

Notice of Meeting



THE CABINET

Tuesday, 17 January 2012 - 5:00 pm
Council Chamber, Civic Centre, Dagenham

Members: Councillor L A Smith (Chair); Councillor R Gill (Deputy Chair); Councillor J L Alexander, Councillor H J Collins, Councillor C Geddes, Councillor M A McCarthy, Councillor L A Reason, Councillor P T Waker, Councillor J R White and Councillor M M Worby

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AGENDA

1. **Apologies for Absence**
2. **Declaration of Members' Interests**

In accordance with the Council's Constitution, Members are asked to declare any personal or prejudicial interest they may have in any matter which is to be considered at this meeting.
3. **Minutes - To confirm as correct the minutes of the meeting held on 14 December 2011 (Pages 1 - 6)**
4. **Budget Monitoring 2011/12 - April to November 2011 (Pages 7 - 37)**
5. **Corporate Grants and Commissioning Programme 2012/13 (Pages 39 - 55)**
6. **Housing Concierge and Estate Policing Proposal (Pages 57 - 64)**
7. **"Sporting Barking and Dagenham" - A Sport and Physical Activity Strategy for the Borough (Pages 65 - 104)**
8. **Review of Responsibilities for Naming and Renaming of Roads and Buildings (Pages 105 - 109)**
9. **Review of Legal Services and Future Proposals (Pages 111 - 123)**
10. **Host Borough Employment and Skills Programme (Pages 125 - 129)**

- 11. Adoption of Joint Waste Plan and Adoption of Local Development Framework Proposals Map (Pages 131 - 135)**
- 12. The Policies and Strategies of the Assurance and Risk Division (Pages 137 - 220)**
- 13. The Adult Social Care Local Account 2010/11 (Pages 221 - 258)**
- 14. Term Contract for Asbestos Analysis and Surveying in Council Properties (Pages 259 - 265)**
- 15. Term Contract for Asbestos Removal and Management in Council Properties (Pages 267 - 273)**
- 16. Any other public items which the Chair decides are urgent**
- 17. To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.**

Private Business

The public and press have a legal right to attend Council meetings such as the Cabinet, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended).

- 18. Approval of Transfer of Further Services to Elevate Joint Venture (to follow)**
Concerns the financial and business affairs of a third party (paragraph 3)
- 19. Any other confidential or exempt items which the Chair decides are urgent**

THE CABINET

Wednesday, 14 December 2011
(2:00 - 2:17 pm)

Present: Councillor L A Smith (Chair), Councillor R Gill (Deputy Chair), Councillor J L Alexander, Councillor H J Collins, Councillor M A McCarthy, Councillor P T Waker, Councillor J R White and Councillor M M Worby

Also Present: Councillor I S Jamu and Councillor H S Rai

Apologies: Councillor C Geddes and Councillor L A Reason

76. Declaration of Members' Interests

Councillor White declared a personal interest in relation to the report "Debt Management Performance and Write-Offs 2011/12 (Quarter 2)" as he was a Council-appointed representative to the Elevate East London LLP Board.

77. Minutes (22 November 2011)

The minutes of the Cabinet meeting on 22 November 2011 were confirmed as correct.

78. Budget Monitoring 2011/12 - April to October 2011

The Cabinet Member for Finance and Education presented a report on the Council's revenue and capital budget position for 2011/12 as at 31 October 2011.

The General Fund showed an improved position at the end of October with a projected year-end overspend of £1.8m (before the planned £1.5m contribution to balances) compared to £2.2m as reported at the last meeting. The Cabinet Member also referred to directorates' achievement against the savings targets for the current year and the steps being taken to mitigate the projected shortfalls in Adult and Community Services (£200,000), Children's Services (£174,000) and Housing and Environment (£766,000). In respect of the potential savings risk related to community halls, the Corporate Director of Adult and Community Services advised that the agreements with community associations for the transfer of leases had all now been signed.

The Housing Revenue Account (HRA) continued to show a positive position, with a projected additional contribution to the HRA reserve of £197,000, and the Cabinet Member also referred to the current position in respect of the Capital Programme and proposals to adjust some capital budgets to reflect the current status of projects.

Cabinet **agreed:-**

- (i) To note the projected outturn position for 2011/12 of the Council's revenue budget as detailed in paragraphs 2.3 - 2.11 and Appendix A of the report;

- (ii) To note the progress against the 2011/12 savings targets as detailed in paragraph 2.12 and Appendix B of the report;
- (iii) To note the position for the HRA as detailed in paragraph 2.13 and Appendix C of the report;
- (iv) To note the projected outturn position for 2011/12 of the Council's capital budget as detailed in paragraph 2.14 and Appendix D of the report; and
- (v) To approve the capital budget adjustments as set out in appendix E of the report.

79. Budget Strategy 2012/13 to 2014/15

Further to Minute 50 (18 October 2011), the Cabinet Member for Finance and Education reported on the Council's budget preparations for 2012/13 and beyond and, in particular, the outcome of the consultation on the budget savings options for next year.

The Cabinet Member advised on the key issues that would impact on the Council's finances in the years ahead, including the Government's proposed localisation of National Non-Domestic Rates (NNDR) and Council Tax Benefits. He also praised the successful consultation exercise on the budget savings options which had resulted in a number of the options being withdrawn, deferred or amended as a direct result of the feedback from local residents, businesses and partners through the Select Committee scrutiny process and the other engagement methods.

Cabinet agreed:-

- (i) To note the current projected financial position for the Council for 2012/13 and beyond as set out in this report;
- (ii) To note the responses to the budget consultation process via:
 - a. the Select Committees, as set out in paragraph 5.5 and Appendix F of the report;
 - b. public consultation through Leader's Question Time, the Council's website, Facebook and Twitter and the Local Strategic Partnership Board, as set out in paragraphs 5.6 - 5.10 of the report;
 - c. Trade Union and staff consultation, as set out in paragraph 5.11 of the report and the updated version of Appendix A tabled at the meeting.
- (iii) In the light of the above and having regard to the Equalities Impact Assessments at Appendix E, to approve the savings proposals as listed in Appendix B to the report for implementation with effect from 1 April 2012;
- (iv) To note that the following savings options were withdrawn as a result of representations made via the budget consultation process:
 - FIN&RES/SAV/03 - Credit Card charges
 - FIN&RES/SAV/17 - Removal of Free School Uniform awards
 - CUS/SAV/01 - Strategic Commissioning of domestic and refuse services

- CHS/SAV/15 - Social Work restructure
- (v) To note that the savings option in respect of Localities Management (CUS/SAV/02) was deferred pending further consideration;
- (vi) To note that the following savings options were amended following further consideration in the light of the representations made via the budget consultation process:
- ACS/SAV/20 - Community Safety Co-ordinators
 - FIN&RES/SAV/01 - Transfer of Assets and Commercial Services Division to Elevate
 - FIN&RES/SAV/06 - One Stop Shop Opening Hours
 - CUS/SAV/11 - Naturalisation of grassland areas
- (vii) To authorise the Corporate Director Adult and Community Services, in consultation with the Cabinet Member for Culture, Leisure and Sport, to take appropriate measures to implement the savings target identified in ACS/SAV/11 - Termination of subsidy to Broadway Theatre; and
- (viii) Note that officers are to issue notice, with effect from 22 December 2011, to affected staff who are at risk of redundancy as a result of the savings proposals in Appendix B.

80. Calculation and Setting of the Council Tax Base for 2012/13

The Cabinet Member for Finance and Education presented a report on the calculation of the Council Tax Base for 2012/13 and information on powers available to the Council to set locally determined discounts.

Cabinet **agreed**:-

- (i) That in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amount calculated by the London Borough of Barking and Dagenham as its Council Tax Base for the year 2012/13 shall be 53,086.9 Band 'D' properties;
- (ii) That the discount for long-term empty properties and second homes continue to be set at 10%;
- (iii) That no locally determined discounts based on categories of property or occupier be awarded for 2012/13; and
- (iv) That there be no award of reductions for prompt payment during 2012/13.

81. Memorandum of Understanding for Joint Working with NHS Outer North East London

The Cabinet Member for Health presented a report on a proposed agreement, in the form of a Memorandum of Understanding, between the Council and NHS Outer North East London (NHS ONEL) to formalise arrangements between the parties for matters such as accountability structures, terms and standards for joint working and identifying joint priorities.

The Cabinet Member explained that NHS ONEL was formed in February 2011 as a result of the amalgamation of NHS Barking and Dagenham, NHS Havering, NHS Redbridge and NHS Waltham Forest into a new 'cluster management team'. This 'clustering' arrangement left the borough-based Primary Care Trusts (PCTs) in place as legal entities, but brought their management together into a single structure and created a joint Board to be accountable for all four PCTs' work. This was a means of achieving the tough management savings targets imposed on PCTs by the Department of Health and was a step towards the eventual abolition of PCTs in 2013, as proposed in the Health and Social Care Bill currently before Parliament.

The Cabinet Member referred to the key features of the Memorandum of Understanding, namely:

- To ensure that strategic plans are developed jointly, in line with the impending duty on the Council's Health and Wellbeing Board to promote integrated working;
- The expected attendance by NHS ONEL at the Borough's partnership groups and working groups;
- To establish expectations around safeguarding, including representation at relevant forums (not least the Local Safeguarding Children Board and the Safeguarding Adults Board) and adherence to protocols and guidance in planning and delivering services; and
- To establish arrangements for disputes and monitoring.

Cabinet **agreed**:-

- (i) The current draft of the Memorandum of Understanding, as set out in Appendix 1 to the report, as the basis for concluding the negotiations with NHS ONEL; and
- (ii) To authorise the Corporate Director of Adult and Community Services to proceed to conclude negotiations with NHS ONEL on any remaining outstanding items and to sign the Memorandum of Understanding on the Council's behalf.

82. Debt Management Performance and Write-Offs 2011/12 (Quarter 2)

The Cabinet Member for Finance and Education presented a report on the performance during the second quarter of the 2011/12 financial year (July - September 2011) in respect of the debt management function carried out by the Revenues and Benefits Service within Elevate East London, together with details of the debts written-off as uncollectable during the period and comparable information from the previous financial year.

The Cabinet Member for Housing commented that a considerable proportion of debts were believed to accrue during the period between individuals' actually abandoning properties and the Council becoming aware and closing the account. The Cabinet Member for Finance and Education added that efforts to recover debts continued even after formal write-off and that Members would be provided with appropriate details as part of those efforts.

Cabinet **agreed**:-

- (i) To note the performance of the debt management function carried out by the Revenues and Benefits Service operated by Elevate East London as detailed in the report; and
- (ii) To note the debt write-offs during the second quarter of 2011/12 and that a number of those debts would be publicised in accordance with the policy agreed by Minute 69 (6 November 2007).

83. Private Business

Agreed to exclude the public and press for the remainder of the meeting by reason of the nature of the business to be discussed which included information exempt from publication by virtue of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

84. William Street Quarter and Eastern End of Thames View Disposal and Delivery Options

Further to Minute 135 (10 May 2011), the Cabinet Member for Housing presented an update on the proposals to enter into a partnership with Thames Partnership for Learning Regeneration Limited, the Building Schools for the Future Local Education Partnership (BSF LEP), and an Institutional Funder to secure the regeneration of land at William Street Quarter, Barking Town Centre and the eastern end of Thames View, Barking.

The Cabinet Member referred to the four key Council objectives for the project, namely (i) maximise social rent homes and affordable tenures, (ii) ensure speed and certainty of delivery, (iii) maintain design, sustainability (code level 4) quality and space standards, and (iv) ensure local accountability and developing capacity within the community. He confirmed that all four objectives would be achieved under the proposed partnership agreement through the delivery of 477 new affordable homes, comprising a mix of three and four-bed family properties and one and two-bed flats, all at affordable rent levels.

