

Public Document Pack



**North East
Derbyshire**
District Council

Our Ref:

Contact: Nicola Calver

Tel: 01246 217753

Email: Nicola.calver@ne-derbyshire.gov.uk

Date: Monday 13 January 2020

To: **All Members of the Council**

You are summoned to attend a meeting of the Council to be held on **Monday, 13 January 2020 at 3.00 pm in the Council Chamber, District Council Offices, Mill Lane, Wingerworth, Chesterfield, S42 6NG.**

Please note that a number of parking spaces will be reserved for Member use on the day of the meeting.

Yours sincerely

A handwritten signature in black ink that reads "Sarah Steuberg".

Joint Head of Corporate Governance and Monitoring Officer

PLEASE NOTE:

1 For Members' information the following room arrangements have been made for Group Meetings prior to this Council meeting:

Labour Group	-	Executive Meeting Room
Conservative Group	-	Council Chamber
Liberal Democrat	-	Meeting Room 102A

2 Members are requested to bring their laptops and iPads to the meeting where assistance will be provided to anyone who may require it in order to follow the meeting electronically.

AGENDA

1 Apologies for Absence

2 Declarations of Interest

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

3 Minutes (Pages 6 - 21)

To approve as a correct record and the Chair to sign the attached Minutes of the Council meeting held on 11 November 2019.
(These will be released in the supplementary pack)

4 Chair's Announcements

To receive any announcements that the Chair of the Council may desire to lay before the meeting.

5 Appointment of Civic Cadets

The Chair of the Council will make the appointment of two Civic Cadets, and present them each with a badge and a certificate.

6 Presentation - Voluntary and Community Organisations

To receive a presentation on Voluntary and Community Organisations from Phil Morris from the North East Derbyshire Citizens' Advice Bureau.

7 Presentation - North East Derbyshire District Council Website

To receive a presentation for the launch of the new North East Derbyshire District Council Website from the Council's Communications Team.

8 Presentation - Interpreters for Deaf Residents

To receive a presentation about interpreters for deaf residents from the Joint Strategic Director – People.

9 Public Participation

In accordance with Council Procedure Rule No 8 to allow members of the public to ask questions about the Council's activities for a period up to fifteen minutes. The replies to any such questions will be given by the appropriate Cabinet Member. Questions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

No questions have been submitted under Procedure Rule No 8 for this meeting.

10 To answer any questions from Members asked under Procedure Rule No 9.2

In accordance with Council Procedure Rule No 9.2 to allow Members to ask questions about Council initiatives. The replies to any such questions will be given by the Chair of the Council or relevant Committee or the appropriate Cabinet Member. Questions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

No questions have been submitted under Procedure Rule No 9.2 for this meeting.

11 To consider any motions from Members under Procedure Rule No 10

In accordance with Council Procedure Rule No 10 to consider motions on notice from Members. Motions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting. 3 Motions have been received and will be considered in the order set out on this agenda.

(a) Motion proposed by Councillor David Hancock and seconded by Councillor Pam Windley

“Council notes:-

- *The increased reports of rat problems around the District over the last 12 months.*
- *Concerns raised by residents to elected Members of both District and Parish Councils, to the Council’s charging structure.*

Council believes that the removal of this fee would:-

- *Enable a more consistent approach to tackling pest control;*
- *Better protect the environment by ensuring that the most appropriate and safest methods are being used;*
- *Ensure that those in our poorer communities are not suffering disproportionately because of their inability to pay.*

Council resolves:-

- *To trial a 12 month waiver of fees in relation to pest control;*
- *To monitor whether there is an increased take-up of the pest control service;*
- *To monitor whether there is an increased effectiveness of pest control during this trial period;*
- *That, should the trial demonstrate an increased effectiveness in the numbers of residents taking up the service and a resulting decrease in the overall numbers of pests, then Council will effect a continuing waiver”.*

(b) Motion proposed by Councillor Ross Shipman, seconded by Councillor Pamela Windley

“Council notes:-

- *Disabled facilities grants aid North East Derbyshire families for the*

care of their disabled relatives by funding necessary adaption to properties, such as room conversions and specialised equipment;

- *That the Council place a legal clawback on properties if they are sold on within 10 years of the grant being issued;*
- *That, under certain qualifications (such as financial hardship), Council will waive this fee;*
- *That, under the current policy, bereavement of the claimant is not one of the criteria in which the legal charge would be waived.*

Council believes:-

- *That it is not unreasonable for families to move home following the death of a loved one.*

Council resolves:-

- *To add 'bereavement of the individual on whose behalf the application was made' as one of the criteria for waiving the legal charge. "*

(c) Motion proposed by Councillor Nigel Barker

Council notes:

that given 3 meetings of the Local Plan Steering Group have been cancelled since the District election, the Council needs to clarify what is happening with the Local Plan and when is it likely to be adopted.

With these questions in mind this Council resolves:

'That at the earliest opportunity, it will make public the consequences of pausing the Local Plan and publish a revised timetable of when it will be adopted'.

12 Outside Bodies

To receive a verbal update from Members in regard to any outside bodies to which they are appointed.

- The LEP Board – update from the Leader of the Council, Councillor Martin Thacker MBE JP.

13 Local Offer for Children in Care and Leavers Offer (Pages 22 - 29)

Report of the Deputy Leader and Portfolio Holder for Council Services, Councillor Alex Dale

14 The Children and Adults at Risk Safeguarding System (Pages 30 - 39)

Report of the Portfolio Holder for Partnerships & Leisure, Councillor Barry Lewis.

15 Chair's Urgent Business

To consider any other matter which the Chair is of the opinion should be considered as a matter of urgency.



North East Derbyshire
District Council

***We speak
your language***

Polish

Mówimy Twoim językiem

French

Nous parlons votre langue

Spanish

***Hablamos su
idioma***

Slovak

***Rozprávame Vaším
jazykom***

Chinese

我们会说你的语言

If you require
this agenda in
large print

or another
format
please call
us on

**01246
217753**

If you require an adjustment to enable you to participate in or access the meeting please contact the Governance Team at least 72 hours before the meeting starts.

Agenda Item 3

MINUTES OF COUNCIL MEETING HELD ON 11 NOVEMBER 2019

I N D E X

Page No	Minute No	Heading
1	337	Apologies for Absence
2	338	Declarations of Interest
2	339	Minutes of Last Meeting
2	340	Chair's Announcements
3	341	Derbyshire Law Centre
4	342	Public Participation
5	343	Questions asked under Council Procedure Rule No 9.2
7	344	Motions considered under Council Procedure Rule No 10
10	345	Review of Polling Districts, Polling Places and Polling Stations
11	346	Draft Organizational Policy
11	347	LGPS Pension Discretions 2019
12	348	Annual Audit Letter
12	349	Treasury Management Update
13	350	Change to the Constitution – Joint Employment and Appeals Committee – North East Derbyshire District Council only appointments – referral by Standards Committee
13	351	Appointment to Committees, Advisory Groups and Outside Bodies
13	352	Exclusion of Public
14	353	Dedicated Head of Service – Finance & Resources (including Section 151 Officer role)
14	354	Treasury Management Strategy Update – Whiteleas Development
15	355	Councillor Dispensation
15	356	Strategic Alliance Management Team Review – Proposals
15	357	Chair's Urgent Business

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL

HELD ON 11 NOVEMBER 2019

Present:

Councillor P Antcliff - Vice Chair (in the Chair)

Councillor W Armitage

“ N Barker
“ J Barry
“ J Birkin
“ K Bone
“ P Bone
“ S Clough
“ A Cooper
“ S Cornwell
“ C Cupit
“ A Dale
“ L Deighton
“ P Elliott
“ M Foster
“ J Funnell
“ O Gomez Reaney
“ R Hall
“ D Hancock
“ L Hartshorne
“ A Hutchinson
“ M Jones
“ J Kenyon
“ P R Kerry

Councillor B Lewis

“ H Liggett
“ J Lilley
“ G Morley
“ P Parkin
“ S Pickering
“ M Potts
“ A Powell
“ T Reader
“ C Renwick
“ J Ridgway
“ M Roe
“ K Rouse
“ D Ruff
“ R Shipman
“ L Stone
“ K Tait
“ M E Thacker MBE
“ R Welton
“ N Whitehead
“ P Windley
“ B Wright
“ P Wright

Also in attendance:-

D Swaine - Chief Executive
K Hanson - Strategic Director (Place)
L Hickin - Strategic Director (People)
S Sternberg - Head Corporate Governance & Monitoring Officer
J Dethick - Chief Accountant
N Calver - Governance Manager

337 Apologies for Absence

Apologies for absence had been received from Councillors M Emmens, A Foster, E A Hill, P A Holmes, C D Huckerby, and C Hunt

338 Declarations of Interest

Members were requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

Councillors Alex Dale, Alan Powell, and Charlotte Cupit declared a pecuniary interest in exempt agenda item 15b – Treasury Management Strategy Update – Whiteleas Development as board members of Rykneld Homes and indicated that they would withdraw during consideration of that item.

