

# AGENDA



## CABINET

**MONDAY, 7 OCTOBER 2013**

**11.00 AM**

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

Beverly Agass, Chief Executive

**MEMBERS:** Councillor Mrs. Linda Neal (Leader/Portfolio: Policy, Strategy and Strategic Partnerships), Councillor Paul Carpenter (Deputy Leader & Portfolio: Governance & Communication), Councillor Mrs Frances Cartwright (Portfolio: Grow the Economy and Economic Development), Councillor John Smith (Portfolio: Healthy Environment), Councillor Mike Taylor (Portfolio: Strategic Resources - Well Run Council), Councillor Terl Bryant (Portfolio: Good Housing) and Councillor Bob Adams (Portfolio Holder: Arts and Leisure)

Committee Support Officer: Lucy Bonshor 01476 40 61 20  
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**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 pages. Key decisions are marked \*.**

### 1. APOLOGIES

**2. MINUTES**

**(Enclosure)**

**3. DISCLOSURE OF INTERESTS (IF ANY)**

**4. MEDIUM TERM FINANCIAL STRATEGY 2013/14 - 2017/18**

Report HOF253 by the Strategic Director (Corporate Focus) and the Head of Finance

**(Enclosure)**

**5. \*SAFEGUARDING ADULTS MULTI AGENCY POLICY & PROCEDURE**

Report TSE059 by the Housing Management Service Manager.

**(Enclosure)**

**6. MATTERS REFERRED TO CABINET BY THE COUNCIL, SCRUTINY COMMITTEE OR THE POLICY DEVELOPMENT GROUPS**

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

**8. REPRESENTATIONS RECEIVED FROM NON CABINET MEMBERS**

**9. ANY OTHER BUSINESS WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT**



**MEETING OF THE CABINET**  
**5 AUGUST 2013 - 11.00 AM – 11.39 AM**

**PRESENT:**

**Councillor Paul Carpenter**  
**Councillor Mrs Frances Cartwright**  
**Councillor John Smith**  
**Councillor Mike Taylor**  
**Councillor Teri Bryant**  
**Councillor Bob Adams**

**Councillor Paul Carpenter – Deputy Chairman**

**Chief Executive (Beverly Agass)**  
**Strategic Director Corporate Focus/Section 151 Officer**  
**(Daren Turner)**  
**Operations Director (Ian Yates)**  
**Head of Finance (Richard Wyles)**  
**Team Leader Environmental Health (Private Sector Housing)**  
**(Anne-Marie Coulthard)**  
**Head of Legal and Democratic Services/Officer**  
**(Lucy Youles)**  
**Cabinet Support Officer (Lucy Bonshor)**

**Non-Cabinet Members : Councillor Nick Craft**

**CO12. APOLOGIES**

An apology for absence was received from Councillor Mrs Linda Neal.

**CO13. MINUTES**

The minutes of the meeting held on 1st July 2013 were agreed as a correct record of the decisions taken subject to CO10 2) being worded:

- Cabinet approve the inclusion of the additional lender Teachers Building Society having taken into consideration the information provided in the report.

CO14. DISCLOSURE OF INTERESTS (IF ANY)

None disclosed.

CO15. \*PRIVATE SECTOR HOUSING RENEWAL POLICY 2013-2018

**Decision:**

**Cabinet notes the outcomes of the consultation process and approves the Private Sector Housing Renewal Policy for 2013-2018.**

Considerations/reasons for decision:

- 1) Report ENV588 from the Operations Director.
- 2) The policy covered assistance for the most vulnerable, encouragement for empty homes to get back into use and guarantees that standards were maintained in private rented and registered social landlord accommodation through advice and enforcement.
- 3) The policy supported the delivery of relevant outcomes contained in the Housing Strategy and the Council's priority of Good Housing.
- 4) Consultations were undertaken with the Communities PDG, the Community Focus Forum, e-mails with landlords and consultation with the wider public through the website.
- 5) Key elements within the policy were advice, enforcement and financial assistance.
- 6) The policy would replace the decent homes grant with essential home repair assistance.
- 7) A Private Sector Housing Renewal Policy is required under the Regulatory Reform (Housing Assistance) Order 2002.
- 8) Comments made to clarify the lien on properties by the Portfolio Holder Good Housing.
- 9) Comments made by the Environmental Health Team Leader (Private Sector Housing on both discretionary and mandatory grants.

**OTHER OPTIONS CONSIDERED**

None: Authorities have a general power to provide financial assistance. In accordance with the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 authorities are required to give assistance in accordance with a published policy. Government guidance suggests that they would consider that an authority was failing in its duty as a housing enabler and in its responsibility to consider the condition of the local private sector stock if it did not make some provision for assistance. It states that "a blanket 'no assistance policy', whether for grants, loans or both, would therefore be unacceptable.

CO16. \*SOUTH KESTEVEN DISTRICT COUNCIL SMALL BUSINESS LOAN SCHEME AND HARDSHIP AWARDS

**Decision:**

- 1) **That Cabinet approves the establishment of a small business loan scheme and allocates up to £100K, from the provision agreed in the 2013/14 budget for the formation of a fund.**
- 2) **A Board for considering applications to be established. Membership to comprise of the Grow the Economy - Economic Development Portfolio Holder, Well Run Council- Strategic Resources Portfolio Holder, the Chairman of the Resources PDG or a Member nominated by him and an officer from Economic Development.**
- 3) **That the proposed criteria contained within report HOF245 be approved in respect of applications for Hardship relief.**

Considerations/reasons for decision:

- 1) Report HOF245 from the Head of Finance.
- 2) Council, at its meeting on 1 March 2013, approved the introduction of a budget in order to assist and respond to the local economy during the current financial climate and allocated up to £100K.
- 3) Small Business Loan Scheme - 15% of businesses in South Kesteven were small or medium sized with the majority employing less than 16 people.
- 4) Due to the current financial climate many SME businesses were suffering from a lack of access to finance as banks had been reluctant to lend money. The proposed scheme would be used to match similar levels of capital investment by firms and banks with the Council contributing one third.
- 5) Hardship relief – this initiative complimented a suite of Economic Development and business development packages being delivered by the Council.
- 6) The Council had a discretionary power under Section 49 of the Local Government Finance Act 1988, in exceptional circumstances, to reduce all or part of a business rates bill.
- 7) Comments made about the need to promote both schemes.
- 8) Comments made about the financial impact of the hardship scheme across the County.
- 9) Comments made about the composition of the board and substitution.

CO17. ITEMS RAISED BY CABINET MEMBERS INCLUDING REPORTS ON KEY AND NON KEY DECISIONS TAKEN UNDER DELEGATED POWERS.

The Portfolio Holder Healthy Environment informed Cabinet that he had made an Urgent Non Key Decision.

**Decision:**

**To grant approval to award the contract for the provision of Receiving, Sorting and Marketing of Materials for Recycling for South Kesteven District Council for the period of 5th August 2013 to the 2nd August 2014 to Mid UK Recycling Limited.**

**1) Details of Decision**

To seek approval to award the contract for recycling.

**2) Considerations/Evidence**

Options considered are as outlined within report WAR2013.3 which contains exempt information in accordance with Paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972 (as amended).

**3) Reasons for Decision:**

As outlined within report WAR2013.3 which contains exempt information in accordance with Paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972 (as amended).

As this was an Urgent Non Key decision the call-in procedure did not apply and the decision was effective from:

**5th August 2013.**

**DATE DECISIONS EFFECTIVE:**

Decisions CO15 and CO16 as made on 5th August 2013 can be implemented by Wednesday 14th August unless subject to call-in by the Scrutiny Committee Chairman or any five members of the Council from any political group.

Decision CO17 is effective from 5th August 2013 and due to urgency is not subject to the call-in procedure.

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

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## REPORT TO CABINET

**REPORT OF: STRATEGIC DIRECTOR (CORPORATE FOCUS) AND HEAD OF FINANCE**

**REPORT NO: HOF253**

**DATE: 7 October 2013**

<b>TITLE:</b>	Medium Term Financial Strategy 2013/14 – 2017/18	
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	Policy Framework Proposal	
<b>PORTFOLIO HOLDER: NAME AND DESIGNATION:</b>	Councillor Mike Taylor - Well Run Council Portfolio Holder	
<b>CONTACT OFFICER:</b>	Daren Turner – Strategic Director 01476 406301 Email: <a href="mailto:d.turner@southkesteven.gov.uk">d.turner@southkesteven.gov.uk</a> Richard Wyles – Head of Finance 01476 406210 Email: <a href="mailto:r.wyles@southkesteven.gov.uk">r.wyles@southkesteven.gov.uk</a>	
<b>INITIAL IMPACT ASSESSMENT:</b>	Carried out and Referred to in paragraph (7) below:	Full impact assessment Required:
<b>Equality and Diversity</b>	N/A	
<b>FREEDOM OF INFORMATION ACT:</b>	This report is publicly available via the Your Council and Democracy link on the Council’s website: <a href="http://www.southkesteven.gov.uk">www.southkesteven.gov.uk</a>	
<b>BACKGROUND PAPERS</b>		

## **1. RECOMMENDATION**

1.1 It is recommended that:

- Cabinet recommend to Council the Medium Term Financial Strategy for the period 2013/14 – 2017/18.

## **2. PURPOSE OF THE REPORT**

2.1 To seek Cabinet approval of the Medium Term Financial Strategy covering the 5 year period 2013/14 – 2017/18.

## **3. DETAILS OF REPORT**

3.1 The Medium Term Financial Strategy (MTFS) sets out the Council's strategic approach to the management of its finances and presents indicative budgets and Council tax levels for the medium term. The scope of the MTFS includes the General Fund Revenue Account and the Capital Programme over the five year period. It also highlights the significant financial risks facing the Council in the forthcoming years and explains what the Council is doing to reduce those risks and ensure all the plans are robust, realistic, achievable, deliverable and fully funded.

3.2 The format of the MTFS provides contextual information with respect to the financial climate from a global, national and local perspective. It then provides detail of the key funding sources that are available to the Council specifically Government funding, Council Tax and fees and charges.

3.3 The Council is moving towards priority (rather than service based) budgeting providing specific focus on ensuring sufficient resources are directed at the delivery of priority outcomes. The MTFS also recognises the pressures the Council will face in the coming years and translates rising expenditure and reducing resources into forecasted deficits in the medium term.

3.4 In order to ensure a sustainable balanced financial platform a number of principles are proposed that the Council will incorporate into its medium term financial planning in order to deliver sustainable budgets and support the delivery of the stated priorities in accordance with the Corporate Plan Vision 2021.

3.5 In summary the principles are focussed on:

- Future setting of Council Tax levels
- Use of Government grants
- Cyclical review of Fees and Charges

- Use of specific funding streams to fund priority projects and services
- Localised Business Rates and pooling arrangements
- Delivery of the Efficiencies and Transformation Plan
- Delivery of the Treasury Management, Capital Framework and asset review

3.6 The MTFS also outlines the Capital Programme spending proposals for the five year period by priority theme and shows how the Council's resources will be used to fund the programme. Careful resource planning will need to be undertaken on an annual basis to optimise the most financially advantageous position. In the short to medium term it is not anticipated that the Council will require external borrowing to fund the Programme but this position may change should borrowing become a cheaper funding source than utilising existing resources.