Cabinet **agreed**:-

- (i) To the disposal by way of long lease (252 years) to a wholly owned subsidiary of the BSF LEP of the parcels of land at William Street Quarter and the eastern end of Thames View as shown in Appendix 1 and on the terms set out in Appendix 2 of the report;
- (ii) To authorise the Corporate Director of Finance and Resources, in consultation with the Divisional Director of Legal and Democratic Services and the Cabinet Members for Finance and Education, Housing and Regeneration, to agree the Master Agreement for both developments and all other related documents to fully implement and effect the Project, as described in Appendix 2 and the body of the report;
- (iii) To authorise the Divisional Director of Legal and Democratic Services, or an authorised delegate on her behalf, to execute all of the legal agreements,

contracts and other documents on behalf of the Council;

- (iv) To authorise the Corporate Director of Finance and Resources to issue, on behalf of the Council, such certificate or certificates under the Local Government (Contracts) Act 1997 to Thames Partnership for Learning Regeneration Limited (the BSF LEP) and the Funder (or such other bodies as may be parties to the Master Agreement) in respect of the Master Agreement, and to the Funder in respect of any Direct Agreement entered into between it and the Council relating to the Master Agreement;
- (v) That the Corporate Director of Finance and Resources be fully indemnified by the Council in the event of any claim against her arising from the provision of any Certificates she may issue in accordance with recommendation (vi) above; and
- (vi) To the appropriation from the Housing Revenue Account (HRA) to the General Fund (GF) of the land at the eastern end of Thames View as shown on the map attached at Appendix 1 to the report.

CABINET

17 JANUARY 2012

Title: Budget Monitoring 2011/12 - April to November 2011	
Report of the Cabinet Member for Finance and Education	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Kathy Freeman, Group Manager. Corporate Finance	Contact Details: Tel: 020 8227 3497 E-mail: kathy.freeman@lbbd.gov.uk
Accountable Divisional Director: Jonathan Bunt, Divisional Director of Finance	
Accountable Director: Tracie Evans, Corporate Director of Finance and Resources	
<p>Summary:</p> <p>This report provides Cabinet with an update of the Council's revenue and capital position for the seven months to the end of November 2011.</p> <p>The Council began the current financial year in a better financial position than the previous year with a General Fund (GF) balance of £10.8m.</p> <p>At the end of November 2011, total Service expenditure for the full year is projected to be £184.6m against the approved budget of £183.4m; a projected over spend of £1.2m. The over spends arise in Children's Services (Complex Needs and Social Care), Housing and Environment (reduced income and cost pressures in Environmental divisions) and Finance and Resources (due to an over stated recharge budget in Revenues and Benefits). Further explanatory summaries are contained in section 2 of this report.</p> <p>The 2011/12 budget includes a planned contribution of £1.5m to further improve GF balances. The current projected service pressures of £1.2m, less the planned contribution to balances of £1.5m, could result in the General Fund balance increasing by £0.3m to £11.1m.</p> <p>The Housing Revenue Account (HRA) is projected to contribute £45k less than budgeted to the HRA reserve. The projected contribution to the HRA reserve currently stands at £1.4m. The HRA is a ring fenced account and cannot make contributions to the General Fund.</p> <p>The Capital Programme has been updated to reflect project roll-overs and changes approved at Cabinet on 14 June and the budget stands at £158.2m; this represents the position on all the schemes in the capital programme. Capital budgets cannot contribute to the General Fund revenue position although officers ensure that all appropriate capitalisations occur. The report includes a request to make budget adjustments to the existing capital programme as detailed in appendix E.</p>	

Recommendation(s)

The Cabinet is recommended to:

- (i) Note the projected outturn position for 2011/12 of the Council's revenue budget as detailed in paragraphs 2.3 to 2.11 of the report;
- (ii) Note the progress against the 2011/12 savings targets in paragraph 2.12 of the report;
- (iii) Note the position for the HRA as detailed in paragraph 2.13 of the report;
- (iv) Note the projected outturn position for 2011/12 of the Council's capital budget as detailed in paragraph 2.14 of the report;
- (v) Approve the transfers from contingency as set out in paragraph 2.15 of the report;
- (vi) Approve the capital budget adjustments as set out in appendix E of the report.

Reason(s)

As a matter of good financial practice, the Cabinet should be regularly updated with the position on the Council's budget. In particular, this paper alerts Members to particular efforts to reduce in year expenditure in order to manage the financial position effectively.

1 Introduction and Background

- 1.1 The Outturn report to Cabinet on 14 June 2011 reported that, as at 31 March 2011, general fund balances stood at £10.8m, an increase of £2.8m on the position twelve months earlier. This position has been confirmed following completion of the audit of the Council's Statement of Accounts.
- 1.2 This report provides a summary of the Council's General Fund and HRA revenue and capital positions. It also provides an update on progress made to date in the delivery of the agreed savings targets built into the 2011/12 budget setting out risks to anticipated savings and action plans to mitigate the risk.
- 1.3 It is important that the Council regularly monitors its revenue and capital budgets to ensure good financial management. This is achieved within the Council by monitoring the financial results on a monthly basis through briefings to the Cabinet Member for Finance, Revenues and Benefits and reports to Cabinet. This ensures Members are regularly updated on the Council's overall financial position and enables the Cabinet to make relevant financial and operational decisions to meet its budgets.
- 1.4 The report is based upon the core information contained in the Oracle general ledger system supplemented by examination of budgets between the budget holders and the relevant Finance teams. In addition, for capital monitoring there is the work carried out by the Capital Programme Management Office (CPMO).

2 Current Overall Position

2.1 The current Directorate revenue projections (before the planned contribution to balances of £1.5m) indicate an over spend of £1.2m for the end of the financial year of which:

- £0.5m arises from pressures in Children's Services. An over spend of £1.9m within the Complex Needs and Social Care budget is forecast offset by a projected £1.4m under spend against the Targeted Support and the Commissioning budgets;
- £0.7m arises from cost pressures in Environmental Services (0.6m) and General Fund Housing (0.1m);
- £1.4m in Finance and Resources due to an error in setting the recharge budgets in Revenues and Benefits;
- (£0.5m) under spend in the Chief Executive's Directorate due to vacancies and under spends in the corporate training budget;
- (£0.9m) under spend in Central Expenses due to lower interest payments and a one off VAT claim.

The initial net forecast of a £0.3m under spend (£1.2m less £1.5m) would result in the Council's General Fund balance remaining above the budgeted target of £10.0m. The Chief Finance Officer has a responsibility under statute to ensure that the Council maintains appropriate balances. Actions have already been put in place to reduce the Council's net out-goings.

2.2 In the report to Members regarding the setting of the 2011/12 annual budget and Council Tax, the Corporate Director of Finance and Resources, after consideration of the factors outlined in the CIPFA guidance on Local Authority Reserves and Balances 2003, set a target GF reserves level of £10.0m. The General Fund balance at 31 March 2011 was £10.8m and the current projected balance for the end of the financial year (including the planned contribution to balances of £1.5m) is £11.1m.

The HRA budget for 2011/12 includes a contribution to the HRA reserve of £1.5m. At the end of November, the HRA is forecasting an over spend of £45k.

	Balance at 1 April 2011	Projected Balance at 31 March 2012	Target Balance at 31 March 2012
	£'000	£'000	£'000
General Fund	10,841	11,150	10,000
Housing Revenue Account (including Rent Reserve)	4,448	5,872	4,448

- 2.3 The current full year projection to 31 March 2012 across the Council for the General Fund is shown in the table below.

Council Summary	Net Budget	Full year projection at November 2011	Over/(under) Budget Projection
	£'000	£'000	£'000
<u>Directorate Expenditure</u>			
Adult and Community Services	64,880	64,880	-
Children's Services	65,555	66,055	500
Housing and Environment	20,625	21,341	716
Finance and Resources	19,232	20,643	1,411
Chief Executive	931	415	(516)
Central Expenses	12,159	11,239	(920)
Total Service Expenditure	183,382	184,573	1,191
Planned Contribution to Balances			(1,500)
Total Projection at end of November 2011			(309)

2.4 Directorate Performance Summaries

The key areas of potential over spend and risks are outlined in the paragraphs below.

2.5 Adult and Community Services

Directorate Summary	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	69,951	64,880	64,880
Projected over/(under)spend			-

The Adult and Community Service (ACS) budget position at month 8 of the 2011/12 financial year is projecting a break-even position for the year end.

The Directorate is experiencing severe pressures at the interface with local hospitals and the PCT at this time, which may have led to budget over spends if the Directorate had not been successful in securing through negotiation the funding 'to support social care where it benefits health' of £2.4 million. Discussions continue with the ONEL PCT cluster about the impact of their budgetary policy on jointly commissioned services and on Council services.

The current budgets reflect savings decisions made last year as part of the Council Tax setting process, which amounted to reductions of £4.6m from the ACS Budget this will represent a challenge to deliver without service detriment.

The Directorate and its Management Team have a track record of dealing with issues and pressures throughout the year to deliver a balanced budget.

Savings targets are currently showing a potential shortfall of £200k due to pressures in the following areas:

- Community Equipment (ACS/SAV/26) – this budget has had significant pressures due to a high demand and is now showing an over spend of £100k which is being off-set by other savings within the directorate;
- Mental Health (ACS/SAV/27) – placement budgets are experiencing pressure which they are managing through the social care funding and establishments.

The Directorate will ensure these savings are met through managing other budgets robustly.

2.6 Children's Services

Directorate Summary	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	61,913	65,555	66,055
Projected over/(under)spend			500

Last month the Children's Service was reporting a pressure of £1.2m. Management actions were in place to reduce the pressure to £0.7m to £0.9m by the end of the financial year.

At month 8, the Service is reporting a significantly reduced year end pressure of around £0.5m, a reduction of £0.7m. This reduction is as a result of management actions to hold back all non-essential spend in light of budgetary pressures and the reduction of expenditure in the current financial year to ensure savings approved for 2012/13 will be achieved in full. Managers are continuing to identify actions to further reduce the pressure of £0.5m by year end.

A number of the management actions identified to reduce pressures in 2011/12 are non-recurrent and will not be available in 2012/13 as they form part of approved savings. The non-recurrent management actions, at month 8, total £2.0m of which £0.5m relates to maximising grant flexibilities and £1.5m relates to holding back on non-essential spend, vacancy management and bringing forward 2012/13 savings.

The service is committed to finding the £4.5m of savings built into the 2011/12 budget. There are risks around some of these savings and a £174k shortfall is currently projected:

- £35k Court Assessment Team (CHS/SAV/21) – There are pressures reported against this budget and these are being reviewed with a view to managing this pressure by year end;
- £39k Woodland premises costs (CHS/SAV/32) – This property is still operational and the savings will not be achieved in 2011/12. The shortfall will be met elsewhere within the service.
- £100k Charging for CiC (CHS/SAV/37) – The charging policy is currently being developed in preparation for 2012/13.

2.7 Dedicated School Grant (DSG)

DSG is a ring-fenced grant that is allocated to Schools. As such there can be no under or over spend. The Council retains £17.9m of the DSG in 2011/12 (2010/11; £16.3m) to spend on central education services.

2.8 Housing and Environment

Directorate Summary	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	23,961	20,625	21,341
Projected over/(under)spend			716

At the end of November 2011 Housing and Environment is forecasting to over spend by £716k which is £50k less than the previous month's over spend position of £766k. There is an additional pressure this month due to increased costs from delivery of orange bags as well as overtime/agency staff costs arising from the impact of the strike and Remembrance Day.

The main other pressures are:

- Refuse income related to trade waste;
- Staff costs in refuse;
- Rising fuel & energy prices above budgeted inflation;
- Parking pressures relating to supplies and services, income and debt management;
- Reduction in school buy-backs impacting on refuse and grounds maintenance income;
- Temporary accommodation costs due to changes in Housing Benefit Subsidy rules. The service is addressing this through a combination of converting more expensive Private Sector Landlords on to a lower cost portfolio, as well as using the Council's own properties where feasible.

The overall savings target for Housing and Environment was £4.3m of which the latest forecast is that £3.3m will be delivered this year leaving a shortfall of £1.0m. This is due to:

- £52k Road Safety (CUS/SAV/9) – The service has to bear the costs of 2 FTEs for 2 months until the process is completed in January 2012;
- £35k Street Scene Call Outs (CUS/SAV/7) - Due to delay in implementing revised staff terms and conditions;
- £596k Parking CPZ (CUS/SAV/6) - Of the areas consulted only 12 roads have been agreed for CPZ implementation. New income streams will be generated to offset this shortfall;
- £30k Parks & open spaces (CUS/SAV/5) – Delay in implementing revised staff terms and conditions;
- £125k Redesigning street cleansing operations (CUS/SAV/2) - Cleansing was over its establishment by 10 staff over a period of 5 months due to a delay in implementing revised staff terms and conditions;
- £174k Street Scene Parking – Delay in implementing staff permits (£117k) and lower than budgeted parking income (£57k).

