

NON-CONFIDENTIAL



Borough of Tamworth

8 September 2015

Dear Councillor

You are hereby summoned to attend a **meeting of the Council of this Borough** to be held on **TUESDAY, 15TH SEPTEMBER, 2015** at 6.00 pm in the , for the transaction of the following business:-

AGENDA

NON CONFIDENTIAL

1 Apologies for Absence

2 To receive the Minutes of the previous meeting (Pages 1 - 8)

3 Declarations of Interest

To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.

When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.

4 To receive any announcements from the Mayor, Leader, Members of the Cabinet or the Chief Executive

5 Question Time:

- (i) To answer questions from members of the public pursuant to Procedure Rule No. 10.
- (ii) To answer questions from members of the Council pursuant to Procedure Rule No. 11

6 Proposals for a West Midlands Combined Authority (To Follow)

(Report of the Leader of the Council and Cabinet)

7 Annual Report on the Treasury Management Service and Actual Prudential Indicators 2014/15 (Pages 9 - 32)

(Report of the Cabinet)

8 Safeguarding Children & Adults at Risk of Abuse & Neglect Policy (Pages 33 - 94)

(Report of the Solicitor to the Council and Monitoring Officer)

Yours faithfully

A handwritten signature in black ink, appearing to be 'A. D. O. T.', written over a circular stamp or mark.

CHIEF EXECUTIVE

People who have a disability and who would like to attend the meeting should contact Democratic Services on 01827 709264 or e-mail committees@tamworth.gov.uk preferably 24 hours prior to the meeting. We can then endeavour to ensure that any particular requirements you may have are catered for.

Marmion House
Lichfield Street
Tamworth



**MINUTES OF A MEETING OF THE
COUNCIL
HELD ON 14th JULY 2015**

PRESENT: Councillor M Gant (Chair), Councillors A Lunn, J Chesworth, M Clarke, S Claymore, T Clements, D Cook, A Couchman, M Couchman, S Doyle, J Faulkner, S Goodall, M Greatorex, G Hiron, R Kingstone, A James, T Madge, M McDermid, K Norchi, J Oates, M Oates, S Peale, T Peale, R Pritchard, R Rogers, E Rowe, P Seekings, P Standen and M Thurgood

The following officers were present: Anthony E Goodwin (Chief Executive), Jane Hackett (Solicitor to the Council and Monitoring Officer), Christie Tims (Head of Organisational Development), Natalie Missenden (Public Relations Officer) and Ryan Keyte (Senior Legal Officer)

21 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor J Goodall

22 TO RECEIVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 26th May 2015 were approved and signed as a correct record.

(Moved by Councillor D Cook and seconded by Councillor S Peale)

23 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

24 TO RECEIVE ANY ANNOUNCEMENTS FROM THE MAYOR, LEADER, MEMBERS OF THE CABINET OR THE CHIEF EXECUTIVE

The Mayor paid tribute to two Tamworth Soldiers namely Leon Spicer and Philip Hewitt and also Richard Shearer from Nuneaton killed in Iraq on 17 July 2005 being their 10 year anniversary this week. At the same time the Mayor paid respects to the people that were murdered in Tunisia one being a lady of Tamworth who the Mayor had known since working with her sometime ago; may they all rest in peace. A minutes silence followed

Tina Clements wished the Mayor Many Happy Returns for her birthday on 16 July 2015

25 QUESTION TIME:

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 1

Under Procedure Rule No 11, Councillor T Madge will ask the Leader of the Council, Councillor D Cook, the following question:-

“Do you agree that it would be prudent to hold back on any sale and hearing of outline planning permission for 1100 houses on the old golf course land until we hear the result of the recent examination of the Local Plan from the Inspector, Mr FOX.

To press ahead when the report is close to publication would be counter productive should Mr FOX decide that the Local Plan is not sustainable?”

Councillor D Cook gave the following reply:-

Thank you Madam Mayor,

Cllr Madge, continuously pursuing the same end by using slightly different means takes up time, resource and capacity all at a cost to the taxpayer. Let's see if I can help you understand the bigger and more important picture and see if a light bulb actually comes on this time.....

In January 2013 I gave instructions to the CEO that it was time Tamworth Golf Centres owners were either evicted from the golf course or settled their arrears with the Council, thus the tax-payers of Tamworth.

Long story short, as we all know the company went into liquidation and the course closed to the public. The Council then re-opened the course for a projected 2 years using the last jam jar of contingencies we had, however this was hand in hand with a full review into the future of the site. All these documents are public knowledge and available.

As members will recall in March 2013 Full Council, cross party took the decision to withdraw our Local Plan from examination by the National Inspector after he raised concerns about our five-year land supply coming forward. Basically, he questioned the numbers allocated to Anker Valley and could we meet our housing need?

As members will be aware the first five years of the plan must show exactly how land and development will come forward. In partnership with Lichfield District Council and Staffordshire County Council we commissioned a report, also available to the public, on the exact amount of houses Anker Valley could take considering the local infrastructure. The answer we got was a maximum of 700, thus we were correct to withdraw our local plan.

This is where two agendas began to converge. As the study into options for the golf course unfolded and we began to see we were far from meeting our housing need, solutions began to present themselves. There was no hidden agenda, no long term sabotage of the golf course, we did what sensible politicians do, we took a decision that solved problems and benefitted Tamworth long term. **This is not to say we allocated the golf course land to fix the local plan, the course was unsustainable as a leisure business and as open space thus after an options appraisal Cabinet choose to build houses to a) net the Council a capital receipt and b) more importantly to ensure the borough residents had quality house in the future. But yes the benefit was a balanced local plan for want of better wording.**

As Conservatives we were honest about this, we stood two elections firmly campaigning on the fact the old golf course would be developed, we won both elections. I call this a mandate to get on with it.

Therefore, as you know the decision to dispose of the site was taken in some time ago now in early 2014 and the sale process is underway. I'm not clear why delaying any sale until a report into the Local Plan examination would be counterproductive as Cllr Madge suggests.

We have a housing need in Tamworth which we cannot meet in our administrative area and we are relying on other Councils to help us deliver up to 2000 homes to meet our needs which is very challenging – the former Golf Course site will provide 1100 homes to meet Tamworth's needs – by proceeding with a sale it demonstrates that the site is deliverable and our housing needs would be met.

Without this development site, it is unlikely that our neighbours will take a further 1000. In fact North Warwickshire stated publically that unless we use the old golf course site they will not build a single unit for Tamworth and thus it is unlikely our Plan would be found sound – without an updated plan in place we will have less control over development.

With regards to delaying any hearing of the planning application for the redevelopment of the former golf course, my view is that when officers are satisfied that that they have sufficient information and responses from statutory consultees to be able to make a recommendation to planning committee then they should not delay in taking an application to planning committee. The Government are clear that once a planning application has been validated, the local planning authority should make a decision on the proposal as quickly as possible (NPPG Reference ID: 21b-001-20140306). As a member of planning committee Cllr Madge will be aware that each application will be determined on its own merits, with consideration given to the relevant development plan policies, relevant parts of the NPPF and any other material planning considerations.

IN CONCLUSION – There is no local plan without the golf course site.

IN SHORT – No I do not agree with Councillor Madge, nor his agenda to stifle growth and prosperity in this borough.

Supplementary Question:-

“You said to me recently that if it was proved that we did not have to build all of the houses then you would not do so. I have proof here this document HD19 submitted to the Inspector of the Local Plan so can we now build houses on fact based evidence rather than estimates?”

Councillor D Cook gave the following reply:-

Cllr Madge, you keep quoting the recent 2014 ONS population midyear estimates which show a drop in population between 2013 and 2014 of 45 people.

Yes the recent midyear estimates of POPULATION show a short drop. But HOUSING NEED i.e. HOUSEHOLDS is different to population.

We are required to undertake an “objectively Assessed housing Need”, which takes into account population projections, marital status composition, institutional population, headship rates to name a few.

Whilst Mid-Year Population Estimates provide useful context, this data represents only one year’s worth of data and provides a very brief snapshot in time. As such it should only be given limited weight, given the highly volatile nature of annual population growth.. Planning Practice Guidance states that *“household projections produced by the Department for Communities and Local Government should provide the starting point estimate of overall housing need”*

This is what we have done. The methodology has been found sound by independent Inspectors around the country and we are confident that the Inspector will also find our evidence base sound.

But here is a thought for you

Approx. 950 kids just left year 11 in Tamworth in June 2015 after GCSE’s. If we said for the sake of argument that 100 leave the borough and do not return this leaves us 850. If two thirds then got married / had kids themselves over coming years for arguments sake and the other third choose to live alone, we need an additional 566 homes just for this year’s school leavers.

However, that is not quite the case. Of course elderly will pass away over the course of the plan and as such house are recycled in a kind of way from one generation to the next. But this is where just looking at current population snapshots lets you down Cllr Madge for current Life Expectancy is

Men – 79.8

Women – 82.6

If you look at the retrospective trend line which shows that life expectancy has risen from 79 in women and just fewer than 74 for men since 1991-3. If the slope of the trend remains the same you could expect life expectancy to increase by another 6 years in men (to 86) and 3.5 in women (to 86) by 2030, although I cannot guarantee this. But if you think we have an aging population today, add on the 16 years left in the plan currently with the inspector and you must see that

fewer houses will recycle through the generations of Tamworth in future than have done previously.

There are economic factors that changes populations that you do not understand, especially in a growing economic picture.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 2

Under Procedure Rule No 11, Councillor T Madge will ask the Portfolio Holder for Communities and Public Health, Councillor S Doyle, the following question:-

“With regard to the ASB, Crime and Policing Act 2014 Implementation can you explain how this will help the residents of Acorn Ridge who will no doubt be again suffering the problems of vehicles using Chiltern Road as a car park for the next Bank Holiday Market?”

Councillor S Doyle gave the following reply:-

At this point in time it is unlikely a proposed Public Space Protection Order will be in place or viable by the next Bank Holiday Market, although I have requested Officers to try, as there are a number of steps to be completed before the policy can be put to the test. Until the process is completed I am unable to determine if the problem highlighted satisfies the criteria for the introduction of a PSPO, and is a proportionate and reasonable thing to do.

As your aware approval of the implementation of the powers conferred to the Authority only became available as of **the 18th of June** after agreement via Cabinet.

Under the act (**ASB, Crime and Policing Act 2014**), I have requested that the parking issues faced by the residents of the Chiltern Road estate on Bank Holidays are investigated to determine how this policy can be exercised to the benefit of the Residents.

(and to consider if a potential Public Space Protection Order can be used)

For background information, there have been no direct reports regarding actual complaints to the Council; however I am aware of concerns raised to Councillors, including myself and I have witnessed the situation for myself.

So with the help and guidance of Officers an impact survey has been produced and distributed to nearly every house on Chiltern; which simply requests information as to how the problem is affecting them for return by 27th July 2015.

(Show a copy)

I will also highlight that details of calls to the Police have been requested as part of the evidence test by Officers of the Council.

Reserve

As per the process outlined at Cabinet, we need to follow the process and in doing so present a strong body of evidence for this situation to qualify, for a PSPO, this is of importance as the support of our Partners will be needed.

Once the completed statements are received and as per the process all the evidence has been assessed, a recommendation can be made as to whether a Public Space Protection order is **relevant, proportionate** and further can be reasonably enforced on Bank Holidays.

This will then be placed for review at the next available Cabinet meeting and Scrutiny meeting as appropriate.

All information needs to be assessed – and also any resource implication of potential enforcement is agreed with both the Police and delegated officers of the Council.

However the issues raised so far, whilst ongoing, may not meet the criteria and I would not wish to raise resident's hopes until the process is completed.

(Please note it is unlikely there would be a mechanism for the public to 'call in emergency').

All Councillors will be kept informed as to any outcome which will be posted in the Members Bulletin.

For Reference:

These tests are

- Activities carried out in a public place within the local authority's area have a detrimental effect on the quality of life of those living in the locality OR
- It is likely that activities will be carried out in a public place within the area that will have such an effect.

The effect or likely effect of the activities:

- Is, or is likely to be, of a persistent or continuing nature OR
- Is, or is likely to be, such as to make the activities unreasonable and justifies the restrictions imposed by the order

Due to requirements I've highlighted of ensuring all criteria is met for PSPO implementation, gathering of evidence and consultation with partners and public, it would seem unlikely that this will be resolved before 31st August 2015.

Supplementary Question:-

"Thanks for the answer. It's nice to get answers to questions without comments like earlier. Can I request that we work together as ward Councillors to try to find a solution to the problem?"

Councillor S Doyle gave the following reply:-

It's not so much the co-operation between the Councillors that is important it's between partners because to enforce it we need the support of our partners and we need to ensure the police to be there and helping us on the day. Unfortunately this is not going to be ready for the next bank holiday but I envisage it will be ready for the one after.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 3

Under Procedure Rule No 11, Councillor M Couchman will ask the Portfolio Holder for Housing and Waste Management, Councillor M Thurgood, the following question:-

"Can you tell me how many homeless people have been placed in Bed and Breakfast accommodation since January 1st 2015, and how long was their average stay?"

Councillor M Thurgood gave the following reply:-

Between January 2015 and the end of June 2015 there have been 77 household placed in Temporary Accommodation and the average stay is 52 nights.

Supplementary Question:-

"This will have been a great expense to the Council! What are you proposing to do to save the Council money and causing homeless people so much distress?"

Councillor M Thurgood gave the following reply:-

We are looking at working with people in such accommodation and see if we can give a whole care package. New policies will be going forward to Cabinet for Tenants Accommodation which is to increase accommodation availability and also to work with partners.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 4

Under Procedure Rule No 11, Councillor M Couchman will ask the Portfolio Holder for Housing and Waste Management, Councillor M Thurgood, the following question:-

"How many children under the age of 5 years were placed in Bed and Breakfast accommodation since January 1st 2015?"

Councillor M Thurgood gave the following reply:-

There have been 18 under 5 year olds placed in Temporary Accommodation since January 2015 from 17 individual households.

Supplementary Question:-

“I know that at least two families spent 8 weeks in Bed and Breakfast accommodation and I would just like to ask you how these parents adequately and economically feed their children let alone help them to meet their milestones and emotional and wellbeing development?”

Councillor M Thurgood gave the following reply:-

Happy to meet with you to discuss any of the families that you are concerned about.

26 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED: That members of the press and public be now excluded from the meeting during consideration of the following item on the grounds that the business involves the likely disclosure of exempt information as defined in Paragraph 1, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

27 AUGMENTED PAYMENTS

The Report of the Leader of the Council to agree additional compensation for members of Corporate Management Team in order to facilitate temporary senior management arrangements was withdrawn

The Mayor

TUESDAY, 15TH SEPTEMBER 2015**REPORT OF THE CABINET****ANNUAL REPORT ON THE TREASURY MANAGEMENT SERVICE AND ACTUAL PRUDENTIAL INDICATORS 2014/15****PURPOSE**

The Annual Treasury report is a requirement of the Council's reporting procedures. It covers the Treasury activity for 2014/15, and the actual Prudential Indicators for 2014/15.

The report meets the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The Council is required to comply with both Codes in accordance with Regulations issued under the Local Government Act 2003. It also provides an opportunity to review the approved Treasury Management Strategy for the current year and enables Members to consider and approve any issues identified, that require amendment.

RECOMMENDATIONS

That Council;

- 1. Approve the actual 2014/15 Prudential Indicators within the report and shown at APPENDIX 1;**
- 2. Accept the Treasury Management Stewardship Report for 2014/15.**
- 3. Approve an increase in the current counterparty limits as identified at item 12 within this report.**

EXECUTIVE SUMMARY

This report covers Treasury operations for the year ended 31st March 2015 and summarises:

- the Council's Treasury position as at 31st March 2015;
- Performance Measurement.

The key points raised for 2014/15 are;

The Council's Capital Expenditure and Financing 2014/15

The Council's Overall Borrowing Need

Treasury Position as at 31st March 2015

The Strategy for 2014/15

The Economy and Interest Rates

Borrowing Rates in 2014/15
Borrowing Outturn for 2014/15
Investment Rates in 2014/15
Investment Outturn for 2014/15
Performance Measurement
Icelandic Bank Defaults.

The Treasury Function has achieved the following favourable results:

The Council has complied with the professional codes, statutes and guidance;

- There are no issues to report regarding non-compliance with the approved prudential indicators;
- Excluding the Icelandic investments (currently identified 'at risk') the Council maintained an average investment balance externally invested of £33.2m and achieved an average return of 0.56% (budgeted at £25.70m and an average return of 0.75%).

These results compare favourably with the Council's own Benchmarks of the average 7 day and the 3 month LIBID rates for 2014/15 of 0.35% and 0.43% respectively, and is not significantly different from the CIPFA Treasury Benchmarking Club (22 LA members) average rate of 0.78%. This is not considered to be a poor result in light of the current financial climate, our lower levels of deposits/funds and shorter investment timelines due to Banking sector uncertainty, when compared to other Councils;

- The closing weighted average internal rate on borrowing has remained at 4.47%;
- The Treasury Management Function has achieved an outturn investment income of £202k compared to a budget of £189k. The additional revenue attained was as a result of higher levels of funds being available for investment, due to underspends/slippage on the revenue and capital programmes but tempered by the continuing subdued market interest rates.