#### **4. OTHER OPTIONS CONSIDERED**

4.1 None applicable

#### **5. RESOURCE IMPLICATIONS**

5.1 None applicable

#### **6. RISK AND MITIGATION**

6.1 None applicable

#### **7. ISSUES ARISING FROM EQUALITY IMPACT ANALYSIS**

7.1 None applicable

#### **8. CRIME AND DISORDER IMPLICATIONS**

8.1 None applicable

#### **9. COMMENTS OF FINANCIAL SERVICES**

9.1 Comments are included in the report.

#### **10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES**

10.1 As this strategy is part of the Council's Budget and Policy Framework, it is essential it is regularly reviewed to ensure it remains fit for purpose

## **11. COMMENTS OF OTHER RELEVANT SERVICES**

11.1 None applicable

## **12. APPENDICES**

12.1 Medium Term Financial Strategy 2013/14 – 2017/18



## Medium Term Financial Strategy

2013/14 – 2017/18



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## **1.0 Introduction**

The Medium Term Financial Strategy (MTFS) sets out the Council's strategic approach to the management of its finances in order to deliver its stated priorities laid out in the Council's Corporate Plan. It presents indicative budget levels which include assumptions around Council Tax and Government grant over the medium term. The scope of the MTFS includes the General Fund Revenue Account and the Capital Programme over the five year period. It also highlights the significant financial risks facing the Council in the forthcoming years and explains what the Council is doing to reduce those risks and ensure all its plans are robust, realistic, achievable, deliverable and fully funded.

## **2.0 Benefits**

The MTFS assists in:

- Meeting the priorities of the Council and delivering the Vision of 2021 by aligning resources.
- Improving financial planning and the financial management of the Council's revenue and capital resources
- Maximising the use of resources available to the Council, both internal and external
- Ensuring that the Council provides value for money and delivers budget savings
- Allowing the development of longer term budgets and strategic planning
- Reviewing the Council's reserves policy to ensure that the priorities are adequately resourced and there is financial protection against unforeseen events
- Responding to financial pressures and protecting front line services

## **3.0 Objectives**

The main objectives of the MTFS are to:

- explain the financial context within which the Council is set to work over the medium term
- identify the financial resources needed to deliver the Council's priority outcomes
- achieve a stable and sustainable budget capable of withstanding financial pressures.
- Provide a cornerstone for the overall Budget and Policy Framework within the Council
- Establish a clear set of principles which underpin the medium term financial planning of the Authority

The Medium Term Financial Plan (MTFP) is being developed for each of the main financial areas taking account of the specific financial issues around spending and income pressures and the need to deliver a sustainable budget over the medium term. This will be presented as part of the budget proposals in March 2014.

## **4.0 Context – Global Financial Crisis, National and Local Economic Factors**

### **4.1 Global Financial Crisis**

The financial crisis of 2007–2008, also known as the ‘global financial crisis’, is considered by many economists to be the worst financial crisis since the Great Depression of the 1930s. It resulted in the threat of total collapse of large financial institutions, the bailout of banks by national governments, and downturns in stock markets around the world. In many areas, the housing market also suffered, resulting in evictions, foreclosures and prolonged unemployment. The crisis played a significant role in the failure of key businesses, declines in consumer wealth estimated in trillions of US dollars, and a downturn in economic activity leading to the 2008–2012 global recession and contributing to the European sovereign-debt crisis.

### **4.2 National Context**

**4.2.1 The Financial Crisis** continues to bite in Europe and the Austerity measures in the UK continue to be enforced. The Government's economic plan to recovery has 3 main parts which is to keep mortgage rates low, fixing the banks to support business investment and tackle the country's debt position. The recent spending review reconfirmed the Government's approach to reduce the deficit by taking difficult decisions to cut public spending in order to prioritise investment in infrastructure. In order to achieve the Government's plans the latest budget in March 2013 announced a further 1% real cash reduction to most Government departments on top of the previous savings targets already announced as they have identified a further £11.5bn is needed.

**4.2.2 UK Growth** continues to be an issue with it not expanding as quickly as was anticipated. Various measures in the March 2013 budget to help stimulate the housing market and more national infrastructure projects have been announced. However, consumer spending remains subdued with some major high street chains going into liquidation. Interest rates continue at an historic low and this impacts on the investment returns received by the Council.

**4.2.3 Inflation** continues to be a concern with Consumer Price Index (CPI) projections being increased by the Office for Budgetary Responsibility (OBR) due to the likely higher costs of oil and imports in the future and the environmental and network costs being incurred by energy suppliers. It is projected to fall back in the medium term. The Council has to assess the likely inflationary pressures it will incur in the future for items such as pay, energy and fuel, ICT contracts, and general price increases for contracts, goods and services.

**4.2.4 Public Sector Finances** will continue to be squeezed in the medium term and whilst indicative grant allocations have been given for 2014/15 recent announcements in the June 2013 Spending Review have had a further detrimental impact on the provisional allocations. Consultation is currently underway on the Local Government Finance Settlement for 2014/15 and 2015/16 with a further 2.3% reduction in overall local government spending for 2015/16 and a 10% reduction in Local Government

Departmental Expenditure Limit. Running parallel with this is a consultation on proposals to allocate a proportion of allocated New Homes Bonus (NHB) to fund a pool within the Local Enterprise Partnership. There are a number of proposed mechanisms that can be introduced to shift this resource ranging from upper tier authorities contributing all of their allocated New Homes Bonus to an equal percentage model shared between upper and lower tier authorities (suggested 35.09%). The outcome of the consultation is awaited in order to determine the financial implication of the funding change.

## **5.0 Local Government Funding**

Local Government funding has gone through a significant period of change in the last couple of years with the following significant changes:

- **New Homes Bonus (NHB)** – an initiative which rewards Councils for increasing their utilised housing supply as recognised in the tax base of the Council. For each dwelling increase an amount equal to the national average Council Tax due per band D property is paid for a period of 6 years. An additional payment of £350 per each additional social housing unit is also paid. With effect from April 2014 it is possible that a proportion of 35% of NHB generated will be passed over to Local Enterprise Partnerships who will control its distribution.
- **Business Rates** – this core grant (formerly part of ‘formula grant’) has been replaced with the part localisation of Business Rates which took place for 2013/14 onwards. This retains a proportion of the Business Rates at a ‘local’ level rather than the full amount being paid over to Central Government and then a proportionate amount was passed back through the Formula Grant. This is intended to reward Councils for the business growth in their areas. The Council can opt to ‘pool’ with other Councils to share/retain any additional growth ‘locally’ however this also has risks attached and therefore for 2013/14 this option hasn’t been taken by this Council. 50% of Business Rates generated is passed straight to the Treasury, 20% is passed to upper tier authorities (Lincolnshire CC). The Council is subject to a “levy” on any BR raised above its local collection threshold, this can be up to 50% of the extra revenue generated.
- **Revenue Support Grant (RSG)** – this core grant (formerly part of ‘formula grant’) used to be a key part of the Councils Resource base. However, this is the main area the austerity measures have impacted upon with significant reductions in 2013/14. The recent Budget announcements have introduced further reduction in the level of RSG in 2014/15 and 2015/16 as the Government uses the allocations to fund other areas such as funding the Business Rate safety net and meeting the recently announced reduced Government Department spending levels. In overall terms the RSG has been reduced by 24.2% between 2014/15 and 2015/16. It is anticipated that reductions of RSG will continue in the medium term as the Government continues its objectives of reducing the national deficit.

- Specific Government Grants – whilst some specific grants are still received the bulk of them have been amalgamated into the central government funding allocations. It is likely that this trend of incorporating them into the central ‘pot’ will continue in the future with Small Business Rate Relief being funded within overall Business Rates from 2014/15 onwards. Some grants are up to 2014/15 only.
- Council Tax – Council Tax is set locally by the County Council, Police and Crime Commissioner, District Council (SKDC) and Town/Parish Councils. The Council determines the level of it’s share of the Council Tax when it considers and sets its budget in February/March each year. However, Council Tax is now under close scrutiny by the Government and various initiatives are now in place to restrict future Council Tax increases.

There are three main elements to Council Tax:

- Council Tax Base (i.e. the number of properties which can be charged) - this is calculated annually and basically takes each household and multiplies it by its Council Tax Band (A to H), plus/minus amounts for discounts, exemptions, etc, to arrive at a Band D equivalent number of chargeable dwellings. If the overall tax base reduces the amount of Council Tax generated will also reduce therefore it is important that the tax base is maintained – and ideally increased – year on year.
  - Collection Rate – the amount actually collected compared to the amount due. Any reduction in collection rates will reduce the amount of Council Tax generated.
  - Council Tax charge (set by bands). Multiplying the tax base by the Council Tax charge gives the total amount that can be generated from Council Tax (after allowing for bad debts, non payment, change in circumstances, etc).
- Council Tax Technical Changes - recent technical changes have seen the tax base increase as some reductions and discounts were amended. These changes have been introduced in order to meet the funding shortfall in the funding grant received from Government in order to fund the local Council Tax support scheme and to change behaviour with respect to specific exemptions, specifically empty homes premium of 150% payable Council Tax.
  - Council Tax Referendum – The former capping regime has been replaced with a referendum mechanism where there are ‘excessive’ Council Tax increases proposed. Each year the Government will determine the rate of increase above which increases are deemed to be ‘excessive’. This was set at 3.5% for 2012/13 and 2% for 2013/14 although up to a £5 increase was allowed for lower quartile Council Tax level authorities (this Council took this option for 2013/14). This ‘excessive’ mechanism can apply to all tiers of Local Government including Town and Parish Councils.

- Council Tax Freeze – The Government made a commitment to support Councils to freeze their Council taxes in 2011/12, 2012/13 and 2013/14. This comprised of the payment of an un-ringfenced grant – the amount of which has varied and also the period it is payable for. For example, the 2011/12 was a payment equal to a 2.5% increase and was payable for 3 years. The 2013/14 was a payment equal to 1.0% and was payable for two years only. In the spending review announcements in June 2013 the Government has announced further available Council Tax freeze grant of 1% for both 2014/15 and 2015/16 and a referendum threshold of no more than 2%.
- Council Tax Support – previously Council Tax benefit was fully funded by the Government via a grant subsidy methodology. From 2013/14 Councils have had to develop and approve their own schemes for the amount of Council Tax Support that it is to provide in the future within the context of not impacting on pensioners and delivering a 10% overall reduction in costs had to be achieved. This is no longer paid as a 'benefit' but is instead shown as 'reduction' on the Council Tax bill. The introduction of a maximum eligibility threshold of 80% has resulted in more residents paying a proportion of their Council Tax bills than previously.
- Fees & Charges – fees and charges form an important part of both the General Fund budget in terms of fees paid by users netting down the budget requirement. The current economic difficulties has impacted on some income streams especially in Planning related services and therefore prudent estimates of future income generation from fees and charges must be adhered to. Also, the market will only take certain level of fees and therefore the optimum level of fee level versus market resistance needs to be achieved. The approved Fees and Charges Strategy sets out the Council's approach to fee setting and forms part of Principle 3 referred to later in the MTFS.

## 6.0 Local Context

District Councils have a duty to provide a range of services for the local community and visitors to the area. This means that many of South Kesteven's services are governed by statute and are classed as 'mandatory' – it has to be delivered. However, the level and method of delivery is decided locally.

Additionally, each local area will have its own needs and priorities. Therefore as well as the statutory services a range of 'discretionary' services are also delivered. For either category of spend there has to be a legal power to undertake the service.

The current priorities are set out in the Council's Corporate Plan and are:

'Creating the Environment to' :-

- Grow the Economy.
- Keep SK Clean, Green and Healthy.
- Promote Leisure, Arts & Culture.
- Support Good Housing for All.

Underpinned by 'Well Run Council'

Sitting alongside the Corporate Plan are a number of other strategies (such as People Strategy, Customer Services Strategy, ICT Strategy) and detailed service plans. The Medium Term Financial Strategy and the Annual Budget Report provides a key link of all the financial implications of these plans and strategies to ensure they are robust, sustainable and affordable.