339 Minutes of the Council Meeting held on 9 September 2019

RESOLVED – That the Minutes of the meeting of the Council held on 9 September 2019 be approved as a correct record and signed by the Vice Chair, as Chair of the meeting.

340 Chair's Announcements

The Vice Chair, Cllr Pat Antcliff, spoke in the absence of the Chair to offer Cllr Carol Huckerby's apologies for not being able to attend the meeting.

She reported that the Chair had attended Remembrance Services in Barlow and Chesterfield to mark Remembrance Sunday and the Armistice. In addition she attended the Council's local commemoration of the two minutes' silence. The forthcoming year would see the seventy-fifth anniversary of D-Day, and Cllr Antcliff reminded all present of sacrifices made by the people of North East Derbyshire in the cause of freedom.

The success of the 61st Brass Band Festival was reported on which included an additional £125 raised through the Chair's Charity collection in support of Sheffield Parents Association of Children with Leukemia (PACT).

Thanks were expressed for invitations for which the Chair attended to represent the District, as well as details of forthcoming events over the festive season.

The Leader of the Council, Councillor Martin Thacker MBE JP was invited to speak in reference to the impact of the recent floods within the area and detail a letter he had received from the Secretary of State for Housing, Communities and Local Government in relation to a working definition of Anti-Semitism.

He advised that during the recent floods the Council's Contact Centres received many calls from residents and business seeking help and advice, with most calls relating to the north of the district. Streetscene staff worked tirelessly to support local communities with a sandbagging operations filling over 300 bags (10 tonnes). Despite the efforts of staff to protect Eckington Depot, it flooded in early hours of Friday morning with up to 9 inches of water in some places. Redirection of services during this emergency period

allowed for bin collections to continue to take place as scheduled, and the call centre remained open.

28 formal road closures were in place with many impassible areas, and NEDDC staff continued to operate with many setting up office at home, or walking miles to work. Senior officers set up the emergency planning response for the Council and worked with others across the county to coordinate resources. 40 road closures across the County were reported on Friday as well as many flooded properties, and a report of a fatality. Services were maintained, and the communications team worked hard to ensure all were kept up to date with latest advice and information.

The Leader advised that DCC had set up a business recovery fund to support those with premises affected by flooding. All members thanked the dedicated staff at NEDDC who supported communities during this difficult period.

The Leader expressed his deep sadness to learn of the death of Annie Hall as a result of the floods. He advised that she was an amazing High Sherriff of Derbyshire and a real advocate for the people of this County. Council expressed their sincere condolences to her husband and family at this distressing time.

The Leader advised all present that he was in receipt of correspondence from the Secretary of State for Housing, Communities and Local Government regarding the adoption of the International Holocaust Remembrance Alliance working definition of Anti-Semitism. The letter detailed that earlier during 2019 the Community Security Trust released a report showing the highest total on record of Anti-Semitic incidents. This was a worrying trend showing that 18% of religiously motivated hatred was targeted at the Jewish community.

The definition of Anti-Semitism as set out in the letter was as follows:

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

Whilst this definition was not legally binding, it was an invaluable tool for Council to understand how Anti-Semitism manifests itself in the 21st Century.

The Chief Executive was asked to take the necessary steps to ensure that the definition was reflected in all relevant Council policies and practices, and Group Leaders spoke in support of this action.

341 Derbyshire Law Centre

Members were delighted to welcome Tony McIlveen and Lisa Haythorne from the Derbyshire Law Centre (DLC) who gave a presentation to the meeting in relation to the work to date of the Centre and its future plans.

Derbyshire Law Centre had been running for in excess of 30 years, with NEDDC support for many of those, specialising in legal advice in areas that

other organisations did not provide, improving access to justice for disadvantaged groups and individuals throughout the county.

The Centre was reported to have 28 staff working on numerous projects covering areas such as:

- Immigration
- A specialist advice line
- Project funding – for example EU Settlement
- Debt service
- Housing
- Legal Aid
- Migrant Workers
- Bi-lingual services for non-English speakers
- Volunteering and work-experience

11% of the all Centre's funding was supported by Local Authorities, of which NEDDC was a contributor (£18,500 plus £7,000 specifically for housing projects Per Annum funding, 4% of total funding received). 17% of all enquiries made during the previous year were made by North East Derbyshire residents and 25% of all pursued cases.

They had worked in partnership with NEDDC to put forward a bid on behalf of 11 districts to keep residents in private rented property, which was won and money awarded. They had a good working relationship with Rykneld Homes with an established referral process from residents who may benefit from the Law Centre's Services.

It was queried by Members if an impact would be seen by the DLC as a result of a reduction in capacity of the Derbyshire Unemployed Workers Centre (DUWC), and it was confirmed that partnership working with the DUWC would be affected.

Members were very supportive of the work undertaken to date and the advice given to many North East Derbyshire residents.

342 Public Participation

In accordance with Council Procedure Rule No 8 members of the public were allowed to ask questions about the Council's activities for a period of up to 15 minutes. The replies to any such questions will be given by the appropriate Cabinet Member. Questions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

No questions from the public had been submitted.

343 Questions from Members under Procedure Rule No 9.2

In accordance with Council Procedure Rule No 9.2 Members were permitted to ask the Chair of the Council or relevant Committee or the appropriate Cabinet Member questions about Council activities.

Two questions had been submitted by Members under Procedure Rule 9.2 for this meeting.

(a) Question submitted by Councillor Oscar Gomez Reaney to Councillor Charlotte Cupit, Portfolio Holder for Environment & Climate Change

Following this Council's unanimous declaration of a climate and ecological emergency in July this year, can you provide an update for residents and Councillors on what progress and actions have been taken so far to progress our agreed climate change action plan?

Councillor Oscar Gomez Reaney was invited to ask his question of Councillor Charlotte Cupit, Portfolio Holder for Environment & Climate Change.

Councillor Cupit gave a snapshot of a few examples to show how much work and effort, by officers and Members at all levels, was going into taking this matter seriously and implementing this at all levels wherever possible.

An example of this was this Council's recent announcement of a £200k investment in Eckington Leisure Centre to improve its energy and thermal efficiency. Further, the Authority had been successful in its bids for EV charging points in the district's town centres, starting with Dronfield.

The Council's cross-party Climate Change sub-group had its first meeting to discuss progress and new ideas and was aimed at collaboration rather than criticism. The next meeting would look at timescales for each of the actions contained within the action plan; also assessing their contribution to reducing carbon footprint and prioritising actions.

Work was underway with Parish and Town Councils through the Parish & District Liaison and a 'Parish Council Climate Change Action Pack' would be available to all residents and parishes soon.

The first round of EcoSchools grants had been completed which had funded 11 Climate Change projects across the District. An EcoSchools Conference would be held the following year.

The Council has recently adopted a wild planting policy, and supported campaigns such as the Northern Forest and Woodland Trust to plant and encourage as many new trees as possible. New policies were also

being developed to encourage new developments to incorporate solar, electric charging points and wildlife corridors and enhancements.