The pressures are being managed by a strong action plan including limiting spend on non-essential items and by offset of the £750k of Directorate contingency. There is a risk that the reported over spend may increase if proposed action plans slip.

The service is also bringing forward efficiency savings planned for 2012/13 e.g. double-shifting.

2.9 Finance and Resources

Directorate Summary	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	14,662	19,232	20,643
Projected over/(under)spend			1,411

The Finance & Resources department is projecting a £1.4m over spend that is an increase from last month. The over spend is mainly due to the Directorate's inherited budget pressure of £1.4m already existing within the Revenues & Benefits service at the point of transfer. This pressure has been highlighted in the Medium Term Financial Strategy and a request to transfer £1.4m from Contingency to meet this pressure is contained in paragraph 2.15 of this report.

There have also been under spends across the department mainly from vacant posts.

The Directorate is expecting to achieve its 2011/12 saving targets.

2.10 Chief Executive

Directorate Summary	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	991	931	415
Projected over/(under)spend			(516)

The Chief Executive Directorate is currently reflecting a £516k under spend mainly due to part year vacancies and an under spend within the Human Resources Corporate Training budgets. Some services have experienced early budget pressures due to a delay in implementing their new structures but these have been identified at an early stage and mitigating actions have now resulted in service under spends.

The Directorate is expecting to achieve its 2011/12 saving targets.

2.11 Central Expenses

Directorate Summary	2010/11 Outturn	2011/12 Budget	2011/12 Projection
	£'000	£'000	£'000
Net Expenditure	(19,482)	12,159	11,239
Projected over/(under)spend			(920)

As part of the Central Expenses savings target for this year, £1.0m was planned to be generated through the implementation of revised Terms and Conditions of Employment across the Council. This has now been implemented but will not generate the full year saving included in the budget. In 2011/12, as implementation occurred part way through the financial year, only part of the saving will be achieved. An impact assessment arising from the delay in implementing this project has been undertaken and shows a £630k shortfall. A budget transfer from contingency has taken place to offset this pressure.

Following a change to the Value Added Tax (VAT) liability of various Council services the Council successfully submitted a one off VAT claim for £420k. The claim related to VAT payments made over a number of years.

Due to the management of our cash balances a net under spend of £500k is projected against the budgets for interest payable and interest receivable.

2.12 In Year Savings Targets

The delivery of the 2011/12 budget is dependent on meeting a savings target of £20.3m. Directorate management teams are monitoring their targets and providing a monthly update of progress which is summarised in the table below. The savings shortfalls have been included in the Directorate projections set out in section 2.5 to 2.11 above. A detailed breakdown of savings is provided in appendix B.

Directorate Summary of Savings Targets	Target £'000	Projection £'000	Shortfall £'000
Adult and Community Services	4,620	4,420	200
Children's Services	4,500	4,326	174
Housing and Environment	4,264	3,252	1,012
Finance & Resources	1,046	1,046	-
Chief Executive	1,914	1,914	-
Central Expenses	4,000	3,370	630
Total	20,344	18,328	2,016

2.13 Housing Revenue Account (HRA)

There is a budget pressure on the HRA as at month 8 of £45k. The HRA budget includes a contribution to the HRA reserve and this deficit would result in a net contribution to reserves of £1.4m. The current budget pressures are:

- Severance costs of £238k have been offset by reduced staffing costs where there are vacant posts. The Council was unable to capitalise the severance costs as the criteria set by government was not met;
- The projected outturn includes allowances to cover the part year costs of additional Metropolitan Police Officers as well as potential costs associated towards tendering of a new Repairs and Maintenance contract;
- Rising energy and insurance costs which may not all be recoverable until the next financial year when the costs can be passed on to the leaseholders;
- The pressures are being offset by additional rental income from properties which are earmarked for decants. This is because the rate of decants is slower than originally budgeted for.

A detailed HRA is provided in appendix C.

2.14 Capital Programme

The Capital Programme budget has been updated to reflect the capital roll forwards approved by Cabinet on 14 June 2011 and all subsequent approvals.

Directorate Summary of Capital Expenditure	Original Budget £'000	Revised Budget £'000	Projected Outturn £'000	Projected Variance £'000
Adult & Community Services	10,322	13,327	13,326	(1)
Children's Services	56,993	75,203	76,028	825
Housing & Environment	37,472	46,127	45,827	(300)
Finance & Resources	16,868	23,527	22,890	(637)
Total	121,655	158,184	158,071	(113)

In addition to the above projected capital expenditure, the Council has also entered into a Private Finance Initiative (PFI) with Laing O'Rourke for the construction of a new building for Dagenham Park School. The projected capital expenditure on the project for 2011/12 is £13.8m.

However, as part of the PFI contract the construction costs and associated risks are met by Laing O'Rourke and in return the Council pays an agreed annual charge. The PFI is due for completion in April 2012 with a total projected spend of £23.8m.

At the end of November 2011 the overall status of LBBD's Capital Programme is 'Green'. All departments attained a status of 'Green'.

The over spend in Children's Services arises from:

- Devolved Capital Formula £413k – The projected spend assumes additional external funding that will be added to the budget once confirmation is received;
- Eastbury Primary School £340k – Variations to the original specification have caused an over spend. Additionally £200k of budget was transferred to other school projects;
- Beam Primary Expansion £127k – Items such as asbestos checks, professional fees and retention amounts were higher than predicted.

Further explanations for variances are provided in the detailed Capital Programme at appendix D.

Budget adjustment requests are contained within appendix E.

2.15 Transfers From Contingency Requesting Approval

Cabinet are requested to approve an ongoing transfer of £1,406k from Contingency to meet the ongoing budget issues experienced in the Revenues and Benefits divisions.

Cabinet are also requested to approve a one-off transfer of £307k from Contingency to offset the savings shortfall in Housing and Environment. The shortfall has been caused by a delay in implementing revised staff terms and conditions (£190k) and the delay in introducing staff parking permits (£117k). The savings shortfalls are detailed in paragraph 2.8 of this report.

2.16 **Financial Control**

At the end of November all key reconciliations have been prepared and reviewed and no major reconciling items unexplained.

3 **Options Appraisal**

The report provides a summary of the financial position at the relevant year end and as such no other option is applicable for appraisal or review.

4 **Consultation**

The report has been circulated to appropriate Divisional Directors for review and comment. Specific implications are noted in section 7.

Individual Directorate elements have been subject to scrutiny and discussion at their respective Directorate Management Team meetings.

5 **Financial Implications**

This report details the financial position of the Council.

6 **Legal Issues**

There are no legal implications for a budget monitoring report.

7 **Other Implications**

- **Risk Management**

The risk to the Council is that if spending is not managed effectively the level of balances will fall below the recommended value of £10.0m as set by the Corporate Director of Finance and Resources.

- **Customer Impact**

As far as possible all restraints have been placed on non-essential services spend. Some cuts may directly or indirectly affect customers but every effort will be made to mitigate any impact on front line services. All departments are required to consider the equalities impacts of their savings plans, and to put in place mitigating actions where necessary. A global equalities impact assessment was reported to Assembly as part of agreeing the 2011/12 annual budget and Council Tax.

- **Safeguarding Children**

All actions taken to mitigate the over spend of the placements budget in Safeguarding and Rights will need to be undertaken within a risk management

framework to ensure that the safeguarding needs of individual children are not compromised.

- **Property/ Asset management Issues**

Property and asset management issues are covered in the Capital section of the report, paragraph 2.14.

- **Human Resources**

Budget plans for 2011/12 included a number of savings proposals which impacted on staff numbers employed by the Council. These were managed according to the Council's change management policies and procedures. Negotiation of the collective agreement with the Trade Unions in respect of changes to terms and conditions took longer than expected and the savings levels achievable in this year are lower than planned (which is shown in Appendix B).

8 Background Papers Used in the Preparation of the Report

- Provisional Revenue and Capital Outturn 2010/11; Cabinet 14 June 2011;
- Budget and Medium Term Plan 2011/14; Cabinet 26 February 2011.

9 Appendices

A – General Fund expenditure by Directorate

B – Savings Targets by Directorate

C – Housing Revenue Account Expenditure

D – Capital Programme

E – Requested Capital Budget Adjustments

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GENERAL FUND REVENUE MONITORING STATEMENT NOVEMBER 2011/12

Directorate	Outturn 2010/11	Original Budget	Working Budget	Projected Outturn	Projected Variance
	£'000	£'000	£'000	£'000	£'000
<u>Adult & Community Services</u>					
Adult Care & Commissioning	48,705	45,896	45,872	45,872	-
Mental Health	4,172	3,837	3,799	3,799	-
Community Safety & Neighbourhood Services	3,736	4,360	4,630	4,630	-
Culture & Sport	12,671	10,449	10,297	10,297	-
Management	667	247	282	282	-
	69,951	64,789	64,880	64,880	-
<u>Children's Services</u>					
Education	12,455	6,111	8,411	8,411	-
Targeted Support	1,359	14,406	13,459	12,614	(845)
Complex Needs and Social Care	34,773	31,646	31,858	33,746	1,888
Commissioning and Safeguarding	6,031	4,877	4,920	4,354	(566)
Other Management Costs	7,295	8,104	6,907	6,930	23
	61,913	65,144	65,555	66,055	500
<u>Children's Services - DSG</u>					
Schools	(15,175)	(21,148)	(21,154)	(21,154)	-
Quality & Schools Improvement	9,040	5,343	5,349	5,349	-
Integrated Family Services	2,544	3,510	3,592	3,592	-
Safeguarding & Rights Services	214	4,763	4,763	4,763	-
Children's Policy & Trust Commissioning	1,163	1,442	1,360	1,360	-
Skills and Learning	770	-	-	-	-
Other Services	1,444	6,090	6,090	6,090	-
	-	-	-	-	-
<u>Housing & Environment</u>					
Environment & Enforcement	20,601	16,948	17,247	17,874	627
Housing General Fund	3,360	3,378	3,378	3,467	89
	23,961	20,326	20,625	21,341	716
<u>Finance & Resources</u>					
Directorate of F&R	(109)	414	334	313	(21)
Commercial Services (including JV contract)	4,482	2,598	2,676	4,117	1,441
Financial Services	(5)	-	130	130	-
Audit & Risk	(20)	-	-	(4)	(4)
Regeneration	4,571	5,229	5,229	5,123	(106)
Corporate Management	4,694	4,681	4,681	4,681	-
Barking & Dagenham Direct	4,242	6,532	6,182	6,283	101
ICT (now within JV contract)	(3,193)	-	-	-	-
	14,662	19,454	19,232	20,643	1,411

Appendix A

Directorate	Outturn 2010/11	Original Budget	Working Budget	Projected Outturn	Projected Variance
	£'000	£'000	£'000	£'000	£'000
<u>Chief Executive Services</u>					
Chief Executive Unit	1,185	-	(90)	(157)	(67)
Legal & Democratic Services	795	441	381	255	(126)
Corporate Policy & Public Affairs	(957)	300	300	227	(73)
Human Resources	(32)	250	340	90	(250)
	991	991	931	415	(516)
<u>Other</u>					
Central Expenses	(27,608)	1,257	1,498	578	(920)
Contingency	-	2,834	2,074	2,074	-
Levies	8,126	8,587	8,587	8,587	-
	(19,482)	12,678	12,159	11,239	(920)
TOTAL	151,996	183,382	183,382	184,573	1,191