## **6.1 Priority based budgeting**

**6.1.1 Priority Focus** - The service priorities are derived from the overarching Corporate Priorities. Not all services may directly link to the Corporate Priorities – however they may still be essential as they are providing statutory services or essential support functions. The focus of the budget setting process will be driven by priority based budgeting whereby resources will be allocated based on clear priority outcomes. This is a shift of emphasis from the more traditional service led budgeting where resource allocation can be out of alignment with the priorities of the Council.

## **6.2 Service Pressures**

**6.2.1 Pressures** - Of course the base budget does not stand still. The cost of services may increase (or decrease) by factors external to the Council such as:

- Inflation – like any other household or business the Council is impacted by inflationary pressures. This can be from pay awards (these have been frozen in recent years but are likely to increase from 2013/14 onwards – 1% has been assumed), energy costs, fuel costs, contractual price increases, etc.
- Legislation changes – changes in legislation or case law may require service delivery changes, reviews of fees and charges, new services to be delivered, etc.
- User demand – the growth in user demand may lead to increased costs – often with ‘stepped costs’ incurred. So for example additional housing may be accommodated by the refuse fleet, but at a point an additional round/vehicle/staff may be required to meet the additional demand.
- Income – user demand can also impact on income levels. Whilst fees and charges are reviewed annually the net income achieved may be reducing due to lower user demand. Since the economic downturn, particularly in the housing market, reductions have been noticeable in planning related activities, land charges and car parking.

## **6.2.2 Expenditure**

Expenditure estimates have been increased where appropriate based upon the inflation factors and have been extrapolated for the next 4 years. Income estimates have also been increased where appropriate to reflect likely increases in fees and charges, usage, etc. All other income and expenditure remains as per the 2013/14 approved budget (i.e. no change).

The table below sets out the summarised position based upon the ‘likely’ assumptions.

GENERAL FUND ‘Likely’	2013/14 Original £000’s	2014/15 Indicative £000’s	2015/16 Indicative £000’s	2016/17 Indicative £000s	2017/18 indicative £’000s
Net Cost of Services	15,619	15,302	15,556	15,868	16,183
Interest, fund movements, CTS Grant, etc.	(1,551)	(1,980)	(1,614)	(2,127)	(2,037)
<b>Budget Requirement</b>	<b>14,068</b>	<b>13,322</b>	<b>13,942</b>	<b>13,741</b>	<b>14,146</b>

Funded by:	2013/14 £000’s	2014/15 £000’s	2015/16 £000’s	2016/17 £000’s	2017/18 £000’s
Retained Business Rates	2,665	3,200	3,286	3,388	3,503
Revenue Support Grant	4,845	3,629	2,581	1,838	1,214
Safety Net Payment	300	-	-	-	-
Small Business Rate Relief Grant	108	TBA	-	-	-
<b>Sub total</b>	<b>7,918</b>	<b>6,829</b>	<b>5,867</b>	<b>5,226</b>	<b>4,717</b>
Council Tax (inc SEA)	6,113	6,279	6,469	6,664	6,866
Collection Fund Surplus	37	-	-	-	-
<b>Total</b>	<b>14,068</b>	<b>13,108</b>	<b>12,336</b>	<b>11,980</b>	<b>11,583</b>

### 6.2.3 Resources v. Expenditure

The table below shows the overall budget position using the most likely scenario for resources and expenditure. For 2015/16, 2016/17 and 2017/08 deficits of £1.606m, £1.761m and £2.563m are forecast, as resources are forecast to reduce at a faster rate than expenditure. This can attributed to the reductions in the RSG and no forecast usage of NHB monies to fund the General Fund expenditure.

Likely scenario	2013/14 £000	2014/15 £000	2015/16 £000	2016/17 £000	2017/18 £000’s
Budget Requirement	14,068	13,322	13,942	13,741	14,146
Resources	<b>14,068</b>	<b>13,108</b>	<b>12,336</b>	<b>11,980</b>	<b>11,583</b>
<b>Budget surplus / (deficit)</b>	0	(214)	(1,606)	(1,761)	(2,563)

The table above represents the likely scenario. However, through only small changes to the assumptions made in preparing this “likely” forecast, the overall budget position will change. Therefore, it is also important to consider the “best” and “worst” scenarios; the table below provide a summary of the three scenarios.

Scenarios	2013/14 £000	2014/15 £000	2015/16 £000	2016/17 £000	2017/18 £000's
Best	0	199	(1,202)	(1,292)	(2,040)
Likely	0	(214)	(1,606)	(1,761)	(2,563)
Worst	0	(489)	(2,077)	(2,355)	(3,273)

It is important to note that the figures below do not include factors such as the impact of localising support for council tax (on the council tax collection rate), the loss of specific grant funding and other budget pressure. It is probable these factors will reduce resource and increase expenditure for each of the three scenarios above. Further work will be undertaken on each of these factors in order to quantify their impact, in order to include them within the scenarios.

The forecast confirms that from 2015/16 onwards a budget gap begins to emerge as the Government grant reductions continue. This gap could be further widened following a combination of future Government grant reduction announcements and emerging budgetary pressures not currently identified. Other budgetary pressures will emerge as there are a number of variables and assumptions included in the 'net cost of services' line shown in the table. Therefore it is imperative that in-year forecasting continues to be undertaken to ensure the Council carries out the delivery of its priorities and that resources are fully utilised.

## **7.0 Funding options – Establishing the Principles**

### **7.1 Addressing the Budget Gap – Establishing the Principles**

The MTFs seeks to introduce a number of key principles which will be adopted when undertaking the cyclical budgetary process which will allow medium term financial planning to be undertaken. These principles will be implemented to address the budget gap as it increases over the medium term. These are set out as follows:

#### **Council Tax levels**

The Authority locally can set its annual Council tax level and the Government sets out its guidance on appropriate levels of increase. Any increase that exceeds the Government suggested level will require the Council to hold a referendum with its residents with the Council having to bear the costs of holding such a referendum. Since 2011/12 the Government has offered a Council Tax freeze grant to those authorities who maintain their council tax at the previous year's level. This freeze grant can vary but is typically equivalent of 1% of the Council Tax amount.

**7.1.1 Principle 1** - Council Tax levels shall be set each financial year having regard to the prevailing conditions at that time. Specifically the factors that will be considered will be inflation levels, community aspirations and Government guidance on referendum levels including any available Council Tax freeze grant.

### Government grants

With effect from April 2014 all specific grants will be incorporated into the combined revenue support grant (RSG) and therefore the Council will no longer have visibility of the amounts of the specific grants. Whilst this enables the Council to allocate grants where it chooses, the RSG will face cuts over the medium term which will then impact on all grants.

**7.1.2 Principle 2** – Resources and un-ring fenced grants will be allocated to fund the delivery of the priority outcomes that residents have said are important to them.

### Fees and Charges

The income from fees and charges is an important income stream to the Authority and fee setting should be carried out in accordance with the policies set out in the fees and charges framework. Where possible, income should be set at a level that meets the operational costs of providing the service which will result in fees and charges increasing in line with the costs of providing the service. However it is recognised that fees and charges play a wider objective that purely income generation in that they can be used to promote certain activities that support the Council priorities. Furthermore they can be used to encourage particular participation where excessive charging may be a barrier to entry.

**7.1.3 Principle 3** – all fees and charges should be reviewed annually and inflationary increases should be introduced having regard to the service contribution towards delivery of the priorities and the market conditions prevailing at that time.

### New Homes Bonus

NHB is now a key income stream for the Council and over £2M is expected to be received in 2013/14. The Council is financially rewarded for each additional property it adds to its Council Tax base and a further £350 for each additional affordable housing property. The scheme will pay the equivalent of 6 years worth of average Council tax with 80% of this amount being paid to the district council. However, there are some doubts over the longevity of the scheme as Departmental budget controls are increased by Government (although there is no evidence to support this view at the present time). Based on this concern there is a view that the NHB income should not be used to support the General Fund budgets but rather be more targeted with respect to its use.

**7.1.4 Principle 4** – the monies received from New Homes Bonus should be used to fund the delivery of Council priority projects and initiatives.

### Localised Business Rates

This element of funding has been replaced with the part localisation of Business Rates which took place for 2013/14 onwards. This retains a proportion of the Business Rates at a 'local' level rather than the full amount being paid over to Central Government and then a proportionate amount was passed back through the Formula Grant. This is intended to reward Councils for the business growth in their areas. The Council can opt to 'pool' with other Councils to share/retain any additional growth 'locally' however this also has risks attached as any losses will need to be shared amongst the pool in the same manner.

**7.1.5 Principle 5** – Undertake a review of pooling arrangements and ensure that pooling remains beneficial to the Council.

### Efficiencies and Business Transformation Plan

Services need to continue to drive through efficiencies and continually review their working practices and operations to try to make them as efficient as possible. This can be achieved by staff/user suggestions, service reviews, transformation programmes, reviewing vacant posts, identifying budget underspends, benchmarking/comparison, learning from best practice, etc. More strategic approaches to service delivery can also be considered in terms of outsourcing, bringing services back in-house, working with partners, voluntary sector, etc. A Plan has been developed that provides a detailed analysis of all the transformation projects including the targeted savings total for each project.

**7.1.6 Principle 6**– Review and update on an annual basis the Efficiencies and Business Transformation Plan and monitor achieved savings.

### Treasury Management and Capital Framework

Treasury Management is a key component of any business and especially the impact of interest rates. During the global crisis interest rates have been at historically low rates with the Bank of England base rate being at 0.5% since March 2009. This has had a significant impact on investment returns generated from the investment of cash flows, funds and reserves held by the Council. On the positive side, it has meant borrowing costs are now reduced and therefore when compiling the Capital Framework, due regard to financing arrangements need to be considered.

The Capital Framework sets out the approach to the Councils capital spending plans and how it will resource these in the coming years. Any Capital Project agreed must be explicit about the revenue consequences both in terms of operational costs and the initial funding costs, whether this is loss of investment interest or servicing borrowing costs. Future capital resources need to take account of Asset Management Plans for both expenditure requirements to keep assets fit for purpose as well as likely asset sales generating future capital receipts to be reinvested.

**7.1.7 Principle 7** – Regularly review and monitor the Treasury Management and Capital Framework with particular focus on the opportunities for borrowing compared with the cost of holding the debt. Regularly review the Council’s asset portfolio to ensure they directly contribute to the delivery of the priority outcomes. Where possible capital investment should be in projects that see the return of the initial invest in order that returns can be allocated to future projects.

## **8.0 Capital Programme**

The Council’s plans for capital investment are used to develop the Capital Programme, which includes capital expenditure associated with the General Fund. The programme is driven by the need to get maximum value for money from the Council’s assets by making sure that they are well maintained and remain fit for purpose, within the limits of available funding.

Although the Council can borrow to fund its capital expenditure, the cost of the repayments often makes this option unaffordable and so its future capital requirements in the medium term will mainly depend upon existing earmarked resources and a well managed programme of asset disposals; using assets that are no longer suitable or cost effective to fund the acquisition and development of assets for improved service delivery. Of course any asset disposal must represent value for money and therefore issues such as market conditions, timings and wider benefits all need to be taken into account.

The main funding options are available for funding the Capital Programme are as follows:

- Capital Reserves – reserves made up from previous capital contributions.
- Capital Receipts – generated from sales of capital assets.
- External Funding – usually in the form of grants or funding contributions.
- Revenue Contributions – made from the General Fund Revenue Account .
- Prudential Borrowing – borrowing with repayments of Principal and Interest (timings depending upon loan type).