During 2014/15 the Council complied with its legislative and regulatory requirements.

The Executive Director Corporate Services confirms that no borrowing was undertaken within the year and the Authorised Limit was not breached.

At 31st March 2015, the Council's external debt was £65.060m (£65.060m at 31st March 2014) and its external investments totalled £32.353m (£28.557m at 31st March 2014) – including interest credited. This excludes £1.323m Icelandic Banking sector deposits (plus accrued interest at claim date) that was 'At Risk' at the year end (£1.355m at the 31st March 2014).

RESOURCE IMPLICATIONS

There are no financial implications or staffing implications arising from the report.

LEGAL/RISK IMPLICATIONS BACKGROUND

The Council is aware of the risks of passive management of the Treasury Portfolio and with the support of Capita Asset Services, the Council's current Treasury advisers, has proactively managed its debt and investments over this very difficult year.

SUSTAINABILITY IMPLICATIONS

None

REPORT AUTHOR

If Members would like further information or clarification prior to the meeting please contact Phil Thomas Ext 709239 or email phil-thomas@tamworth.gov.uk

LIST OF BACKGROUND PAPERS

- Local Government Act 2003;
- Statutory Instruments: 2003 No 3146 & 2007 No 573;
- CIPFA Code of Practice on Treasury Management in Public Services;
- Treasury Management Strategy & Prudential Indicators (Council 25th February 2014);
- Treasury Management Mid-Year Review 2014/15 (Council 16th December 2014);
- Treasury Outturn Report 2013/14 (Council 16th September 2014);
- CIPFA Treasury Benchmarking Club Report 2014.
- Treasury Management Strategy 2015/16 (Council 24th February 2015)

APPENDICES

Appendix 1 – Prudential and Treasury Indicators

Appendix 2 – Investment Performance Graph (CIPFA)

Appendix 3 – Borrowing and Investment Rates

This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2014/15. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

During 2014/15 the minimum reporting requirements were that the full Council should receive the following reports:

- an annual treasury strategy in advance of the year (Council 25th February 2014)
- a mid-year (minimum) treasury update report (Council 16th December 2014)
- an annual review following the end of the year describing the activity compared to the strategy (this report)

In addition, Cabinet has received quarterly Treasury management updates as part of the Financial Healthcheck Reports.

The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is, therefore, important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by members.

This Council also confirms that it has complied with the requirement under the Code to give scrutiny to all of the above Treasury Management Reports by the Audit and Governance Committee. Member training on Treasury Management issues was undertaken during the year on 4th February 2015 in order to support members' scrutiny role.

During 2014/15, the Council complied with its legislative and regulatory requirements. The key actual prudential and treasury indicators detailing the impact of capital expenditure activities during the year, with comparators, are as follows:

Prudential & Treasury Indicators	2013/14 Actual £m	2014/15 Estimate £m	2014/15 Actual £m
Capital Expenditure			
Non HRA	1.339	2.982	0.581
HRA	7.602	6.003	4.972
Total	8.941	8.985	5.553
Capital Financing Requirement			
Non HRA	1.311	1.162	1.241
HRA	68.042	68.034	68.042
Total	69.353	69.196	69.283
Gross Borrowing			
External Debt	65.060	65.060	65.060
Investments			
Longer than 1 year	-	-	-
Less than 1 year	28.557	20.140	32.353
Total	28.557	20.140	32.353
Net Borrowing	36.503	44.920	32.707

Other prudential and treasury indicators are to be found in the main body of this report. The Executive Director Corporate Services confirms that no borrowing was undertaken in year and the statutory borrowing limit (the authorised limit) was not breached.

The financial year 2014/15 continued the challenging investment environment of previous years, namely low investment returns.

Introduction and Background

This report summarises the following:-

- Capital activity during the year;
- Impact of this activity on the Council's underlying indebtedness (the Capital Financing Requirement);
- The actual prudential and treasury indicators;
- Overall treasury position identifying how the Council has borrowed in relation to this indebtedness, and the impact on investment balances;
- Summary of interest rate movements in the year;
- Detailed debt activity; and
- Detailed investment activity.

1. The Council's Capital Expenditure and Financing 2014/15

The Council undertakes capital expenditure on long-term assets. These activities may either be:

- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
- If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.

The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

£m General Fund	2013/14 Actual £m	2014/15 Estimate £m	2014/15 Actual £m
Capital expenditure	1.339	2.982	0.581
Financed in year	1.339	2.982	0.581
Unfinanced capital expenditure	-	-	-
£m HRA	2013/14 Actual £m	2014/15 Estimate £m	2014/15 Actual £m
Capital expenditure	7.602	6.003	4.972
Financed in year	7.602	6.003	4.972
Unfinanced capital expenditure	-	-	-

2. The Council's Overall Borrowing Need

The Council's underlying need to borrow for capital expenditure is termed the Capital Financing Requirement (CFR). This figure is a gauge of the Council's indebtedness. The CFR results from the capital activity of the Council and resources used to pay for the capital spend. It represents the 2014/15 unfinanced capital expenditure (see above table), and prior years' net or unfinanced capital expenditure which has not yet been paid for by revenue or other resources.

Part of the Council's treasury activities is to address the funding requirements for this borrowing need. Depending on the capital expenditure programme, the treasury service organises the Council's cash position to ensure that sufficient cash is available to meet the capital plans and cash flow requirements. This may be sourced through borrowing from external bodies (such as the Government, through the Public Works Loan Board [PWLB] or the money markets), or utilising temporary cash resources within the Council.

Reducing the CFR – the Council's (non HRA) underlying borrowing need (CFR) is not allowed to rise indefinitely. Statutory controls are in place to ensure that capital assets are broadly charged to revenue over the life of the asset. The Council is required to make an annual revenue charge, called the Minimum Revenue Provision – MRP, to reduce the CFR. This is effectively a repayment of the non-Housing Revenue Account (HRA) borrowing need (there is no statutory requirement to reduce the HRA CFR). This differs from the treasury management arrangements which ensure that cash is available to meet capital commitments. External debt can also be borrowed or repaid at any time, but this does not change the CFR.

The total CFR can also be reduced by:

- the application of additional capital financing resources (such as unapplied capital receipts); or
- charging more than the statutory revenue charge (MRP) each year through a Voluntary Revenue Provision (VRP).

The Council's 2014/15 MRP Policy (as required by CLG Guidance) was approved as part of the Treasury Management Strategy Report for 2014/15 on 25th February 2014.

The Council's CFR for General Fund and the HRA for the year are shown below, and represent a key prudential indicator.

CFR (£m): General Fund	31st March 2014 Actual £m	31st March 2015 Budget £m	31st March 2015 Actual £m
Opening balance	1.525	1.227	1.312
Add unfinanced capital expenditure (as above)	-	-	-
Less MRP/VRP	(0.213)*	(0.065)	(0.070)
Less PFI & finance lease repayments	-	-	-
Closing balance	1.312	1.162	1.242

- As a result of notifications that there would probably be no further distributions from the Administrators of the Icelandic Bank Heritable, the Council made an additional Voluntary Revenue Provision (VRP) in year of £135k to reduce the original Capitalisation of our potential loss.

CFR (£m): HRA	31st March 2014 Actual £m	31st March 2015 Budget £m	31st March 2015 Actual £m
Opening balance	68.054	68.044	68.042
Add unfinanced capital expenditure (as above)	-	-	-
Less VRP	(0.012)	(0.010)	-
Less PFI & finance lease repayments	-	-	-
Closing balance	68.042	68.034	68.042

Borrowing activity is constrained by prudential indicators for net borrowing and the CFR, and by the authorised limit.

Gross borrowing and the CFR - in order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council should ensure that its gross external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year (2014/15) plus the estimates of any additional capital financing requirement for the current (2015/16) and next two financial years. This essentially means that the Council is not borrowing to support revenue expenditure. This indicator allows the Council some flexibility to borrow in advance of its immediate capital needs in 2014/15. The table below highlights the Council's gross borrowing position against the CFR. The Council has complied with this prudential indicator.

	31st March 2014 Actual £m	31st March 2015 Budget £m	31st March 2015 Actual £m
Gross borrowing position	65.060	65.060	65.060
CFR	69.353	69.196	69.283

The Authorised Limit - the authorised limit is the “affordable borrowing limit” required by s3 of the Local Government Act 2003. Once this has been set, the Council does not have the power to borrow above this level. The table below demonstrates that during 2014/15 the Council has maintained gross borrowing within its authorised limit.

The Operational Boundary – the operational boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the boundary is acceptable subject to the authorised limit not being breached.

Actual Financing Costs as a Proportion of Net Revenue Stream - this indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

General Fund	2014/15 £m
Authorised limit	12.705
Maximum gross borrowing position	1.231
Operational boundary	1.367
Average gross borrowing position	-
Financing costs as a proportion of net revenue stream %	(1.19)%

HRA	2014/15 £m
Authorised limit	79.407
Maximum gross borrowing position	68.380
Operational boundary	70.901
Average gross borrowing position	65.060
Financing costs as a proportion of net revenue stream %	22.55%

3. Treasury Position as at 31 March 2015

The Council's debt and investment position is organised by the treasury management service in order to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities. Procedures and controls to achieve these objectives are well established both through member reporting detailed in the summary, and through officer activity detailed in the Council's Treasury Management Practices. At the beginning and the end of 2014/15 the Council's treasury (excluding borrowing by PFI and finance leases) position was as follows:

General Fund	31st March 2014 Principal £m	Rate/Return %	Average Life yrs	31st March 2015 Principal £m	Rate/Return %	Average Life yrs
Fixed rate funding:						
-PWLB	-	-	-	-	-	-
-Market	-	-	-	-	-	-
Variable rate funding:						
-PWLB	-	-	-	-	-	-
-Market	-	-	-	-	-	-
Total debt	-	-	-	-	-	-
CFR	1.31			1.24		
Over / (under) borrowing	(1.31)			(1.24)		
Investments:						
- in house	16.50	0.71		18.69	0.56	
Total investments	16.50	0.71		18.69	0.56	

HRA	31st March 2014 Principal £m	Rate/ Return %	Average Life yrs	31st March 2015 Principal £m	Rate/ Return %	Average Life yrs
Fixed rate funding:						
-PWLB	65.06	4.47	35.43	65.06	4.47	34.43
-Market	-	-	-	-	-	-
Variable rate funding:						
-PWLB	-	-	-	-	-	-
-Market	-	-	-	-	-	-
Total debt	65.06	4.47	35.43	65.06	4.47	34.43
CFR	68.04			68.04		
Over / (under) borrowing	(2.98)			(2.98)		
Investments:						
- in house	12.05	0.71		13.66	0.56	
Total investments	12.05	0.71		13.66	0.56	

Maturity Structures

Debt - The maturity structure of the debt portfolio was as follows:

	31st March 2014 Actual £m	2014/15 original limits %	31st March 2015 Actual £m
Under 12 months	0	20	3.00
12 months and within 24 months	3.00	20	2.00
24 months and within 5 years	2.00	25	0
5 years and within 10 years	0	75	0
10 years and within 20 years	1.00	100	3.00
20 years and within 30 years	4.00		2.00
30 years and within 40 years	10.00		15.00
40 years and within 50 years	45.06		40.06

Investments - All investments held by the Council were invested for under one year.

The exposure to fixed and variable rates was as follows:

	31st March 2014 Actual	2014/15 Original Limits	31st March 2015 Actual
Fixed rate - principal	36.503	49.712	32.707
Variable rate - interest	-	6.506	-

4. The Strategy for 2014/15

The expectation for interest rates within the strategy for 2014/15 anticipated low but rising Bank Rate (starting in quarter 1 of 2015), and gradual rises in medium and longer term fixed borrowing rates during 2014/15. Variable, or short-term rates, were expected to be the cheaper form of borrowing over the period. Continued uncertainty in the aftermath of the 2008 financial crisis promoted a cautious approach, whereby investments would continue to be dominated by low counterparty risk considerations, resulting in relatively low returns compared to borrowing rates.

In this scenario, the treasury strategy was to postpone borrowing to avoid the cost of holding higher levels of investments and to reduce counterparty risk.

The actual movement in gilt yields meant that PWLB rates saw little overall change during the first four months of the year but there was then a downward trend for the rest of the year with a partial reversal during February.

5. The Economy and Interest Rates

The original market expectation at the beginning of 2014/15 was for the first increase in Bank Rate to occur in quarter 1 2015 as the unemployment rate had fallen much faster than expected through the Bank of England's initial forward guidance target of 7%. In May, however, the Bank revised its forward guidance. A combination of very weak pay rises and inflation above the rate of pay rises meant that consumer disposable income was still being eroded and in August the Bank halved its forecast for pay inflation in 2014 from 2.5% to 1.25%. Expectations for the first increase in Bank Rate therefore started to recede as growth was still heavily dependent on buoyant consumer demand. During the second half of 2014 financial markets were caught out by a halving of the oil price and the collapse of the peg between the Swiss franc and the euro. Fears also increased considerably that the ECB was going to do too little too late to ward off the threat of deflation and recession in the Eurozone. In mid-October, financial markets had a major panic for about a week. By the end of 2014, it was clear that inflation in the UK was going to head towards zero in 2015 and possibly even turn negative. In turn, this made it clear that the MPC would have great difficulty in starting to raise Bank Rate in 2015 while inflation was around zero and so market expectations for the first increase receded back to around quarter 3 of 2016.

Gilt yields were on a falling trend for much of the last eight months of 2014/15 but were then pulled in different directions by increasing fears after the anti-austerity parties won power in Greece in January; developments since then have increased fears that Greece could be heading for an exit from the euro. While the direct effects of this would be manageable by the EU and ECB, it is very hard to quantify quite what the potential knock on effects would be on other countries in the Eurozone once the so called impossibility of a country leaving the EZ had been disproved. Another downward pressure on gilt yields was the announcement in January that the ECB would start a major programme of

quantitative easing, purchasing EZ government and other debt in March. On the other hand, strong growth in the US caused an increase in confidence that the US was well on the way to making a full recovery from the financial crash and would be the first country to start increasing its central rate, probably by the end of 2015. The UK would be closely following it due to strong growth over both 2013 and 2014 and good prospects for a continuation into 2015 and beyond. However, there was also an increase in concerns around political risk from the general election due in May 2015.

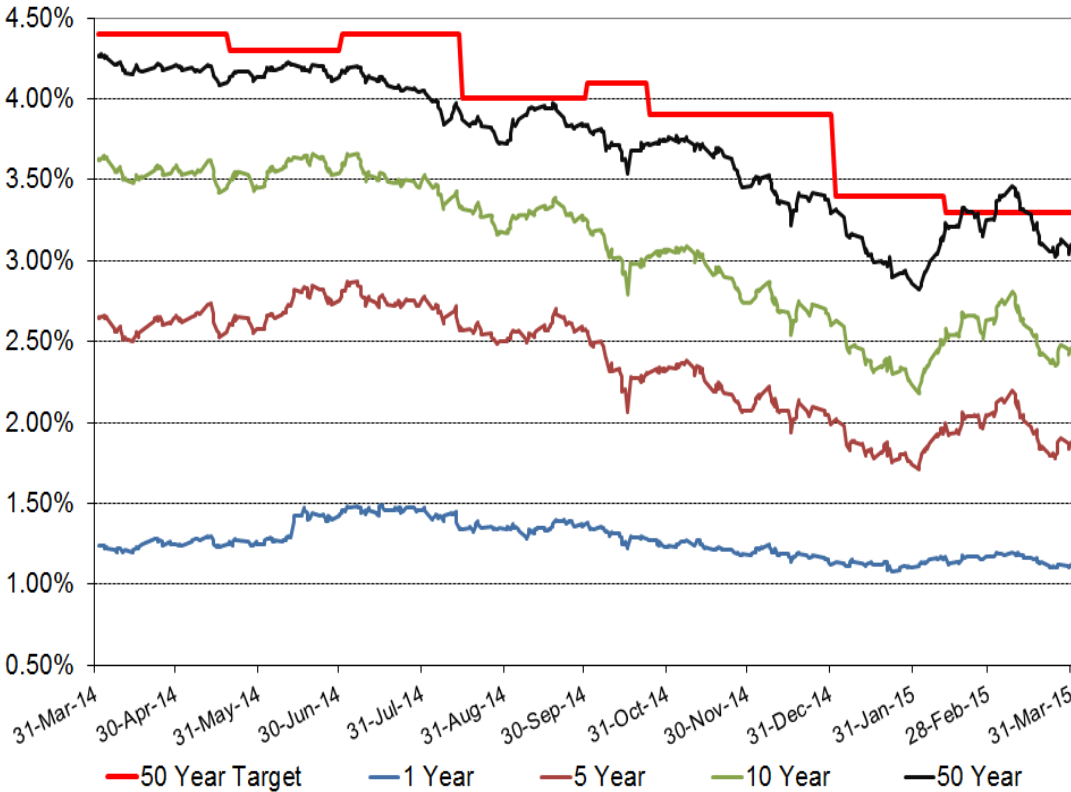
The Funding for Lending Scheme, announced in July 2012, resulted in a flood of cheap credit being made available to banks which then resulted in money market investment rates falling drastically in the second half of that year and continuing throughout 2014/15.