GENERAL FUND SAVINGS MONITORING STATEMENT NOVEMBER 2011/12

Directorate	Detail	Target	Projected Outturn	Projected Shortfall
		£'000	£'000	£'000
<u>Adult & Community Services</u>				
ACS/SAV/8	Adult care restructure	250	250	-
ACS/SAV/9	Cross directorate staffing reductions	320	320	-
ACS/SAV/12	YOS/DAAT family focused skills	75	75	-
ACS/SAV/13	Crime prevention	250	250	-
ACS/SAV/14	Youth Offending & Substance Misuse	50	50	-
ACS/SAV/15	Parks police	100	100	-
ACS/SAV/16	Adult care commissioning	1,177	1,177	-
ACS/SAV/17	Charging policy review	125	125	-
ACS/SAV/18	Community Grants	250	250	-
ACS/SAV/19	Joint working/closer integration	300	300	-
ACS/SAV/20	Meals on wheels income	125	125	-
ACS/SAV/21	Broadway theatre	100	100	-
ACS/SAV/22	Parks & Events	150	150	-
ACS/SAV/25	Community halls	125	125	-
ACS/SAV/26	Community equipment	100	-	100
ACS/SAV/27	Mental health budget reduction	100	-	100
ACS/SAV/28	PPP review	300	300	-
ACS/SAV/29	Support services	300	300	-
ACS/SAV/30	Security costs	200	200	-
ACS/SAV/32	Reduce Family Learning	23	23	-
ACS/SAV/33	Reduce Security provision in Buildings	150	150	-
ACS/SAV/34	Increase Volunteers in Libraries	50	50	-
		4,620	4,420	200
<u>Children's Services</u>				
CHS/SAV/1	Directorate re-organisational efficiencies	1,599	1,599	-
CHS/SAV/2	Children's Policy and Trust Commissioning Management	(15)	(15)	-
CHS/SAV/3	Youth Provision Reconfiguration	300	300	-
CHS/SAV/4	Childminding	35	35	-
CHS/SAV/5	Management Children's Centres	114	114	-
CHS/SAV/6	Teenage Pregnancy	127	127	-
CHS/SAV/7	Supplies & Services Budget	12	12	-
CHS/SAV/8	Advisory Teachers/National Strategy	(70)	(70)	-
CHS/SAV/9	Attendance Service Reduction	150	150	-
CHS/SAV/10	City Learning Centre	150	150	-
CHS/SAV/11	Community Music Service	140	140	-
CHS/SAV/12	Director's representatives at Governors Meetings	5	5	-
CHS/SAV/13	Inspection Service	150	150	-
CHS/SAV/14	Language Support Service Grant	(38)	(38)	-
CHS/SAV/15	Modern Foreign Language Support	(10)	(10)	-
CHS/SAV/16	Transport Savings From Adjustments for Affordability	500	500	-
CHS/SAV/17	Transport to DSG	200	200	-
CHS/SAV/18	Trewern	66	66	-

Appendix B

Directorate	Detail	Target	Projected Outturn	Projected Shortfall
		£'000	£'000	£'000
CHS/SAV/19	Westbury Centre	41	41	-
CHS/SAV/21	Court Assessment Team	35	-	35
CHS/SAV/24	Service Development Support Officer	50	50	-
CHS/SAV/25	14-19 ABG Funded Staff	53	53	-
CHS/SAV/26	Aim Higher	(35)	(35)	-
CHS/SAV/27	Apprenticeships Savings	502	502	-
CHS/SAV/28	Job Brokerage Services	125	125	-
CHS/SAV/30	School Gates	(25)	(25)	-
CHS/SAV/31	Children's IT service	60	60	-
CHS/SAV/32	Woodlands Premises Cost	39	-	39
CHS/SAV/34	Crisis Intervention	32	32	-
CHS/SAV/35	Family Group Conference	53	53	-
CHS/SAV/36	Safeguarding & Quality Assurance	55	55	-
CHS/SAV/37	Charging for CiC	100	-	100
		4,500	4,326	174
<u>Housing & Environment</u>				
CUS/SAV/1	Customer services management re-structure	424	424	-
CUS/SAV/2	Redesigning street cleansing operations	200	75	125
CUS/SAV/3	Passenger Transport - remodelling of services	1,119	1,119	-
CUS/SAV/4	Environmental & Trading Standards	150	150	-
CUS/SAV/5	Parks & open spaces	370	340	30
CUS/SAV/6	Street Scene - Parking CPZ	686	90	596
-	Street Scene - Parking Staff Permit	354	180	174
CUS/SAV/7	Street Scene - Call Outs	75	40	35
CUS/SAV/8	Street Scene - Depot	48	48	-
CUS/SAV/9	Street Scene - Road Safety	54	2	52
CUS/SAV/10	Housing Advice Proforma Restructure	75	75	-
CUS/SAV/11	Housing Advice Re-align Recharges to HRA	150	150	-
CUS/SAV/13	Environment reduction in staff post	30	30	-
CUS/SAV/14	Revenues and Benefits Head of Service post	85	85	-
CUS/SAV/15	Housing Advice Reduce subsidy gap	200	200	-
CUS/SAV/21	Supplies & services	(81)	(81)	-
CUS/SAV/22	B&D Direct - Service Efficiency in new One Stop Shop	(50)	(50)	-
CUS/SAV/23	B&D Direct - Staff Saving in new One Stop Shop	(25)	(25)	-
CUS/SAV/28	Temporary Accommodation Re-design	400	400	-
		4,264	3,252	1,012

Appendix B

Directorate	Detail	Target	Projected Outturn	Projected Shortfall
		£'000	£'000	£'000
<u>Finance & Resources and Chief Executive Services</u>				
FIN&RES/SAV/2	Asset & Capital Delivery Staffing Reductions inc Capital staff	825	825	-
FIN&RES/SAV/4	Rationalisation of complaints & FOI's	71	71	-
FIN&RES/SAV/8	Regeneration & Economic development re-structure	300	300	-
FIN&RES/SAV/9	Corporate Finance review	497	497	-
FIN&RES/SAV/10	Audit & Risk	23	23	-
FIN&RES/SAV/11	Corporate Director of Resources Post	80	80	-
FIN&RES/SAV/12	Reduction in corporate projects	150	150	-
FIN&RES/SAV/13	Deletion of total commissioning service	200	200	-
FIN&RES/SAV/14	Reduction in Building Schools for Future budgets	650	650	-
FIN&RES/SAV/15	Misc MWOW & One B&D Savings	186	186	-
FIN&RES/SAV/16	Misc Support Services non-recurring savings	(1,936)	(1,936)	-
		1,046	1,046	-
<u>Chief Executive</u>				
FIN&RES/SAV/1	Human Resources - Staffing Review	306	306	-
FIN&RES/SAV/3	Marketing and comms review	554	554	-
FIN&RES/SAV/5	Rationalisation of Legal practice	470	470	-
FIN&RES/SAV/6	Rationalisation of Democratic Services	197	197	-
FIN&RES/SAV/7	PPP review	387	387	-
		1,914	1,914	-
<u>Corporate Savings</u>				
JV/SAV/1	Initial Savings from the Joint Venture	3,000	3,000	-
CORP/SAV/01	Terms & Conditions Review	1,000	370	630
		4,000	3,370	630
TOTAL		20,344	18,328	2,016

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HOUSING REVENUE ACCOUNT MONITORING STATEMENT NOVEMBER 2011/12

HOUSING REVENUE ACCOUNT	Outturn 2010/11	Original Budget	Working Budget	Projected Outturn	Projected Variance
	£'000	£'000	£'000	£'000	£'000
Rents	(73,118)	(76,625)	(76,625)	(77,230)	(605)
Non Dwelling Rent	(2,367)	(2,565)	(2,565)	(2,559)	6
Other Income	(12,128)	(11,603)	(12,067)	(12,430)	(363)
Capitalisation of Repairs	(2,518)	(2,500)	(1,000)	(1,000)	-
Repairs and Maintenance	22,874	23,153	21,492	21,624	132
Supervision and Management	31,533	28,926	29,464	30,322	858
Rent Rates and Other	990	920	1,007	1,008	1
Subsidy	18,048	18,931	18,931	18,931	-
Depreciation	13,481	14,697	14,697	14,697	-
Bad Debt Provision	658	953	953	963	10
Interest Charges	1,173	3,431	3,431	3,431	-
Corporate & Democratic Core	811	811	811	811	-
Pensions	-	80	80	113	33
Interest	(484)	(78)	(78)	(105)	(27)
Contribution to HRA Reserve	(1,047)	(1,469)	(1,469)	(1,424)	45

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**CAPITAL PROGRAMME MONITORING STATEMENT
NOVEMBER 2011/12**

Projects	Original Budget £000's	Revised Budget £000's	Projected Spend £000's	Projected Variance £000's	Explanation for Variance
<u>Adult & Community Services</u>					
Community Services, Heritage & Libraries					
Ripple Hall (St Georges/Vol Group Relocation)	100	375	375	-	
Valence Site Redevelopment	300	447	447	-	
Eastbury Manor House Redevelopment	-	18	18	-	
Fews Lodge (Extra Care Scheme)	-	84	84	-	
	400	924	924	-	
Leisure & Olympics					
Contingency	116	116	116	-	
Barking Park Restoration & Improvement	4,303	4,047	4,047	-	
Abbey Sports Centre (Wet Side Changing Areas)	-	9	9	-	
Becontree Heath Leisure Centre	4,617	5,120	5,119	(1)	
Goresbrook Leisure Centre - Olympic Training Venue	139	207	207	-	
Mayesbrook Park Improvements (Phase 1)	747	1,004	1,004	-	
Mayesbrook Park Athletics Arena	-	1,650	1,650	-	
Abbey Leisure Centre 2012-14	-	250	250	-	
	9,922	12,403	12,402	(1)	
Total For Adult & Community Services	10,322	13,327	13,326	(1)	

Projects	Original Budget £000's	Revised Budget £000's	Projected Spend £000's	Projected Variance £000's	Explanation for Variance
Children's Services					
Primary Schools					
Eastbury	150	238	578	340	A transfer of £200k has left insufficient budget and variations to the contract has resulted in the 340 overspend.
Cambell Infant & Juniors	25	267	267	-	
Barking Riverside first Primary School	3,015	8,582	8,582	-	
Roding Primary School - Cannington Road Annex	250	323	323	-	
Beam Primary Expansion	100	304	431	127	Overspend includes: insufficient retention amount; variations above contract - additional payment to contractor, for fees, surveys and asbestos checks.
St Joseph's Primary - expansion	1,850	2,012	2,012	-	
St Peter's Primary - expansion	75	137	137	-	
Thames View Infants - London TG Agreement	420	537	537	-	
Cambell Junior - Expansion & Refurb	25	167	167	-	
Thames View Juniors - Expansion & Refurb	2,230	2,110	2,110	-	
Former UEL Site - New Primary School	8,500	9,460	9,460	-	
Westbury - New Primary School	1,750	2,624	2,624	-	
St Georges - New Primary School	2,260	3,205	3,205	-	
	20,650	29,966	30,433	467	
Other Schemes					
Renewal School Kitchens 2009/10	25	32	32	-	
SMF - School Modernisation Fund (Inc 2009-10 SMF Element)	997	3,257	3,257	-	
Youth Access Card	15	285	285	-	
Extended Schools	-	1	1	-	
School's Kitchen Extension/Refurbishment 10/11	490	554	554	-	
Cross-Government Co-Location Fund	50	43	44	1	
Basic Needs Projects (Formerly Additional School Places)	1,501	1,535	1,535	-	
Schools Legionella Works	-	88	101	13	Additional works identified - budget to be increased from another project.
Schools L8 Water Quality Remedial Works 2010/11	15	143	143	-	
Schools Reboiler & Repipe Fund	250	329	329	-	
Schools Asbestos Management & Removals 2010-11	-	8	8	-	
William Bellamy Childrens Centre	-	3	3	-	