Using Reserves and Receipts impacts on the investment returns that are currently been achieved – however with interest rates at historically low levels this has fairly minimal impacts. If interest rates increase in the future then this has a larger financial impact. Prudential borrowing can be the most expensive way of funding Capital Expenditure – however again due to low interest rates it is currently advantageous to borrow if you can demonstrate there is a borrowing need to support the Capital Programme in the future.

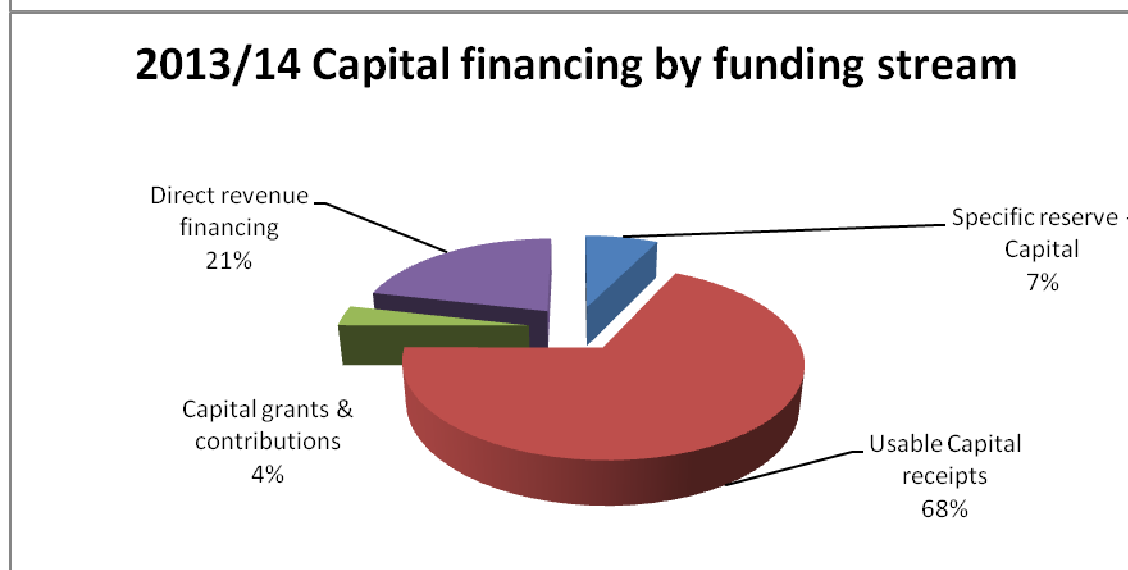
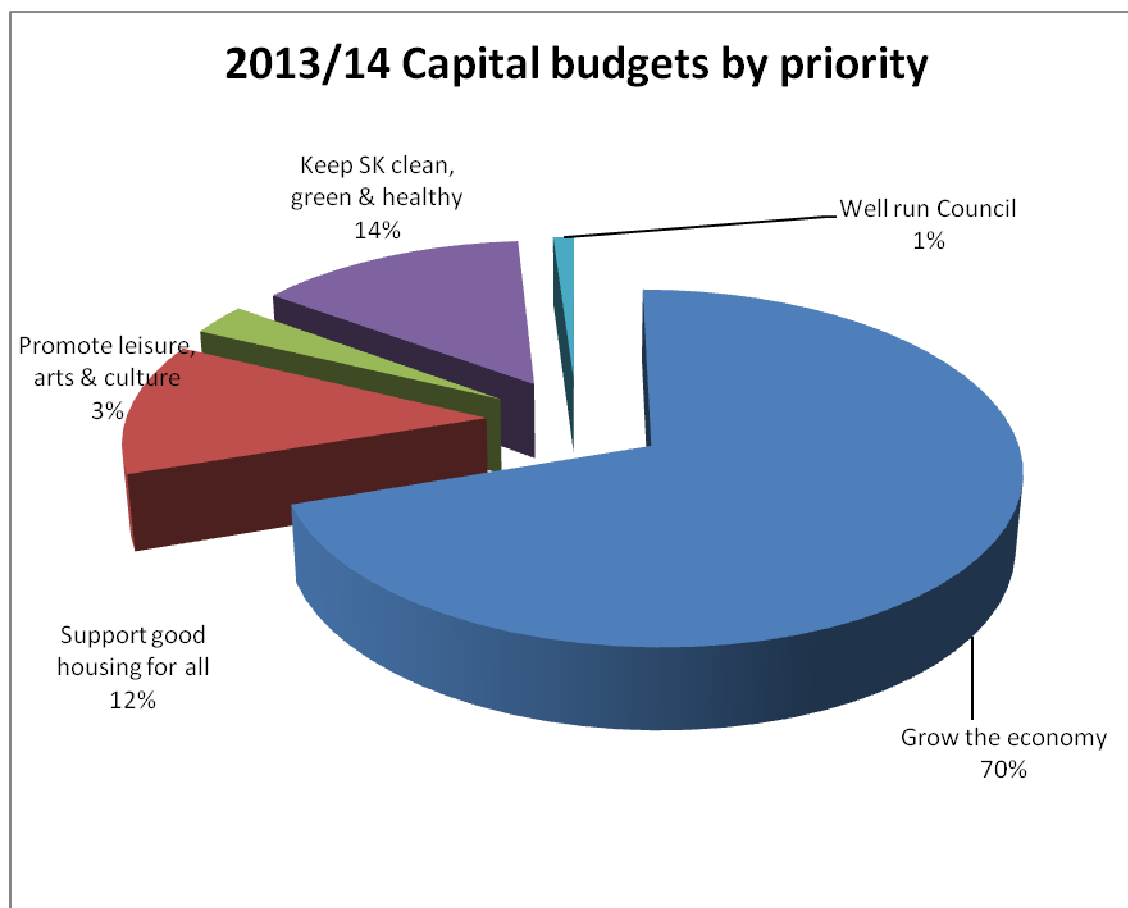
### 8.1 Approved Capital Programme

The current approved capital programme is summarised in the table below:

	2013/14 £000	2014/15 £000	2015/16 £000	2016/17 £000	2017/18 £000's
General Fund	7,111	2,733	1,767	1,412	1,126

The Capital Programme is to be resourced by:

General Fund	2013/14 £000	2014/15 £000	2015/16 £000	2016/17 £000	2017/18 £000's
Reserves	515				
Capital Receipts	4,822	1,934	971	648	372
Grants and Contributions	254	254	254	254	254
Revenue Contributions	1,520	545	542	510	500
<b>Total GF Financing</b>	<b>7,111</b>	<b>2,733</b>	<b>1,767</b>	<b>1,412</b>	<b>1,126</b>



This is reviewed at least twice annually at closedown and budget setting and it is important that the projects have strategic links to the corporate priorities, procure and/or maintain assets required for service delivery, address health and safety issues, or meets the requirements of grants received (e.g. Disabled Facility Grants). In terms of financing the capital programme any capital grants and contributions will be allocated first as specific funding streams. The council will then look to use any specific Capital Reserves followed by the Usable Capital Receipts reserve. The last call on funding will be through direct revenue contributions and/or borrowing.

## 9.0 Reserves and Balances

The Council holds a number of Funds and Reserves for various specific, capital or general related reasons to help to fund delivering the Priorities of the Council or to mitigate some of the risks identified above. These reserves are split into;

- Revenue Reserves – earmarked for specific issues.
- Unapplied Grants – grants received but not yet utilised or for grants which the conditions have not yet been fully met.
- Working Balance – general reserve for meeting risks in the General Fund budget (eg reduced income levels, unforeseen expenditure, etc).
- Capital Reserves – utilised for funding Capital Programme spend.

The schedule of current funds and reserves is summarised below:

General Fund	Projected Balance 31/03/13 £000's	Projected Balance 31/03/14 £000's	Projected Balance 31/03/15 £000's	Projected Balance 31/03/16 £000's
Revenue Reserves	7,373	7,609	8,121	8,721
Unapplied Grants	2,848	4,340	6,885	9,716
Working Balance	1,571	1,571	1,571	1,571
Total Revenue Reserves	<b>11,792</b>	<b>13,520</b>	<b>16,577</b>	<b>20,008</b>
<b>Capital Reserves</b>	<b>7,406</b>	<b>3,896</b>	<b>3,049</b>	<b>2,590</b>
<b>Total General Fund Reserves</b>	<b>19,198</b>	<b>17,416</b>	<b>19,626</b>	<b>22,598</b>

## 10.0 Risk Assessment

A comprehensive financial risk assessment is undertaken for the Revenue and Capital budget setting process to ensure that all risks and uncertainties affecting the Council's financial position are identified. These are reviewed each year as part of the update of the MTFS. The key strategic financial risks to be considered in developing the MTFS are as follows:

Risk	Likelihood	Impact	Risk Management
Future available resources less than assumed in the MTFS. The Government's spending review for 2015/16 could have a significant impact on future grant awards	High	High	Continual review of priority spending and implementation of transformation and efficiency plan

Future spending plans underestimated	Possible	Medium	Service planning priority process to identify emerging spending pressures. Reviews to model delivery of services linked to Council priorities
Income targets not achieved	Possible	Medium	Current economic climate likely to have a detrimental impact on specific income headings. Regular monitoring and review of income required
Reducing investment levels	High	Medium	As reserves are utilised to deliver capital programmes and priorities there will be an impact on investment income received. Need to consider alternative funding arrangements and identify other investment opportunities
Changes to Government policy leading to additional Council responsibilities	High	High	The localism agenda may create additional responsibilities for the Council to delivery services leading to the need to manage expectations with a challenging financial environment
Affordability of Capital Programme	Possible	High	Ability to fund capital programme in order to deliver priority projects and ongoing capital investment in key services
Negative financial impact following the introduction of the Business Rates Retention scheme	High	High	The level of financial risk to the Council has increased following the BRRS. The Council will need to undertake regular monitoring of its business base and be able to attract inward investment in order to maintain its financial position

## **South Kesteven District Council**

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## REPORT TO CABINET

**REPORT OF:** Jane Booth, Service Manger, Housing Management

**REPORT NO:** TSE0059

**DATE:** 7<sup>th</sup> October 2013

<b>TITLE:</b>	SAFEGUARDING ADULTS MULTI AGENCY POLICY & PROCEDURE	
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	KEY DECISION	
<b>PORTFOLIO HOLDER: NAME AND DESIGNATION:</b>	CLLR TERL BRYANT SUPPORT GOOD HOUSING FOR ALL	
<b>CONTACT OFFICER:</b>	JANE BOOTH SERVICE MANAGER HOUSING MANAGEMENT TELE: 01476 406631 EMAIL: <a href="mailto:j.booth@southkesteven.gov.uk">j.booth@southkesteven.gov.uk</a>	
<b>INITIAL IMPACT ANALYSIS:</b>  Equality and Diversity	Carried out and Referred to in paragraph (7) below  YES	Full impact assessment Required:
<b>FREEDOM OF INFORMATION ACT:</b>	This report is publicly available via the Your Council and Democracy link on the Council's website: <a href="http://www.southkesteven.gov.uk">www.southkesteven.gov.uk</a>	
<b>BACKGROUND PAPERS</b>	<a href="http://www.lincolnshire.gov.uk/residents/adult-social-care/asc-manual/policies/">http://www.lincolnshire.gov.uk/residents/adult-social-care/asc-manual/policies/</a> (9 <sup>th</sup> document on the list)  Equality Analysis	

## **1. RECOMMENDATIONS**

It is recommended that Cabinet:

- i. approves the adoption of the attached Safeguarding Adults Policy and Procedure;
- ii. notes the intended arrangements for briefing staff and volunteers, and;
- iii. determines whether e-mail briefing of elected members should be supplemented by an invitation to attend a briefing 'in person'.

## **2. PURPOSE OF THE REPORT**

To inform Cabinet of the new Safeguarding Adults Multi Agency Policy and Procedure adopted by Lincolnshire County Council on 1<sup>st</sup> August 2013.