The UK coalition Government maintained its tight fiscal policy stance but recent strong economic growth and falling gilt yields led to a reduction in the forecasts for total borrowing in the March budget.

The EU sovereign debt crisis had subsided since 2012 until the Greek election in January 2015 sparked a resurgence of fears. While the UK and its banking system has little direct exposure to Greece, it is much more difficult to quantify quite what effects there would be if contagion from a Greek exit from the euro were to severely impact other major countries in the EZ and cause major damage to their banks.

6. Borrowing Rates in 2014/15

PWLB certainty maturity borrowing rates - the graphs and table for PWLB rates below and in appendix 3, show, for a selection of maturity periods, the average borrowing rates, the high and low points in rates, spreads and individual rates at the start and the end of the financial year.



7. Borrowing Outturn for 2014/15

Treasury Borrowing

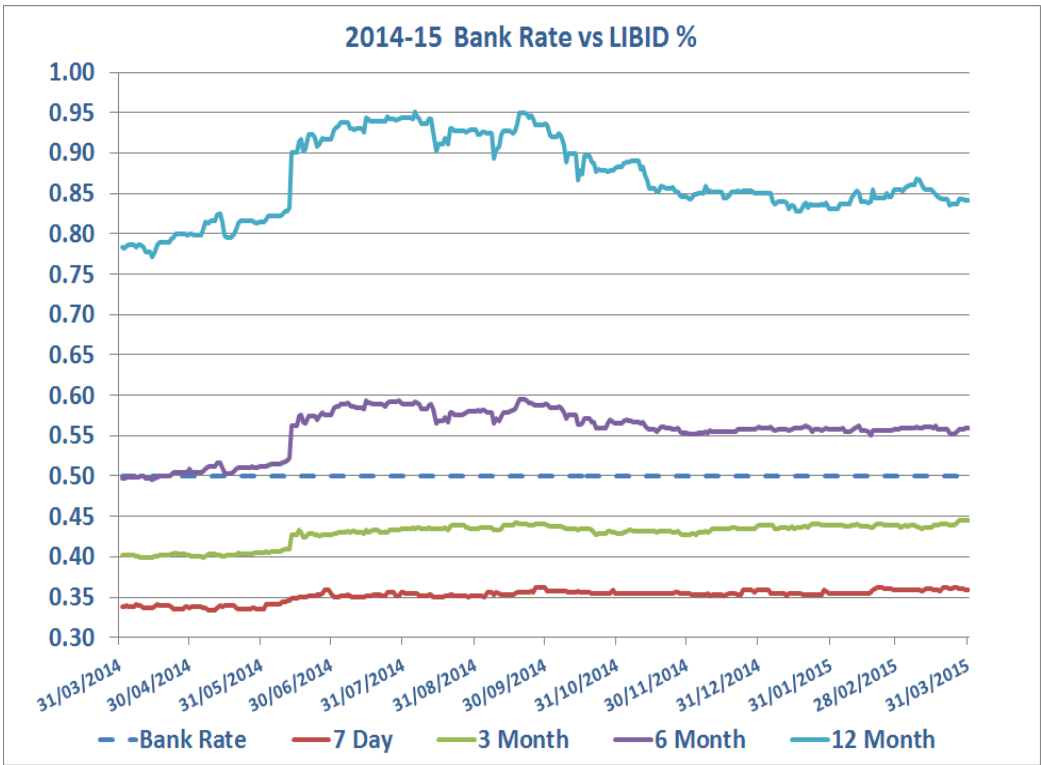
Due to investment concerns, both counterparty risk and low investment returns, no borrowing was undertaken during the year.

Rescheduling

No rescheduling was done during the year as the average 1% differential between PWLB new borrowing rates and premature repayment rates made rescheduling unviable.

8. Investment Rates in 2014/15

Bank Rate remained at its historic low of 0.5% throughout the year; it has now remained unchanged for six years. Market expectations as to the timing of the start of monetary tightening started the year at quarter 1 2015 but then moved back to around quarter 3 2016 by the end of the year. Deposit rates remained depressed during the whole of the year, primarily due to the effects of the Funding for Lending Scheme.



9. Investment Outturn for 2014/15

Investment Policy – the Council’s investment policy is governed by CLG guidance, which was been implemented in the annual investment strategy approved by the Council on 25th February 2014. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc).

The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties. However, on one occasion during the year, the

approved maximum limit held in the Council's bank account (£2m) was exceeded by £592k, due to processing problems with an investment, this issue was corrected the following day.

Resources – the Council's cash balances comprise revenue and capital resources and cash flow monies. The Council's core cash resources comprised as follows:

Balance Sheet Resources General Fund (£m)	31 st March 2014	31 st March 2015
Balances	4.570	4.912
Earmarked Reserves	5.987	5.967
Provisions	0.547	1.679
Usable Capital Receipts	0.826	0.812
Total	11.930	13.370

Balance Sheet Resources HRA (£m)	31 st March 2014	31 st March 2015
Balances	5.481	5.957
Earmarked Reserves	5.276	8.157
Provisions	-	-
Usable Capital Receipts	2.116	3.086
Total	12.873	17.200

Total Authority Resources	24.803	30.570
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10. Performance Measurement

One of the key requirements in the Code is the formal introduction of performance measurement relating to investments, debt and capital financing activities. Whilst investment performance criteria have been well developed and universally accepted, debt performance indicators continue to be a more problematic area with the traditional average portfolio rate of interest acting as the main guide (*as incorporated in the table in section 3*). The Council's performance indicators were set out in the Annual Treasury Management Strategy.

This service had set the following local performance indicators:

- *To Maximise investment returns by ensuring that the average balance held in the Council's current accounts (non-interest earning) is maintained below £5,000;*

The actual average balance held in the current accounts for 2014/15 was £12,970 cr (in hand) (£14,954 cr in hand in 2013/14);

The net loss of interest for 2014/15 (loss of investment interest on un-invested balances less any overdraft interest incurred) was £29 (£18 for 2013/14) or approximately 8p per day;

- *Average external interest receivable in excess of 3 month LIBID rate;*

Whilst the assumed benchmark for local authorities is the 7 day LIBID rate, a higher target is set for internal performance.

The actual return of 0.56% compared to the average 3 month LIBID of 0.43% (0.13% above target).

CIPFA Benchmarking Club

The Council is a member of the CIPFA Treasury Management Benchmarking Club which is a means to assess our performance for the year against other members (22 participating Authorities). Our average return for the year (as mentioned above) was 0.56% compared to the group average of 0.66% (information from CIPFA Benchmarking Report 2014/15) Combined In-House Investments excluding the impaired investments in Icelandic banks.

This can be analysed further into the following categories:

Category	Average Balance Invested £ m		Average Rates Received %	
	Tamworth Borough Council	CIPFA Benchmarking Club	Tamworth Borough Council	CIPFA Benchmarking Club
Fixed investments up to 30 days Managed in-house	0.1	1.9	0.41	0.38
Fixed investments 31 to 90 days Managed in-house	1.0	4.7	0.43	0.46
Fixed investments 91 to 365 days Managed in-house	15.6	54.6	0.69	0.72
Fixed investments between 1 year and 5 year Managed in-house	0.5	24.7	1.00	1.59
Fixed investments over 5 years	-	5.9	-	5.19
Notice Accounts	4.7	30.2	0.45	0.52
DMADF	-	8.7	-	0.25
CD's Gilts and Bonds	2.0	23.3	0.60	1.12
Callable and Structured Deposits	-	40.0	-	2.19
Money Market Funds Constant NAV	9.3	23.4	0.39	0.43
Money Market Funds Variable NAV	-	10.2	-	0.55
Externally Managed Funds	-	1.6	-	0.71
All Investments Managed in-house	33.2	141.9	0.56	0.78

Graphs showing a summary of the Authority's investment performance over the year can be found at **APPENDIX 2**.

11. Icelandic Bank Defaults

The U.K. Government, Local Government Association, administrators and other agencies have continued to work throughout 2014/15 in recovering assets and co-ordinating repayments to all UK councils with Icelandic investments.

In the case of Heritable Bank plc, a significant repayment was made in August 2013, bringing the total repayments to approximately 94%. A recent update provided by the Administrators has indicated that following the resolution of an outstanding dispute, a further distribution is anticipated in August 2015, which could take the projected recovery to between 98% and 100%.

In the case of Kaupthing, Singer and Friedlander Ltd, the administrators made a further small dividend payment during the financial year, bringing the current recovery level up to 82.5%. Further payments and updates are anticipated during 2015/16.

Investments outstanding with the Iceland domiciled bank Glitnir Bank hf have been subject to decisions of the Icelandic Courts. Following the successful outcome of legal test cases in the Icelandic Supreme Court, the Administrators have committed to a full repayment and the Authority received a significant sum in late March 2012. However, due to Icelandic currency restrictions, elements of our deposits which are held in Icelandic Krone have been held back pending changes to Icelandic law. This sum has been placed in an interest bearing account and negotiations are still continuing for their early release.

Members will be periodically updated on the latest developments of these efforts.

The Authority currently has the following investments 'at risk' in Icelandic banks;

Bank	Original Deposit	Accrued Interest	Total Claim	Exchange Rate Adjustments	Repayments Received @ 31/03/2015	Balance Outstanding	Anticipated Recovery
	£'m	£'m	£'m	£'m	£'m	£'m	%
Glitnir	3.000	0.232	3.232	0.024	2.554	0.654	100.00
Kaupthing Singer & Frelander	3.000	0.175	3.175	-	2.620	0.555	85.75
Heritable	1.500	0.005	1.505	-	1.415	0.090	98.00 -100.00
Totals	7.500	0.412	7.912	0.024	6.589	1.299	-

12. Increase in Counterparty Investment Limits

Arising from the planned sale of the former Golf Course land, it is anticipated that the Council will receive a significant capital receipt, potentially phased over the next few years.

At the end of June 2015, the Council's investment portfolio stood at £37.5m with investment levels with the majority of our approved counterparties being at, or close to the maximum approved under our current Treasury Strategy Statement.

It is considered prudent to review our lending limits for Specified Investments* at this early stage and increase them now, to provide flexibility for easier investment of these additional funds as and when they are received.

Our Treasury Management consultants Capita Asset Services, recommends that no more than 20% of the Council's investment portfolio should be placed with an individual counterparty, in order to spread risk. The current limits of up to £5m with individual institutions, equates to a portfolio level of approximately £25m. As mentioned above, our current portfolio has averaged around £37m over the past 3 months and would result in a limit of just over £7m, which is above the proposal mentioned below.

Members are asked to approve an increase in our lending limits as follows;

Specified Investments*	Criteria	Current Limit	Proposed Limit
UK Government/ Debt Management Agency Deposit Facility	Defined by Regulation UK Treasury (AA+)	£5m	£6m
Term deposits – Local Authorities	Defined by Regulation (Sec 23 of the 2003 act)	£5m	£6m
Treasury Bills	Defined by Regulation UK Treasury (AA+)	£5m	£6m
Term Deposits, Callable Deposits, including Certificates of Deposits – Banks and Building Societies	In accordance with Sector's Creditworthiness Service up to 'Orange' or 'Blue'	£5m individual institutions £8m Group limit	£6m individual institutions £9m Group limit
Pooled investment vehicles (OEIC's, MMF's etc)	AAA (Moody's MR1, Fitch MMF and S&P M).	£5m	£6m
Banks and Building Societies – Forward deals up to 1 year from arrangement to maturity	In accordance with Sector's Creditworthiness Service up to 'Orange' or 'Blue'	£5m	£6m

**These investments are sterling denominated investments of not more than one-year maturity, meeting the minimum 'high' quality criteria where applicable. They are of relatively high security, high liquidity and are low risk assets where the possibility of loss of principal or investment income is small, they could be for a longer period but where the Council has the right to be repaid within 12 months if it wishes.*

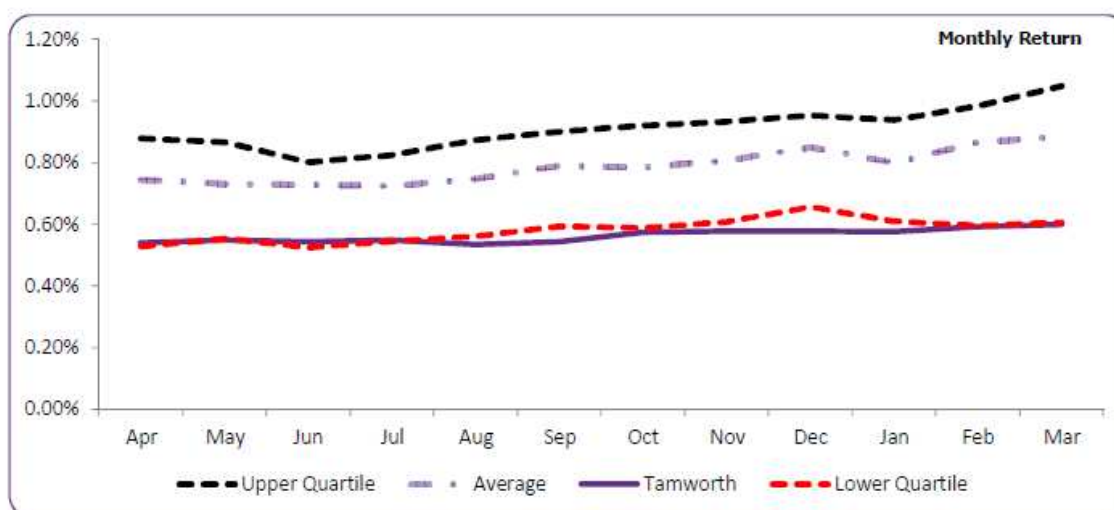
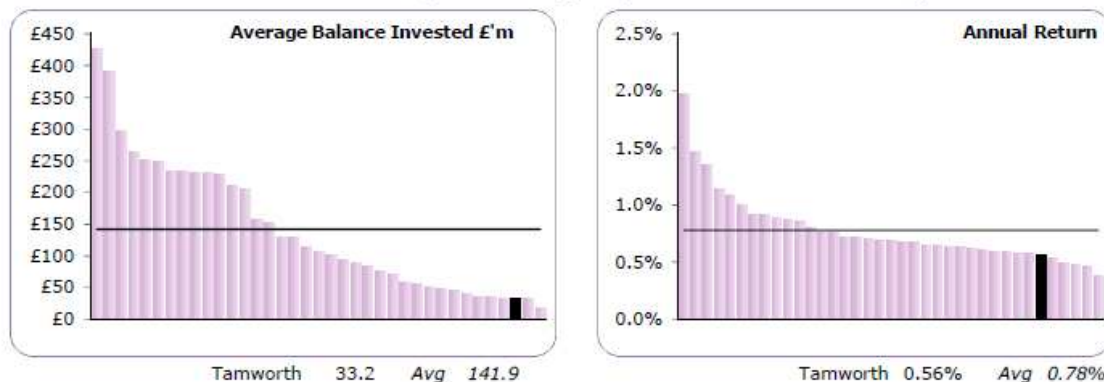
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APPENDIX 1

Appendix 1: Prudential and Treasury Indicators			
1. PRUDENTIAL INDICATORS	2013/14	2014/15	2014/15
Extract from budget and rent setting report	actual	original	actual
Capital Expenditure	£m	£m	£m
Non - HRA	1.339	2.982	0.581
HRA	7.602	6.003	4.972
TOTAL	8.941	8.985	5.553
Ratio of financing costs to net revenue stream	%	%	%
Non - HRA	1.22	(1.33)	(1.19)
HRA	15.39	34.97	22.55
Gross borrowing requirement General Fund	£m	£m	£m
brought forward 1 April	-	-	-
carried forward 31 March	-	-	-
in year borrowing requirement	-	-	-
Gross borrowing requirement HRA	£m	£m	£m
brought forward 1 April	65.060	65.060	65.060
carried forward 31 March	65.060	65.060	65.060
in year borrowing requirement	-	-	-
	£m	£m	£m
Gross debt	65.060	65.060	65.060
Capital Financing Requirement	£m	£m	£m
Non – HRA	1.311	1.162	1.241
HRA	68.042	68.034	68.042
TOTAL	69.353	69.196	69.283
Annual change in Capital Financing Requirement	£m	£m	£m
Non – HRA	(0.214)	(0.065)	(0.070)
HRA	(0.012)	(0.010)	-
TOTAL	(0.226)	(0.075)	(0.070)
Incremental impact of capital investment decisions	£ p	£ p	£ p
Increase in council tax (band D) per annum	(0.05)	0.16	0.16
Increase in average housing rent per week	(0.01)	(0.04)	(0.04)