Projects	Original Budget	Revised Budget	Projected Spend	Projected Variance	Explanation for Variance
	£000's	£000's	£000's	£000's	
John Perry Childrens	-	10	10	-	
Alibon Childrens Centre	-	98	18	(80)	Budget to be transferred to other projects.
Youth Bus	-	(11)	-	11	Overspend from 10/11 to be met by sponsor; retrofire request will be been submitted.
additional teaching space	-	50	50	-	
Devolved Capital Formula	-	805	1,218	413	Additional external funding is expected to cover the over spend.
Robert Clack Comprehensive Expansion	-	3,058	3,058	-	
Monteagle Primary (Quadrangle Infill)	-	300	300	-	
Eastbury Primary (Expansion)	-	300	300	-	
Gascoigne Primary (Expansion)	-	50	50	-	
Parsloes Primary (Expansion)	-	300	300	-	
Godwin Primary (Expansion)	-	300	300	-	
William Bellamy Infants/Juniors (Expansion)	-	300	300	-	
Dagenham Village Rectory Road Library (Expansion)	-	200	200	-	
Southwood Primary (Expansion)	-	300	300	-	
Sydney Russell - Schools For The Future	24,000	12,078	12,078	-	
Provision of New School Places (Basic Needs) Contingency	-	1,427	1,427	-	
Provision of New School Places (Basic Need Funding - 11/12)	-	10,550	10,550	-	
	27,343	36,393	36,751	358	
Skills, Learning & Enterprise					
Advanced Skills Centre	9,000	8,844	8,844	-	
	9,000	8,844	8,844	-	
Total For Children's Services	56,993	75,203	76,028	825	

Projects	Original Budget £000's	Revised Budget £000's	Projected Spend £000's	Projected Variance £000's	Explanation for Variance
Housing & Environment					
HRA					
Housing Futures	3,363	3,801	3,801	-	
Millard Terrace	34	35	35	-	
Lifts replacement	1,810	1,020	1,020	-	
SAMS formerly remote concierge	-	65	65	-	
DH works Framework contracts	-	626	626	-	
Major maintenance renewals	2,500	1,000	1,000	-	
Heating works (Thaxted, Maxey & Humphries Houses)	-	283	283	-	
In House Costs/Contract Preparation	1,000	800	800	-	
CHP Programme	1,000	63	63	-	
Electrical Switchgear Project	520	744	744	-	
Extensions and deconve	-	20	20	-	
Communal Lighting and Electrical Switchgear	1,500	1,050	1,050	-	
External Enveloping Work	3,000	373	373	-	
Sheltered Alarms Upgrade	-	38	38	-	
Colne & Mersea Blocks	4,269	5,674	5,674	-	
Capitalised Improvement Works	-	224	224	-	
Estate Improvement Project	-	800	800	-	
Oldmead & Bartlett Remedial Works	-	100	100	-	
Door Entry Project 11/12	-	1,575	1,575	-	
External Enveloping & Fire Proofing Project	-	2,528	2,528	-	
Defective Overflow Works	-	45	45	-	
Central Heating Installation	-	2,150	2,150	-	
Kitchen & Bathroom Replacement Project	-	2,075	2,075	-	
High Rise Surveys	-	1,000	1,000	-	
Capitalised Improvement Works (Estates)	-	500	500	-	
Estate Improvements	-	350	350	-	
Adaptations - Housing	-	200	200	-	
King William St Qtr	1,816	429	429	-	
Council Housing & Thames	12,621	-	-	-	
Council Housing - New Builds	463	596	596	-	
New Council Housing Phase 3	-	12,332	12,332	-	
Disabled Adaptations (HRA)	500	502	502	-	
	34,396	40,998	40,998	-	

Projects	Original Budget £000's	Revised Budget £000's	Projected Spend £000's	Projected Variance £000's	Explanation for Variance
Non-HRA Housing					
Private Sector Households	800	1,118	1,118	-	
Private Sector Households (105)	-	687	687	-	
Housing Modernisation Programme	-	57	57	-	
	800	1,862	1,862	-	
Environment & Enforcement					
Highways Maintenance(TFL)	380	-	-	-	
Land Quality Inspection Programme	80	80	80	-	
Street Light Replacing	1,000	1,216	1,216	-	
Flats recycling banks scheme	-	307	307	-	
Principal Rd Resurfacing - Longbridge Rd (TFL)	-	446	341	(105)	Project completed as specified; overfunding of project to be returned to funder as per agreement.
Road Safety Improvement Schemes (TFL)	-	100	100	-	
SNAPS	-	174	18	(156)	Project completed, remaining budget to be reallocated.
Becontree Neighbourhood Improvements	-	63	24	(39)	Project completed, remaining budget to be reallocated.
Environmental Improvements	440	440	440	-	
Environmental Improvements - On Street Waste Receptacles	190	190	190	-	
Christmas Lighting (2011/12)	45	45	45	-	
	2,135	3,061	2,761	(300)	
PGSS					
Pondfield Park	-	22	22	-	
Abbey Green Park Development	33	48	48	-	
Valence Park Improvements	24	31	31	-	
BTC Public Art Project	-	11	11	-	
Barking Park Artwork	84	84	84	-	
Play Builder	-	10	10	-	
	141	206	206	-	
Total For Housing & Environment	37,472	46,127	45,827	(300)	

Projects	Original Budget £000's	Revised Budget £000's	Projected Spend £000's	Projected Variance £000's	Explanation for Variance
Resources					
Asset Strategy					
L8 Surveys and Risk Assessment Updates	35	-	-	-	
L8 Control of Legionella Remedial Works	-	277	277	-	
Asbestos (Public Buildings)	128	112	112	-	
Automatic Meter Reading Equipment	119	111	111	-	
Backlog Capital Improvements	375	667	667	-	
CMRP DDA for Buildings	-	27	27	-	
Implement Corporate Accommodation Strategy	2,073	1,902	1,902	-	
New Dagenham Library & One Stop Shop	-	160	160	-	
	2,730	3,313	3,364	51	Projected overspend to be addressed by 51 repayment of grants to the Council (SALIX funds).
Regeneration					
London Road Market Square	-	-	-	-	
Creekmouth	-	(15)	-	15	Overspend in 10/11 to be addressed by reprofile from another project.
Dagenham Heathway	-	83	83	-	
Legi Business Centres	3,647	4,432	4,432	-	
Industrial Area Improvement	-	84	84	-	
Barking Town Square (Phase 2)	494	536	266	(270)	Business compensation has now been paid - remaining budget to be vired to other projects.
Retail Premise Improvement Grant	21	21	21	-	
Barking Town Centre - Low Carbon Emission (TFL & GLA)	85	133	117	(16)	Remaining budget to be reprofiled to other projects.
BTC Public Realm - Tsq & Abbey	103	134	54	(80)	Remaining budget to be reprofiled to other projects.
Area Based Schemes (Shopping Parades)	-	183	183	-	
Robin Hood Shopping Parade Enhancement (TFL & S106)	-	324	324	-	
East End Thames View Demolition	57	54	54	-	
Axe Street Housing	263	28	36	8	Overspend is being investigated.
Demolition of Kingsbridge Site	-	25	25	-	
Rainham Road Corridor (TFL)	-	96	96	-	
Green Lane Corridor (TFL)	-	119	119	-	

Projects	Original Budget £000's	Revised Budget £000's	Projected Spend £000's	Projected Variance £000's	Explanation for Variance
London Road/North Street Site Acquisitions	1,100	1,003	1,003	-	
Boroughwide Estate Renewal - Decants and Leaseholder Buybacks(Gascoigne)	6,382	393	294	(99)	Remaining budget to be reprofiled to other projects.
Boroughwide Estate Renewal - Decants and Leaseholder Buybacks(Leys)	-	225	214	(11)	Remaining budget to be reprofiled to other projects.
Boroughwide Estate Renewal - Decants and Leaseholder Buybacks(Goresbrook Village)	-	762	526	(236)	Remaining budget to be reprofiled to other projects.
Boroughwide Estate Renewal - Leaseholders	-	4,766	4,766	-	
Boroughwide Estate Renewal - Resources & Master planning	-	170	170	-	
Boroughwide Estate Renewal - Demolition	-	100	100	-	
Barking Station Forecourt - Phase 1 Implementation (TFL & S106)	800	1,028	1,028	-	
Maysbrook Park Access Improvements (TFL)	-	366	366	-	
Merry Fiddlers Junction Improvements (TFL)	-	144	144	-	
Cycling on Greenways and Local Cycle Links (TFL)	-	144	144	-	
Station Access Improvements (TFL)	-	48	48	-	
Future Scheme Development - various locations (TFL)	-	29	25	(4)	
Car Club Expansion (TFL)	-	14	14	-	
Biking Borough Initiative (TFL)	-	123	128	5	
Minor Works - Various Locations - Local Transport Fund (TFL)	-	67	67	-	
Improvements to the rear of the Mall, Dagenham Heathway	-	40	40	-	
New Market Square (Barking)	-	24	24	-	
Dagenham Job Shop	-	11	11	-	
	12,952	15,694	15,006	(688)	
ICT					
Microsoft Enterprise Agreement	36	126	126	-	
Modernisation and Improvement Capital Fund (formerly One B & D)					
ICT Main Scheme	1,150	3,458	3,458	-	
Service Management Tool	-	75	75	-	
Information & Workplace Strategy (Formerly STRATEGIC INFORMATION FRAMEWORK)	-	207	207	-	
E-Services - On-line Portals	-	654	654	-	
	1,186	4,520	4,520	-	
Total For Resources	16,868	23,527	22,890	(637)	
GRAND TOTAL	121,655	158,184	158,071	(113)	

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REQUESTED CAPITAL BUDGET ADJUSTMENTS

Detail	Budget 2011/12 £000's	Budget 2012/13 £000's	Total Budget £000's	External Funding £000's	Section 106 £000's	Corporate Borrowing £000's	Total Funding £000's
<u>Adult & Community Services - Current Programme</u>							
Valence Site Redevelopment	447	-	447	165	-	282	447
Sub Total	447	-	447	165	-	282	447
<u>Adult & Community Services - Proposed Programme</u>							
Valence Site Redevelopment	435	-	435	165	-	270	435
Sub Total	435	-	435	165	-	270	435
<u>Children's Services - Current Programme</u>							
Westbury - New Primary School	2,624	-	2,624	2,624	-	-	2,624
Beam Primary Expansion	304	-	304	304	-	-	304
Eastbury	238	-	238	238	-	-	238
Provision of New School Places (Basic Needs) Contingency	1,427	-	1,427	1,427	-	-	1,427
Alibon Childrens Centre	98	-	98	98	-	-	98
Schools Legionella Works	88	-	88	-	-	88	88
Cambell Infant & Juniors	267	-	267	267	-	-	267
George Carey CE Primary School (formerly Barking Riverside)	8,582	-	8,582	5,110	3,472	-	8,582
School's Kitchen Extension/Refurbishment 10/11	554	-	554	554	-	-	554
Manor Longbridge (Former UEL Site)	9,460	925	10,385	6,585	3,800	-	10,385
St Georges - New Primary School	3,205	-	3,205	3,205	-	-	3,205
SMF - School Modernisation Fund	3,257	-	3,257	3,257	-	-	3,257
St Joseph's Primary - expansion	2,012	-	2,012	2,012	-	-	2,012
St Peter's Primary - expansion	137	-	137	137	-	-	137
Thames View Infants - London TG Agreement	537	29	566	566	-	-	566
Thames View Juniors - Expansion & Refurb	2,110	-	2,110	2,110	-	-	2,110
Sub Total	34,901	954	35,856	28,495	7,272	88	35,856

REQUESTED CAPITAL BUDGET ADJUSTMENTS

Detail	Budget 2011/12 £000's	Budget 2012/13 £000's	Total Budget £000's	External Funding £000's	Section 106 £000's	Corporate Borrowing £000's	Total Funding £000's
<u>Children's Services - Proposed Programme</u>							
Westbury - New Primary School	2,574	50	2,624	2,624	-	-	2,624
Beam Primary Expansion	404	-	404	404	-	-	404
Eastbury	578	-	578	578	-	-	578
Provision of New School Places (Basic Needs) Contingency	987	-	987	987	-	-	987
Alibon Childrens Centre	18	-	18	18	-	-	18
Schools Legionella Works	168	-	168	80	-	88	168
Cambell Infant & Juniors	237	30	267	-	267	-	267
George Carey CE Primary School (formerly Barking Riverside)	8,362	220	8,582	5,110	3,472	-	8,582
School's Kitchen Extension/Refurbishment 10/11	534	20	554	554	-	-	554
Manor Longbridge (Former UEL Site)	10,135	250	10,385	6,585	3,800	-	10,385
St Georges - New Primary School	3,140	65	3,205	3,205	-	-	3,205
SMF - School Modernisation Fund	2,857	400	3,257	3,257	-	-	3,257
St Joseph's Primary - expansion	1,967	45	2,012	2,012	-	-	2,012
St Peter's Primary - expansion	107	30	137	137	-	-	137
Thames View Infants - London TG Agreement	507	59	566	566	-	-	566
Thames View Juniors - Expansion & Refurb	2,075	35	2,110	2,110	-	-	2,110
Sub Total	34,651	1,204	35,856	28,227	7,540	88	35,856
<u>Housing and Environment - Current Programme</u>							
Valence Park Improvements	31	-	31	-	-	31	-
Sub Total	31	-	31	-	-	31	31
<u>Housing and Environment - Proposed Programme</u>							
Valence Park Improvements	43	-	43	-	-	43	43
Sub Total	43	-	43	-	-	43	43