SUPPLEMENTARY QUESTION

In exercising his right to ask a supplementary question of Councillor Charlotte Cupit, Councillor Oscar Gomez Reaney queried whether residents could access information about the work that was happening and if they could get involved and the best way to signpost them to this information?

Cllr Cupit advised that an intensive communication campaign would be taking place, and directed residents to:

- everybodystalking.org; and
- NED's Healthy Homes Programme

(b) Question submitted by Councillor Ross Shipman to Councillor Charlotte Cupit, Portfolio Holder for Environment & Climate Change

The Liberal Democrats note, with some concern, the investment in new diesel road sweepers despite the Council's recent declaration of a climate emergency. We would therefore ask how Councillor Cupit feels that this investment is consistent with the Council's climate change objectives?

Councillor Ross Shipman was invited to ask his question of Councillor Charlotte Cupit, Portfolio Holder for Environment & Climate Change.

Councillor Cupit thanked Cllr Shipman for his question. She advised that this matter was considered and published in July 2019, and the Minutes of the Executive Meeting where this was further discussed were also published with no decent.

She explained that there was no credible alternative, with technological developments not ready to market, and a need for Council equipment to be fit for purpose. The Climate Change Sub-Group are tasked to direct resources to amplify the results of carbon footprint reduction, and these actions were prioritised.

A smaller e-sweeper would cost three-times the cost of the purchased new diesel sweeper.

SUPPLEMENTARY QUESTION

In exercising his right to ask a supplementary question of Councillor Cupit, Councillor Shipman advised that he had researched an e-sweeper very easily, and questioned the research methods used to justify the purchase.

In response it was advised that this matter had been fully researched, and a sweeper of the kind suggested would not reach all areas of the district. An e-sweeper was specifically targeted at town centres and

cities and did not have the robustness for the rurality of North East Derbyshire. It was anticipated that a suitable model may be available within the forthcoming 18 months and future options would be fully researched.

344 Motions from Members under Procedure Rule No 10

In accordance with Council Procedure Rule No 10 to consider motions on notice from members. Motions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

Three motions had been submitted under Procedure Rule No 10 for this meeting and were considered in the order submitted.

(a) Motion proposed by Councillor Ross Shipman

“Council notes:-

The sale and redevelopment of council owned land and the resultant mix of executive homes and affordable housing on such plots. That a significant number of these properties are outside the affordability of many North East Derbyshire residents.

The Liberal Democrats believe that such sales are not in the interests of the residents of North East Derbyshire as they fall significantly short of meeting the needs of existing local residents.

Council resolves:-

That future sales of council owned land for development will only be conditional that 100% of the proposed development will be for social and affordable housing”.

In presenting his motion to Council, Councillor Ross Shipman made note of a report issued in January 2019 by Shelter which stated the need for 3 Million social and affordable homes to be built over the forthcoming 20 years. He advised that with only 7000 built within the whole of England during 2019, there was a long way to go to meet this figure and urged Members to support the motion and allow North East Derbyshire to lead the way with this initiative. The motion was duly seconded by Cllr Pam Windley, who reserved her right to speak.

Cllr Richard Welton opposed the motion on the basis that passing the motion would have a direct consequence to end shared ownership and help to buy/build schemes operated by the Authority. The Council operated a mixed-tenure scheme to ensure success and sustainability of new housing development schemes for many reasons.

Cllr Nigel Barker supported the principal of the motion, but was aware of the practicalities involved and the needs for mixed-tenure social housing, and therefore indicated his abstention.

Cllr David Hancock expressed his view that adopting the motion would not end shared ownership and help to buy/build schemes as this would be applicable purely on Council-owned land. He believed that current arrangements did not address the needs of local residents.

On being put to the vote, the motion fell.

(b) Motion proposed by Councillor David Hancock

“Council notes:-

The wording of rule 12.13 – Personal Explanation in the Council’s Constitution, that there is no provision within the Constitution for Members to correct misleading or untrue statements made about them during the course of a meeting.

Council believes:-

That this lack of provision, however, unintentionally, enables misrepresentation of elected Members in Council and adversely impacts on public perception of their elected representatives.

Council resolves:-

That rule 12.13 be amended to:- A Councillor may make a personal explanation at any time. A personal explanation shall relate to some material part of any comments made during debate, which :-

- (a) may have been made by the Member and appear to have been misunderstood in the present date.*
- (b) to correct any misleading or untrue statement made by any other Member during the present debate.*

The ruling of the chair of the Council on the admissibility of a personal explanation will be final”

In presenting his motion to Council, Councillor David Hancock expressed his view that this matter required addressing to resolve misinterpretations within the Chamber. Councillor Ross Shipman duly seconded the motion.

Councillor Alex Dale, Portfolio Holder for Council Services, advised that at first glance he had seen merit in the proposals, but on closer inspection deemed that the amendments suggested would weaken a rule that was already mis-used. He believed that the amendment within the motion would allow for additional opportunities for Councillors to add to debate for more political air time.

Councillor Nigel Barker agreed with the essence of Councillor Dale’s objections and expressed that such a discussion around this rule should take place through the Standards Committee.

On being put to the vote, the motion fell.

(c) Motion proposed by Councillor Pam Windley

“Council notes:-

That there are still a number of business and community premises around North East Derbyshire which lack adequate disabled access. That a number of these premises are struggling to find appropriate support in accessing grants and funding to enable them to make the appropriate changes.

Council resolves:-

To undertake a review into disabled access and walkways around the District and to work with all relevant stakeholders to make adjustments, where necessary”.

Councillor Pam Windley presented her motion as written, which was duly seconded by Councillor David Hancock and requested resources to help small businesses to access grant funding.

Councillor Barry Lewis, Portfolio Holder for Partnerships and Leisure, supported the sentiments within the motion put, recognising the needs of the 22% of the district’s population that presented limitations due to ill-health, but noting that those limitations may not all be physical. He continued to confirm that it was a legal requirement on businesses to comply with the Equality Act 2010 requirements to provide access for disabled customers, and it was not within the Council’s remit to finance, audit or facilitate this. It would be unreasonable in terms of staff time and capital investment to undertake to do this. The Council ensured that all its facilities complied with the provisions of the Act and reviewed all facilities used for polling stations.

Cllr Lewis indicated that a number of public funders were available for businesses to access grant funding, however, it would be unusual for this funding to be available to assist in meeting the legal obligations of the Equality Act. The Council was able to signpost businesses to other organisations that may be able to assist. North East Derbyshire also provided funding to third sector organisations whose remit was to assist in helping source funding, and recommended businesses to seek help through these, or access lottery funding. On the basis of his statements, Cllr Lewis proposed an amendment:

AMENDMENT

“Council notes:-

That there are still a number of business and community premises around North East Derbyshire which lack adequate disabled access. That WE CAN SIGNPOST PREMISES THAT ~~a number of these premises~~ are struggling to find appropriate support in accessing grants and funding to enable them to make the appropriate changes.

Council resolves:-

To undertake a review into disabled access IN NORTH EAST DERBYSHIRE DISTRICT COUNCIL BUILDINGS and ~~walkways around the District and to work with all relevant stakeholders to make adjustments, where necessary~~".

Councillor Martin Thacker MBE JB duly seconded the amendment and outlined the Council's work that was being implemented after being the first Council to sign the British Sign Language Charter to improve accessibility for deaf residents. This work included creating an access guide for disabled visitors to the area and auditing our access provision for local residents. He hoped that the work undertaken, work still to be carried out, and the amendment to the motion, would reflect the needs of the whole 22% of disabled residents, including those with every kind of impairment (for example - sensory).

Cllr Nigel Barker advised his support to this amendment, and was in tune with the previous Administration's objectives to support disabled residents. Cllr Jeff Lilly also gave testament to the work of the Authority to date.

Councillor David Hancock was supportive of the amendment put, and indicated his congratulations on the work undertaken.

On being put to the vote, the amendment was carried to become the substantive motion, which was voted on and agreed. It was further noted that Cllr Windley would be invited to input in to the review.