2. TREASURY MANAGEMENT INDICATORS	2013/14	2014/15	2014/15
	actual	original	actual
	£m	£m	£m
Authorised Limit for external debt - General Fund			
borrowing	9.705	9.705	9.705
other long term liabilities	3.000	3.000	3.000
TOTAL	12.705	12.705	12.705
Authorised Limit for external debt - HRA			
borrowing	79.407	79.407	79.407
other long term liabilities	--	-	--
TOTAL	0.000	79.407	0.000
Operational Boundary for external debt - General Fund	£m	£m	£m
borrowing	1.367	1.367	1.367
other long term liabilities	-	-	-
TOTAL	1.367	1.367	1.367
Operational Boundary for external debt - HRA	£m	£m	£m
borrowing	70.901	70.901	70.901
other long term liabilities	-	-	-
TOTAL	70.901	70.901	70.901
Actual external debt	£m	£m	£m
	65.060	65.060	65.060
Maximum HRA debt limit	£m	£m	£m
	79.407	79.407	79.407
Interest Rate Exposure (Upper Limit)*	£m	£m	£m
Limits on Fixed Interest Rates based on net debt	49.409	49.712	49.712
Limits on Variable Interest Rates based on net debt	6.506	6.506	6.506
Limits on Fixed Interest Rates:			
Debt only	65.060	65.060	65.060
Investments only	26.085	25.580	25.580
Limits on Variable Interest Rates:			
Debt only	6.506	6.506	6.506
Investments only	10.434	10.232	10.232
Upper limit for total principal sums invested for over 364 days (per maturity date)	2.500	2.500	2.500
* Original limits set in the Treasury Management Strategy Statements. There has been no requirement for revision.			
Maturity structure of fixed rate borrowing during 2013/14	upper limit	lower limit	
under 12 months	0.00%	20.00%	
12 months and within 24 months	0.00%	20.00%	
24 months and within 5 years	0.00%	25.00%	
5 years and within 10 years	0.00%	75.00%	
10 years and over	0.00%	100.00%	

COMBINED INVESTMENTS (excluding impaired investments)

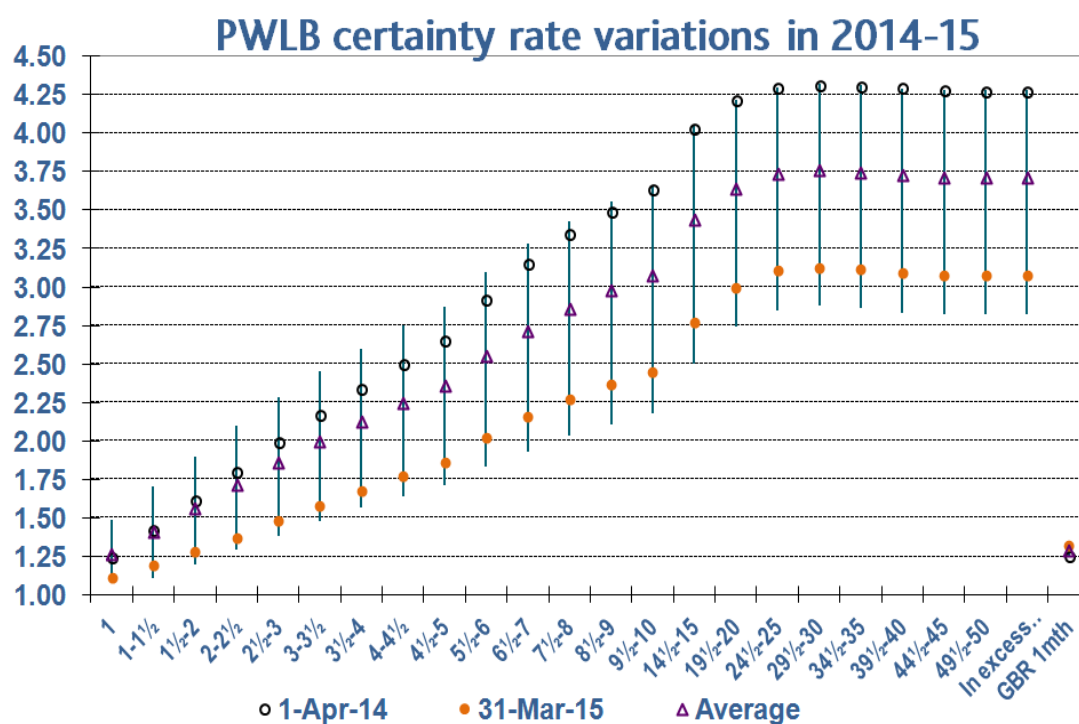


Monthly Return (April 14 - March 15)													
	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	Year
Av Bal £'m	31.64	31.39	31.88	32.70	33.37	34.08	34.17	33.45	34.36	34.78	33.50	33.09	33.20
Earned £'k	14.0	14.6	14.2	15.2	15.1	15.2	16.6	15.9	16.8	17.0	15.2	16.8	186.8
Upper Quartile	0.88%	0.87%	0.80%	0.82%	0.87%	0.90%	0.92%	0.93%	0.95%	0.94%	0.99%	1.05%	0.88%
Average	0.74%	0.73%	0.73%	0.73%	0.75%	0.79%	0.79%	0.81%	0.85%	0.80%	0.87%	0.88%	0.78%
% Return	0.54%	0.55%	0.54%	0.55%	0.53%	0.54%	0.57%	0.58%	0.58%	0.57%	0.59%	0.60%	0.56%
Lower Quartile	0.53%	0.55%	0.53%	0.55%	0.56%	0.59%	0.59%	0.61%	0.66%	0.61%	0.60%	0.61%	0.59%
% Diff from Av	-0.20%	-0.18%	-0.19%	-0.18%	-0.21%	-0.25%	-0.21%	-0.23%	-0.27%	-0.22%	-0.28%	-0.29%	

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Borrowing and Investment Rates

Money market investment rates 2014/15					
	7 day	1 month	3 month	6 month	1 year
1/4/14	0.338	0.362	0.402	0.497	0.783
31/3/15	0.358	0.378	0.445	0.559	0.841
High %	0.362	0.384	0.445	0.596	0.951
Low %	0.334	0.360	0.400	0.496	0.772
Average %	0.352	0.374	0.429	0.556	0.868
Spread %	0.028	0.024	0.045	0.100	0.180
High date	26/3/15	26/9/14	27/3/15	19/9/14	5/8/14
Low date	8/5/14	4/4/14	9/4/14	14/4/14	14/4/14



	1	1-15	2.5-3	3.5-4	4.5-5	9.5-10	24.5-25	49.5-50	1 month variable
1/4/14	1.240%	1.420%	1.990%	2.340%	2.650%	3.630%	4.290%	4.270%	1.250%
31/3/15	1.110%	1.190%	1.480%	1.680%	1.860%	2.450%	3.110%	3.080%	1.320%
High	1.490%	1.700%	2.280%	2.600%	2.870%	3.660%	4.300%	4.280%	1.340%
Low	1.080%	1.110%	1.380%	1.570%	1.710%	2.180%	2.850%	2.820%	1.250%
Average	1.266%	1.417%	1.863%	2.130%	2.362%	3.083%	3.737%	3.719%	1.290%
Spread	0.410%	0.590%	0.900%	1.030%	1.160%	1.480%	1.450%	1.460%	0.090%
High date	16/07/2014	03/07/2014	03/07/2014	03/07/2014	03/07/2014	20/06/2014	03/04/2014	02/04/2014	17/09/2014
Low date	23/01/2015	06/01/2015	07/01/2015	07/01/2015	02/02/2015	02/02/2015	02/02/2015	02/02/2015	01/04/2014

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COUNCIL

15 September 2015

SAFEGUARDING CHILDREN AND ADULTS AT RISK OF ABUSE AND NEGLECT POLICY

PURPOSE

The purpose of the report is to secure Council adoption of the revised Safeguarding Children and Adults at Risk of Abuse and Neglect Policy.

RECOMMENDATIONS

That Members:

- 1. Approve the draft Safeguarding Children and Adults at Risk of Abuse and Neglect Policy**
- 2. Endorse the Policy and its implementation**
- 3. Promote attendance at safeguarding training associated with the Policy**
- 4. Authorise the Solicitor to the Council and Monitoring Officer to disseminate the Policy throughout the Council**

RESOURCE IMPLICATIONS

There are no immediate financial implications arising from this report. The cost of training and materials will be met from existing budgets.

LEGAL/RISK IMPLICATIONS BACKGROUND

The draft policy has been revised in line with the Working Together to Safeguard Children inter-agency guide 2015 and Care Act 2014 guidance. An equalities impact assessment has been completed and is attached at appendix B.

EXECUTIVE SUMMARY

Since 2008 Tamworth Borough Council has operated a reporting mechanism to protect children and vulnerable adults supported by a protection policy and officer involvement. The policy requires to be regularly reviewed and updated to ensure that

best practice in this area is being maintained and adopted. Recent changes to legislation require to be incorporated in the current review. A copy of the revised Safeguarding Children and Adults at Risk of Abuse and Neglect Policy is attached at Appendix A. The draft Policy has been approved by the Portfolio for Communities and Public Health, the lead designated Child Protection Officer at Tamworth Borough Council and Corporate Management Team. On 13 August 2015 the draft Policy was presented to Healthier and Safer Scrutiny Committee who endorsed the draft Policy and have requested quarterly statistical reports on referrals made through the safeguarding channel at Tamworth Borough Council arising from and under the policy. The draft Policy is now submitted to Council for approval and endorsement.

OPTIONS CONSIDERED

In order to comply with the statutory obligations of the Council it is necessary to review and maintain a Safeguarding Children and Adults at Risk of Abuse and Neglect Policy.

BACKGROUND INFORMATION

Tamworth Borough Council has both a legal and moral duty to protect vulnerable children and adults at risk from harm. The Children Act 1989 and 2004 along with associated statutory guidance sets out our legal responsibilities for protecting children. The Care Act 2014 and the accompanying statutory guidance recognises and reinforces that organisations make a significant contribution to adult safeguarding. As part of our ongoing commitment to these responsibilities the current policy has been revised in line with the Working Together to Safeguard Children document that was published in March 2015 and the Care Act 2014 guidance published by the Department of Health (DoH).

Each and every one of us have a duty to recognise and report safeguarding concerns. Thus any concerns that a child or an adult with care and support needs, is at risk of or is suffering abuse or neglect must be reported.

Concerns can come from a number of areas, through our contact with customers, visitors or from our partners. At Tamworth Borough Council we take our safeguarding duty seriously, and to support our policy and training, we launched an updated on-line reporting tool via our corporate CRM system. The system went live in April 2015. In the first quarter of this financial year - April 2015 to June 2015 - staff have raised 16 safeguarding concerns via the CRM system.

Between 1 Apr 2014 to 31 March 2015, 68 initial concerns were reported.

These concerns were raised by staff from the following teams – Housing Services (Estate Management, Housing Advice, Cleaning and Caretaking Services, Income Management), CCTV, Street Wardens, Housing Benefits and Customer Services.

The tables below show the recorded number of concerns that staff have raised through the council's safeguarding procedure. The figures are broken down into child/adult concerns, geographical area and abuse type.

Safeguarding Adult Concerns Raised by members of staff

April 2014 – March 2015

Ward	Number of Adult Concerns	Physical Abuse	Emotional Abuse	Sexual Abuse	Neglect	Financial Abuse	Welfare Concerns
Amington	5		1		1		3
<u>Belgrave</u>	4	1			1	1	1
Bolehall	1					1	
Castle	8		2			3	3
Glascote	4	1				2	1
Mercian							
Spital							
Stonydelph	4	1	1			2	
Trinity							
Wilnecote	2					1	1
No Fixed Abode	7						7
Non Tamworth Resident	3						3
Total	38	3	4		2	10	19

Safeguarding Children Concerns Raised by members of staff

April 2014 – March 2015

Ward	Number of Child Concerns	Physical Abuse	Emotional Abuse	Sexual Abuse	Child Sexual Exploitation	Neglect	Welfare Concerns
Amington	2					1	1
<u>Belgrave</u>	4	2		1		1	
Bolehall	1					1	
Castle	2		1			1	
Glascote	2		1				1
Mercian	4		2			2	
Spital							
Stonydelph	10		1		1	8	
Trinity	1						1
Wilnecote	1					1	
No Fixed Abode	2						2
Non Tamworth Resident	1						1
Total	30	2	5	1	1	15	6

The revised policy and procedures has been reviewed by the Healthier & Safer Scrutiny Committee, Staffordshire Safeguarding Children Board and the Staffordshire & Stoke-on-Trent Adult Safeguarding Partnership. The Safeguarding Children and Adult at Risk of Abuse and Neglect document is split into two sections with the first providing a policy context for the procedures which follow in section two.

REPORT AUTHOR

Jane Marie Hackett
Solicitor to the Council and Monitoring Officer

LIST OF BACKGROUND PAPERS

Working Together to Safeguard Children (2015 DCSF)
Statutory Guidance Under Section 11 of the Children Act 2004
The Care Act 2014
Care and Support Statutory Guidance Issued under the Care Act 2014 (DoH)

APPENDICES

Appendix A – Safeguarding Children and Adults at Risk of Abuse and Neglect Policy
Appendix B - Equality Impact Assessment

CORPORATE POLICY

Safeguarding Children and Adults at Risk of Abuse & Neglect Policy and Procedure

Document Hierarchy: Policy

Document Status: Final

Document Ref: DOC SCAARP

Originator: L Shore

Updated: S Ivey

Owner: Solicitor and Monitoring Officer

Version: 10

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Classification: SEC1 - Routine



Document Location

This document is held by Tamworth Borough Council, and the document owner is Jane Hackett, Solicitor to the Council and Monitoring Officer.

Printed documents may be obsolete; an electronic copy will be available on Tamworth Borough Council's Intranet. Please check for current version before using.

Revision History

Revision Date	Version Control	Summary of changes
August 08	1	Re draft pre existing policy
02/12/08	2	Draft incorporate Staffordshire Safeguarding Children Board changes
09/02/09	3	Draft procedural
16/3/09	4	Final Draft minor edit
31/3/09	5	Data protection content updated
12/6/09	6	Role of Members
01/04/11	7	Review of policy implementation of Working Together 2010 guidance
04/04/13	8	Disclosure and Barring Service information updated Revision of Domestic Violence and Abuse definition Contact information updated Procedural flowchart updated
15/05/13	9	Review of policy Implementation of Working Together 2013 guidance
20/04/15	10	Review of policy

		<p>Implementation of Working Together 2015 guidance</p> <p>Implementation of Care Act 2014 guidance</p> <p>Inclusion of Information on:</p> <p>Child Sexual Exploitation</p> <p>Female Genital Mutilation</p> <p>Modern Slavery</p> <p>Violent Extremism</p> <p>Procedural flowchart updated</p>
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Approvals V10

Name	Title	Approved
Jane Hackett	Solicitor to the Council & Monitoring Officer	13 08 15
Christie Tims	Head of Organisational Development	
Cllr Steven Doyle	Portfolio Holder for Communities & Public Health	13 08 15
CMT	-	24 08 15
Healthier & Safer Scrutiny Committee		13 08 15
Full Council	-	
Carrie Wain	Staffordshire Safeguarding Children Board	
Helen Jones	Staffordshire & Stoke-on-Trent Adult Safeguarding Board	25 08 15

Document Review Plans

This document is subject to a scheduled annual review. Updates shall be made in accordance with business requirements and changes and will be with agreement with the document owner.

Distribution

The document will be available on the Intranet and accessed by authorised users.

Security Classification

This document is classified as SEC 1 Routine with access restricted to Tamworth Borough Council Staff and business partners.

Section 1

Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedure

Section 2

Procedure Guide



Contents

Section 1 - Policy

- 1.1 Introduction
- 1.2 Policy Statement
- 1.3 Principles
- 1.4 Summary of supporting documentation

Section 2 - Procedure Guide

- 2.1 Introduction
- 2.2 Definitions used within procedure
- 2.3 Recognition of abuse including bullying and neglect
- 2.4 Increased risk
- 2.5 Responding to disclosure, suspicions and allegations

Appendices

Appendix A Relevant guidance and legislation

Appendix B (i) - Procedural flow charts for a child referral

Appendix B (ii) - Procedural flowchart for an adult at risk referral

Appendix C - Roles and responsibilities

Appendix D - Contact information

Appendix E - Promoting good practice when working with children and adults at risk

- First aid and treatment of Injuries
- Transporting children & adults at risk away from home
- Social networking
- Use of contractors
- Guidelines on children & adults at risk in publications and on the internet
- Guidelines on use of photography, video and filming children and adults

Appendix F - Best practice in the recruitment of staff and volunteers

Appendix G - Declaration

Section 1

1.1 Introduction

All children¹ and adults at risk of abuse and neglect² have the right to live their lives to the fullest potential, to be protected, to have the opportunity to participate in and enjoy any activity, and to be treated with dignity and respect.

Tamworth Borough Council has both a moral and legal obligation to ensure a duty of care for children and adults across its services. We are committed to ensuring that all children and adults are protected and kept safe from harm whilst engaged in services organised and/or provided by the Council.