REQUESTED CAPITAL BUDGET ADJUSTMENTS

Detail	Budget 2011/12 £000's	Budget 2012/13 £000's	Total Budget £000's	External Funding £000's	Section 106 £000's	Corporate Borrowing £000's	Total Funding £000's
<u>Resources - Current Programme</u>							
Implement Corporate Accommodation Strategy	1,902	435	2,337	-	-	2,337	2,337
Corporate Accommodation Strategy	-	1,559	1,559	-	-	1,559	1,559
Sub Total	1,902	1,994	3,896	-	-	3,896	3,896
<u>Resources - Proposed Programme</u>							
Implement Corporate Accommodation Strategy	1,502	835	2,337	-	-	2,337	2,337
Corporate Accommodation Strategy	-	1,559	1,559	-	-	1,559	1,559
Sub Total	1,502	2,394	3,896	-	-	3,896	3,896
Current Total - Schemes with requested change	37,282	2,948	40,230	28,659	7,272	4,298	40,230
Proposed Total - Schemes with requested change	36,632	3,598	40,230	28,392	7,540	4,298	40,230
Total of proposed changes	(650)	650	-	(267)	267	-	-

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CABINET

17 JANUARY 2012

Title: Corporate Grants and Commissioning Programme 2012/13	
Report of the Cabinet Member For Crime, Justice And Communities	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Paul Hodson, Group Manager, Community Cohesion	Contact Details: Tel: 020 8227 2782 E-mail: paul.hodson@lbbd.gov.uk
Accountable Divisional Director: Karen Ahmed, Divisional Director Adult Commissioning	
Accountable Director: Anne Bristow, Corporate Director of Adult and Community Services	
Summary: The paper sets out the proposed 2012/13 Corporate Grants and Commissioning programme. It is further proposed to review the grants programme for 2013/14 in 2012 in order to remain within budget.	
Recommendation(s) The Cabinet is recommended to: (i) Note the adverse impact on the Council's intended Corporate Grants and Commissioning Programme of the increased contribution to the London Councils grant programme, as shown in Appendix 2 to the report (ii) Agree a reduced budget of £26,690 for Innovation Fund grants and £7,700 for the Pump Priming Fund for 2012/13 in order to remain within budget; (iii) Agree the allocation of grants from the Innovation Fund for 2012/13 as detailed in Appendix 1 to the report; and (iv) Note that a review of the Corporate Grants and Commissioning Programme for 2013/14 will be undertaken this year to address the current projected budget shortfall.	
Reason(s) Agreement of the recommendations will enable achievement of the overall objectives of the grants programme, i.e. building capacity in the third sector and strengthening community services. In turn, this will contribute directly towards achievement of corporate and partnership objectives particularly the Council Theme "Better Together".	

1. Introduction

- 1.1 The Cabinet agreed in March 2011 that in future years, 2012/13 and 2013/14, further reviews of grants and commissioning would be necessary to ensure that the required corporate savings of £250,000 in 2012/13 and 2013/14 are achieved. The budget provided at that time for 2012/13 was balanced, but was dependant upon the Council's contribution to the London Council's grants programme being reduced to £200,000 in 2012/13.
- 1.2 The proposal agreed by Cabinet in March 2011 included an anticipated budget shortfall of £107,500 in 2012/13, and a further shortfall of £313,500 in 2013/14, which it was anticipated would be met in the main through our contribution to the London Councils Grants Programme reducing.

2 Background

- 2.1 The Corporate Grants and Commissioning programme is composed of the following elements:
- London Councils Grants which is a programme of pan-London grants for services
 - Capacity building commissions providing infrastructure support to the voluntary and community sector in the borough (3 year contracts)
 - Strengthening communities commissions providing a range of activities that engage and strengthen the community (3 year contracts)
 - Innovation Grants – an annual fund for smaller groups to apply for up to £10,000 for new projects
 - Pump Priming fund - an opportunity for groups to apply for up to £1500 for encouraging engagement and new opportunities in the local community.
- 2.2 The London Councils grants programme is administered by London Councils. London Councils invests in voluntary organisations on behalf of all the London boroughs, focusing on London's most deprived and vulnerable communities. All of the grants seek to improve the lives of people who live, work and visit London. London Councils funding is provided by the London Boroughs Grants Scheme, which was established under Section 48 of the 1985 Local Government Act. The scheme is funded and governed by all 32 London boroughs and the Corporation of London. It enables London's local authorities to fund voluntary organisations working in more than one borough, sub-regionally or across the capital to meet the needs of London as a whole. Each borough contributes an amount based on the local population. The Leaders' Committee (i.e. the leaders of each London borough councils) is the main decision-making body. The operation of the scheme is managed by the Grants Committee which comprises 33 representative members, one from each of London's local councils.
- 2.3 Members and officers have consistently lobbied for a reduction in the London Councils Grants programme due to the lack of the impact of these services for the residents of Barking and Dagenham. However, as the programme is set up two thirds of London Leaders have to agree any change to the budget contributions for the programme.
- 2.4 A further review of the London Councils grants programme has been scheduled for the spring of 2012 with implementation from April 2013. However the Leaders'

Committee has agreed an indicative budget of £8,000,000 plus an European Social Fund programme in 2013 in advance of the review which would mean that the reduction in Barking and Dagenham's contribution would be limited.

3 Proposal and Issues

- 3.1 Based on our understanding in 2011 the Council set its budget on the basis that Barking and Dagenham's contribution to London Council Grants would be £300,000 in 2011/12 and £200,000 in 2012/13. However, as Members will be aware the London Council's decisions were successfully challenged through judicial review. This meant that our contribution in 2011/12 was £317,000 and will now be £264,086 in 2012/13. It will therefore be necessary to reduce expenditure on other parts of the programme in order for the overall scheme to remain in budget.
- 3.2 The additional budget saving of £35,000 agreed at Cabinet on 14/12/11 now also needs to be factored into the proposed allocations.

4 Options appraisal

- 4.1 Officers have considered a number of options by which these savings can be delivered:

a) Option1 :Reducing support to existing contracts with those organisations providing services to the voluntary and community sector in the Borough

The existing commissions were drawn up as part of an extensive review of the Corporate Grants and Commissioning Programme in 2010 and implemented from July 2011. The review included consultation with the sector locally and with other authorities across London. The review demonstrated that LBBD funding to its infrastructure bodies was less per head of the population than many other London Boroughs. The larger contracts (with the exception of the CLAC Contract which was pre-review) are drawn up on a sliding scale, with a reduction year on year for the life of the contracts.

The term of all the contracts was 3 years from July 2011 with the ability to extend the contract by 2 years in line with the Local Compact. The contracts were publicly tendered for, which is highly unusual for infrastructure contracts in boroughs, and allowed other voluntary and community sector groups both within the borough and externally to bid for the contracts. All the larger contracts were tendered for at a higher financial level than will be paid in 2012-13, and commissioned groups (Barking and Dagenham CVS, Barking and Dagenham Volunteer Bureau and Harmony House) accepted the sliding scale post application due to the Council's budget pressures at that time.

The Corporate commissions contracts do have a clause that allows for changes within the payment schedule, subject to the appropriate consultation period. This, however, must be done as part of the annual review - so the reduction could not be achieved until July 2012.

Officers would recommend rather than reduce contracts from July 2012, that funding to the CVS and other organisations should be looked at as part of the wider review that is required for 2013-14 and 2014-15 due to the substantial

savings required from this point. This would enable appropriate consultation with the statutory and voluntary sector locally and a fresh look at the role of infrastructure for the voluntary and community sector in the Borough. This also puts a transparent review process for the Corporate Grants and commissioning programme in place a year earlier than was initially anticipated and potentially terminates all contracts within two years of their start date.

b) Option 2: Removing all funding for the Innovation Grants programme

The initial innovation fund budget for 2012-13 was £60,000. The programme was advertised in August 2011 following sign-off from the Portfolio Holder. 26 applications were received and officers consider that 8 of these would have been prioritised for funding if a budget allocation of £60,000 remained available. Appendix 1 contains details of the process and applications. If no funding were awarded a number of groups would have completed applications which are now not able to be considered. There would be a negative impact on the groups who would otherwise have received funding.

c) Option 3 : An across the board reduction in funding to all organisations

For the reasons outlined in a) above this would not be recommended. The reduction of some of the smaller commissions in particular would potentially challenge the viability of the services provided. It is considered preferable to make any such reductions after a comprehensive review process.

d) Option 4: Recommended Option - A reduced budget for the Innovation and Pump Priming grants budgets

The Innovation grants budget for 2012/13 is £60,000 and the Pump Priming fund budget is £11,500. These budgets fund annual programmes and local organisations understand that the allocations are only for one year and that there is no ongoing commitment.

Officers have therefore considered that it would be possible to reduce the number of organisations receiving new funding in 2012/13.

It is now proposed to reduce the Innovation grant budget to £26,690 and fund 4 organisations as set out in the table below:

Organisation	Project Description	Recommended
Teach Forex	Bmoney Wize: Financial literacy training	£9,995
Recovery Resources Foundation	Recovery link-up café-Barking	£8,500
B & D Somali Women's Association	Job club	£6,000
Green Shoes Arts Community Interest	Cohesion through arts project	£5,695
		£26,690

It is also proposed that the Pump Priming fund is reduced to £7,700 and applications are considered against this sum from April 2012.

Appendix 2 sets out how funds would be allocated if option 4 is agreed.

5 Consultation

- 5.1 The Themes and budgets on which the recommendations in this paper are based reflect the three year programmes of work which were set following substantial consultation, which led to the Grants Review 2010.

6 Financial Implications

Implications completed by: Ruth Hodson, Finance Group Manager

- 6.1 The corporate grants budget has been significantly reduced since 2009/10. The grant programme has been reduced to match the diminished budget and all the figures have been reviewed thoroughly by Finance.
- 6.2 The 2013/14 current programme commitments are greater than the budget available. However, these grants will have to be reviewed through the 2012/13 financial year to seek reductions. This will be with the support of the finance resource to review the robustness of these projections.

7 Legal Implications

Implications completed by: Bimpe Onafuwa, Contracts Lawyer

- 7.1 This Report is providing information to Cabinet on proposals in achieving financial savings in respect of the years 2011/12, 2012/13 and 2013/14. It also proposes a further review of the savings in the summer of 2012, in respect of the year 2013/14.
- 7.2 In applying the savings proposals and identifying further savings initiatives, consideration should be given so that minority groups such as those promoting ethnic, religious or age related interests do not appear to be discriminated against on the basis of their characteristics.
- 7.3 S.149 of the Equality Act requires public bodies to consider all individuals when carrying out their activities. Public bodies are therefore required to have regard to the need to eliminate discrimination, advance equal opportunities and foster good relationships between different people when undertaking their activities. Additionally, this provision encourages public bodies to understand how different people will be affected by their activities, so that their policies are appropriate and meet different people's needs.
- 7.4 Other than the potential issue noted above the Legal Practice does not identify further implications in the implementation of the proposals noted in this report.

8 Other Implications

8.1 Risk Management

There would be significant risk to the viability of a range of voluntary organisations in the Borough if further reductions were made to the programme. Officers will engage with relevant organisations to assist them to apply for alternative sources of funding.

There is a risk that the services which have been commissioned for three years may receive further reduced funding in the third year – 2013/14; this is dependent on the settlement of the London Councils grant programme in 2013/14.

There is a risk that the services receiving funding will experience increased demand as the impact of the recession continues. This will be monitored through the regular grant monitoring, and funded organisations supported to adjust the services offered within the contract price if appropriate.

8.2 Contractual Issues

None, apart from those addressed within the body of the report.