RESOLVED that:

- (1) it be noted that there are still a number of business and community premises around North East Derbyshire which lack adequate disabled access. That we can signpost premises that are struggling to find appropriate support in accessing grants and funding to enable them to make the appropriate changes; and
- (2) a review be undertaken into disabled access in North East Derbyshire Council buildings and make adjustments, where necessary

345 Review of Polling Districts, Polling Places and Polling Stations

Council considered a report of the Joint Chief Executive, which set out proposals to consider and approve for the provision of Polling Districts, Polling Places and Polling Stations within North East Derbyshire Council area following a review undertaken in accordance with the Electoral Registration and Administration Act 2013.

The publication of the Notice of Review was published on 16 August 2019 and the initial consultation period commenced on 19 August 2019 as required by legislation.

The consultation period sought representations from Electors, District Councillors, Members of Parliament, Parish and Town Councils, Political

Parties and existing Polling Place contacts. The consultation documents were sent to all stakeholders, including District Councillors, Parish Councils, County Councillors, MPs, MEP's and other interested parties who had particular expertise in certain fields, for example disability access issues. Following the initial consultation period, the Acting Returning Officer published proposals for Polling Districts and Polling Places on 4 October 2019 with a further deadline of 18 October 2019 for receipt of public comments.

Members gave consideration to the public response to the consultation and the Acting Returning Officers comments and proposals.

RESOLVED that:-

- (1) the final proposals schedule setting out any changes to the designated Polling Districts and Polling Places be approved;
- (2) the Joint Chief Executive be requested to formally publish the Notice of Conclusion of the Review, its findings, the responses from consultees and all other relevant documentation and to write to any households where their polling station has changed in advance of any elections/referendums taking place, including methods of alternative voting arrangements; and
- (3) it be noted that the Electoral Registration Officer will incorporate any changes to the Polling Districts and Polling Places in the revised Register of Electors to be published on 1 December 2019.

346 Draft Organisational Policy

Council considered a report of Councillor Alex Dale, Deputy Leader and Portfolio Holder for Council Services, on Mileage and Related Travel Expenses.

It was explained that the purpose of the policy was to simplify processes and provide clarity, and adhere to legislation and best practice. The policy was approved by SAMT and received comments from Trade Unions and Service Managers. The recommendations put were supported by the Joint Consultative Group for approval by Council

RESOLVED that the Mileage and Related Travel Expenses Policy be approved.

347 LGPS Pension Discretions 2019

Council considered a report of Councillor Alex Dale, Deputy Leader and Portfolio Holder for Council Services on the proposed policy and approach on the discretions the Council has to make, publish and review under the Local Government Pension Scheme.

The report set out an update on the decisions that were needed to ensure the Council had procedures in place to deal with the various discretions.

Whilst the common aspect within the Council's current LGPS discretionary policies was that generally the discretion would not apply, it was necessary to allow for this general approach to be varied should the circumstances of a particular case make this stance inappropriate. When making such decisions, each case would be considered on its own merits and full reasons given for the outcome.

A list of the discretions was considered by Members, and it was confirmed that these were based on those adopted by Derbyshire County Council.

RESOLVED – that the process and discretions be approved and the Council's position be publicised in respect of its discretions under the Local Government Pension Scheme.

348 Annual Audit Letter 2018/19

Council considered a report of Councillor Paul Parkin, Portfolio Holder for Finance, on the Annual Audit Letter in respect of 2018/19 which has been prepared by the External Auditors, Mazars.

The content of the letter was very positive and showed that the Auditors were satisfied that in all significant respects, the Council had put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources.

RESOLVED – That the report from the External Auditors, Mazars, be noted.

349 Treasury Management Update

Council considered a report of Councillor Paul Parkin, Portfolio Holder for Finance, which updated Members on the treasury management activities for the period April to September 2019.

It was advised that the treasury management function covered the borrowing and investment of Council money. This included both the management of the Council's day to day cash position and the management of its long term debt. All transactions were conducted in accordance with the Council's approved strategy and the CIPFA Code of Practice. Members noted that good treasury management played an important role in the sound financial management of the Council's resources. The appendix to the report detailed the treasury management activities that had taken place between April and September 2019.

The Council's external treasury advisors, Arlingclose Ltd attended a meeting of the Cabinet on 11 July 2019 to provide and advice and guidance on the Council's future investment options and these were currently being explored within the confines of the Council's existing approved Treasury Management Strategy.

RESOLVED that the treasury management activities undertaken during the period April to September 2019 as appended to the report be noted.

350 Report of the Chairman of Standards Committee

Council considered a report of the Chairman of Standards Committee for a mid-year change to the Constitution in relation to Member Panels for interviewing and appointing North East Derbyshire only members of SAMT.

Members were advised that a report had been submitted to Standards Committee on 19 September 2019 in relation to the options for the interview panel for SAMT appointments for North East Derbyshire only appointments. Recommendations were forthcoming and presented to the meeting and the following wording was agreed for insertion in to the Terms of Reference for the Joint Employment and Appeals Committee:

“Where the Authority determinates to recruit a Head of Service or Director post outside the Strategic Alliance or determines to take any disciplinary action in relation to such a post the Member Panel will be called the Employment and Appeals Committee and will comprise of the four Members of the Joint Employment and Appeals Committee.

The Terms of Reference for the Employment and Appeals Committee will be as for the JEAC with the exception that the appointment or disciplinary process relates to an NEDDC employee only.”

RESOLVED – That the recommendation from the Standards Committee be approved.

351 Appointment to Committees, Advisory Groups and Outside Bodies

(a) Communities Scrutiny Committee

RESOLVED – That Councillor Joe Birkin, as a replacement for Cllr Bette Hill, be appointed to the Communities Scrutiny Committee.

(b) Growth Scrutiny Committee

RESOLVED – That Councillor Nigel Barker, as a replacement for Cllr Bette Hill, be appointed to the Growth Scrutiny Committee.

(c) Planning Committee

RESOLVED – That Councillor Margaret Jones, as a replacement for Cllr Clive Hunt, be appointed to the Planning Committee.

352 Exclusion of Public

RESOLVED that the public be excluded from the meeting during the discussion of the following items of business to avoid the disclosure to them of exempt information as defined in Paragraphs 1, 2 and 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006)

353 Dedicated Head of Service – Finance and Resources (including Section 151 Officer)

Council considered a report of Councillor Paul Parkin, Portfolio Holder for Finance, which sought approval to establish the post of HOS – Finance & Resources (including S151 statutory responsibility). Approval was also sought to disestablish the Joint Head of Service – Finance & Resources post and Chief Accountant post and to appoint a dedicated HOS – Finance and Resourcing (including S151 statutory responsibility) for North East Derbyshire District Council.

RESOLVED – That Council:-

- (1) Establish the post of HOS – Finance & Resources (including S151 statutory responsibility) for North East Derbyshire District Council as set out in the report.
- (2) Confirm the disestablishment of both the Joint Head of Service – Finance & Resources post and Chief Accountant post as set out in the report.
- (3) Confirm the appointment of Joint Head of Service – Finance and Resources (including the statutory role of S151) for North East Derbyshire District Council as set out in the report.

(Paragraphs 1 & 3)

354 Treasury Management Strategy Update – Whiteleas Development

Council considered a report of Councillor Paul Parkin, Portfolio Holder for Finance requesting approval to undertake borrowing to both fund new build properties, and to loan funds to Rykneld Homes to build new properties within the Whiteleas development.

RESOLVED – That Council:-

- (1) Approves the HRA Prudential Borrowing to fund the 19 houses for affordable rent on the Whiteleas development at North Wingfield in 2020/21 as set out in the report.
- (2) Approves the General Fund Prudential Borrowing for Rykneld Homes to develop 16 shared ownership properties on the Whiteleas development at North Wingfield over two financial years as set out in the report.
- (3) Approves the General Fund Prudential Borrowing for Rykneld Homes to develop 35 market sale properties on the Whiteleas development at North Wingfield over two financial years as set out in the report.
- (4) Agrees that the Chief Executive, in consultation with the Leader, Portfolio Holder for Finance and S151 Officer finalise the loan conditions as set out in the report to ensure compliance with State Aid legislation.