The purpose of this policy and its associated procedures is to help protect all children and adults, including those living in our communities, placed in our care within our services and to protect Tamworth Borough Council, its staff, elected members and volunteers.

1.2 Policy Statement and Scope

The scope of this policy is to understand the borough council's legislative framework, to outline the procedures to be followed and to identify the relevant contacts in relation to safeguarding children and adults. The policy covers Safeguarding Children and Adults at risk of abuse and neglect.

Tamworth Borough Council has a legal responsibility to safeguard, promote wellbeing and protect children and adults.

We will aim to comply with our duties by:

- Respecting and promoting the rights, wishes and feelings of children and adults.
- Raising the awareness of the duty of care responsibilities relating to children and adults throughout the council (See Appendix C).
- Promoting and implementing appropriate procedures to safeguard the well-being of children and adults to protect them from harm.
- Creating a safe and healthy environment within all of our services, to protect all parties and reduce the risk of abuse or allegations of abuse from occurring.

¹ 'Children' for the purposes of these guidelines are defined as those aged under 18 years

² The safeguarding duties apply to an adult who: has needs for care and support (whether or not the local authority is meeting any of those needs) and; is experiencing, or at risk of, abuse or neglect; and as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect. The adult experiencing, or at risk of abuse or neglect will hereafter be referred to as the *adult* throughout this policy.

- Recruiting, training, supporting and supervising staff, elected members and volunteers to adopt best practice to safeguard and protect children and adults at risk, from abuse and to also minimise any risks to themselves (See Appendix E).
- Responding promptly to any suspicions or allegations of misconduct or abuse of children or adults in line with the Staffordshire Safeguarding Children Board (SSCB) Inter-Agency Procedures for Safeguarding Children and Promoting their Welfare and Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Inter-Agency Procedures.
- Requiring staff, elected members and volunteers to adopt and abide by the Council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedures, codes of conduct and associated procedures.
- Reviewing and evaluating this policy and procedure on an annual basis or in line with best practice, changing legislation, organisational requirements and service delivery.
- Ensuring representatives of Tamworth Borough Council who have contact with children, young people or adults at risk are subject to safe recruitment procedures. This is also applicable when the council is working in partnership with other private, voluntary or contracted organisations and their employees (See Appendix F).

1.3 Principles

This policy and supporting procedures are based on the following principles

- The welfare of children and adults is the primary concern.
- All children and adults irrespective of their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/ or sexual orientation have the right to protection from abuse and harm.
- It is everyone's responsibility to report any concerns about abuse in order that prompt action be taken if required.
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately.
- All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.

1.4 Supporting Documents/Legislation

This policy should be read in conjunction with a number of additional policies and legislative documents, listed in Appendix A.

The major pieces of legislation and guidance are:

Children Act 1989

Children Act 2004

Care Act 2014

Guidance to the Care Act 2014

Safeguarding Vulnerable Groups Act 2006

Public Interest Disclosure Act 1998

Data Protection Act 1998

European Convention of Human Rights

Working Together to Safeguarding Children 2013

Working Together to Safeguard Children 2015

Mental Capacity Act 2005

Disclosure and Barring Service (formerly the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA)

Staffordshire Safeguarding Children Board Inter-Agency Procedures

Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Inter-Agency Procedures

Section 2

Procedure Guide

2.1 Introduction

This set of procedures and guidelines sets out how Tamworth Borough Council will implement the Safeguarding Children and Adults at Risk of Abuse and Neglect Policy. It is to be used by all staff that come into direct contact with those who fall under the definition of the procedure, or those who are responsible for managing services that affect these individuals or groups.

The procedure guide is intended to be used in conjunction with the policy document, and other supporting individual service procedures. See appendices for detail.

2.2 Definitions used within the Procedure

- The term children or young person is used to refer to anyone under the age of 18 years in accordance with the Children Act 1989.
- All the policies and procedures described within this document refer to adults as well as children.
- An adult at risk for the purpose of this procedure is an adult who: has needs for care and support (whether or not the local authority is meeting any of those needs) and; is experiencing, or at risk of abuse or neglect, and as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.
- The term staff, elected members and volunteers is used to refer to employees, borough councillors, volunteers and anyone working on behalf of, delivering a service for, or representing the Council.

2.3 Recognition of Abuse including Neglect and Bullying

Important Rule

*It is important to remember that many children and adults will exhibit some of these signs and indicators at some time, and the presence of one or more should not be taken as proof that abuse is occurring. There may well be other reasons for changes in behaviour such as a death, or the birth of a new baby in the family, relationship problems between parents/carers, etc. However, you should **always** report anything that causes you to suspect that abuse may be happening, or seek advice from the designated safeguarding officer in order for appropriate action to be taken to ensure the welfare and safety of children and adults.*

Recognising Abuse

Recognising abuse is not easy, and it is not the responsibility of council staff, elected members or volunteers to decide whether or not abuse has taken place or if there is significant risk. We do however have a responsibility to act if we think it may be happening.

Abuse, including neglect are forms of maltreatment of a child or adult. Somebody may abuse a child or adult by inflicting harm or by failing to act to prevent harm. Children and adults may be abused in a family or in an organisational or community setting; by those known to them or, more rarely, by a stranger for example via the internet. They may also be abused by an adult or adults, or by another child or children.

Types and Signs of Abuse

It is generally accepted that there are the following types of abuse:

Children and Adults:

Physical, emotional (or psychological), sexual and neglect.

Adults:

Financial, discriminatory, organisational, domestic abuse, modern slavery, neglect and acts of omission and self-neglect.

Please note that the tabled examples and signs detailed below may also be indicators of other medical factors and may not necessarily confirm abuse and neglect. These tables are provided as a guide to help employees identify the types and signs of abuse and to help them decide whether concerns should be raised.

PHYSICAL ABUSE	
Examples include	Signs include
<ul style="list-style-type: none">• Shaking• Pinching• Slapping• Force-feeding• Biting• Burning or Scalding.• Causing needless physical discomfort• Inappropriate restraint• Locking someone in a room	<ul style="list-style-type: none">• Unexplained bruising, marks or injuries on any part of the body• Frequent visits to the GP or A&E• An injury inconsistent with the explanation offered• Fear of parents or carers being approached for an explanation• Aggressive behaviour or severe temper outbursts• Flinching when approached• Reluctance to get changed or wearing long sleeves in hot weather• Depression

	<ul style="list-style-type: none"> • Withdrawn behaviour or other behaviour change • Running away from home/ residential care • Distrust of adults, particularly those with whom a close relationship would normally be expected
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EMOTIONAL/PSYCHOLOGICAL ABUSE	
Examples include	Signs include
<ul style="list-style-type: none"> • Intimidation and/or threats • Bullying • Rejection • Shouting • Indifference and the withdrawal of approval • Denial of choice • Deprivation of dignity or privacy • The denial of human and civil rights • Harassment • Being made to fear for one's well being 	<ul style="list-style-type: none"> • A failure to thrive or grow • Sudden speech disorders • Developmental delay, either in terms of physical or emotional progress • Behaviour change • Being unable to play or socialise with others • Fear of making mistakes • Self harm • Fear of parent or carer being approached regarding their behaviour • Confusion

SEXUAL ABUSE	
Examples include	Signs include
<ul style="list-style-type: none"> • Rape and other sexual offences • For vulnerable adults, sexual activity including sexual contact and non-sexual contact that the person does not want, to which they have not consented, could not consent, or were pressured into consenting to • For adults, being denied access to a sexual life • Being encouraged or enticed to touch the abuser • Coercing the victim into watching or participating in pornographic videos, photographs, or internet images 	<ul style="list-style-type: none"> • Pain or itching in the genital/anal areas • Bruising or bleeding near genital/anal areas • Sexually transmitted disease • Vaginal discharge or infection • Stomach pains • Discomfort when walking or sitting down • Pregnancy • Sudden or unexplained changes in behaviour, e.g. becoming aggressive or withdrawn • Fear of being left with a specific person or group of people • Nightmares • Leaving home

<ul style="list-style-type: none"> • Any sexual relationship that develops where one is in a position of trust, power or authority 	<ul style="list-style-type: none"> • Sexual knowledge which is beyond their age or development age • Sexual drawings or language • Bedwetting • Saying they have secrets they cannot tell anyone about • Self harm or mutilation, sometimes leading to suicide attempts • Eating problems such as overeating or anorexia • Disclosure
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NEGLECT	
Examples include	Signs include
<ul style="list-style-type: none"> • Withholding help or support necessary to carry out daily living tasks • Ignoring medical and physical care needs • Failing to provide access to health, social or educational support • The withholding of medication, nutrition and heating • Keeping someone in isolation • Failure to intervene in situations that are dangerous to the vulnerable person • Inadequate supervision and guidance – leaving the child to cope alone, abandoning them or leaving them with inappropriate carers and failing to provide appropriate boundaries about behaviours such as under age sex or alcohol 	<ul style="list-style-type: none"> • Constant hunger, sometimes stealing food from others • Dirty or 'smelly' • Loss of weight, or being constantly underweight • Inappropriate dress for the weather • Complaining of being tired all the time • Not requesting medical assistance and/or failing to attend appointments • Having few friends • Worsening of health conditions • Pressure sores • Mentioning their being left alone or unsupervised • Sore or extreme nappy rash • Skin infections • Lack of response to stimuli or contact • Poor skin condition(s) • Frozen watchfulness • Anxiety • Distressed • Child moves away from parent under stress • Little or no distress when separated from primary carer • Inappropriate emotional responses • Language delay

SELF-NEGLECT (Adults)	
Examples Include	Signs Include
<ul style="list-style-type: none"> • Little or no personal care • Refusing medication or refusing to stay on medication • Disorientated or incoherent • Unsafe living conditions and hoarding • Inability to manage finances and property • Isolation 	<ul style="list-style-type: none"> • Poor grooming, dirty or ragged clothes, unclean skin and fingernails • Unwilling to accept medical care • Unable to focus, carry on normal conversation or answer basic questions about date, place and time • Lack of food or basic utilities in the home, unclean living quarters, rodents or other vermin. Hoarding animals or trash, inability to get rid of unneeded items • Not paying bills, repeatedly borrows money, gives money or property away • Little contact with family or friends, no social support

FINANCIAL ABUSE (Adults)	
Examples include	Signs include
<ul style="list-style-type: none"> • Being over charged for services • Being tricked into receiving goods or services that they do not want or need • Inappropriate use, exploitation, or misappropriation of property and/or utilities • Theft • Deception • Fraud • Exploitation or pressure in connection with wills 	<ul style="list-style-type: none"> • Lack of basic requirements e.g. food, clothes, shelter • Inability to pay bills • Unexplained withdrawals from accounts • Inconsistency between standard of living and income • Reluctance to take up assistance which is needed • Unusual interest by family and other people in the person's assets • Recent changes in deeds • Power of Attorney obtained when person lacks capacity to make the decision

DISCRIMINATORY

Examples	Signs
<ul style="list-style-type: none">• Use of inappropriate “nick names”• Use of derogatory language or terminology• Enforcing rules or procedures which undermine the individual’s well being• Denial to follow one’s religion• Lack of appropriate food• Denial of opportunity to develop relationships• Denial of health care	<ul style="list-style-type: none">• Being treated unequally from other users in terms of the provision of care, treatment or services• Being isolated• Derogatory language and attitude by carers• Dismissive language by staff• Hate campaigns by neighbours or others• Deteriorating health• Indicators of other forms of abuse

ORGANISATIONAL ABUSE

Examples	Signs
<ul style="list-style-type: none">• Service users required to ‘fit in’ excessively to the routine of the service• More than one individual is being neglected• Everyone is treated in the same way• Other forms of abuse on an institutional scale	<ul style="list-style-type: none">• Inflexible daily routines, for example: set bedtimes and/or deliberate waking• Dirty clothing and bed linen• Lack of personal clothing and possessions• Inappropriate use of nursing and medical procedures• Lack of individualised care plans and failure to comply with care plans• Inappropriate use of power, control, restriction or confinement• Failure to access health care, dentistry services etc• Inappropriate use of medication.• Misuse of residents’ finances or communal finances• Dangerous moving and handling practices• Failure to record incidents or concerns

Other types of abuse

Domestic Violence and Abuse

As of 1st March 2013, the Home Office definition of Domestic violence and abuse is:

Any incident or pattern of incidents of controlling³, coercive⁴ or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse; psychological, physical, sexual, financial and/or emotional

Source: www.homeoffice.gov.uk

In all cases where there is knowledge or suspicion that there exists a **potential** for a child or children to be suffering harm as a result of domestic violence and abuse, then a referral should be made to Children's Social Care via the First Response Team (FRT) who act as the first point of contact for all referrals in relation to the welfare and safety of a child that meet the **threshold for significant harm** - for further information please refer Section 1E threshold framework 'Accessing the right help at the right time'.

www.staffsscb.org.uk/Professionals/Procedures/Procedures.aspx

Where it is thought that a victim of domestic violence and abuse meets the definition of an adult at risk, then an Adult Safeguarding referral should be made to the Contact Centre on **0845 604 2719**.

Hidden Harm

Children may be suffering from the effects of what is known as 'hidden harm' if they live with parents or carers who are misusing drugs or alcohol. Children in these situations may be acting as young carers or they may be subjected to any of the forms of abuse described above. Separate policies and procedures for children living with parents who misuse substances and those who are deemed as young carers can be found on the Staffordshire Safeguarding Children Board website.

www.staffsscb.org.uk/Professionals/Procedures/Procedures.aspx

³ Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

⁴ Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

Child Sexual Exploitation

Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability. (Safeguarding Children and Young People from Sexual Exploitation DCFS 2009)

Children and young people do not make informed choices to enter or remain in sexual exploitation. Rather, they do so from coercion, enticement, manipulation, fear or desperation.

For further guidance

<http://www.staffsscb.org.uk/Professionals/Procedures/Section-One/Section-One-Docs/Section-1C-Contents-Page.doc>

Forced Marriage

Forced marriage⁵ is a marriage without the full and free consent of both parties. It is a form of domestic violence and an abuse of human rights. In an arranged marriage the family will take the lead in arranging the match but the couples have a choice as to whether to proceed. In forced marriage, one or both spouses do not (or, in the case of some disabled young people and some adults at risk, cannot) consent to the marriage and some element of duress is involved.

Duress can include physical, psychological, sexual, financial and emotional pressure.

It is important to note that the Mental Capacity Act does **NOT** allow for consent to marry to be given on behalf of a person without capacity to make this decision for themselves.

⁵ Research carried out by the then Department for Children, Schools and Families estimated that the national prevalence of reported cases of forced marriage in England was between 5,000 and 8,000, with the youngest victim being 2 years old and the oldest 76 years..

Female Genital Mutilation (FGM)

Female genital mutilation (FGM) includes procedures that intentionally alter or cause injury to the female genital organs for non-medical reasons.” (World Health Organisation, 2014). It is illegal in the UK.

FGM is known by a number of names including “female genital cutting”, “female circumcision” or “initiation”. The term female circumcision suggests that the practice is similar to male circumcision, but it bears no resemblance to male circumcision, has serious health consequences and no medical benefits. FGM is also linked to domestic abuse, particularly in relation to “honour based violence”.

For further guidance

<http://www.staffsscb.org.uk/Professionals/Procedures/Section-Four/Section-Four-Docs/Section-4M-Female-Genital-Mutilation.pdf>

Modern Slavery

Modern slavery encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

The organised crime of human trafficking into the UK has become an issue of considerable concern to all professionals with responsibility for the care and protection of children and adults. Any form of trafficking humans is an abuse.

Trafficking of persons means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat of, or use of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability. It also includes the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

It is important to note that some cases involve UK-born people being trafficked within the UK, e.g. people being trafficked from one town to another. The consent of the victim of trafficking is irrelevant where any of the above methods have been used.

Trafficked people may be used for sexual exploitation, agricultural labour including tending plants in illegal cannabis farms and benefit fraud. Children as well as adults are trafficked.

If you have a concern regarding the possible trafficking of a person you should immediately contact the Designated Officer or make a referral direct to the appropriate team. Staff should not do anything which would heighten the risk of harm or abduction to the child or adult.

Race and Racism

People from black and minority groups (and their parents or carers) are potentially likely to have experienced harassment, racial discrimination and institutional racism. Although racism causes significant harm it is not, in itself, a category of

abuse (unless the victim meets the definition of an adult at risk, in which case an appropriate referral should be made) and dealing with it is considered under other specific policies of the council and the Community Safety Partnership.

Hate Crime

The Association of Chief Police Officers (ACPO) and the Crown Prosecution Service (CPS) have a nationally agreed definition of Hate Crime. Hate crimes are taken to mean any crime where the perpetrator's hostility or prejudice against an identifiable group of people is a factor in determining who is victimised. This is a broad and inclusive definition. A victim does not have to be a member of the group. In fact, anyone could be a victim of a hate crime.

The Crown Prosecution Service (CPS) and The Association of Chief Police Officers (ACPO) have agreed 5 monitored strands of hate crime as set out below.

