannuation contributions. The Council has prudently included slightly higher base budget assumptions for this in anticipation of the expected increase.

The consequences of capping typically include having to identify additional service cuts at short notice, and incurring significant extra costs for re-billing.

### Housing Revenue Account

At 31 March 2004 the Housing Revenue Account balance was £4.464 million largely due to the transfer of £3.5 million from housing reserves. The Council also has a major repairs reserve of £9.6 million available to meet the significant investment that decent homes standards will require.

### Options appraisal & decent homes

The Council is currently carrying out a comprehensive options appraisal exercise to meet the governments July 2005 deadline. This is a complex task and involves the following:

- Establishing various groups to ensure that members, tenants, and staff and GOEM have input.
- Project managing the options appraisal exercise to meet tight timescales.
- Consultation with tenants and their representatives and advisers, including tenant surveys.
- Stock condition assessment including external validation.
- Compiling a 30 year business plan reflecting tenants aspirations including detailed costing and financial projections.
- Assessing the capability of delivery for various options such as retention or stock transfer.

The Council's corporate director of regulatory services is managing the options appraisal project and it is currently on course for completion by May 2005. Members will need to ensure this deadline is met.

### Systems of internal financial control

*The Council, like most councils, disclosed key weaknesses in the overall control framework in the Statement of Internal Control.*

*This year we also reviewed the Council's response to Prudential Code requirements and suggested improvements.*

### Statement of Internal Control (SIC)

The Accounts and Audit Regulations 2003 require councils to publish a SIC with the Financial Statements and carry out a review at least once a year. This embodies the statutory responsibility to ensure that financial management is adequate and effective, and that there is in place a sound system of internal control including arrangements for risk management. Though the requirement applied from April 2003, the guidance was finalised late and most councils disclosed key weaknesses in an action plan.

For 2003/04, the Council's SIC disclosed key internal control issues that needed attention including:

- embedding risk management throughout the organisation;
- developing awareness of internal control and corporate governance through training;
- further developing the scrutiny function; and
- training & development of elected members to enable them to fulfil their roles more effectively.

The Council will need to address these issues as soon as possible.

### Prudential Code

The Prudential Code provides a new and comprehensive framework for self regulation of councils' borrowing and capital investment plans and the financing and other revenue costs.

The Council has made a useful start in implementing the requirements of the Prudential Code. Progress to date includes reports to members, establishing prudential indicators, staff attending training courses, and various relevant strategies in place eg. asset management plan, capital strategy and medium term financial strategy.

The principal strategic challenge for the Council under its current policies is to develop a 3–5 year capital programme for general fund services (similar to the HRA capital programme). This will enable the Council to make a rounded assessment whether or not it needs any new borrowing, or restructure or redeem existing loans.

Our report suggests ways that the Council can improve.

- Strengthen the framework for linking Council main aims and the projects included in the Capital Programme.
- Consider ways of building market capacity to meet expected levels of investment in housing capital works post 2010.
- Develop an affordability model.
- Provide Training for members to help them better understand Prudential Code implications.

Officers are currently considering these recommendations.

## Standards of financial conduct and the prevention and detection of fraud and corruption

We have not identified any significant weaknesses in your arrangements to prevent and detect fraud and corruption. The Council has in place policies and procedures at officer and member level designed to prevent and detect significant fraud. We continue to send Fraud Warning Bulletins to the Council's Director of Finance for him to forward to internal audit for appropriate preventative action.

## Legality of transactions

We have not identified any significant weaknesses in the Council's framework for ensuring the legality of its significant financial transactions.

## Other work

### Grant Claims

Over recent years the number of claims requiring audit certification has grown and audit fees have risen in line with this growth. In accordance with Strategic Regulation, the Audit Commission has adopted a more risk-based approach to the certification of grant claims. With effect from 2003/04 the smaller claims have not been subject to audit or have received a lighter touch audit. The approach to larger

claims has been determined by risk and the adequacy of the Council's control environment.

The Council's arrangements for managing and quality assuring grant claims submitted for audit are generally satisfactory. For next year we have agreed with the director of finance that we will rely on internal audit (IA) work for the Housing Benefits claim. We will shortly be arranging detailed discussions with IA to meet audit commission requirements. This initiative should reduce the fee for this work.

## National Fraud Initiative

The Council took part in the Audit Commission's national fraud initiative (NFI) 2002/03. The NFI, which is undertaken every two years, brings together data from local authorities, NHS bodies, government departments and other agencies, to detect a wide range of frauds against the public sector. Total savings from the 2002/03 exercise exceeded £83 million of which £6,500 savings were identified at South Kesteven.