To seek Cabinet approval of the draft SKDC Safeguarding Adults at Risk Policy and Procedure and the proposals for briefing staff, elected members and volunteers.

## **3. DETAILS OF REPORT**

**3.1** The Lincolnshire Safeguarding Adults Board adopted a new Safeguarding Adults - Multi Agency Policy and Procedure manual with effect from 1<sup>st</sup> August 2013.

**3.2** This is an extensive document (112 pages) which covers all procedures to be followed by the County Council and other agencies' staff, elected members and volunteers when referring concerns, assessing referrals and investigating cases.

**3.3** As a partner agency with a social and moral responsibility to provide a duty of care to adults at risk, SKDC is required either to sign up to the LCC Policy and Procedure or produce its own.

**3.4** Officers felt that it would be more appropriate to draft a more concise interpretation, specifically tailored to SKDC's arrangements. This would:

- ✓ ensure staff, elected members and volunteers are fully aware of their responsibilities towards adults at risk, and;
- ✓ safeguard their well-being and protect them from abuse when they are engaged in services organised and/or provided by the District Council.

**3.5** Lincolnshire County Council has been informed of SKDC's intentions and is satisfied with our proposed approach.

**3.6** A draft SKDC policy and procedures was presented to Communities PDG on 5<sup>th</sup> September 2013. The draft policy and procedures presented to Cabinet reflects the comments made by the PDG and the Portfolio Holder, the necessary amendments having been made.

**3.7** The draft SKDC Policy and Procedure is attached for Cabinet's consideration. The draft policy and procedure sets out:

- ✓ The policy and procedural aims
- ✓ Who the corporate Safeguarding officers are at SKDC

- ✓ The roles and responsibilities within SKDC

The guidance includes definitions of risk and abuse; issues of mental capacity in relation to risks and abuse; matters of consent; what amounts to significant harm; examples of the various types and forms that abuse can take; the 'rules'/protocols of information sharing; dealing with complaints and whistleblowing; responding to concerns and allegations; the related forms and protocols for reporting and links to related legislation and guidance.

- 3.8 Once agreed, there will be a round of briefing sessions to team meetings and a page created – as with Safeguarding Children - on the intranet and internet. New 'Safeguarding People' posters have been produced and will be displayed around SKDC's offices. Services working with volunteers will need to ensure that volunteers are appropriately briefed.
- 3.9 Note: It is proposed that elected members will be briefed by e-mail; enclosing the policy and procedural guidance to ether with a covering note. Cabinet's guidance is sought on whether this should be supplemented by an open invitation to elected members to attend a briefing 'in person'.

#### 4. OTHER OPTIONS CONSIDERED

As detailed above, consideration was given to adopting the Lincolnshire County Council Policy and Procedures but it was felt to be more appropriate to develop policy and procedures specifically tailored to SKDC's own arrangements.

#### 5. RESOURCE IMPLICATIONS

There are no resource implications arising directly from this report. The delivery of safeguarding policy and procedures will be accommodated within existing staffing resources.

#### 6. RISK AND MITIGATION

Risk has been considered as part of this report and any specific high risks are included in the table below:

Category Risk	Action / Controls
Failure to take action to safeguard adults at risk	Compliance with responsibilities set out in SKDC Policy and Procedure

#### 7. ISSUES ARISING FROM IMPACT ANALYSIS

None

#### 8. CRIME AND DISORDER IMPLICATIONS

None

#### 9. COMMENTS OF FINANCIAL SERVICES

There are no specific financial implications associated with this report.

**10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES**

Whilst the District Council is not under a legal duty to provide safeguarding for adults, it is appropriate from a moral and social perspective as part of a multi agency approach to adult safeguarding to adopt a policy and procedure to ensure an appropriate and consistent response to adult safeguarding issues is applied and maintained and an understanding of individual and collective responsibility is known.

**11. COMMENTS OF OTHER RELEVANT SERVICES**

None



# South Kesteven District Council

## Equality Analysis (Stage 1)

### Safeguarding Adults at Risk Policy and Procedures 2013

<b>Service Area:</b> Corporate	<b>Lead officer:</b> Jane Booth	<b>Date of Meeting</b>  19/08/13
	<b>Assessors:</b> Carol Drury	
	<b>Neutral Assessor:</b> Jo Toomey	



		to support and report. Guidance is contained within the policy for recognising factors which determine vulnerability and gives examples of areas of concern and behavioural indicators to assist staff.
<b>Disability</b>	Positive	A person is not defined as vulnerable because of a single protected characteristic. However some characteristics may be a contributing factor in putting an adult at risk. Section 4 of the policy defines an adult at risk as being frail due to age, ill health, physical disability or cognitive impairment, or a combination of these. It goes on to list learning, physical and sensory disability as potential concerns in safeguarding adults and also recognises those with mental health issues including dementia or a personality disorder. Long-term illness is also highlighted as an area of possible vulnerability. Guidance is contained within the policy for recognising factors which determine vulnerability and gives examples of areas of concern and behavioural indicators to assist staff.
<b>Race</b>	Positive	A person is not defined as vulnerable because of a single protected characteristic. However some characteristics may be a contributing factor in putting an adult at risk. Section 8 of the policy raises awareness of cultural practices such as female genital mutilation, forced marriage, human trafficking and honour-based violence.
<b>Gender Reassignment</b>	Neutral	A person is not defined as vulnerable because of a single protected characteristic. However some characteristics may be a contributing factor in putting an adult at risk.

<b>Religion or Belief</b>	Positive	A person is not defined as vulnerable because of a single protected characteristic. However some characteristics may be a contributing factor in putting an adult at risk. Section 8 of the policy raises awareness of cultural practices such as female genital mutilation, forced marriage and honour-based violence.
<b>Sex</b>	Neutral	A person is not defined as vulnerable because of a single protected characteristic. However some characteristics may be a contributing factor in putting an adult at risk.
<b>Sexual Orientation</b>	Neutral	A person is not defined as vulnerable because of a single protected characteristic. However some characteristics may be a contributing factor in putting an adult at risk.
<b>Pregnancy and Maternity</b>	Neutral	A person is not defined as vulnerable because of a single protected characteristic. However some characteristics may be a contributing factor in putting an adult at risk.
<b>Marriage and Civil Partnership</b>	Positive	A person is not defined as vulnerable because of a single protected characteristic. However some characteristics may be a contributing factor in putting an adult at risk. Section 8 of the policy raises awareness of cultural practices such as forced marriage and honour-based violence.
<b>Carers</b>	Positive	A person is not defined as vulnerable because of a single protected characteristic. However some characteristics may be a contributing factor in putting an adult at risk. Section 4 of the policy raises awareness of the potential vulnerability of a carer such as a family member/friend who provides personal assistance and care to adults and is subject to abuse

<p><b>Other Groups (e.g. those from deprived (IMD*) communities; those from rural communities, those with an offending past)</b></p> <p>*(IMD = Indices of multiple deprivation)</p>	<p>Positive</p>	<p>A person is not defined as vulnerable because of a single protected characteristic. However some characteristics may be a contributing factor in putting an adult at risk. Section 4 of the policy raises awareness of the potential vulnerability of a person with issues of substance and/or alcohol misuse. Isolation and social exclusion are also highlighted in section 4 as a contributory factor to a person's vulnerability.</p>
<p><b>General comments</b></p>	<p>This policy and its associated procedures have been developed to provide guidance to staff, volunteers and elected members of SKDC in their responsibilities towards adults at risk. It has also been put in place to inform contractors providing services that have direct impact on or involve adults at risk on behalf of South Kesteven District Council.</p> <p>The areas most commonly identified as types of abuse are listed in the policy as: sexual, physical, psychological, financial or material, neglect and discriminatory abuse.</p> <p>The policy also identifies other types of abuse which include self neglect, institutional abuse, hate crime, domestic abuse and in extreme circumstances the radicalisation of vulnerable individuals.</p> <p>It is important to remember however that just because someone is old, frail or has a disability, this does not mean they are inevitably 'at risk'. The policy clearly states that the key factor in determining vulnerability is a person's mental capacity to make informed choices concerning their own safety.</p>	

**3. What equality data/information did you use to inform the outcomes of the proposed policy/service/function/strategy? (Note any relevant consultation who took part and key findings)**

South Kesteven District Council's policy and procedures are based on the Lincolnshire Safeguarding Adults Board Multi-agency policy and procedures. Specific data relating to safeguarding adults is collected on a case by case basis. Due to the sensitivity of this data and the obvious requirement for confidentiality this information is not shared beyond the required partners within the Safeguarding arena.

**If there are any gaps in the consultation/monitoring data, how will this be addressed?**

N/A

**4. Outcomes of analysis and recommendations (please note you will be required to provide evidence to support the recommendations made): Please check one of the options.**

a)	No major change needed: equality analysis has not identified any potential for discrimination or for negative impact and all opportunities to promote equality have been taken	<input checked="" type="checkbox"/>
<b><i>If you have checked option a) you will need to complete a Stage 3 analysis when your policy/service/function/strategy has been implemented</i></b>		
b)	Adjust the proposal to remove barriers identified by equality analysis or to better promote equality.	<input type="checkbox"/>
<b><i>If you have checked option b) you will need to answer questions b.1 and b.2</i></b>		
c)	Adverse impact but continue	<input type="checkbox"/>
<b><i>If you have checked option c) you will need to answer questions c.1</i></b>		
d)	Stop and remove the policy/function/service/strategy as equality analysis has shown actual or potential unlawful	<input type="checkbox"/>

**b.1 In brief, what changes are you planning to make to your proposed policy/service/function/strategy to minimise or eliminate the negative equality impacts?**

**b.2 Please provide details of whom you will consult on the proposed changes and if you do not plan to consult, please provide the rationale behind that decision.**

***If you have checked option b) you will need to complete a Stage 2 equality analysis***

**c.1 Please provide an explanation in the box below that clearly sets out your justification for continuing with the proposed policy/function/service/strategy.**

***If you have checked option c) you will need to complete a Stage 2 equality analysis. You should consider in stage 2 whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact.***

---

**Signed (Lead Officer):** Jane Booth  
*(Name and title)* Service Manager – Housing Management

**Date completed:** 20 August 2013

**Signed (Neutral Assessor):** Jo Toomey  
*(Name and title)* Principal Democracy Officer

**Date signed off:** 20 August 2013

# **SAFEGUARDING ADULTS AT RISK POLICY and PROCEDURES**

**2013**

**South Kesteven  
District Council**

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## 1. Introduction

South Kesteven District Council accepts the social, moral and legal responsibility to implement procedures to provide a duty of care for 'adults at risk', to safeguard their well-being and protect them from abuse when they are engaged in services organised and provided by the District Council.

See section 4 for a definition of 'adult at risk'.

This policy is intended to contribute to raising levels of awareness and to encourage safeguarding reports by professionals, where appropriate, and sets out the Council's commitment to safeguarding adults at risk.

This Policy aims to ensure that:

- the needs and interests of adults at risk are always respected and upheld
- the human rights of adults at risk are respected and upheld
- a proportionate, timely, professional and ethical response is made to any adult at risk who may be experiencing abuse
- all decisions and actions are taken in line with the Mental Capacity Act (MCA) 2005.

The procedures also aim to ensure that each adult at risk maintains:

- choice and control
- safety
- health
- quality of life
- dignity and respect

## 2. Corporate Safeguarding Officers

**Jane Booth – Service Manager – Housing Management is the Council's named lead senior manager (Lead Safeguarding Officer)** with responsibility for this policy and ensuring that all procedures align with the Lincolnshire multi-agency Policy and Procedures. A copy of the LCC Policy and Procedures can be found at

<http://www.lincolnshire.gov.uk/residents/adult-social-care/asc-manual/>

These include:

- Increasing awareness of adult safeguarding issues within the Council
- Maintaining clear communication channels between the Council and Lincolnshire County Council
- Reviewing the operation of this policy and procedures
- Assisting in the identification of training needs in relation to adult safeguarding and safer recruitment throughout the organisation.