A hate crime is any criminal offence that is motivated by hostility or prejudice based upon the victim's:

- disability
- race
- religion or belief
- sexual orientation
- transgender identity

Hate crime can take many forms including:

- physical attacks such as physical assault, damage to property, offensive graffiti and arson
- threat of attack including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate, and unfounded, malicious complaints
- verbal abuse, insults or harassment - taunting, offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying at school or in the workplace.

If the victim of a Hate Crime meets the definition of an adult at risk, an Adult Protection referral should be made to the Contact Centre (See Appendix D).

Safeguarding people who are vulnerable to being drawn into violent extremism and/or terrorism

The current threat from terrorism in the United Kingdom can involve the exploitation of vulnerable people, including children of all ages, young people and adults to involve them in terrorism or activity in support of terrorism.

Violent Extremism is defined by the Crown Prosecution Service (CPS) as:

"The demonstration of unacceptable behaviour by using any means or medium to express views, which:

- *Encourage, justify or glorify terrorist violence in furtherance of particular beliefs;*
- *Seek to provoke others to terrorist acts;*
- *Encourage other serious criminal activity or seek to provoke others to serious criminal acts;*
- *Foster hatred which might lead to inter-community violence in the UK."*

There are a number of offences that can be considered when dealing with violent extremism. They include offences arising through spoken words, creation of tapes and videos of speeches, internet entries, chanting, banners and written notes and publications.

The main offences employed to date have been soliciting murder and inciting racial hatred.

The Stoke-on-Trent and Staffordshire Local Safeguarding Children Boards and the Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Board recognise the need to protect people against the messages of all violent extremism including that linked to Far Right / Neo Nazi / White Supremacist, Al Qaeda ideologies, Irish Nationalist and Loyalist paramilitary groups, and that linked to Animal Rights movements.

For further guidance see procedure 6L

<http://www.staffscsb.org.uk/Professionals/Procedures/Section-Six/Section-6-Further-Guidance-for-Practitioners.aspx>

2.4 Risks that increase the likelihood of abuse happening to Adults at Risk

There are certain situations and factors that put adults at particular risk of abuse. If one or more of these factors are present, it does not mean that abuse will occur but it will increase the risk:

- Isolation
- Living in the same household as an abuser
- A previous history of abuse
- The existence of financial problems
- A member of the household experiences emotional or social isolation
- Inappropriate physical or emotional environment e.g. lack of privacy and/ or personal space
- Where there has been a change of lifestyle e.g. illness, unemployment or employment

- Dependence on others for personal and practical care
- Where a person is dependent on other people to administer money or where several people manage their money
- Where the vulnerable person exhibits difficult and challenging behaviour
- The carer has difficulties such as debt, alcohol or mental health problems
- Poor leadership in care services
- Unmonitored provision of care e.g. where reviews or inspections do not take place
- Failure to comply with standard operating policies and procedures

Increased Risk to Vulnerable Children

There are many issues that may contribute to child abuse, but some factors **increase** the risk to children and make them more vulnerable to abuse. They can be found in the background of parents, in the environmental situation and in attributes of the child themselves.

Parental factors:

- Parent has a mental illness
- Parent is abusing drugs or alcohol
- Parent has already abused a child
- Parent has previously had children removed
- Unwanted pregnancy/termination
- Parent has a background of abuse when growing up
- Young, unsupported mother often with low education
- Parents have unrealistic expectations of the child and lack parenting knowledge
- Parent is isolated and has little support
- Parent has a learning difficulty/disability

Environmental factors:

- Overcrowding in the house
- Poverty or lack of opportunity to improve the family's resources
- Domestic violence is present
- A non biological adult (i.e. unrelated) living in the house
- Family is experiencing multiple stresses

Child factors:

- Baby is sickly, colicky or unwanted
- Child has a physical or learning disability
- Lack of attachment between child and parent
- Child resides in care, particularly residential
- Child is excluded from mainstream school
- Child uses drugs/ alcohol
- Child goes missing
- Child is living in private fostering arrangements

It is possible to limit the situations where the abuse of children and adults may occur, by promoting good practice to all staff and elected members (see Appendix E).

2.5 Responding to Disclosure, Suspicions and Allegations

Council employees/ elected members/ volunteers may come across cases of suspected abuse either through direct or indirect contact with children and adults, for example, running a holiday activity, or for peripatetic staff visiting homes as part of their day to day work. It is not an employee's/ elected member's/ volunteer's responsibility to decide whether or not a child or adult has been abused. It is however their responsibility to act immediately on any such suspicions and report their concerns and to ensure any relevant information is passed to the appropriate team (See appendix B1 & B2).

Responding to Disclosure

Abused children and adults are more likely to disclose details of abuse to someone they trust and with whom they feel safe. By listening and taking seriously what the child or adult is saying employees/ elected members/ volunteers are already helping the situation.

The following points are a guide to help employees respond appropriately:

Dos and Don'ts	
Dos	Don'ts
<ul style="list-style-type: none"> • React calmly so as not to frighten the child or adult • Take what the person says seriously, recognising the difficulties inherent in interpreting what is being said by a person who has for example a speech impairment and / or differences in language • Avoid asking leading or direct questions other than those seeking to clarify your understanding of what the person has said. They may be subsequently formally interviewed by the Police and/or Social Care Services and they should not have to repeat their account on several occasions. The first person told may become a witness at court if they have asked/gained direct relevant 	<ul style="list-style-type: none"> • Dismiss the concern • Panic • Allow your shock or distaste to show • Probe for more information than is offered • Speculate or make assumptions • Make negative comments about the alleged abuser • Make promises or agree to keep secrets • Ask the child, young person, adult or any witnesses to sign your written information as this may be

<p>information.</p> <ul style="list-style-type: none"> • Reassure the child or adult that they are right to tell • Explain to them that concerns may have to be shared with someone who is in a position to act • Make a written record of what has been disclosed at the earliest opportunity 	<p>significantly detrimental to any subsequent police investigation</p> <ul style="list-style-type: none"> • Do not take photographs of any alleged injuries. Any such recording must only be done by an approved medical or other practitioner, following referral.
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Responding to Child/Adult Safeguarding Concerns

It is the responsibility of the individual employee, elected member or volunteer to take a lead on reporting any concerns. If any employee, elected member or volunteer has concerns regarding a child or adult at risk who they think is being abused or suffering significant harm it is important for them to act **immediately**. All child/adult safeguarding concerns must be recorded on the reporting concerns form* and the information shared with the appropriate Staffordshire County Council team and the Tamworth Borough Council's Designated Safeguarding Officer notified.

The record should include:

- The date and time
- The child or adult's name, address and date of birth
- The nature of the allegation
- A description of any visible injuries
- Observations - e.g. a description of the child or adult's behaviour and physical and emotional state
- What the child or adult said and what was said in reply. Please record this as accurately as possible, using their choice of language
- Any action taken as a result of the concerns being raised e.g. who was spoken to and resulting actions. Include names, addresses and telephone numbers
- Sign and date what has been recorded
- Store the information in accordance with relevant procedures, e.g. Data Protection
- Report to and inform your line manager and/or the Council's Designated Safeguarding Officer.

* The initial concerns reporting form is available via the Intranet by clicking on the word **Safeguarding** displayed at the top of the webpage, a hard copy will be made available for staff that do not have access to a computer.

Where there is evidence of immediate harm then the employee should phone 999 and report the incident to the Police. Where there is any possibility that a criminal act may have been committed care should be taken not to take any action that may jeopardise any subsequent criminal investigation.

- Where there are concerns that a child or young person is at risk of, or suffering significant harm then a referral should be made to Staffordshire Children Social Care First Response Team based at the MASH on **0800 1313126 (between 8.00 am and 5.30 pm and 4.30 pm on a Friday)** or via a brief e-mail to firstr@staffordshire.gov.uk with your contact details (**DO NOT INCLUDE ANY CONFIDENTIAL INFORMATION ABOUT A CHILD OR YOUNG PERSON IF EMAILING**) and explain the need for an urgent response due to a child protection concern.
- Where concerns relate to an adult at risk an adult safeguarding referral must be made to the Contact Centre **0845 604 2719 (between 8.30 am and 5.30 pm and 4.30 pm on a Friday)**.
- **Outside of normal working hours** any concerns relating to a child or adult at risk should be directed to Staffordshire County Council **Emergency Duty Service on 0845 6042886**.
- Alternatively you can contact Staffordshire Police Central Referral Unit on **101**

All concerns must be shared with the Tamworth Borough Council Designated Safeguarding Officer(s). The Designated Officer/ Deputy should also ensure that the employee reporting the incident is reassured that they have access to staff support if needed.

Please see procedural flowchart located at Appendix B1 & B2.

Consent

Whilst professionals should in general discuss any concerns with the child and family and where possible seek their agreement to making referrals to Staffordshire Children's Social Care Services, this should only be done where such discussion and agreement-seeking will not place the child or others at increased risk of suffering significant harm.

Consent is **not** required for referrals that met the threshold for significant harm; however you, as the referring professional, would need to inform parents or carers that you are making a referral as stated above, unless by alerting them you could be putting that child or others at risk.

Consent is not required for adult safeguarding referrals; however it is good practice to gain consent if possible. If the adult lacks capacity to make a decision to share the information for themselves, a decision can be taken in their best interests about whether this is appropriate.

NB: if the child lives outside Staffordshire but accesses services within Staffordshire, the referral must be made to the area in which the child resides.

Responding to allegations against Staff and Volunteers

Detailed procedures and guidance relating to the management of allegations against people who work with children are contained within the following documents:

- Working Together to Safeguarding Children (2015) Chapter 2
- SSCB Inter-Agency Procedures: Section 4A

It is essential that any concerns for the welfare of a child or adult arising from abuse or harassment by a member of staff or a volunteer should be reported **IMMEDIATELY** to the Lead Designated Safeguarding Officer **Jane Hackett** / or a Deputy Safeguarding Officer Rob Barnes or Andrew Barratt and the Head of Organisational Development **Christie Timms (See Appendix D)**.

If a child or children have suffered or are at risk of suffering significant harm the Designated Officer/ Deputy will contact First Response and speak to the Local Authority Designated Officer (LADO).

If the matter does not meet the threshold for significant harm the Designated Child Protection Officer/ Deputy will contact First Response and speak to the LADO within 24 hours

The LADO is a statutory role in relation to allegations against children⁶, they provide an 'Initial Discussion' which allows for the giving of advice and guidance relating to the most appropriate way of managing the allegation or concern, and most importantly will help establish what the 'next steps' should be in terms of investigating the matter further.

The LADO will liaise with police and children's social care safeguarding teams when appropriate, and also discuss with the Designated Safeguarding Lead or Deputy other issues such as- notifying the child's parents/carers; suspending the adult; risks to other children; communication with relevant other organisations/bodies; supporting the adult and possible media interest. The LADO will also monitor the progress of an investigation and assist an employer in the taking of any difficult judgments about a person's suitability to remain in the children's workforce.

⁶ As defined in Working Together 2013, Chapter 2, page 48

If the allegation is in respect of abuse or harassment of an adult at risk, the Designated Safeguarding Officer will make a referral to the Contact Centre 0845 604 2719.

Support for the Referrer

The Council will fully support and protect all elected members/ employees/volunteers who, in good faith (without malicious intent), make a referral about a colleague who may be abusing a child or adult and report his or her concern about a colleague's practice.

This support may take the form of counselling through the Council's service, moving the person reporting the abuse / potential abuse to another workplace temporarily whilst the incident is reported. The Council also has a whistle blowing procedure which a referrer can follow if there are reasons why the standard procedures for dealing with allegations make them feel particularly vulnerable, or if they consider their concerns are not being acted upon appropriately. However, all elected members/ employees/ volunteers have a duty to safeguard and promote the welfare of children and adults and in order to investigate concerns robustly it may not be possible to maintain complete anonymity, but the interests of the referrer will be protected when concerns are raised.

Disclosure

Any staff member, elected member or volunteer who becomes the subject of a police investigation in relation to physical or sexual offences against adults or children, or are charged with such a criminal offence, must inform the Head of Human Resources. Staff must disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children whether received before, or during their employment at the organisation. The Head of Human Resources will discuss any potential safeguarding matters with the LADO and any required action will be agreed.

Types of Investigation

There may be a number of strands to a child protection investigation or adult safeguarding enquiry e.g. professionals strategy meetings, child protection conferences and core groups, criminal investigations, joint evaluation meetings as well as disciplinary investigations. Elected members/ employees/ volunteers may need to be involved as witnesses, holders of key information, or in regard to ongoing processes around protection and welfare.

Further guidance available at:

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

<http://preview.staffordshirecares.info/StayingSafeintheCommunity/Stopabuseofadults.aspx>

Guidance and Legislation

- [Children Act 1989](#) – provides legislation to ensure that the welfare and developmental needs of children are met, including their need to be protected from harm. The welfare of the child is paramount.
- [Children Act 2004](#) – Section 11 places a duty on all named organisations to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children. The Act offered the legislative framework for the implementation of the five Every Child Matters principles which are considered to be integral to achieving positive outcomes and life chances for all children and young people from birth into adulthood. These principles are:

Be healthy
Staying safe
Enjoying and achieving
Making a positive contribution
Achieving economic wellbeing

- Working Together to Safeguard Children 2015, 2013, 2010, 2006, 1999 - This statutory guidance revised by the government in 2015 details the roles and responsibilities of all agencies with the aim of promoting effective working together to promote the welfare and safety of children. To view the 2015 Working Together to Safeguard Children statutory guidance please go to; www.education.gov.uk
- Inter-agency procedures for safeguarding children and promoting their welfare in Staffordshire are available on line at www.staffsccb.org.uk.
- The Care Act 2014– the Act builds on recent reviews and reforms, replacing numerous previous laws, to provide a coherent approach to adult social care in England. Part one of the Act (and its Statutory Guidance) consolidates and modernises the framework of care and support law; it set out new duties for local authorities and partners, and new rights for service users and carers. The Act aims to achieve:
 - Clearer, fairer care and support
 - Wellbeing – physical, mental and emotional – of both the person needing care and their carer
 - Prevention and delay of the need for care and support
 - People in control of their care

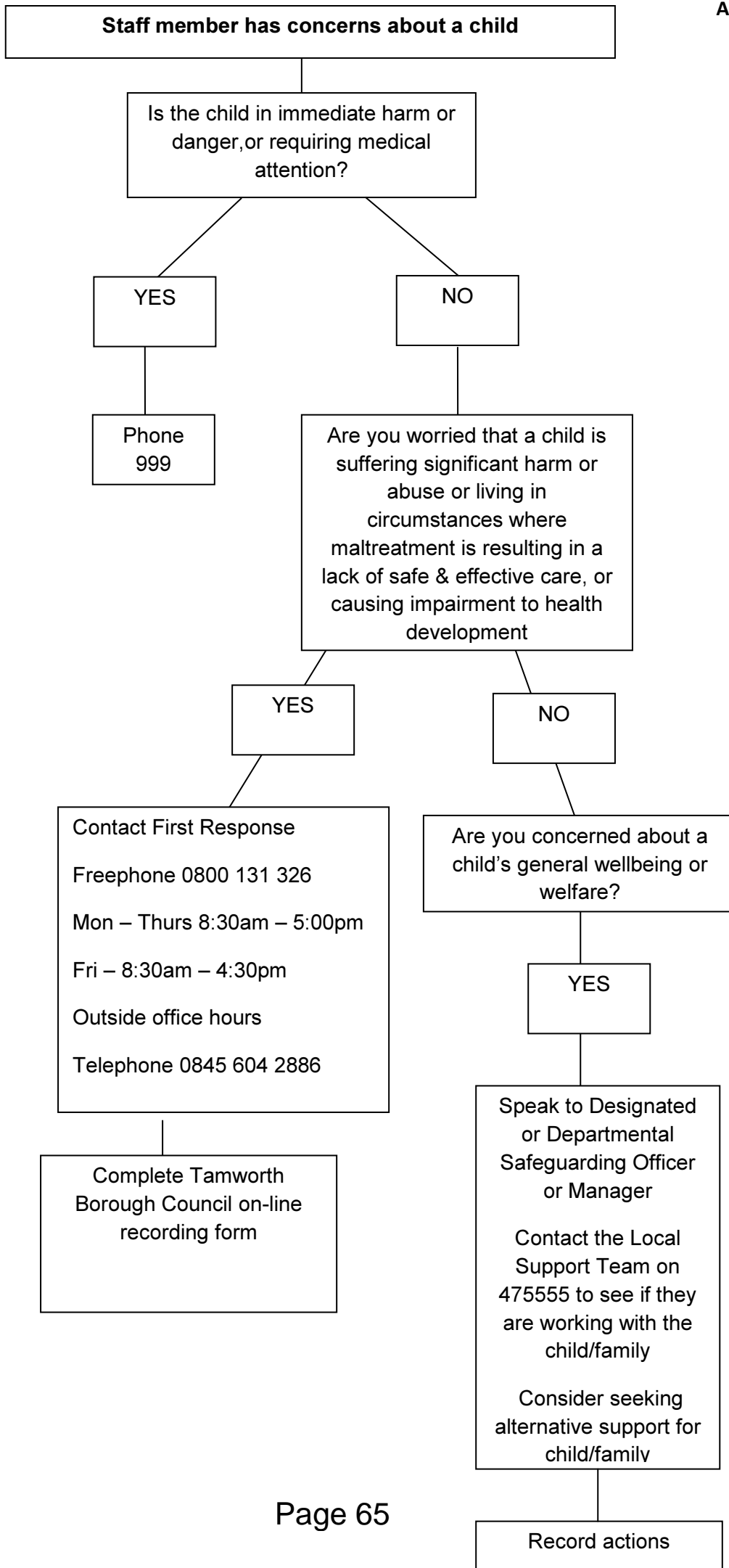
For further information please go to

<https://www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation>

- The Mental Capacity Act 2005 - provides a framework to empower and protect people who may lack capacity to make some decisions for themselves. The Act makes clear who can take decisions in which situations, and how they should go about this. Anyone who works with or cares for an adult who lacks capacity must comply with the MCA when making decisions or acting for that person. This applies whether decisions are life changing events or more every day matters and is relevant to adults of any age, regardless of when they lost capacity.