The Commission are repeating the exercise this year and will again collect payroll, pensions, housing benefits, student loan and housing rents data from Authorities. Alongside the core exercise a number of pilot initiatives are being undertaken at selected sites. These are focused on risk areas that were highlighted by Authorities and include abuse of blue badge parking permits, serial insurance claimants and duplicate payments to suppliers. These pilot areas, if they prove effective, will be incorporated into future NFI exercises.

## Looking Forwards

### Future audit and inspection work

We have an agreed plan for 2004/05 and we have reported in this letter those aspects that have already been completed. The remaining elements of that plan, including the planned inspection of housing strategy, and our audit of the 2004/05 accounts, will be reported in next year's Annual Letter.

We will seek to ensure, wherever possible, that our work relates to the improvement priorities of the Council when planning our programme of work for 2005/06. We will seek to reconsider, with you, your improvement priorities in the light of the CPA assessment and your own analysis, and develop an agreed programme by 31 March 2005.

## Revision to the Code of Audit Practice

The Audit Commission has consulted on a revised Code of Audit Practice for application to the audit of the 2005/06 accounts. The new Code, which will be laid before Parliament in January 2005, is designed to secure:

- a more streamlined audit, which is proportionate to risk and targeted on areas where auditors have most to contribute to improvement;
- a stronger emphasis on value for money, focussing on corporate performance and financial management arrangements (rather than individual services and functions); and
- better and clearer reporting of the results of audits.

Further details will be provided in the Audit and Inspection Plan 2005/06.

## Closing remarks

This letter has been discussed and agreed with the chief executive and director of finance. A copy of the letter will be presented at the cabinet on 24 January 2005.

The Council has taken a positive and constructive approach to our audit and inspection I would like to take this opportunity to express my appreciation for the Council's assistance and co-operation.

## Availability of this letter

This letter will be published on the Audit Commission's website at [www.audit-commission.gov.uk](http://www.audit-commission.gov.uk), and also on the Council's website.



N G Bellamy  
District Auditor and Relationship Manager  
December 2004

## Status of our reports to the Council

Our annual audit and inspection letter is prepared in the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission. Annual audit and inspection letters are prepared by relationship managers and appointed auditors and addressed to members and officers. They are prepared for the sole use of the audited and inspected body, and no responsibility is taken by the Audit Commission or its appointed auditors to any member or officer in their individual capacity, or to any third party.

## APPENDIX 1

## Audit &amp; Inspection reports issued

Reports	Date
Audit plan	March 2004
Final accounts workshop	June 2004
Mid year progress report	August 2004
Prudential Code report	November 2004
Final accounts memorandum	December 2004

## Scope of audit and inspection

### Audit

Our main objective as your appointed auditor is to plan and carry out an audit that meets the requirements of the Code of Audit Practice. We adopt a risk-based approach to planning our audit, and our audit work has focused on your significant financial and operational risks that are relevant to our audit responsibilities.

Central to our audit are your corporate governance arrangements. Our audit is then structured around the three elements of our responsibilities as set out in the Code and shown in Exhibit 1.

The three main elements of our audit objectives



#### Accounts

- Opinion.

#### Financial aspects of corporate governance

- Financial standing.
- Systems of internal financial control.
- Standards of financial conduct & the prevention and detection of fraud and corruption.
- Legality of transactions.

#### Performance management

- Use of resources.
- Performance information.
- Best Value Performance Plan.

## Inspection

Inspection work is based around section 10 of the Local Government Act 1999, which requires us to carry out inspections and deliver reports that will:

- enable the Council and the public to judge whether best value is being delivered;
- enable the Council to assess how well it is doing;
- enable the Government to assess how well its policies are being implemented; and
- identify failing services where remedial action may be necessary.

The Audit Commission has circulated to all audited bodies a statement that summarises the key responsibilities of auditors. Our audit has been conducted in accordance with the principles set out in that statement. What we say about the results of our audit should be viewed in the context of that more formal background.

## APPENDIX 3

## Audit and Inspection fee

### Audit fee update

Audit area	Plan 2003/04	Actual 2003/04
Accounts	24,000	24,000
Financial aspects of corporate governance	15,000	15,000
Performance	47,900	47,900
<b>TOTAL CODE OF AUDIT PRACTICE FEE</b>	<b>86,900</b>	<b>86,900</b>
Grant Claim certification	20,000	20,000
Additional Voluntary work (under Section 35)		

### Inspection fee update

The full year inspection fee for 2003/04 was £15,800. The work reported in this audit and inspection letter has been funded by an element of the fee covering 2003/04 and by an element of the fee covering 2004/05. In both years the actual fee will be in line with that planned.