In the absence of Jane Booth, **Steve Cullington** from Supported Housing will act as the Council's Lead Safeguarding Officer for adults.

Strategic responsibility lies with **Tracey Blackwell** Strategic Director – Community and Environment.

The contact details for these officers can be found in appendix A on page 15 below.

### **3. Roles and responsibilities**

This policy applies to all situations within the Council's operation, which could potentially involve contact with adults at risk. It applies to all council employees, elected members, volunteers and contractors who provide services where they might have direct impact on, or involve adults at risk.

The primary responsibility for co-ordinating information in response to a Safeguarding Adult concern in Lincolnshire is vested in the Lincolnshire County Council managing officer, but the investigation/assessment may be undertaken by another organisation (e.g. the police or a health trust).

It should be a priority of all staff, elected members and volunteers to ensure the safety and protection of the adult at risk.

All staff, elected members and volunteers from any service should be aware of the multi-agency procedures for Lincolnshire which came into force on 1<sup>st</sup> August 2013  
<http://www.lincolnshire.gov.uk/residents/adult-social-care/asc-manual/>

All staff, elected members and volunteers have a duty to act in a timely manner on any concern or suspicion that an adult who is at risk is being, or is at risk of being, abused, neglected or exploited and to ensure that the situation is assessed and referred to the appropriate agency for investigation.

**It is not the role of SKDC staff, volunteers, elected members or contractors to investigate any concerns but to refer those concerns to the appropriate agency.**

### **4. Definition of Safeguarding Adults and 'Adult at Risk'**

In May 2011, the Lincolnshire Safeguarding Adults Board (LSAB) endorsed the Director of Social Services and the Improvement and Development Agency (IDEA) definition of safeguarding adults:

*"Adult Safeguarding incorporates the concept of prevention, empowerment and protection to enable adults who are in circumstances that make them vulnerable, to retain independence, well-being and choice and to access their right to a life free from abuse and neglect."*

It is important to remember that mental ill health can impact on a person's ability to self-protect against significant harm or exploitation, **whether or not** the person has the mental capacity to make informed choices concerning their own safety.

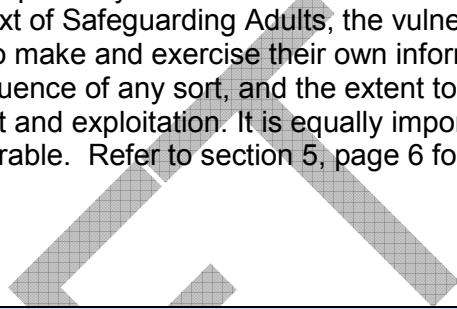
Although the following list is not exhaustive, an "adult at risk" may be a person who:

- is frail due to age, ill health, physical disability or cognitive impairment, or a combination of these
- has a learning disability
- has a physical disability and/or a sensory impairment

- has mental health needs including dementia or a personality disorder
- has a long-term illness/condition
- misuses substances or alcohol
- is a carer such as a family member/friend who provides personal assistance and care to adults and is subject to abuse
- is unable to demonstrate the capacity to make a decision and is in need of care and support

It is important to remember that just because someone is old, frail or has a disability, this does not mean they are inevitably 'at risk'. A person with a disability who has mental capacity to make decisions about their own safety may be perfectly able to make informed choices and protect themselves from harm. In the context of Safeguarding Adults, the vulnerability of the adult at risk is related to how able they are to make and exercise their own informed choices free from duress, pressure or undue influence of any sort, and the extent to which they can protect themselves from abuse, neglect and exploitation. It is equally important to note that people with capacity can also be vulnerable. Refer to section 5, page 6 for further guidance.

Factors determining vulnerability:



<b>Personal characteristics of the adult at risk that <u>increase</u> vulnerability may include</b>	<b>Personal characteristics of the adult at risk that <u>decrease</u> vulnerability may include</b>
<ul style="list-style-type: none"> <li>• Not having mental capacity to make decisions about their own safety including fluctuating mental capacity associated with mental illness and other conditions</li> <li>• Communication difficulties</li> <li>• Physical dependency – being dependent on others for personal care and activities of daily life</li> <li>• Low self-esteem</li> <li>• Experience of abuse</li> <li>• Childhood experience of abuse</li> </ul>	<ul style="list-style-type: none"> <li>• Having mental capacity to make decisions about their own safety</li> <li>• Good physical and mental health</li> <li>• Having no communication difficulties or if so, having the right equipment/support</li> <li>• No physical dependency or, if needing help, able to self-direct care</li> <li>• Positive former life experiences</li> <li>• Self-confidence and high self-esteem</li> </ul>
<b>Social/situational factors that <u>increase</u> the risk of abuse may include</b>	<b>Social/situational factors that <u>decrease</u> the risk of abuse may include</b>
<ul style="list-style-type: none"> <li>• Being cared for in a care setting, i.e. more or less dependent on others</li> <li>• Not receiving the right amount or the right kind of care</li> <li>• Isolation and social exclusion</li> <li>• Stigma and discrimination</li> <li>• Lack of access to information and support</li> <li>• Being the focus of anti-social behaviour</li> </ul>	<ul style="list-style-type: none"> <li>• Good family relationships</li> <li>• Active social life and a circle of friends</li> <li>• Able to participate in the wider community</li> <li>• Good knowledge and access to a range of community facilities</li> <li>• Remaining independent and active</li> <li>• Access to sources of relevant information</li> </ul>

## 5. Mental capacity

The presumption is that adults have the mental capacity to make informed choices about their own safety and how they live their lives. Issues of mental capacity and the ability to give informed consent are central to decisions and actions in safeguarding adults. All interventions need to take into account the ability of adults to make informed choices about the way they want to live and the risks they want to take. This includes their ability:

- to understand the implications of their situation
- to take action themselves to prevent abuse
- to participate to the fullest extent possible in decision-making about interventions

### 5.1 Consent

It is always essential in safeguarding to consider whether the adult at risk is capable of giving informed consent in all aspects of their life. If they are able, their consent should be sought.

If, after discussion with the adult at risk who has mental capacity, they refuse any intervention, their wishes will be respected *unless*:

- there is an aspect of *public interest* (e.g. not acting will put other adults or children at risk)
- there is a *duty of care on a particular agency* to intervene for example the police if a crime has been or may be committed)

See section 12 below for further information regarding consent.

## 6. What is Abuse?

For the purpose of the Safeguarding Adults policy and procedures the term *abuse* is defined as:

*“a violation of an individual’s human and civil rights by any other person, or persons, which may result in significant harm”.*

Abuse may be:

- a single act or repeated acts
- an act of neglect or a failure to act
- multiple acts (e.g. an adult at risk may be neglected *and* financially abused)

Abuse is about the misuse of the power and control that one person has over another. Where there is dependency, there is a possibility of abuse or neglect unless adequate safeguards are put in place.

*Intent* is not necessarily an issue at the point of deciding whether an act or a failure to act is abuse; it is the impact of the act on the person and the harm or risk of harm to that individual.

Abuse can take place anywhere such as: a person’s own home, day or residential centres, supported housing, educational establishments, nursing homes, clinics and hospitals.

A number of abusive acts are crimes and informing the police must be a key consideration.

## 7. Significant harm

In determining what justifies intervention and what sort of intervention is required, *No secrets*<sup>1</sup> uses the concept of 'significant harm'. This refers to:

- ill treatment (including sexual abuse and forms of ill treatment which are not physical)
- the impairment of, or an avoidable deterioration in, physical or mental health, and/or
- the impairment of physical, intellectual, emotional, social or behavioural development

The importance of this definition is that, in deciding what action to take, consideration must be given not only to the immediate impact on and risk to the person, but also to the risk of future, longer-term harm.

Seriousness of harm, or the extent of the abuse, is not always clear at the point of the referral. All reports of suspicions or concerns should be approached with an open mind and could give rise to action under the Safeguarding Adults Policy and Procedure.

## 8. Types of abuse

Abuse can be viewed in terms of the following categories (although this is not an exhaustive list):

Type of abuse	Physical examples	Behavioural Indicator
Physical	Hitting, slapping, pushing, kicking, misuse of medication, being locked in a room, inappropriate sanctions or force-feeding, inappropriate methods of restraint, and unlawfully depriving a person of their liberty	<ul style="list-style-type: none"> <li>• Unexplained or inappropriately explained injuries</li> <li>• Person exhibiting untypical self-harm</li> <li>• Unexplained bruising to the face, torso, arms, back, buttocks, thighs, in various stages of healing. Collections of bruises that form regular patterns which correspond to the shape of an object or which appear on several areas of the body</li> <li>• Unexplained burns on unlikely areas of the body (e.g. soles of the feet, palms of the hands, back), immersion burns (from scalding in hot water/liquid), rope burns, burns from an electrical appliance</li> <li>• Unexplained or inappropriately explained fractures at various stages of healing to any part of the body</li> <li>• Medical problems that go unattended</li> <li>• Sudden and unexplained urinary and/or faecal incontinence</li> <li>• Evidence of over-/under-medication</li> </ul>

<sup>1</sup> Government guidance on protecting vulnerable adults from abuse - <https://www.gov.uk/government/publications/no-secrets-guidance-on-protecting-vulnerable-adults-in-care>

Sexual	Rape, sexual assault or sexual acts that the adult at risk has not consented to. Including: penetration of any sort, incest, situations where the alleged abuser touches the abused person's body (eg breasts buttocks, genital area), exposes his or her genitals, coerces the abused person into participating in or looking at pornographic videos or photographs	<ul style="list-style-type: none"> <li>• Person has urinary tract infections, vaginal infections or sexually transmitted diseases that are not otherwise explained</li> <li>• Person appears unusually subdued, withdrawn or has poor concentration</li> <li>• Person exhibits significant changes in sexual behaviour or outlook</li> <li>• Person experiences pain, itching or bleeding in the genital/anal area</li> <li>• Underclothing is torn, stained or bloody.</li> <li>• A woman who lacks the mental capacity to consent to sexual intercourse becomes pregnant</li> </ul>
Psychological	Includes 'emotional abuse'; threats of harm or abandonment, deprivation of contact, humiliation, rejection, blaming, controlling, intimidation, coercion, indifference, harassment, verbal abuse (including shouting or swearing), and isolation or withdrawal from services or support networks	<ul style="list-style-type: none"> <li>• Untypical ambivalence, deference, passivity, resignation</li> <li>• Person appears anxious or withdrawn, especially in the presence of the alleged abuser</li> <li>• Person exhibits low self-esteem</li> <li>• Untypical changes in behaviour (e.g. continence problems, sleep disturbance)</li> </ul>
Financial or material abuse	Theft, fraud, exploitation, pressure in connection with wills or property and the misappropriation of property or benefits. It also includes the withholding of money or the unauthorised or improper use of a person's money or property. Staff borrowing money or objects from a service user is also considered financial abuse.	<ul style="list-style-type: none"> <li>• Lack of money, especially after benefit day</li> <li>• Inadequately explained withdrawals from accounts</li> <li>• Disparity between assets/income and living conditions</li> <li>• Service user not in control of their direct payment or individualised budget</li> </ul>
Neglect and acts of omission	Ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, and the withholding of the necessities of life such as medication, adequate nutrition and heating. A failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the mental capacity to assess risk for themselves	<ul style="list-style-type: none"> <li>• Person has inadequate heating and/or lighting</li> <li>• Person's physical condition/appearance is poor (e.g. ulcers, pressure sores, soiled or wet clothing)</li> <li>• Person is malnourished, has sudden or continuous weight loss and/or is dehydrated</li> <li>• Person cannot access appropriate medication or medical care</li> <li>• Person is not afforded appropriate privacy or dignity</li> <li>• Person and/or a carer has inconsistent or reluctant contact with health and social services</li> <li>• Callers/visitors are refused access to the person</li> <li>• Person is exposed to unacceptable risk</li> </ul>
Discriminatory abuse	Discrimination on the grounds of race, faith or religion, age, disability, gender, sexual orientation and political views, along with racist, sexist, homophobic or ageist comments or jokes. It also includes not responding to dietary needs and not providing appropriate spiritual support	May not always be obvious and may also be linked to acts of physical abuse and assault, sexual abuse and assault, financial abuse, neglect, psychological abuse and harassment, so all the indicators listed above may apply to discriminatory abuse A person may reject their own cultural background and/or racial origin or other personal beliefs, sexual practices or lifestyle choices

Other types of abuse include:

- Institutional abuse
- Self neglect
- Hate crime
- Domestic abuse
- Honour based violence
- Female genital mutilation
- Forced marriage
- Human trafficking
- Exploitation by radicalisers who promote violence

For more information regarding these definitions please refer to LCC Policy <http://www.lincolnshire.gov.uk/residents/adult-social-care/asc-manual/>

Managers have a key role in safeguarding adults at risk. Please see further document entitled Guidance for SKDC Managers, which is available on the safeguarding pages of the intranet.