Interagency Procedures for Adult Protection in Staffordshire can be found at <http://preview.staffordshirecares.info/StayingSafeintheCommunity/Stopabuseofadults.aspx>

There is a wide range of associated legislation and guidance available, see the Office of Public Sector Information for more information (www.opsi.gov.uk)



Staff member has a concern about an adult at risk of abuse or neglect

Is the adult at risk in immediate harm or danger, or requiring medical attention?

YES

Phone 999

NO

Is the adult experiencing abuse or neglect, including self – neglect?

YES

Make an Adult Safeguarding Referral immediately on

0845 604 2719

Mon – Thurs 8:30am – 5:00pm

Fri – 8:30am – 4:30pm

Outside office hours

Telephone 0845 604 2886

Complete Tamworth Borough Council on-line recording form or paper copy and pass to designated officer

NO

Are you concerned about the general wellbeing or welfare of the adult at risk?

YES

Speak to Designated or Departmental Safeguarding Officer or Manager and seek alternative support as necessary

Record actions

*An adult at risk of abuse or neglect:

Has needs for care and support

(whether or not the local authority is meeting any of these needs) and;

- *is experiencing, or at risk of abuse or neglect; and*
- *as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect, significant harm or exploitation*

Types of abuse:

Physical Sexual

Financial Discriminatory

Neglect Self-neglect

Roles and responsibilities within the Council

Designated Safeguarding Officer

For the Council the Designated Safeguarding Officer is the Solicitor to the Council & Monitoring Officer -**Jane Hackett**.

It is their responsibility to:

- Receive information from staff, volunteers and children who have concerns, and record them
- Be the delegated liaison on behalf of the Council for any formal investigations into allegations of abuse undertaken by the police and / or Staffordshire's Children's Social Care Service (CSC)
- Receive the appropriate child protection and adults at risk of abuse and neglect safeguarding training
- Ensuring policy documents and procedures are up to date and in line with best practice, changing legislation and statutory guidance
- Ensuring that all employees (including volunteers, contractors, agents and other partner representatives) are aware of this policy and understand how to comply with this procedure
- Working with responsible bodies to implement and promote a partnership approach to working together to protect children and adults at risk in all areas of the community

Deputy Safeguarding Officers

In the absence of the Designated Safeguarding Officer queries should be directed to one of the Deputy Safeguarding Officers:

**Andrew Barratt Director for Assets & Environment or
Rob Barnes Director for Housing & Health**

Advice can also be sought from one of the departmental safeguarding officers:

Directorate Legal & Democratic Services - **Stephanie Ivey**

Directorate Assets & Environment - **Joanne Sands**

Directorate Housing & Health - **Lee Birch/ Lisa Hall**

Queries can also be raised directly with Staffordshire's CSC First Response Team or the Adult Safeguarding Team (see appendix E for contact details).

Head of Organisational Development

The Head of Organisational Development is responsible for ensuring:

- Appropriate procedures are in place to carry out pre-employment checks for all employees and volunteers working with the Council who have contact with children and / or adults in carrying out their duties, including robust reference and Disclosure and Barring Service (DBS) checks.
- Will ensure that DBS checks are renewed every three years in accordance with DBS policy.
- Will ensure that DBS checks and employee references are kept secure and confidential in compliance with the DBS Code of Practice.
- Will maintain a record of all employees and volunteers that have completed a DBS check and are considered to be suitable for working with children, young people and adults.
- Training is in place for all staff who fall into the definition of level 1 (basic) or level 2 (intermediate) or level 3 (specialist) and any additional specialist training as part of the corporate training plans for induction and on-going training, and that adequate budget is in place to fund training for those staff who require it as a part of their role.
- Appropriate support is provided for any employee that reports a concern in good faith, even if these concerns are subsequently proven to be unfounded.

Departmental Children and Adult Safeguarding Officers

- Staff can seek advice or raise concerns with their Departmental Safeguarding Officer.
- The Departmental Safeguarding Officer must ensure that the concern is recorded and if considered a safeguarding issue referred to Staffordshire Children Social Care First Response Service or in the case of an adult at risk of abuse or neglect to Staffordshire Adult Protection Team, and recorded on the on-line safeguarding concern form.

All Employees and Members

- Should not begin any regulated activity involving direct access to children, young people or adults prior to the Council receiving a satisfactory DBS check in accordance with DBS policy.
- Should be aware of this policy and procedure and of any local or national related policies / procedures that are applicable for their service area, as part of their induction programme.
- Need to attend mandatory child protection and adults at risk training if applicable to their employment role and responsibilities (i.e. if they have direct or some form of indirect contact with children / young people / adults at risk).
- Should be aware of appropriate and inappropriate behaviour for employees who are working with children, young people and adults.
- Need to know who their Designated Safeguarding Officer is.

- Have an expected responsibility to take action when they have concerns, witness or hold information that relates to the abuse of a child, young person or adult.

Contact Information

Tamworth Borough Council's Designated Safeguarding Officer is the Council's Monitoring Officer

Jane Hackett **01827 709258**

Deputy Safeguarding Officers

Director of Assets & Environment

Andrew Barratt **01827 709453**

Director of Housing & Health

Rob Barnes **01827 709447**

Departmental Designated Safeguarding Officers:

Housing Services

Lee Birch **01827 709474**

Lisa Hall **01827 709507**

Legal and Democratic Services

Stephanie Ivey **01827 709381**

Assets and Environment

Jo Sands **01827 709585**

Head of Organisational Development

Christie Timms **01827 709215**

Staffordshire County Council Children's Social Care Services

First Response Team: For all child protection issues contact:

- First Response Team based at the MASH on **0800 1313126 (between 8.30 am and 5.30 pm and 4.30 pm on a Friday)** or via a brief e-mail firstr@staffordshire.gov.uk with your contact details (**please note the e-mail should not include any confidential details about a child or young person**) and explain the need for an urgent response due to a child protection concern.
- Where concerns relate to an adult at risk an Adult Protection referral must be made to the Contact Centre **0845 604 2719 (between 8.30 am and 5.30 pm and 4.30 pm on a Friday)**.
- **Outside of office hours** any concerns relating to a child or adult at risk should be directed to Staffordshire County Council **Emergency Duty Service on 0845 6042886**.
- Alternatively you can contact Staffordshire Police Central Referral Unit on **101** or dial **999 in an emergency**.

Promoting Good Practice with Children and Adults

Code of Conduct for the Protection of Children and Adults

It is possible to limit the situations where the abuse of children and adults may occur, by promoting good practice to all staff, elected members and volunteers.

This code of conduct details the type of practice required by all employees, elected members and volunteers when in contact with children or adults. Suspicions or allegations of non-compliance of the Code by a member of staff will be dealt with through the Council's Disciplinary Procedure.

Tamworth Borough Council supports and requires the following good practice by employees, members and volunteers when in contact with children and adults.

When working with children and adults all parties should:

- Adhere to the Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedure, at all times
- Treat all children and adults equally, with respect and dignity
- Be an excellent role model including not smoking or drinking alcohol in the company of children and adults
- Ensure that personal care is delivered in a dignified manner that meets the needs of the individual
- Involve parents, guardians and carers wherever possible
- Build balanced relationships on mutual trust that empower children and adults to share in the decision making process

Employees shall work to the organisation's policies and procedures, including for example:

- Safeguarding Children and Adults at Risk of Abuse and Neglect Policy
- Code of Conduct
- Whistle blowing

Guidance on the personal use of social networking sites for adults involved in services for children, young people and adults at risk

Due to the increasing personal use of social networking sites, staff, members and volunteers within the workforce should be aware of the impact of their personal use upon their professional position.

In practice, anything posted on the internet will be there forever and is no longer in your control. Remember when something is on the internet even if you remove it, it may have already been “snapshotted” by a “web crawler” and so will always be there. Current and future employers and service users may see this. Keep all professional work completely separate from your private life.

The following guidance, in addition to the above, will safeguard adults from allegations and protect an individual’s privacy as well as safeguard vulnerable groups.

Failure to comply with the following may result in disciplinary action.

- Social networking sites such as facebook have a range of privacy settings which are often set up to ‘expose’ your details to anyone. When ‘open’ anyone can find you from a search of the social networking site or even from a Google search. Therefore, it is important to change your setting to ‘just friends’ so that your details, comments, photographs can only be seen your invited friends. Check settings regularly to ensure they have not changed during updates to sites such as facebook
- Have a neutral picture of yourself as your profile image
- Do not post embarrassing material or comments that may call into question your employment status
- Do not accept friendship requests unless you know the person or want to accept them - be prepared for being bombarded with friendship requests from people you do not know
- Do not make friendship requests with service users
- Choose your social networking friends carefully and ask about their privacy controls
- Do not accept friendship requests on social networking or messaging sites from students, pupils, young people (or their parents) or service users that you work with. For those working with young people remember that ex pupils may still have friends that you may have contact with through your work
- Exercise caution. For example, if you write on a friends ‘wall’ on facebook all of their friends can see your comment even if they are not your friend
- There is a separate privacy setting for facebook groups and networks. You may have your own profile set to private, however, when joining a group or a network please be aware that everyone in that group or network is able to see your profile
- If you have younger friends or family members on your social networking groups who are friends with students, pupils, young people (or their

parents) or service users that you work with, be aware that posts you write will be visible to them

- Do not use your personal or professional details (email or telephone) as part of your profile
- If you or a friend are tagged in an online photo album (facebook, flickr) the whole photo album may be visible to their friends, your friends and anyone else tagged in the photo album
- You do not have to be friends with anyone to be tagged in their photo album, if you are tagged in a photo you can remove the tag but not the photo
- You should be aware of the privacy settings on photo sharing websites
- Your friends may take and post photos that you may not be happy about. You need to speak to them first to request that it is removed rather than contacting the web provider. If you are over the age of 18, the website will only look into issues that contravene their terms and conditions
- Do not use your personal profile in any way for official business. If you are going to be a friend of your organisations official social networking group ensure you have a separate professional profile

If you have difficulty in implementing any of this guidance contact the Designated Safeguarding Officer.

First Aid and Treatment of Injuries

If a child or adult requires first aid or any form of medical attention whilst in the care of an employee, then the following good practice should be followed:

- Be aware of any pre-existing medical conditions, medicines being taken by participants or existing injuries and treatment required
- Keep a written record of any injury that occurs, along with the details of any treatment given
- Where possible, ensure access to medical advice and / or assistance is available
- Only those with a current, recognised First Aid qualification should respond to any injuries
- Where possible any course of action should be discussed with the child/adult, in language that they understand, and their permission sought before any action is taken
- In more serious cases, assistance must be obtained from a medically qualified professional as soon as possible
- The child's or adult's parents/guardians or carers must be informed of any injury and any action taken as soon as possible, unless it is in the child's or adult's interests and on professional advice not to do so
- A notification of accident form must be completed and signed and passed to the Health and Safety Officer.
- Familiarise yourself with the bruising in non-mobile babies policy and procedure. This can be found on the SSCB website <http://www.staffsscb.org.uk/Professionals/Procedures/Section-Three/Section-3-Managing-Individual-Cases.aspx>

For Transporting Children and Adults Away From Home

If it is necessary to provide transport to take children or adults away from home or school the following good practice must be followed:

- Where practical request written parental/guardian consent if members of staff are required to transport children or adults
- Always tell another member of staff that a child or adult is being transported, giving details of the route and the anticipated length of the journey

- Never transport a child or adult unaccompanied, other than in exceptional circumstances. Plan pick ups and drop offs to minimise the risk of being alone with a child or adult
- Ensure all vehicles are correctly insured and well maintained
- Ensure drivers hold current, appropriate driving licenses, and have undergone training as appropriate (e.g. minibus driving, use of wheelchair hoist)
- All reasonable safety measures must be taken, e.g. children in the back seat behind the driver, seatbelts worn and booster seats in place
- Ensure where possible at least one male and one female accompany mixed groups of children or adults. These adults should be familiar with and agree to abide by the Council's Children and Adults at Risk of Abuse and Neglect Safeguarding Policy and Procedures
- Always plan and prepare a detailed programme of activities and ensure copies are available for other staff and parents/guardians

Use of Contractors

Contractors must comply with the principles set out in:

- The Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012
- Disclosure and Barring Service (DBS) Checks: Policy and Guidance for service providers and CQC staff (July 2011)

The operation of effective safeguarding practice relies on having safer selection and recruitment policies in place, which are implemented on each occasion a person is employed or volunteers to work with children, young people or adults at risk of abuse and neglect. **Tamworth Borough Council** and its employees, elected members and volunteers should undertake reasonable care that contractors doing work on behalf of the Council are monitored appropriately. Service Level Agreements or contracts in place for these contractors should therefore specify this requirement.

Any contractor or sub-contractor engaged by the Council in areas where workers are likely to come into contact with children or adults at risk⁷ and take part in

⁷ The DBS definition of regulated activity relating to **adults** no longer labels adults as 'vulnerable'. Instead the definition identifies the **activities** which, if any requires them, lead to that adult being considered vulnerable at that particular time. This means that the focus is on the activities required by the adult and not on the setting in which the activity is received, nor on the personal characteristics or circumstances of the adult receiving the activities. There is no longer a requirement for a person to do the activities a certain number of times before they are engaging in regulated activity. Further guidance is on the DBS website: www.gov.uk/disclosure-barring-service

‘regulated activity’⁸ (as defined within the new definition with effect from September 2012) must have an appropriate DBS checks in place. Additionally they must have their own equivalent Children and Adult Safeguarding Policy, or failing this, must confirm in writing to the relevant departmental manager that they have read and understood and are willing to comply with the terms of this policy and associated procedures.

There are five types of check that are available. Further guidance is provided on the DBS website (www.gov.uk/disclosure-barring-service) to enable employers to establish, which, if any, level of check is required. The checks that are available are:

1. **Enhanced Check for Regulated Activity (Children)** - used when someone is undertaking regulated activity relating to children. This check involves a check of the police national computer, police information and the children’s barred list.
2. **Enhanced Check for Regulated Activity (Adults)** - used when someone is undertaking regulated activity relating to adults. This check involves a check of the police national computer, police information and the adults barred list.
3. **Enhanced Check for Regulated Activity (Children and Adults)** - used when someone is undertaking regulated activity relating to both children and adults. This check involves a check of the police national computer, police information and the children’s and adults barred list.
4. **Enhanced DBS Check** - used where someone meets the pre September 2012 definition of regulated activity. This level of check involves a check of the police national computer and police information.
5. **Standard DBS Check** - used primarily for people entering certain professions such as: members of the legal and accountancy professions. Standard DBS checks just involve a check of the police national computer and do not include a check of police information or the children’s or adults barred lists.

Where there is potential for contact with children or adults it is the responsibility of the manager who is using the services of the contractor (the Client) to check that the correct Disclosure and Barring Service (DBS) check has been satisfactorily completed.

⁸ The full definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, as amended (in particular, by the Protection of Freedoms Act 2012). Further information can be found at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/143666/eligibility-guidance.pdf

Guidelines on Children and Adults in Publications and on the Internet

Websites and publications provide excellent opportunities to publicise achievements of individuals and provide a showcase for the activities of children and adults. In some cases, however, displaying certain information about children and adults could place them at risk.

The following procedure must be followed to ensure the Council's publications and information on the internet does not place children or adults at risk.