- (5) Approves the HRA Scheme as set out in the report for inclusion into the approved Capital Programme.
- (6) Approves the revised Capital Financing Requirement, Operational Boundary, Authorised Limit and upper limit for service loans as set out in the report.

(Paragraph 3)

355 Councillor Dispensation

Council considered a report of the Joint Head of Corporate Governance and Monitoring Officer, which advised Members of an application by a North East Derbyshire District Council Councillor for a dispensation under the “6 month rule”.

RESOLVED that Councillor Clive Hunt be granted a dispensation for attending meetings of the Council and it’s Committees for a six month period on medical grounds.

(Paragraphs 1, 2 & 3)

356 Strategic Alliance Management Team Review – Proposals

Council considered a report which had been considered at the meeting of Cabinet on 7 November 2019 updating Members on the Strategic Alliance Management Team (SAMT) review process and recommend changes to the structure for agreement.

RESOLVED that:

- (1) the establishment of the new Director role within the indicative structure for the Strategic Alliance Management Team (SAMT) be endorsed;
- (2) the Chief Executive, in consultation with both Council Leaders, finalise arrangements for the Strategic Directors areas of responsibility giving regard to the proposed indicative areas of responsibility as set out in Appendix 4; and
- (3) Executive receives further reports on any proposed structural changes arising from the realignment of services that report to the new Director role in the delivery of economic growth and development.

(Paragraph 3)

357 Chair’s Urgent Business

There was no urgent business to be considered at this meeting of Council.

Agenda Item 13

North East Derbyshire District Council

Council

13 January 2020

Local Offer for Children in Care and Care Leavers
--

Report of Councillor Alex Dale, Deputy Leader and Portfolio Holder for Council Services

This report is public

Purpose of the Report

- To inform Council of the District Council's support and commitment to a countywide District and Borough 'Local Offer for Children in Care and Care Leavers' and the development of a countywide 'Care Leaver Covenant'.

1 Report Details

- 1.1 There are approximately 70,000 to 80,000 children in care in England at any one time. At the time of writing this report there are over 800 children in care across Derbyshire, over 120 of these children are in North East Derbyshire and Bolsover Districts. Derbyshire County Council (DCC) currently have approx. 350 active foster families/carers, far fewer than is needed to meet demand.
- 1.2 Most of these children have had a very poor start in life often witnessing things many of us thankfully have never had to. Not all children needing foster care come from broken homes or are abused, some will be due to their parents becoming seriously ill or even dying. At a time when playing, having fun and making friends should be helping to form the building blocks for their future selves, many of these children are being faced with unspeakable challenges, being removed from a place that should be their sanctuary and plunged into a life of uncertainty, worry and fear.
- 1.3 When they leave care, many of these young people will face considerable disadvantage in their lives, compared to that of others. Whilst most young people will continue to rely upon their families well into early adulthood and beyond, young people leaving care often do so without the support of a loving family. For a care leaver there is a very high risk that without continued support and people to care about them, that they will never reach their potential.

1.4 This provides the context for Section 2 of the Children & Social Care Act 2017 which requires each local authority (including District Councils) to publish a Local Offer for its care leavers (18 – 25 years). Through the Derbyshire Local Authorities Chief Executives Group and the newly formed Derbyshire Corporate Parenting Board, the County Council and District/Borough Councils agreed to collaborate to create one single ‘Local Children in Care and Care Leaver Offer’ for each of the District and Borough Councils to consider for adoption and publication.

1.5 The current number of care leavers across Derbyshire at the time of producing the report;

District/Age	18 years old	19 years old	20 years old	21 years old	Total
Amber Valley	8	11	12		31
Bolsover	3	3	5		11
Chesterfield	20	9	14		43
Derbyshire Dales	3	2	1		6
Erewash	8	16	12	1	37
High Peak	9	6	10		25
North East Derbyshire	9	5	3	1	18
South Derbyshire	5	7	6		18
Total	65	59	63	2	189

1.6 **The District and Borough ‘Local Offer for Children in Care and Care Leavers’;**

1.6.1 Council Tax Discount for Derbyshire Care Leavers

The rationale:

Managing budgets can be challenging for most people on low incomes particularly so for vulnerable young people adjusting to living by themselves without the support of a family network. A 2015 report by *The Children’s Society* (The Wolf at the Door – How Council Tax debt collection is harming children) suggests that care leavers are a particularly vulnerable group for Council Tax debt.

The offer:

A care leaver is defined as a young person aged 18-25 who was formerly a child in the care of Derbyshire County Council and becomes liable for council tax for a dwelling in this district. The discount will be awarded on the main residence of the care leaver up until their 25th birthday and will equate to 100% of their liability for council tax after all other relevant discounts and exemptions have been applied.

1.6.2 Active Fostering – Physical Activity Programme

The rationale:

It is well documented how physical activity improves overall health and fitness, however physical activity can also improve self-esteem, reduce stress, anxiety, play a role in preventing mental health problems and improving the life of those participating. However what is probably not as well-known is the impact of '*physical inactivity*' - physical inactivity is said to be the fourth leading cause of death worldwide. When coupled with other lifestyle and socio-economic issues, the effects of physical inactivity can become compounded and an individual's overall health and wellbeing can be affected to an even greater extent.

The offer:

An activity programme which helps foster families (and their families living at the same address), children in care and care leavers up to the age of 25, to be physically active by providing free access to some of our leisure facilities and activities. The programme provides free access to; swimming, swimming lessons and gym.

1.6.3 Employment, Skills, Apprenticeships and Work Experience

The rationale:

Working, whether paid or unpaid, is good for our wellbeing. It contributes to our happiness, helps us to build confidence and self-esteem and allows us to build supportive relationships and friendships with our colleagues. Employment can improve health by increasing social capital, enhancing psychological wellbeing, providing income and reducing the negative health impacts of economic hardship.

The offer:

Working with Derbyshire Children's Services, actively signpost care leavers to apprenticeship, work placement, work experience and mentoring opportunities within our own and partner organisations including but not limited to Rykneld Homes and Northwood.

1.6.4 Accommodation and Housing

The rationale:

Moving into suitable, safe accommodation, is often one of the main concerns for those leaving and preparing to leave care. Successful transitions into independent living can be significantly affected by the young person's accommodation and the avoidance of moving too far away from their settled area. A proper assessment of the young person's housing needs, assistance in preparing to make the move, offering choices in style and location coupled with a package of support to go with the accommodation, will all help to achieve positive results.

The offer:

The District Council will work with other District and Borough Councils and DCC Children's services to review and refresh the joint working protocols to ensure that they are fit for purpose and deliver positive outcomes for care leavers across the County. This work will focus on the following:

- Local Connection –

Young people leaving care may have difficulty establishing a 'local connection' with the area where they feel most at home and therefore be unable to access services there should they become homeless. The Council will work to ensure that a young homeless care leaver has a local connection to the area of the local authority that looked after them or, if it is different, the area where they normally live and have lived for at least 2 years including some time before they reached 16. This will make it easier for them to get help in whichever of these areas they feel most at home.

- Intentionally Homeless –

Being 'intentionally homeless' means that the individual's homelessness or threatened homelessness is due to something the individual deliberately did or failed to do - this could affect a homeless person's opportunities to secure longer term housing arrangements. The Council will work to ensure that when it comes to a young homeless care leaver, all facts will be taken into account. The Council will consult with DCC Children's Services to obtain advice and information as to the young person's emotional and mental well-being, maturity and general ability to understand the impact of their actions.

1.6.5 Marketing and Promotion

The rationale:

There is a significant national shortfall of foster carers, DCC has approx. 350 active foster families/carers, far fewer than is needed to meet demand. Effective and appropriate advertising, marketing and promotion is key to attracting and retaining quality foster carers across the County. Getting the right messages, the right level of emotion, the right images and the right information to a larger audience will ensure that not only the number of enquiries will increase, but the number of successful recruitments will increase by ensuring that the applicant is clear from the outset what being a foster carer is all about.

The offer:

Working with Derbyshire Children's Services, actively support the promotion and recruitment of foster carers and supported lodgings, through the Council's many and varied communication channels, mediums and platforms. These will include but won't be limited to; printed newsletters, websites, social media, text messages and displays within public buildings with high footfall such as leisure centres.