8.3 Customer Impact

An Equalities Impact Assessment was carried out before the current commissions were established in 2011/12. The removal of the innovation grants will not affect currently commissioned services. It is not possible to assess the impact of grants which may have been made on the equalities groups, because no decision has been considered as to which grants would have been made. The programme did not consist of any priorities targeted at particular equality groups.

8.4 Safeguarding Children

It is a requirement for all funded organisations to be fully compliant with the provisions of the Children Act 2006 (and the increased safeguards introduced in October 2009) as well as being section 11 compliant or working towards section 11 compliance and to have written policies in place for the protection of vulnerable children and adults. Compliance with this requirement is routinely monitored through the grants programme. If a funded organisation failed to meet the requirements, a range of remedies and sanctions are available to the Council up to and including the removal of grant aid.

Background Papers Used in the Preparation of the Report:

- Corporate Grants and Commissioning Programme 2011/12, presented to Cabinet 15 March 2011.

List of appendices:

Appendix 1: Innovations grants process and applications

Appendix 2: Proposed Budget for 2012/13 Corporate Grants and Commissioning programme

Information on applications for Innovation Grants

Background

- 1.1 At the meeting on 15 March 2011 the Cabinet agreed a set of priorities and budget to maintain the innovation fund programme for 2012-14. This is an annual opportunity for groups with an annual income of less than £80,000 to apply for funding to develop a project/service for the residents of Barking and Dagenham.
- 1.2 The criteria were reviewed with the Portfolio Holder for Crime, Justice and Communities in June and it was agreed to retain the priorities for funding identified as a result of the consultation held on 2010, which are:
 - Building social capital
 - Building community spirit- across communities and generations
 - Volunteer involvement
 - Market development- projects that support people to live independently in the community
 - Innovation rather than core funding of ongoing projects
- 1.3 It was also agreed to add an additional priority, given the current financial climate, which is:
 - Market development- projects that support people whose income has reduced recently, or those on low incomes
- 1.4 The programme was advertised in August and three workshops were held to outline the priorities for groups wishing to apply were run in September. Workshops were attended by Barking and Dagenham Council for Voluntary Services and groups wishing to apply were referred to the CVS if they required additional support. The closing date for applications was September 30, meaning that applicants had 8 weeks in which to submit applications.
- 1.5 26 applications were received, asking for in excess of £200,000. An initial assessment was carried out, as a result of which 4 applications were identified as ineligible for funding. Officers then scored the applications against the published scoring scheme. Section 2 of the application form has a score assigned to each question and guidance as to what should be included in the answer. The total score available is 210 points. Two officers independently scored the applications and the scores were moderated by the Group Manager. Advice was sought from other sections within the local authority where there were links to other teams.

- 1.6 The recommendations were presented to Councillor Alexander and originally the recommendation was to fund 8 projects but the additional budget for London Councils and the bringing forward of £37,000 into 2012-13 meant there had to be additional savings achieved. In light of the budget changes we are now recommending 4 organisations be presented to Cabinet for consideration. The total fund required is £26,690 (see appendix 2)
- 1.7 Assuming that the budget for Innovation Grants is retained, 4 applications are recommended to be presented to Cabinet for consideration in light of the reduced budget available. The total fund required is £26,690. The original budget set was £60,000. The recommended projects are listed below. Descriptions of the projects, assessment scores, and details of the projects recommended not to fund, are given below.

Innovation Fund Recommendations for 2012 - 13

Organisation	Project Description	Requested	Recommended
Teach Forex	<p>Bmoney Wize: Financial literacy training developed through an interactive money literacy board game explaining financial terms. The facilitated game sessions are simple and fun and have been very well received at Dagenham library. The course will be run in Dagenham and in Becontree over 26 weeks for 20 clients per course. The course will be aimed at parents, those on low incomes and will be open to anyone over 16.</p>	£9,995	£9,995
Recovery Resources Foundation	<p>Recovery link-up café-Barking: Recruit 6 volunteers recovering from addictions to run a café one night a week, providing a safe meeting space and meal for 20 people recovering from addictions. This has been piloted in other boroughs and would be based in Abbey Community Hall. Officer comment: The Joint commissioning manager for the DAAT will be involved in the target setting for this project if it is funded and we will ensure appropriate links to the current drug and alcohol services and DAAT</p>	£8,500	£8,500
B & D Somali Women's Association	<p>Run a job club for 50 women from different communities in Barking and Dagenham who have been unemployed/on benefits for 5 years+. 20% of clients will be disabled. The programme will include an initial skills and aspirations assessment and identify a realistic pathway to employment. Applicants will attend three sessions a week. There would be a target to ensure at least 50% of attendees were from non-Somali communities. Officer comment: The group manager for employment and skills supports this application and has invited the organisation to attend the providers' forum with a view to a specific focused piece of work from Jan- March 2012 based on the quality of this proposal. He has requested that we ask the provider to check job seeker's right to work as part of the agreement if funded. It is judged that the target of 50 women is somewhat ambitious, and so it is recommended to provide only £6,000 of the requested £9,990.</p>	£9,990	£6,000

Organisation	Project Description	Requested	Recommended
Green Shoes Arts	<p>Associate artist programme has two elements: Supporting 3 emerging community artists to pilot 3 projects which would promote community cohesion by bringing local people together. This would involve:</p> <ul style="list-style-type: none"> • Q and A: 3 magazines produced by residents of each of the blocks of flats at Goresbrook village- knowing each other • Me Time: 2 local mums creating a arts provision for single mums- building relationships • Far from the Norm (Enigma Dance): 3 day workshop for 12-18 years exploring challenging issues, with a performance to family and friends at the end. 	£5,695	£5,695
	Total		£26,690

Breakdown of All Innovation Grant Initial Applications and Recommendations

Organisation	Project Description	Average Score	Position	Requested	Recommended
B & D Somali Women's Association	<p>Run a job club for 50 women from different communities in Barking and Dagenham who have been unemployed/on benefits for 5 years+. 20% of clients will be disabled. The programme will include an initial skills and aspirations assessment and identify a realistic pathway to employment. Applicants will attend three sessions a week. There would be a target to ensure at least 50% of attendees were from non-Somali communities.</p> <p>Officer comment: The group manager for employment and skills supports this application and has invited the organisation to attend the providers' forum with a view to a specific focused piece of work from Jan- March 2012 based on the quality of this proposal. He has requested that we ask the provider to check job seeker's right to work as part of the agreement if funded</p>	138	1	£9,990	£6,000
Green Shoes Arts	<p>Associate artist programme has two elements: Supporting 3 emerging community artists to pilot 3 projects which would promote community cohesion by bringing local people together. This would involve:</p> <ul style="list-style-type: none"> • Q and A: 3 magazines produced by residents of each of the blocks of flats at Goresbrook village - knowing each other • Me Time: 2 local mums creating an arts provision for single mums - building relationships • Far from the Norm (Enigma Dance): 3 day workshop for 12-18 years exploring challenging issues, with a performance to family and friends at the end. 	133	2	£5,695	£5,695

Teach Forex	Bmoney Wize: Financial literacy training developed through an interactive money literacy board game explaining financial terms. The facilitated game sessions are simple and fun and have been very well received at Dagenham library. The course will be run in Dagenham and in Becontree over 26 weeks for 20 clients per course. The course will be aimed at parents, those on low incomes and will be open to anyone over 16.	131.5	3	£9,995	£9,995
Recovery Resources Foundation	Recovery link-up café-Barking: Recruit 6 volunteers recovering from addictions to run a café one night a week, providing a safe meeting space and meal for 20 people recovering from addictions. This has been piloted in other boroughs and would be based in Abbey Community Hall. Officer comment: The Joint commissioning manager for the DAAT will be involved in the target setting for this project if it is funded and we will ensure appropriate links to the current drug and alcohol services and DAAT	125.5	4	£8,500	£8,500
Open Doors Family Project	Friendly neighbours' café at Valence House: A weekly community café at Valence staffed by a team of volunteers over 6 months, recruiting new people from the community. The project would create a safe and welcoming environment for people of all ages and backgrounds helping to combat isolation and build supportive relationships amongst residents.	123	5	£3,980	Nil
Families4 Furze	This project will encourage relationships in the community by providing a weekly exercise class over 34 weeks for 20 people from the community during school time, crèche for children. As part of this programme 3 community members will be trained as personal trainers and continue to provide the class for free in the community.	101.5	6	£5,095	Nil
Basti Ram	Be the change you want to see: 6 month project working with a cohort of residents from Heath ward who will share their learning from a recent trip to India through:	96	7	£8,000	Nil

	<ul style="list-style-type: none"> 5 sessions preparing Indian food and taking it to elderly/disabled residents. Volunteers will gain food hygiene cert as part of this. 2 sessions where volunteers teach Indian cookery to older people Young volunteers will be involved in designing, planning and lead 6 themed workshops gaining a qualification as part of this. 							
Future M.O.L.D.S Communities	Back 2 Work project: An adult job club for 70 clients (19+) which would target single mums but be open to all. This would be weekly 4 hour session over 40 weeks. The project will include personal and social development awards- level 1 qualification, support and drop-in, and box-fit to build confidence.	93	8	£9,829	Nil			
Advice & Learning Bureau	The project would introduce a culture of financial management and saving by raising financial awareness for 40 French speaking Africans (50+). The project will be run in groups of 10, using a qualified professional. Each client will receive 3 x 4 hours to understand basic finance running from May-July 2012. This will impact their families and communities as well as them.	90	9	£7,915	Nil			
Global Action Research & Development Initiative Ltd	Action research advocacy project: Based on entrepreneurship training the project would work on basic skills with unemployed people, seeking to move them into self employment and economic independence. The course would include: English, numeracy, interview skills, volunteer placements and cash flow statements.	82.5	10	£9,373	Nil			
Praxis Interactive Research	I have "IT" in me: Using humour, creativity and ideas to build positive self image and attitudes. This is a 5 month project of 7 sessions for up to 60 people.	78	11	£8,685	Nil			
CORECOG	Building contact between French speaking voluntary organisations in Barking and Dagenham: working with	78	12	£8,822	Nil			

	groups based in Starting point to develop a befriending service for 25 volunteers from different organisations around IAG for asylum seekers, migrants and refugees.							
Barking Churches Unite	Train 6 volunteers and 1 member of staff to facilitate 30 parents coming together from July on a weekly basis to support one another. Gascoigne ward. This will be run alongside a current kids club.	76.5	13	£9,875	Nil			
Congolese Refugee Women Association	Capacity building and skills for future sustainability of the organisation: Facilitated self assessment of the organisation- engaging trustees, volunteers and service users over 4 months to position the organisation for the future	75	14	£4,146	Nil			
Mark McCarthys Magic Moments	Building the capacity of this cancer charity to become sustainable by the purchase of equipment for promotion and presentations to schools and community groups.	75	15	£5,215	Nil			
Leyton Visitation Action Group	Move on to independence: Work with 30 non-English speaking low income women in work to improve their employability and understanding. This will be done through workshops with a view to developing self-reliance and reduce dependency on others.	73.5	16	£9,780	Nil			
Yu Hua Chinese Association	Introducing a sports and social club for children and elders in the borough. There will be a weekly programme including sports activities, It sessions and team building exercises. There will also be 3 wider community events.	66	17	£10,000	Nil			
Living Word Church Parole Vivante	Monthly Empowering Saturdays: working with new arrivals and vulnerable people to engage, motivate, inspire and support them. The programme would use creative activities to build confidence. There would be 2 cohorts of 25 people over 6 monthly sessions.	60	18	£7,454	Nil			
DISAD	Yes you can project: Coaching and motivating residents to empower them to achieve. This will include workshops, mentoring, talks, roadshows and parenting/finance workshops	60	19	£9,990	Nil			