## 9. Information sharing

Local information sharing protocols for Safeguarding Adults exist for all statutory partner organisations. These protocols recognise that information sharing between organisations is essential to safeguard adults at risk of abuse, neglect and exploitation.

Seven Golden Rules for Information Sharing:

- **Remember that the Data Protection Act is not a barrier to sharing information** but provides a framework to ensure that personal information about living persons is shared appropriately. Refer to Appendix C
- **Be open and honest** with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
- **Seek advice** from the Lead Safeguarding Officer (see page 3) if you are in any doubt, without disclosing the identity of the person where possible.
- **Share with consent where appropriate** and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgment, that lack of consent can be overridden in the public interest. You will need to base your judgment on the facts of the case.
- **Consider safety and well-being:** Base your information sharing decisions on considerations of the safety and well-being of the person and others who may be affected by their actions.
- **Necessary, proportionate, relevant, accurate, timely and secure:** Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
- **Keep a record** of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

## 10. Complaints and Whistleblowing

Staff, elected members and volunteers are advised to follow the District Council's Customer Feedback, Whistle Blowing and Grievance procedures for complaints and concerns (available on the intranet and from HR & OD for officers and members who have no access to a computer). If the issue for complaint or whistle blowing involves an adult safeguarding issue, officers, elected members and volunteers should report the issue through the Lead Safeguarding Officer (see page 3).

For Whistleblowing Policy go to:

[http://skdcintranet/Corporate%20Areas/HRcustomers/hr/Shared%20Documents/POLICIES%20AND%20AGREEMENTS/Whistleblowing%20Policy\\_2006.pdf](http://skdcintranet/Corporate%20Areas/HRcustomers/hr/Shared%20Documents/POLICIES%20AND%20AGREEMENTS/Whistleblowing%20Policy_2006.pdf)

For Customer Feedback (complaints, suggestions, compliments) Procedure go to:

<http://www.southkesteven.gov.uk/CHttpHandler.ashx?id=2931&p=0>

## 11. Responding to concerns and allegations - Procedure

This procedure is governed by a set of key principles and themes, so as to ensure that people who are subject to abuse, neglect and exploitation experience the process in such a way that it is sensitive to individual circumstances, is person-centred and is outcome-focused. It is vital for successful safeguarding that the procedures in this section are understood and applied consistently by all staff, elected members, volunteers and contractors.

This policy and procedure inform all staff, elected members and volunteers of what actions they should take if they have concerns or encounter a case of alleged or suspected abuse of an adult at risk. They apply to all South Kesteven District Council staff, elected members and volunteers. In addition to responding to things that an individual may see, there are three common situations when staff, elected members and volunteers may need to respond to a concern or case of alleged or suspected abuse. These are:

1. Responding to an adult at risk disclosing abuse, i.e. they make a direct or indirect allegation of abuse
2. Responding to allegations or concerns raised about a member of staff, elected member or volunteer
3. Responding to allegations or concerns about any other person who may be abusing an adult at risk, i.e. parent, carer or other service user

What to do in these situations is shown in Figure 1 (page 14) and discussed in greater detail in the following sections.

A referral must always be made when the person is an adult at risk and there is a concern that they are being, or are at risk of being, abused or neglected, or are at risk of, or have experienced significant harm.

It is important to establish whether the adult at risk has the capacity to make decisions. This may require the assistance of other professionals. In the event of the adult at risk not having capacity, relevant decisions and/or actions must be taken in the person's best interests. The appropriate decision maker will depend on the decision to be made and may not be an employee or elected Member of South Kesteven District Council.

The allegations/concerns should not be discussed with the person alleged to have caused harm, unless the immediate welfare of the adult at risk makes this unavoidable.

## 11.1 Responding to an adult at risk making an allegation of abuse

Abused adults at risk will only tell people they trust and with whom they feel safe. By listening and taking seriously what the person is saying, you are already helping the situation.

## 11.2 Acting to protect the adult at risk and deal with immediate needs

- Make an immediate evaluation of the risk and take steps to ensure that the adult at risk is in no immediate danger. Are there any other adults at risk who need safeguarding? Evaluate the risk to them and the need for a protection plan. Where appropriate, dial 999 for an ambulance if there is need for emergency medical treatment.
- Consider supporting and encouraging the adult at risk to contact the police if a crime has been or may have been committed.
- Do not disturb or move articles that could be used in evidence, and secure the scene (e.g. by locking the door to a room).
- Contact the children and families department of Lincolnshire County Council if a child is also at risk. Please phone 01522 78 21 11 to report your concerns.
- If possible, make sure that other service users are not at risk.

## 11.3 Responding to an adult at risk who is making a disclosure

- Speak to them in a private and safe place and inform them of any concerns. It is essential that the person alleged to have caused harm is not present.
- Assure them that you are taking them seriously.
- Listen carefully to what they are telling you, stay calm, get as clear a picture as you can, but avoid asking too many questions at this stage, unless for clarification. Let them talk at their own pace.
- Do not give promises of complete confidentiality.
- Explain that you have a duty to tell your manager or other designated person, and that the adult at risk's concerns may be shared with others who could have a part to play in protecting them.
- Reassure them that they will be involved in decisions about what will happen.
- Explain that you will try to take steps to protect them from further abuse or neglect.
- If they have specific communication needs, provide support and information in a way that is most appropriate to them.
- Do not be judgemental or jump to conclusions.
- Record in writing on an **Incident Reporting Form** all the details that you are aware of and what was said using the person's own words, as soon as possible (see safeguarding pages on the intranet or appendix B of this policy). In your record you should include:
  - The date and time
  - The person's name, address and date of birth
  - The nature of the allegation
  - A description of any visible injuries
  - Your observations – e.g. a description of the person's behaviour and physical and emotional state
  - Exactly what the person said and what you said. Record the person's account of what has happened as close as possible

- Any action you took as a result of your concerns e.g. who you spoke to and resulting actions. Include names, addresses and telephone numbers
- Sign and date what you have recorded (signature not required with electronic form)
- Store the information in accordance with relevant procedures, e.g. data protection
- Report to relevant persons, i.e. Adult Social Care (Social Services) and/or the Police if appropriate

See page 14 below for details of how to refer your concerns.

#### **11.4 Responding to allegations or concerns against a member of staff, elected member, volunteer or any other person**

- Take the allegation or concern seriously
- Consider any allegation or concern to be potentially dangerous to the person
- Record in writing on a **Incident Reporting Form** all the details that you are aware of as soon as possible (see the Safeguarding page on the intranet or appendix B of this document)

If an allegation of abuse is made against a member of staff, the Lead Safeguarding Officer, or in their absence, their deputy (see page 3) must be informed immediately through the completion of the Incident Reporting Form (see the Safeguarding page on the intranet or appendix B of this document).

### **12. Obtaining consent before referral**

The mental capacity of the adult at risk and their ability to give their informed consent to a referral being made and action being taken under these procedures is significant but not the only factor in deciding what action to take.

The test of capacity in this case is to find out if the adult at risk has the mental capacity to make informed decisions:

- about a referral
- about actions that may be taken under multi-agency policy and procedures
- about their own safety, including an understanding of the potential for longer-term harm as well as immediate effects and
- an ability to take action to protect themselves from future harm

#### **12.1 Referring without consent**

If there is an overriding public interest or vital interest, or if gaining consent would put the adult at further risk, a referral *must* be made. This includes situations where:

- other people or children could be at risk from the person causing harm
- it is necessary to prevent crime against an adult at risk or if a serious crime against an adult at risk may have been committed
- there is a high risk to the health and safety of the adult at risk
- the person lacks capacity to consent

The adult at risk would normally be informed of the decision to refer and the reasons for this, unless telling them would jeopardise their safety or the safety of others.

If the adult at risk is assessed as not having mental capacity to make decisions about their own safety and to consent to a referral being made, the referring officer, elected member or volunteer, must make a decision in the adult's best interest.

The key issue in deciding whether to make a referral is the harm or risk of harm to the adult at risk and any other adults who may have contact with the person causing harm or with the same organisation, service or care setting.

If the member of staff, elected member or volunteer is unsure whether to refer, they should contact the Lead Safeguarding Officer (see page 3).

### **Important Rule**

It is important that all staff, elected members and volunteers are aware that the first person that has concerns or encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred.

However, staff, elected members and volunteers do have a duty of care to the adult at risk to report any suspicions you may have. It may be that your concerns are important in enabling these statutory agencies to decide whether any action is necessary.

**REMEMBER – We should not be judgmental, nor is it our job to investigate.  
It is our job to inform and report**

Officers should be aware that in the case of professional referrals relating to an adult at risk the assumption of the Safeguarding Adults Team of Lincolnshire County Council is that the family will be told where the referral has come from. Any referral by an Officer of SKDC is regarded as a professional referral.