- Publications or information on an internet site must never include personal information that could identify the child or adult. Any contact information must be directed to the Council or another relevant organisation.
- Before publishing any information about a child or adult, written consent must be obtained from the child or adult's parent / guardian. If the material is changed from the time of consent, the parents/guardians must be informed and consent provided for the changes (Please see example consent on page 41).
- The content of photographs or videos must not depict a child or adult in provocative pose or in a state of partial undress. Children and adults must never be portrayed in a demeaning or tasteless manner.
- For photographs or videos of groups or teams of children or adults ensure that only the group or team is referred to not individual members. Credit for achievements by an individual child or adult is to be restricted to first names only.
- All published events involving children or adults must be reviewed to ensure the information will not put children or adults at risk. Any publications of specific meetings or child/adult events e.g. team coaching sessions, must not be distributed to any individuals other than to those directly concerned.
- Particular care must be taken when publishing photographs, film or videos of children or adults who are considered particularly vulnerable e.g. the subject of a child or adult safeguarding issue or a custody dispute.

Important Note: Any concerns or enquiries about publications or internet information should be reported to the Council's Communications and Public Relations Team.

Example Consent Form

All information will be treated in strict confidence

Please use block capitals and print clearly

Event/Activity:	Date:
Name of child:	Date of birth:
Home address:	
Home telephone No:	Mobile telephone No:
Medical conditions (if any) e.g. asthma, diabetes, allergies:	

I confirm that my son/daughter is in good health and I give consent / do not consent for my son/daughter to participate in the above event/activity.

I consent / do not consent to any emergency treatment required by my son/daughter during the course of the event/activity

I give / do not give consent for my son/daughter to be photographed during the course of the above event/activity and I consent to the photographs being used by Tamworth Borough Council for bona fide promotional purposes. This also includes the use on the World Wide Web (internet).

The information you provide will be used in accordance with the Data Protection Act 1998, to ensure the safety of all participants and may be shared with other people/organisations involved in the delivery of the above event/activity, if appropriate. By signing this form you are consenting to the Council using the information, which you have supplied in the manner stated above.

Name of Parent/Guardian:

.....

Signature:..... Date:

Guidelines on Use of Photography, Videoing and Filming of Children and Adults - (Including Mobile Phone Technology)

There is evidence that some individuals have used public events as an opportunity to take inappropriate photographs or film footage of children. The following best practice is to be adopted to protect children and adults who are being photographed or videoed.

- When commissioning professional photographers or inviting the press to cover Council services, events and activities organisers must ensure that they make expectations clear in relation to child and adult safeguarding.
- Organisers must check the credentials of any photographers and organisations used.
- Where possible the consent of the parent/guardian for photographing, videoing and / or filming of a child or adult must be obtained prior to the event or activity.
- Where possible anyone wishing to use photographic/film/video equipment at a venue must obtain the approval of the Council.
- An activity or event specific identification badge/sticker must be provided and clearly displayed at all times by the accredited photographers, film and video operators on the day of the activity or event.
- Unsupervised access must not be allowed to children or adults or one to one photographic sessions.
- Do not allow photographic sessions outside of the activities or services, or at a child or adult's home.
- It is recommended that the names of children or adults should not be used in photographs or video footage, unless with the express permission of the child or adult's parent or guardian.
- The Council reserves the right at all times to prohibit the use of photography, film or video at any event or activity with which it is associated.
- The specific details concerning photographic/video and filming equipment should, where possible, be published prominently in event programmes and must be announced over the public address system prior to the start of an event. The recommended wording is,

“In line with the recommendation in the Councils Children and Adults at Risk of Abuse and Neglect Safeguarding Policy, the promoters of the event request that any person wishing to engage in any video, zoom or close

range photography should register their details with staff at the spectator's entry desk before carrying out any such photography. The promoter reserves the right to decline entry to any person unable to meet or abide by the promoter's conditions."

Any concerns with photographers or video or film operators are to be reported to the Council's Designated Safeguarding Officer and where relevant, the Police.

Parents/Carers use of Photographic and Filming Equipment at Events

It is good practice to inform parents/carers of our expectations of them using their own photographic/filming equipment at events organised by the Council.

- Parents/carers and spectators should register with the organiser their intent to use zoom, close range photography or filming equipment at an event.
- Children, adults and parents/carers should be informed that if they have concerns they can report these to the organiser.
- Concerns regarding inappropriate or intrusive photography or filming should be reported to the organiser, or senior member of staff present. It is their responsibility to record the incident on the reporting a concern form and pass on to the Designated Safeguarding Officer to take appropriate action.

An example of wording to be displayed at an event or on publicity material prior to the event should follow the lines of:

"In line with Tamworth Borough Council's Children and Adults at Risk of Abuse and Neglect Safeguarding Policy, any person wishing to engage in zoom, close range photography or filming, should register their intent with the event/activity organiser, prior to carrying out any such photography or filming. The organiser reserves the right to refuse any such photography or filming if there are concerns or complaints about its appropriateness"

(Please see example form to use at events for taking photographs and video material on page 45).

Example Consent Form for the use of Cameras and other Image Recorders

Event you would like to take photographs at	
Reason for taking photographs:	
Name of company (if taking photographs in a professional capacity)	
Full name and address of person taking photographs:	
Tel No: Mobile Tel No. E-mail Address Date of Birth/...../.....	
Relationship of the photographer and subject(s)	
Reason for taking photographs and/or uses the images are being, or are intended to be put to (i.e. family record/advertising etc)	

I declare that the information provided is true and correct and that images will only be used for the purposes stated.

Signed.....

Date

Authorised by:.....

Date:.....

Position held:.....

Under the Data Protection Act 1998 the information that you have provided will be used only for the purposes contained within our Registration Document which is publicly available from Tamworth Borough Council or the Information Commissioners Office, www.ico.gov.uk.

Best Practice in the recruitment of staff and volunteers

Pre-recruitment

If any form of advertising is used to recruit staff and volunteers, it should reflect:

- The responsibilities of the role.
- The level of experience or qualifications required (e.g. experience of working with children is an advantage)
- The Council's open and positive stance on children and adult safeguarding.
- The use of the Disclosure and Barring Service procedures to promote safe recruitment and selection processes.

Applicant Information

All applicants, whether for paid or voluntary, full or part-time positions, should complete an application form which should elicit the following information:

- Name, address and National Insurance Number.
- Past career, relevant interests, any gaps in employment and reasons for leaving.
- Relevant experience, educational qualifications, job specific qualifications and training.
- Any criminal record, convictions, cautions.
- The names of at least two people (not relatives) willing to provide written references that comment on the applicant's previous experience of , and suitability for, working with children or adults where it is a requirement of the job or volunteering role,
- And a willingness to assist in the completion of a DBS check

Checks and References

Staff and volunteers recruited to work in services for children and adults at risk of abuse and neglect must be checked for any possible irregularities (or issues), which may give reason for concern.

A minimum of two references should be taken up, one of which must be the previous employer and if available, at least one should be associated with former work with children or adults. References should include the applicant's suitability

to work with children or adults where it is a requirement of the job (Please see Safeguarding Reference Check form on page 46). Where references are given verbally, they must follow a prescribed format and a written record kept.

In accordance with guidance from the Disclosure and Barring Service (DBS) all posts that have direct contact with children and adults at risk of abuse and neglect will require an Enhanced DBS check. These checks will be completed by the Human Resources Team.

If a DBS check highlights an unspent conviction a risk assessment will be carried out to assess the suitability of the applicant to work with children or adults. This will be carried out by the line manager and Human Resources Officer.

Interview

Interviews are carried out in line with the Council's Recruitment and Selection procedures. The interview is likely to include questions on how to deal with children and adult safeguarding issues. Questions will assess competencies around:

- Forming appropriate relationships
- Acting in an appropriate way to protect the safety of individuals
- Behavioural cues and signs

Induction and Training

Checks are only part of the process to protect children and adults from possible abuse. Appropriate training will enable individuals to recognise their responsibilities with regard to their own good practice and the reporting of suspected poor practice/concern of possible abuse. It is important that the recruitment and selection process is followed by relevant inductions and training in order to further protect children and adults from possible abuse.

The induction and training should include:

- An assessment of the training needs required carried out by the local manager.
- Clarification, agreement and signing up to the Council's Code of Conduct for Employees.
- Clarification, agreement and signing up to the Council's Safeguarding Children and Adults at Risk from Abuse and Neglect Policy and Procedure
- Clarification of the expectations, roles and responsibilities of the job or volunteering role.
- As a minimum the Council expects all staff who have contact with children, young people or adults to have undergone formal safeguarding children and/or adults at risk training related to their job within 3 months of commencement of employment with the Council. Refresher training will be required every 3

years. This is the responsibility of line managers in services where children and/or adults at risk are clients/customers.

Probation, Monitoring and Appraisal

All newly appointed members of staff undergo an agreed period of probation on commencement of their role.

All members of staff who have contact with children and adults will be monitored and their performance appraised. This will give an opportunity to evaluate progress, set new goals, identify training needs and address any issues of poor practice. Line managers should be sensitive to any concerns about poor practice and act on them at an early stage. They should also offer appropriate support to those who report concerns/complaints.

Particular care must be taken to monitor casual and agency staff, whose less frequent employment reduces the opportunities for regular supervision and training and who may therefore be less familiar with policies and procedures.

It is the responsibility of line managers to monitor good practice. This can be done in a number of ways:

- Direct observation of the activity or service
- Staff appraisals, mentoring and providing feedback on performance
- Children's and adults' feedback on the activities or services

Rehabilitation of Offenders

Tamworth Borough Council is committed to the fair treatment of its employees (both paid and voluntary), potential staff or users of its service, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

Having a criminal record will not necessarily bar someone from working or volunteering with the Council. This will depend on the nature of the position, the nature of the offence, how long ago and at what age the offence was committed and any factors which may be relevant.

Failure to declare a conviction, caution or pending police action, will disqualify the applicant from appointment or result in summary dismissal if the discrepancy comes to light.

Safeguarding Reference Check Form

Applicants Name: _____

Post Applied for: _____

Referees Name _____ Position _____

Please complete the following questions in relation to the above persons suitability to work with *children / adults at risk.

The above named person worked with *children / adults at risk in the following context:

#

Please provide details of any disciplinary procedures the applicant has been subject to involving issues related to the safety and welfare of children or adults at risk, including any in which the disciplinary sanction has expired, and the outcome of those:

#

Please provide details of any allegations or concerns that have been raised about the applicant that relate to the safety and welfare of children or adults at risk or behaviour towards children or adults at risk, and the outcome of those concerns e.g. whether the allegations or concerns were investigated, the conclusion reached, and how the matter was resolved:

#

I am satisfied that the above named person is suitable to work with *children/ adults at risk
***yes/no**

If no, please give specific details of your concerns and the reasons you believe the above named person might be unsuitable

#

I understand that I have a responsibility to ensure that the above information is accurate and does not contain any material misstatement or omission; and relevant factual content of the reference may be discussed with the applicant.

Signature.....Date.....

* delete as appropriate

please attach a separate sheet if necessary

Declaration

Tamworth Borough Council is fully committed to safeguarding the wellbeing of children and adults at risk by protecting them, from neglect, physical, sexual, emotional and financial harm.

Working as an employee or volunteer of Tamworth Borough Council or as an elected member it is important that you have taken time to thoroughly read this Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedures.

By being made aware of the policy it is our intention to ensure that all staff are proactive in providing a safe and secure environment for children and adults in our care.

Declaration:

I have read and understood Tamworth Borough Council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedures and I accept the principles therein.

Signed:

Date:

Name (Please print):

.....

Position in organisation:

.....

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Equality Impact Assessment

Name of policy/ procedure/ practice to be assessed	Safeguarding Children & Adults at Risk of abuse and neglect policy		Date of Assessment	4th August 2015	
Is this a new or existing policy/ procedure/ practice?	Revised Policy	Officer responsible for the Assessment	Stephanie Ivey	Department	Legal & Democratic Services
1. Briefly describe the aims, objectives and purpose of the policy/ procedure/ practice?	<p>Tamworth Borough Council has both a legal and moral duty to protect children and adults with care and support needs from harm and abuse. The Children Acts 1989 and 2004 along with the associated statutory guidance set out our legal responsibilities for protecting children. The Care Act 2014 along with associated statutory guidance recognises and reinforces that organisations make a significant contribution to adult safeguarding.</p> <p>The policy provides clear definitions of what constitutes abuse and the procedure that staff/members should follow if they have concerns about the welfare of a child or adult at risk.</p>				
2. Are there any associated policy/ procedure/ practice which should be considered whilst carrying out this equality impact assessment?	Information Sharing Protocol, Acceptable Use Policy, Whistleblowing Policy				
3. Who is intended to benefit from this policy/ procedure/ practice and in what way?	Service users, our staff, partner agencies, stakeholders and the wider community.				
4. What are the desired outcomes from this policy/ procedure/ practice?	The Safeguarding Children & Adults at risk of abuse and neglect policy is an overarching statement of the Council's commitment to protect those children and adults who have been identified as being 'at risk' of harm or abuse being referred to the appropriate services to protect them.				
5. What factors/ forces could contribute/ detract from the outcomes?	<p>Factors to contribute to positive outcomes are</p> <ul style="list-style-type: none"> • commitment to the policy from staff 				

	<ul style="list-style-type: none"> • staff recognising and accepting that abuse does take place • staff confident to raise concerns with the appropriate team about a child or adult at risk <p>Factors that could detract are:</p> <ul style="list-style-type: none"> • lack of training for staff around the policy and associated procedures • a reluctance of staff to share information about their concerns • a fear that they may make a wrong decision. 		
6. Who are the main stakeholders in relation to the policy/ procedure/ practice?	Staff, Councillors, Staffordshire Safeguarding Children Board, Staffordshire & Stoke-on-Trent Adult Safeguarding Partnership		
8. Which individuals/ groups have been/ will be consulted with on this policy/ procedure/ practice?	<p>Please explain</p> <p>Staffordshire Safeguarding Children Board, Staffordshire & Stoke-on-Trent Adult Safeguarding Executive Board, Organisational Development, Tamworth Borough Council Corporate Management Team, Internal Audit, Portfolio Holder for Communities and Public Health</p>		
9. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact on racial groups?	Y	N <input checked="" type="checkbox"/>	<p>Please explain, your reasoning, giving details of existing evidence (either presumed or otherwise).</p> <p>All aspects of vulnerability are at the forefront of this policy.</p>
10. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to gender?	Y	N <input checked="" type="checkbox"/>	<p>Please explain, your reasoning, giving details of existing evidence (either presumed or otherwise).</p> <p>There are no gender specific issues.</p>

11. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to them being transgender or transsexual?	Y	N X	Please explain, your reasoning, giving details of existing evidence (either presumed or otherwise).
12. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to disability?	Y	N X	Please explain, your reasoning, giving details of existing evidence (either presumed or otherwise).
13. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to sexual orientation?	Y	N X	Please explain, your reasoning, giving details of existing evidence (either presumed or otherwise).
14. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to age?	Y	N X	Please explain, your reasoning, giving details of existing evidence (either presumed or otherwise).
15. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to religious belief?	Y	N X	Please explain, your reasoning, giving details of existing evidence (either presumed or otherwise).
16. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact on Gypsies/ Travellers?	Y	N X	Please explain, your reasoning, giving details of existing evidence (either presumed or otherwise).

17. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to dependant/caring responsibilities?	Y	N X	Please explain, your reasoning, giving details of existing evidence (either presumed or otherwise).
18. Are there concerns that the policy/ procedure/ practice <u>could</u> have a differential impact due to them having an offending past?	Y	N X	Please explain, your reasoning, giving details of existing evidence (either presumed or otherwise). Dependant on the type of offence committed if the offence bars the individual from working with children or adults at risk
19. Are there concerns that the policy/ procedure/ practice could have an impact on children or vulnerable adults?	Y	N X	Please explain, your reasoning, giving details of existing evidence (either presumed or otherwise). Will be a positive impact as it will support and identify specific needs.
20. Does any of the differential impact identified cut across the equality strands (e.g. elder BME groups)?	Y	N X	Please explain
21. Could the differential impact identified in 9 – 20 amount to there being the potential for adverse impact in this policy/ procedure/ practice?	Y	N X	Please explain
22. Can this adverse impact be justified: <ul style="list-style-type: none"> • on the grounds of promoting equality of opportunity for one group? • For any other reason? 	Y	N	Please explain for each equality heading on a separate piece of paper (questions 9 – 20).

23. As a result of carrying out the equality impact assessment is there a requirement for further consultation?	Y <input type="checkbox"/>	N <input checked="" type="checkbox"/>	Please explain
24. As a result of this EIA should this policy/ procedure/ practice be recommended for implementation in it's current state?	Y <input checked="" type="checkbox"/>	N <input type="checkbox"/>	Please explain

PLEASE COMPLETE THE FOLLOWING ACTION PLAN FOR ALL IMPACT ASSESSMENTS

Equality Impact Assessment Action Plan

Complete the action plan demonstrating the changes required in order to meet TBC's commitment to equality and diversity. The action plan must contain monitoring arrangements, the publishing of results and the review period required for this policy.

ACTION/ ACTIVITY	RESPONSIBILITY	TARGET	PROGRESS
Monitoring arrangements:		Data collected quarterly	
Publication:			
Review Period:		Reviewed 12 monthly unless otherwise stated	

Expand as appropriate

Signed
(Completing Officer).....

Date

Signed
(Head of Department)

Date

Signed
Corporate Diversity/ Equality

Date