1.7 Care Leaver Covenant

- 1.7.1 In July 2016, the Government published a major new policy document 'Keep on Caring' to support young people from care to independence. A key policy commitment in the paper is a strategic pledge to introduce a Care Leaver Covenant.
- 1.7.2 The Covenant is a promise made by the private, public and voluntary sectors to provide support for care leavers aged 16-25 to help them live independently.
- 1.7.3 The aim of the Care Leaver Covenant, to which organisations commit, is to provide additional support for those leaving care; making available a different type of support and expertise from that statutorily provided by local authorities.
- 1.7.4 Each organisation that commits to the Care Leaver Covenant will be able to offer a support package to care leavers that is tailored to its specific expertise. The organisation would underpin its commitment to the covenant with a specific 'offer', setting out what it can provide.
- 1.7.5 The Care Leaver Covenant outcomes will ensure that care leavers:
- Are better prepared and supported to live independently.
 - Have improved access to employment, education and training.
 - Experience stability in their lives and feel safe and secure.
 - Have improved access to health and emotional support.
 - Achieve financial stability.
- 1.7.6 Along with our own 'Children in Care and Care Leavers Offer', there is an opportunity for the District Council to work collaboratively with Derbyshire County Council, other District/Borough Councils and other partners and stakeholders across all sectors within the county, to develop a 'Derbyshire Care Leaver Covenant'. It is hoped that this commitment would form the foundation to identifying further measures to support children in care and care leavers across the county.

2 Conclusions and Reasons for Recommendations

- 2.1 We know that children in care and care leavers face some of life's toughest challenges and are more likely to encounter many more barriers in life than those of their peers. With the right support however, children in care and care leavers are absolutely capable of achieving their ambitions, aspirations and life goals.
- 2.2 As community leaders, District Councils have the potential to support both children in care and those leaving care. By raising awareness of the challenges, by promoting the opportunities and benefits of becoming a foster carer and by working collaboratively with others to provide opportunities to those leaving care, District and Borough Councils can significantly improve the life chances of these young people.

3 Consultation and Equality Impact

- 3.1 There are no negative equality impact implications from this report. The Local Offer for Children in Care and Care Leavers has significant and positive benefits for those in care and those leaving care who are some of the most vulnerable residents in the District.
- 3.2 The Local Offer for Children in Care and Care Leavers was approved at Cabinet on 7th November 2019.

4 Alternative Options and Reasons for Rejection

- 4.1 The publication of a local offer is a requirement for the local authority so there is no option not to have an offer. Rather than each Council producing and publishing its own offer, this offer is presented as a minimum 'joint offer' that all Districts and Boroughs within the County will adopt and publish in the interests of consistency, clarity and equity.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 Section 13A of the Local Government and Finance Act 1992 allows local authorities to reduce council tax in addition to statutory discounts. There is a financial implication to awarding reliefs under Section 13A as the Council has to finance all such reliefs from its own funds. As this can only be introduced as a local council tax discount, the cost is not shared with other preceptors and all the cost falls to North East Derbyshire District Council. The Council have approved this element of the offer previously in January 2019.
- 5.1.2 The *Active Fostering Physical Activity Programme* is part funded through DCC Public Health existing contracts with the Council, North East Derbyshire District Council currently receive £1600 p.a. towards the delivery of this programme. There are no additional financial implications for this element of the offer.
- 5.1.3 With regard to *Employment, Skills, Apprenticeships and Work Experience*, there are no material additional direct costs associated with this proposal. This strand of the proposal will be delivered through existing budgets and will largely involve improved processes, organisational links and communication.
- 5.1.4 The *Marketing and Promotion* element of the offer will not generate additional direct costs for the Council. DCC will be responsible for the design and content of the material, the District Council will provide the platforms for the promotion of the material. There may be a slight loss of income/opportunity when promoting foster care opportunities within the Councils printed magazine due to a missed opportunity to 'sell' that space within – this is thought to be negligible however.
- 5.1.5 The proposal seeks to reduce the risk of future poverty and deprivation. Increased financial resilience will increase personal resilience and reduce demand for future services.

5.2 Legal Implications including Data Protection

- 5.2.1 Section 2 of the Children & Social Care Act 2017 requires each local authority (including District Councils) to publish a Local Offer for its care leavers (18 – 25 years).
- 5.2.2 The definition of a ‘local connection’ for young people leaving care was amended by the Homelessness Reduction Act 2017 so that a young homeless care leaver has a local connection to the area of the local authority that looked after them. Additional provision is made for care leavers who have been placed in accommodation, under section 22A of the Children Act 1989, in a different district to that of the children’s services authority that owes them leaving care duties. If they have lived in the other district for at least 2 years, including some time before they turned 16, they will also have a local connection with that district until they are 21.
- 5.2.3 The Secretary of State for Ministry of Housing, Communities and Local Government considers that all attempts should be made by housing authorities to avoid the impact of intentionally homeless decisions in relation to care leavers aged 18 – 25. It will be a matter for the housing authority to determine whether or not a care leaver has become homeless intentionally, taking into account all relevant facts.

5.3 Human Resources Implications

- 5.3.1 There are no significant direct additional HR implications arising from the proposals.

6 Recommendations

- 6.1 That Members support the approach set out in the report and endorse the offer specifically set out at 1.6 and 1.7 of the report.

7 Decision Information

<p>Is the decision a Key Decision?</p> <p>A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p><i>BDC: Revenue - £75,000</i> <input type="checkbox"/></p> <p><i>Capital - £150,000</i> <input type="checkbox"/></p> <p><i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/></p> <p><i>Capital - £250,000</i> <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	<p>No</p>
<p>Is the decision subject to Call-In?</p> <p>(Only Key Decisions are subject to Call-In)</p>	<p>No</p>

Has the relevant Portfolio Holder been informed	Yes
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	All

8 Document Information

Appendix No	Title
None	
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number
Lee Hickin Joint Strategic Director	7218

Agenda Item 14

North East Derbyshire District Council

Council

13 January 2020

The Children and Adults at Risk Safeguarding System

Report of Councillor Barry Lewis, Portfolio Holder for Partnerships and Leisure

This report is public

Purpose of the Report

- To inform Council of the Local and countywide system, structures and arrangements in place to safeguard children and adults at risk in both North East Derbyshire and Derbyshire.

1 Report Details

- 1.1 Formerly the Derbyshire Safeguarding Children Board (DSCB), now the Derby and Derbyshire Safeguarding Children's Partnership (DDSCP) and Derbyshire Safeguarding Adults Board (DSAB) are statutory bodies established in accordance with the Children's Act 2004 and the Care Act 2014 respectively. Their roles are to co-ordinate and monitor the effectiveness of the safeguarding work of agencies and bodies represented on the board (see **Appendix 1**).
- 1.2 The statutory functions and work of the boards are underpinned by Sub Groups. Each Sub Group is chaired and represented by a range of agencies, supporting the key themes and priorities of the boards.