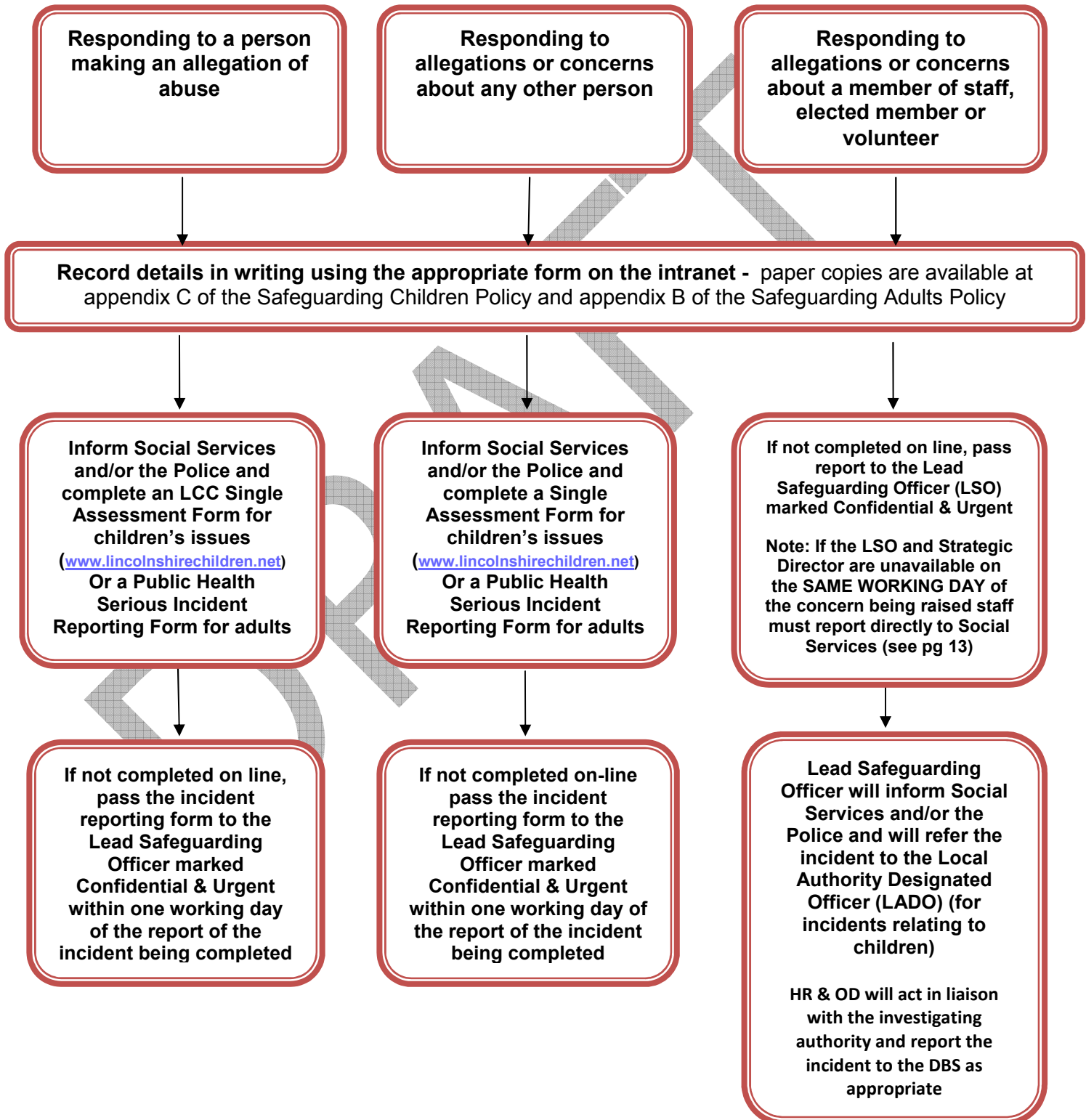
Any officer, in the course of their duties, may witness or be informed of an issue that they feel should be referred to **Adult Social Care**. All instances should be reported first to the **Lead Safeguarding Officer** or their deputy (see page 3). **Housing** and **Community Safety Officers** should then refer to Adult Social Care. All other referrals will be made by the Lead Safeguarding Officer. All officers should be aware, however, that if there is a need by Adult Social Care or the Lincolnshire Safeguarding Adults Board to open a Adult Protection Plan or Serious Case Review they may be called to give evidence.

If none of the people with designated responsibility (see page 3) are available on the same working day of the awareness of the issue, staff, elected members or volunteers should report their concerns directly to Adult Social Care through the contact number in appendix D page 20

**Please note:**

It is not the responsibility of any officer or elected member of the Council to investigate allegations – simply to report them to the appropriate authorities.

**The only exception to this reporting mechanism is for concerns of immediate danger to ‘life or limb’ of a child or adult at risk. Under such circumstances the police should be contacted without delay.**



## APPENDIX A

Responsible officer contact details

### South Kesteven District Council

**Jane Booth**

Service Manager - Housing Management  
Tel – 01476 406631  
Email – [j.booth@southkesteven.gov.uk](mailto:j.booth@southkesteven.gov.uk)

**Tracey Blackwell**

Strategic Director – Community and Environment  
Tel – 01476 406058  
Email – [t.blackwell@southkesteven.gov.uk](mailto:t.blackwell@southkesteven.gov.uk)

**Steve Cullington**

Service Manager – Supported Housing  
Tel – 01476 406066  
Email – [s.cullington@southkesteven.gov.uk](mailto:s.cullington@southkesteven.gov.uk)

DRAFT

**Public Health Serious Incident Reporting Form**

This report should be completed by providers to report all serious incidents to the commissioner- Public Health Lincolnshire. This report does not replace the provider’s duty to inform the Lincolnshire County Council Customer Service Centre of any safeguarding issue. All serious incidents should be reported within 24 hours of the provider being aware of the incident.

Please refer to the FAQ at the end of the form for guidance.

Please send this completed form to [Public\\_Health\\_Incident\\_Report@lincolnshire.gov.uk](mailto:Public_Health_Incident_Report@lincolnshire.gov.uk) or fax to 01522 516249 – please use a confidential cover sheet marking it for the attention of Business Support Public Health.

**Definition of serious incident:**

- a) Deaths, excluding deaths by natural causes;
- b) An occurrence where a Service User, member of staff or a member of the public is attacked, has sustained injuries, or has sustained harm in other ways (e.g. through drug overdose or self-harm), either on the Providers premises or during the delivery of this service;
- c) Fire or flood or any other incident which renders any part of the building uninhabitable;
- d) Any incident occurring under the provision of the Independent Safeguarding Authority as a referral (Previously POVA).
- e) Anyone reported as a missing person to the police.

**PROVIDER DETAILS**

1.	<b>Name of person completing this form</b>	
2.	<b>Date of completing form</b>	
3.	<b>Name of provider</b>	
4.	<b>Name of service</b>	
5.	<b>Provider contact details</b>	

**INCIDENT DETAILS**

6.	<b>Date of incident</b>			
7.	<b>Location of incident</b>			
8.	<b>Who was involved (please tick as appropriate)</b>	<b>Staff</b>	<b>Service User</b>	<b>Visitor</b>

9.	What kind of serious incident are you reporting? (see definition above)	a	b	c	d	e

10.	Please provide a brief account of the serious incident. (This should include the risk/danger)	
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11.	Please provide details of any action(s) that have taken place since the incident occurred? (Please attach risk management/action plan if necessary)	
-----	---	--

12.	Has this incident been reported to the LCC Customer Service Centre? (please tick)	<b>Yes</b> (please provide a reference number, where applicable)	<b>Date reported</b>	<b>No</b>

13.	Have you informed the police about this incident? (please tick)	<b>Yes</b> (please provide a reference number)	<b>Date reported</b>	<b>No</b>

14.	Are there any ongoing police investigations about this incident? (please tick)	<b>Yes</b> (please provide details)	<b>No</b>

15.	Are there any other stakeholders involved in investigating or resolving this incident e.g. MARAC, CQC, MAPPA (please tick)	<b>Yes</b> (please provide details)	<b>No</b>

16.	Contact name and details of your communication/media team	Name:
		Email:
		Phone Number:

The Public Health serious incidents reporting form has been revised. Below details a few pointers, to help with the completion of the document:

- **Why do these forms need to be submitted?**  
The information provided on these forms will enable the team to proactively build up a picture of current trends and action plan for these.
- **What is the process for these?**  
Once the form has been submitted the contract manager will be immediately notified. Should any additional information be required the contract manager will directly contact the provider for this. Unless the provider is contacted they can close the incident down.
- **Why is the process for safeguarding issues?**  
All safeguarding issues should be reported directly to the Lincolnshire County Council Customer Service Centre on 01522 782155. It is the provider's duty to ensure that this is followed. Only serious incidents should be reported and sent directly to [Public Health Incident Report@lincolnshire.gov.uk](mailto:Public_Health_Incident_Report@lincolnshire.gov.uk).
- **When do they need to be submitted?**  
Your contract officer should be notified within 24 hours of you being aware of the incident; in certain circumstances this can be via email or phone to ensure the quick dissemination of the information. The serious incident form should then be submitted within 3 working days of the incident occurring; this is to allow time for any actions taken to be included within the form.
- **When do you report a death?**  
Should there be a death of staff, service user or visitor a serious incident form should be completed.
- **What is classified as 'Self Harm'?**  
When it is the first incident of self-harm, when the harm inflicted is out of the norm for that service user/cohort of users for that particular service or when the service user is admitted to hospital then the incident should be reported.
- **When should a missing person be reported on the serious incidents form?**  
Once the service user has been reported to the police as missing person, a serious incident form should be completed.
- **What is an action plan/ risk management plan?**  
This details the activities and arrangements made by the provider to resolve the situation and avoid the reoccurrence of the event.
- **Why do you need the contact details of the media/communication team?**  
It is important that this information is included to enable Lincolnshire County Council corporate communication team to liaise with your organisation about producing a joint media release. A joint media release may not be required on all occasions but this information will enable a quick response from all parties involved when necessary.
- **Is personal identifiable data required?**  
This is not a requirement of the form. Should any additional personal identifiable data be required, this will be requested by the contract manager and a secure mailbox address distributed.

## APPENDIX C

### Relevant Legislation and Guidance

#### Legislation

##### **Mental Capacity Act 2005**

<http://www.legislation.gov.uk/ukpga/2005/9/contents>

##### **Data Protection Act**

<http://www.legislation.gov.uk/ukpga/1998/29/contents>

##### **Human Rights Act 1998**

<http://www.legislation.gov.uk/ukpga/1998/42/contents>

##### **Disclosure and Barring Service**

<https://www.gov.uk/disclosure-barring-service-check/contact-disclosure-and-barring-service>

##### **Sexual Offences Act 2003**

<http://www.legislation.gov.uk/ukpga/2003/42/contents>

#### Guidance

##### **Lincolnshire Strategic Safeguarding Adults Board – Multi-agency Policy and Procedures for Lincolnshire**

<http://www.lincolnshire.gov.uk/residents/adult-social-care/asc-manual/>

##### **Social Care Institute for Excellence**

<http://www.scie.org.uk/adults/safeguarding/>

##### **No Secrets**

<https://www.gov.uk/government/publications/no-secrets-guidance-on-protecting-vulnerable-adults-in-care>

##### **Hidden in Plain Sight**

<http://www.equalityhumanrights.com/legal-and-policy/inquiries-and-assessments/inquiry-into-disability-related-harassment/hidden-in-plain-sight-the-inquiry-final-report/>

##### **Lincolnshire Safeguarding Children's Board**

<http://www.lincolnshirelscb.org.uk/>

## APPENDIX D

### Useful contacts

#### **Lincolnshire County Council - Adult Social Care**

During office hours - 8.45am to 5.15pm (4.45pm Friday):

**Tel:** 01522 782 155

**Email:** [CSC\\_SocialCare@lincolnshire.gov.uk](mailto:CSC_SocialCare@lincolnshire.gov.uk)

**In an emergency**, outside office hours (including weekends or Bank Holidays) **Tel:** 01522 782 333

#### **Grantham**

Grange House, 46 Union Street, Grantham, NG31 6NZ

**Tel:** 01476 561 061 **Fax** 01476 567 572

#### **Stamford**

38 North Street, Stamford, PE9 2YN

**Tel:** 01780 751 821 **Fax:** 01780 754 533

#### **Lincolnshire Police**

**Public Protection Unit 01522 782 159 or 101** (24 hours)

Officers in all Lincolnshire Police Stations can be contacted by dialling:

**101** or in an emergency situation dial **999**

#### **Lincolnshire County Council - Children's Social Care**

During office hours - 8.45am to 5.15pm (4.45pm Friday):

**Tel:** 01522 782 111

**Email:** [CSC\\_SocialCare@lincolnshire.gov.uk](mailto:CSC_SocialCare@lincolnshire.gov.uk)

**In an emergency**, outside office hours (including weekends or Bank Holidays) **Tel:** 01522 782 333