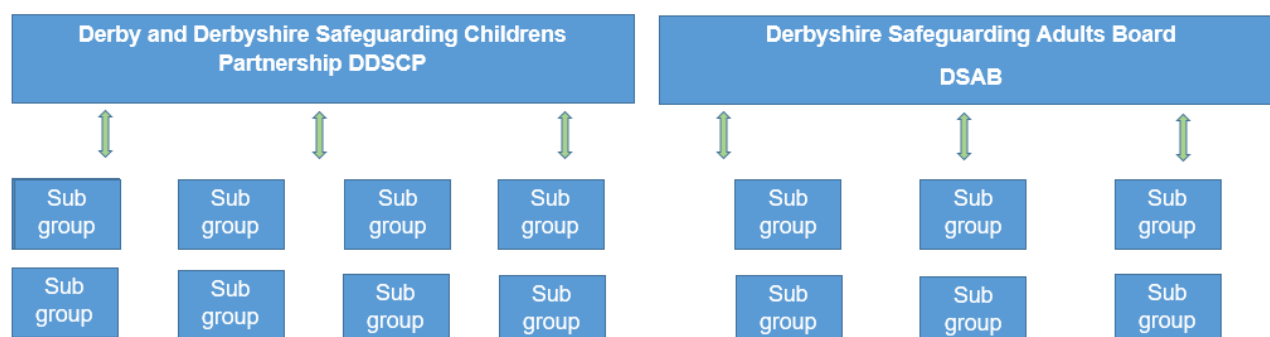
DDSCP Sub Groups

- Child Sexual Exploitation and Vulnerable Young People Sub Group
- Serious Case Review Panel Sub Committee
- Joint Workforce Sub Group
- Quality and Performance Sub Group
- Joint Policies and Procedures Sub Group
- Child Death Overview Panel
- Education Sub Group
- Chief Officers Group

DSAB Sub Groups

- Core Business Sub Group
- Learning and Development Sub Group
- Mental Capacity Act and Deprivation of Liberty Safeguards (MCA DoLs)
- Operational and Leadership Sub Group
- Safeguarding Adults Review Sub Group
- Performance and Quality Sub Group

1.3 Both Derbyshire Boards are vital mechanisms for; providing training, sharing learning, highlighting and guiding best practice and reviewing systems, procedures and policies across the 'whole safeguarding system'.



1.4 The nature of safeguarding at board level is complex involving many organisations and differing service areas, engaging with the board and ensuring that District Council responsibilities were being effectively fulfilled was largely dealt with individually by each District and Borough Council.

1.5 Although District and Borough Councils have robust safeguarding arrangements in place, previously representation from District Council's was relatively low on both Boards meetings, with the links to and from the Districts and Boards requiring improvement. It was acknowledged however, that although not lead agencies, District and Borough Council's play a large role in the 'whole system' approach to safeguarding.

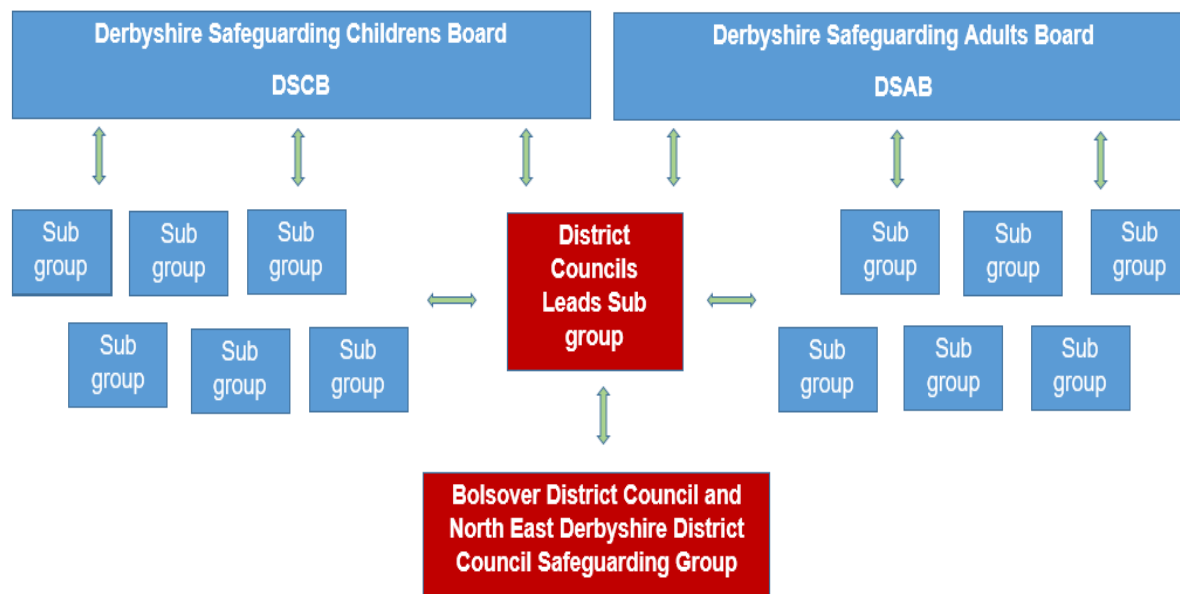
1.6 When considering the key areas and 'reach' of the District Council's business, services and workforce such as; housing and housing repairs, benefits, environmental health, licensing, community safety, leisure services and so on, it is imperative that District and Borough Councils are well connected to the wider safeguarding arrangements countywide.

1.7 The volume and scale of the District and Borough 'transactional touch points' or contacts with our communities and public exceeds 20 million per year across the county, this lends itself well to the network of 'eyes and ears' required for an effective safeguarding system to operate.

- 1.8 Understanding this, NEDDC led on the creation and development of a collective, collaborative safeguarding group made up of all District and Borough Councils across Derbyshire. This group was established in September 2017 and now acts as a sub group to both boards – the group is; **Derbyshire Districts Safeguarding Leads Sub Group** (DDSLSG).
- 1.9 This group acts as a forum for the District Safeguarding Leads to share ideas, best practice and generate economies of scale. Perhaps most importantly, the group plays a considerable role in developing the safeguarding network whilst providing an effective conduit both to the Boards and back to District level Safeguarding teams/groups. The group provides a forum for 'like' organisations experiencing similar challenges and providing similar services to develop together consistently and collectively.
- 1.10 The group is chaired by NEDDC/BDC Joint Strategic Director – People, the Council's safeguarding lead. The group meets quarterly and the chair produces reports and delivers presentations to both Boards at least annually detailing the group's work plan and progress against the priorities set by the Boards. Key areas of focus for the group are;
- **Training** – For example; sharing each Council's internal arrangements and resources, best practice identified and adopted, exploration of e-learning products, Disclosure and Barring Service (DBS) arrangements and mechanisms, training needs analysis for District Leads and Safeguarding Link Officers.
 - **Review arrangements** – For example; sharing each Council's consultations, policies, information retention arrangements, audits.
 - **Serious Case Reviews** – These are held after a child or adult at risk dies or is seriously injured under circumstances where abuse or neglect are thought to have been involved. The group review each Serious Case Review as they arise and share learning where appropriate.
 - **S11 audit** – This audit is designed to allow the Boards to assure themselves that agencies placed under a duty to co-operate by legislation, are fulfilling their responsibilities to safeguard. This is an annual audit which includes a S11 having to be completed by all District and Borough Councils. This group review current approaches, hold workshops to ensure consistency of approach and co-ordinate the S11 audit from all District and Borough Councils.
 - **Attendance and representation on both Boards** – The group ensure consistent attendance at the Boards by District and Borough Councils and act as a conduit for information to the boards and back to the District and Borough network.
 - **Insight** – For example; the group have held and delivered a number of information sessions for the sub group including; DSAB and DDSCP themes; County Lines – inter county drug trafficking; Was not Brought – a system established to identify possible neglect through the GP and prescription services;

Children and Social Care Act; Homelessness; Domestic Abuse; Multi Agency arrangements; Child Sexual Exploitation; and Controlling Coercive Behaviour.

1.11 How the Derbyshire Districts Safeguarding Leads Sub Group fits in;



1.12 Below the DDSLSG sub group, along with the other District and Borough Councils, sits the Council's own Local Safeguarding Group (BDC / NEDDC) which includes Member Portfolio Holder and officer representation from across both organisations including most internal departments and Rykneld Homes.

1.13 The purpose of this local group is to provide a framework to deliver our own safeguarding policies and ensure the following measures are in place so that the Council meets its safeguarding obligations;

- Identification of a senior safeguarding lead (Joint Strategic Director – People)
- Establish senior management commitment to safeguarding
- Establish clear lines of accountability for safeguarding arrangements
- Embed a safeguarding culture throughout the Council
- Develop and consistently review the Council's safeguarding policies, procedures and arrangements
- Ensure safeguarding is embedded in the Council's recruitment process including the Disclosure and Barring Service (DBS) checks prior to employment
- Ensure safeguarding responsibilities are included within contracts of employment and all job descriptions
- Embed safeguarding responsibilities for contractors in all contracting arrangements
- Establish a programme of effective training for staff and elected Members
- Train and appoint Designated Safeguarding Link Officers to act as first point of contact for staff and elected Members who may have safeguarding concerns

- Continuously promote the Council's safeguarding arrangements

1.14 Key to the success of the Council's safeguarding arrangements is an effective programme of training for staff and elected Members. The Council delivers a range of training both in-house by our internal safeguarding trainers which is mandatory for all staff and through external providers for more advanced levels of training required for particular roles. All mandatory training includes the following as a minimum;

- Definition of a child
- Definition of an adult at risk
- Definition of the various types of abuse
- Indicators of abuse and what to look for
- Case studies and examples of abuse
- How to respond to suspected abuse
- How to report suspected abuse

1.15 Another key component of our local safeguarding arrangements is the effective and continuous promotion of the above throughout the Council. This includes;

- A dedicated area of the intranet including online reporting facility and safeguarding policies
- Intranet bulletins
- Feedback from the safeguarding group to team meetings
- Safeguarding posters in every service area, department and communal areas across all Council facilities – these include Designated Safeguarding Link Officers contact details
- Issuing all staff with a quick reference guide – these also include Designated Safeguarding Link Officers contact details

1.16 The over-arching and fundamental message throughout the Council's extensive safeguarding arrangements is that it is our responsibility to act on any concerns and to protect children and adults at risk by sharing our concerns so that the appropriate agencies can make enquiries and take necessary action to protect those at risk.

We must all **'be curious'** and not leave it to someone else – safeguarding is **'everybody's business'**.

2 Conclusions and Reasons for Recommendations

2.1 North East Derbyshire District Council employees, Councillors, contractors and partners have a key role to play in safeguarding children and adults at risk from abuse. Each individual is the eyes and ears of the Council and, therefore, has an important role to play in the event of help being required to safeguard children and adults at risk.

3 Consultation and Equality Impact

- 3.1 There are various forms of consultation that have and will continue to take place with a number of groups and organisations in relation to the safeguarding arrangements and system detailed within this report including but not limited to the following; North East Derbyshire District Council; NEDDC Cabinet; Derbyshire County Council; DDSCP and DSAB.
- 3.2 There are no negative equality impact implications from this report. The safeguarding arrangements and system detailed within this report has significant and positive benefits for children and adults at risk – those in our communities who are the most vulnerable.

4 Alternative Options and Reasons for Rejection

- 4.1 All Local Authorities have a duty to safeguard children and adults at risk and where they do not have a statutory lead for child or adult care services, they must work in partnership with their upper tier authority to ensure children and adults are safeguarded against abuse. There is not an option to not comply.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 With the exception of the Designated Safeguarding Lead who has specific safeguarding responsibilities set out within their Job Description (Joint Strategic Director – People), safeguarding is incorporated generically within every contract of employment of all staff within the Council. There are no specific safeguarding posts, therefore safeguarding duties are funded through existing staffing budgets.
- 5.1.2 Most of the safeguarding training is delivered in house by the Council's own safeguarding trainers who deliver this training through a number of sessions per year as part of their substantive posts. Therefore mandatory safeguarding training is funded through existing staffing budgets with only 'lost opportunity' costs associated with attendance at that training by staff.
- 5.1.3 To meet enhanced safeguarding training needs that may be required for some specific posts within the Council, there is an identified centrally held annual Learning and Development safeguarding budget of approximately £2000 to fund externally provided training. Additionally some staff will attend Derbyshire County Council multi-agency training which is free of charge.
- 5.1.4 The safeguarding system and arrangements seeks to reduce the risk of abuse and neglect of those who are most vulnerable within our communities – children and adults at risk. To not have such a system and arrangements in place would increase the risk of abuse and neglect to those vulnerable groups.

5.2 Legal Implications including Data Protection

5.2.1 The purpose of the Safeguarding System is to make explicit the responsibilities of all professionals, volunteers and agencies working together to protect those children and adults at risk from harm and abuse. All Local Authorities have a duty to safeguard children and adults at risk and where they do not have a statutory lead for child or adult care services, they must work in partnership with their upper tier authority to ensure children and adults are safeguarded against abuse.

5.2.2 Nationally there is a wide range of legislation and regulatory framework relating to safeguarding children and adults at risk. These relate primarily to upper tier councils such as Derbyshire County Council, who have the statutory lead on child and adult care services. These include, but are not exhaustive:

- Children's Act 2004
- The Care Act 2014 and its statutory guidance (this replaces the 'No Secrets' Guidance 2000)
- Children and Social Care Act 2017
- Human Rights Act 1998
- Mental Capacity Act 2005 made it an offence to neglect or deliberately ill-treat a person who lacks capacity. It put arrangements in place for advocacy support and best interest decision making.
- SCIE Safeguarding Adults of Risk of Harm:- a Legal Framework for Practitioners

5.3 Human Resources Implications

5.3.1 There are no significant direct additional HR implications arising from the safeguarding system and arrangements for NEDDC.

6 Recommendations

6.1 That Council recognises the revised arrangements and the important role of districts and endorses the approach and the training undertaken.

7 Decision Information

<p>Is the decision a Key Decision?</p> <p>A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p><i>BDC: Revenue - £75,000</i> <input type="checkbox"/></p> <p><i>Capital - £150,000</i> <input type="checkbox"/></p> <p><i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/></p> <p><i>Capital - £250,000</i> <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In?</p> <p>(Only Key Decisions are subject to Call-In)</p>	No
<p>Has the relevant Portfolio Holder been informed</p>	Yes
<p>District Wards Affected</p>	All
<p>Links to Corporate Plan priorities or Policy Framework</p>	All

8 Document Information

Appendix No	Title
1	Representation on the DDSCP and DSAB
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
None	
Report Author	Contact Number
Lee Hickin Joint Strategic Director	7218

Appendix 1

Representation on the DDSCP and DSAB

There are five statutory member organisations and joint controllers of the **Derby and Derbyshire Safeguarding Childrens Partnership (DDSCP)**, which are:

- Derby City Council
- Derbyshire County Council
- Derbyshire Constabulary
- Derby and Derbyshire Clinical Commissioning Groups
- Tameside and Glossop Clinical Commissioning Group

In addition, the DSAB has representation from the following organisations:

- Police and Crime Commissioner for Derbyshire
- Derbyshire Healthcare Foundation Trust
- Derbyshire Community Health Service Foundation Trust
- Chesterfield Royal Hospital Foundation Trust
- University Hospitals of Derby and Burton NHS Foundation Trust
- Derbyshire Health United
- East Midlands Ambulance Service
- GP's
- Derbyshire Leicester Nottingham and Rutland Community Rehabilitation Company
- National Probation Service Education
- Children and Family Court Advisory Support Service (CAFCASS)
- Independent lay members
- Voluntary sector
- Community Safety Housing providers
- Chesterfield Borough Council
- Derbyshire Fire and Rescue Service
- Districts and Borough Council representation (DDSLSG)

There are three statutory member organisations of the **Derbyshire Safeguarding Adults Board (DSAB)**, which are:

- Derbyshire County Council Adult Social Care and Health
- Derby and Derbyshire Clinical Commissioning Group
- Derbyshire Constabulary

In addition, the DSAB has representation from the following organisations:

- Age UK Derby and Derbyshire
- Board Manager
- Chesterfield Royal Hospital Foundation Trust

- Derby Diocese
- Derbyshire Community Health Services Foundation Trust
- Derbyshire County Council Community Safety
- Derbyshire Fire and Rescue Service
- Derbyshire Healthcare Foundation Trust
- Derbyshire Mind
- Derbyshire Voluntary Action
- Derbyshire, Leicester, Nottingham and Rutland Community Rehabilitation
- DHU Healthcare CIC
- East Midlands Ambulance Service
- Healthwatch Derbyshire
- HMP Foston Hall
- HMP Sudbury
- Housing/Environmental Health (District Councils)
- Independent Chair
- National Probation Service Derbyshire
- Office of the Police and Crime Commissioner
- University Hospitals of Derby and Burton NHS Foundation Trust
- Districts and Borough Council representation (DDSLSG)