Eagle Recruitment & Training Centre	ERTC seek to build an efficient management system by having a quality assessment system and attain Matrix qualification. This would position the organization to win contracts to work with people on skills development.	44	20	£4,920	Nil
Village Hall Community Association	Replacing the windows of Village community Hall with double glazed windows.	42	21	£10,000	Nil
B & D Punjabi Welfare Association	The project would: <ul style="list-style-type: none"> • Fund trips to the sea-side for children and elders • 2 cultural events for Punjabi community, inviting the wider community to the celebrations. • Provide weekly meetings- issues facing members • Train 3 volunteers to help disabled people on visits. Annual income in excess of the £80,000 threshold	39	22	£4,015	Nil
St Ethelburga's Centre for Reconciliation	Annual income in excess of the £80,000 threshold	0		£9,024	Not considered
Women Together Association	No project description was included so officers were unable to assess the project	0		£9,728	Not considered
The Small Business Consultancy	Did not demonstrate that its annual income was below the £80,000 threshold.	0		£7,283	Not considered
CSR Projects	Could not provide sufficient evidence that the organisation had been formally constituted for 1 year.	0		£10,000	Not considered
				£207,308	£26,690

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Corporate Grants and Commissioning Programme

	2011/12 original budget	2011/12 revised budget	2012/13 original budget	2012/13 revised budget	2013/14 budget
Capacity Building					
Local infrastructure organisation	£126,150	£126,150	£126,000	£126,000	£114,000
Community accountancy support	£20,000	£20,000	£20,000	£20,000	£20,000
Volunteering support	£50,000	£50,000	£47,000	£47,000	£45,000
Strengthening Communities					
BAME & Refugee Forum	£21,250	£21,250	£20,000	£20,000	£20,000
Disability Forum	£16,000	£16,000	£16,000	£16,000	£16,000
Faith Forum	£16,000	£16,000	£16,000	£16,000	£16,000
LGBT Forum	£16,000	£8,000	£16,000	£16,000	£16,000
Older People's Forum	£12,000	£12,000	£16,000	£16,000	£16,000
Strengthening communities commissions	£52,000	£68,000	£45,000	£29,000	£40,000
CLAC/ advice commission	£205,000	£205,000	£196,500	£196,500	£196,500
Tackling discrimination commission	£62,600	£62,600	£50,000	£50,000	£50,000
Innovation Fund grants	£60,000	£63,748	£60,000	£26,690	£60,000
Contribution to London Councils Grants Scheme	£300,000	£317,000	£200,000	£264,000	£250,000
London Councils Mitigations	£170,000		£160,000		£145,000
Support to recommission activities previously commissioned by London Councils		£68,340			
Leadership training		£40,000		£0	
Specialist advice services		£26,000			
Pump Priming Fund		£15,000		£7,700	£5,000
Projected total spend	£1,127,000	£1,135,088	£988,500	£851,000	£1,009,500
<i>Budget</i>	£1,136,000	£1,136,000	£886,000	£851,000	£646,000
Shortfall	£9,000	£912	-£102,500	£0	-£363,500

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CABINET

17 JANUARY 2012

Title: Housing Concierge and Estate Policing Proposal	
Report of the Cabinet Members for Housing and Crime, Justice and Communities	
Open report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Maureen McEleney, Divisional Director of Housing and Neighbourhoods	Contact Details: Tel: 020 8724 3738 E-mail: maureen.mceleney@lbbd.gov.uk
Accountable Divisional Directors: Maureen McEleney, Divisional Director of Housing and Neighbourhoods and Glynis Rogers, Divisional Director of Community Safety and Public Protection	
Accountable Directors: Darren Henaghan, Corporate Director of Housing and Environment and Anne Bristow, Corporate Director of Adult and Community Services	
<p>Summary:</p> <p>This report sets out proposals in respect of the concierge/security services for a number of housing blocks and seeks authority to tender and let a contract for this service.</p> <p>In addition this report also sets out a policing proposal put forward by the Metropolitan Police to provide specific additional policing to housing estates, the details of the proposed arrangements and how these can be funded and taken forward.</p>	
<p>Recommendation(s)</p> <p>Cabinet is asked to:</p> <ul style="list-style-type: none"> (i) Note the outcome of the consultation on future concierge provision; (ii) Agree that the Concierge / Security arrangements for residential housing blocks be tendered and a contract awarded as set out within the report; (iii) Agree that officers enter into a contractual agreement with the Metropolitan Police in respect of the proposals in consultation with Legal Services, and (iv) Note that officers and relevant Portfolio Holders will consider further measures to deal with anti-social behaviour issues as set out in the report, including funding directly through the HRA up to two Family Intervention Officers on a trial basis. 	
<p>Reason(s)</p> <p>These proposals contribute to the Policy House theses of Better together and Better Home through tackling anti-social behaviour, working in partnership and involving residents. These proposals also contribute to a well run organisation by improving value for money and making good use of assets.</p>	

1. Introduction and Background

- 1.1 There are a range of ways crime and anti social behaviour on estates are addressed including:
- Physical policing – including safer neighbourhood teams directed through local priority setting and the VOLT (Victim, Offender, Location, Time)/which is a multi agency group that looks at policing priorities.
 - Community Safety measures to address ASB including use of powers to serve ASBO's/other enforcement action
 - Diversionary activities – primarily directed at young people
 - Support initiatives including victim support, as well as support to families through the Family Intervention Project and mediation
 - Environmental action to discourage ASB
 - Environmental Health Officer enforcement action to tackle noise and nuisance
 - Community work to bring communities together and promote neighbourliness
 - Use of CCTV including the SAMs (surveillance and monitoring) system.
- 1.2 In addition as a landlord the council provides a range of measures to address ASB on estates. These include:
- Physical measures – including lighting, Door Entry Systems/Use of CCTV/SAMs
 - Management measures – including concierge/on site security/emergency response
 - Tenancy enforcement – including eviction and probationary/demoted tenancies
 - Lettings management – to address ASB
- 1.3 Depending on the severity of the problem and the measures used, much of this work is supported through Community Safety and Environmental Health Officer action as well as through partnership working with the police.
- 1.4 Across Housing Revenue Account (HRA) and General Fund services the Council makes a significant investment in Community Safety and ASB directly aimed at addressing residents' concerns. In respect of specific HRA services such as on site security/SAMs etc this forms a service charge to residents of the affected blocks.
- 1.5 This Report sets out proposals in respect of two particular aspects of this work:
- Concierge
 - Policing

2 Proposal and Issues Concierge/Security

- 2.1 A new concierge and security contract was put in place earlier in the year for all housing sites administered as part of a Council wide contract.
- 2.2 It is proposed to retender the housing element of this contract that involves concierge and security services to tenanted blocks, to enable leaseholder consultation requirements to be met for the future. In advance of any retendering exercise consultation has now been carried out with residents about whether they

want a concierge service, the level of service wanted in respect of hours (and cost) and any alternative provision including increased estate policing

- 2.3 All residents of Thaxted House, Highview and Sebastian Court were provided with a questionnaire seeking their views and meetings were held with residents of each block. However attendance was low and this is also reflected in the overall response levels. This was particularly the case in respect of Sebastian Court where only 12 out of 64 properties responded and the Council will therefore be seeking ways to get a broader range of views. In addition to the Concierge proposals residents were generally supportive of proposals for an additional policing service. As a result of this consultation it is therefore intended to progress the retendering of this contract.
- 2.4 The Housing residential blocks affected by the tendering proposals are: Thaxted House, Sebastian Court and Highview House as well as Millard Terrace. Most of these blocks currently have a concierge service, whilst Millard Terrace is served by the SAM's CCTV system. Colne House and Mersea House will also be linked into the SAM's system on completion of the current major works project.
- 2.5 It is proposed to tender for these services including concierge and SAM's operators. The estimated contract value is circa £500,000 per year and it is proposed to enter into a contract of two years with an option of a one year extension. This is aimed to align with the current corporate security contract and enable any future retendering to be carried out as a single procurement. It is therefore anticipated that this contract will end on 14th June 2014 in order to tie into the current corporate contract.
- 2.6 Formal S20 Leaseholder consultation will be required in respect of this procurement and arrangements for this have been built into the tendering arrangements. This requires leaseholders to be consulted on any proposals that affect them and for leaseholders to be able to comment on any proposals and for their views to be taken into account before any contract is awarded.
- 2.7 It is proposed to seek tenders using the two part Restricted Procedure in accordance with the European Procurement Directives for a two year term contract with the possibility of a one year extension subject to satisfactory performance of the nominated contractor. It is intended that this contract will be aligned to end at the same time as the current corporate contract, 14th June 2014.
- 2.8 It is proposed that the contract will work on a 'call off' basis from a priced schedule of rates for the duration of the contract.
- 2.9 Applicants will be assessed on a range of criteria based on a 70% price, 30% quality basis. The quality assessment will include:
- Contract management and control
 - Contract implementation
 - Equipment, uniforms, recording and reporting systems
 - Risk management
 - Complaints management

The above is not exhaustive and may be added to during finalization of the tender documentation.

2.10 Following tender evaluation and in line with the Council's constitution, unless otherwise instructed by the Cabinet, a recommendation report in the form of a Delegated Decision will be submitted to the Corporate Director of Housing and Environment, in consultation with the Corporate Director of Finance and Resources, to award the new term contract following the conclusion of the procurement process.

2.11 The proposed timetable for the tender process is:

Cabinet approval	January 2012
Stage 1:S20 Leasehold Consultation	January 2012
Advertise	February 2012
Expression of interest	March 2012
Invitation to tender	April 2012
2 nd Stage: S20 Leasehold Consultation	May 2012
Contract Award	June 2012

Policing Proposal

2.12 In tandem with the Council's proposal to address future security needs on estates the Metropolitan Police have also put forward a policing proposal that needs to be considered within the overall context of the Council's approach to community safety.

2.13 The proposal from the Metropolitan Police is that they would share the cost of providing additional Police Officers (salary and on cost) on a 50/50 basis with a commitment that this would be valid for an initial period of two years. The officers would be regular Police Officers trained to national standards. They would work as part of a dedicated Housing Team, working under the management of the Police, tasking informed by Police and Council priorities. This approach has proven successful at both Gascoigne Estate and in the Borough's Parks where the Council funds and influences police resources.

2.14 It is proposed that the Council would pay for ten Police Officers and would get twenty Police Officers. The management and tasking of these officers would be through the Metropolitan Police. However their objectives will be determined through the VOLT Strategic Review Group. The membership of this group includes the Divisional Directors for Community Safety and Housing and Neighbourhoods, the portfolio holder for Crime, Justice and Communities, the Chief Inspector for Barking and Dagenham and other senior officers as well as probation and health. The VOLT locations group which feeds into the Strategic Review Group will take an active role in tasking the team based on local knowledge, and Housing Managers will form part of this group. Detailed arrangements will be put in place to agree priorities and tasking and to monitor outcomes. This will be a continuous process of setting and agreeing priorities and tasking, linked to local intelligence as well as other information sources. This approach has already proved successful in dealing with long term issues in Marks Gate and Barking Park.

2.15 The Police Operational Commander and the Divisional Directors will establish and maintain appropriate mechanisms to monitor the effectiveness of the additional police officers which will be reviewed annually. As part of the discussions with the

police on this proposal we would also seek appropriate break clauses in the arrangements.

- 2.16 The Police Estates Team will come under a dedicated Police Inspector and the proposal is that they provide a seven days a week service covering 10:00am to 10:00pm, although hours of operation will be flexible based on need. The proposed hour reflect the times where additional police presence would be most visible and accessible. However a normal police emergency response would always remain available. It is intended that the team will be highly visible on estates and that where feasible they will use housing offices as a base as well as be contactable in other publicly accessible venues. The estates team will work closely with the SNTs but will form a separate and distinct unit. The team will use local intelligence provided through SNTs alongside other local sources to help inform priorities.
- 2.17 It is also intended that these proposals will support the Police Cadet Initiative that operates in Barking and Dagenham with specific targets to increase the number of uniformed Police Cadets from the estates who will then be used to assist the team with community based initiatives. It is proposed that this will be developed with the involvement of the Council's Youth Service.
- 2.18 In addition it is proposed that in the event that this initiative is agreed that the police will provide a further 20 Police Special Constables to work in Barking and Dagenham alongside these dedicated officers. This would provide a significant return for funding 10 Police Officers. Whilst these officers would not be full time, this will provide an additional police presence.
- 2.19 As well as the extra policing, a commitment is being given to further address ASB issues. This would be met from HRA resources and possibly government grant following recent family intervention announcements. Working with the additional intelligence that the extra policing is likely to provide, the Council will give consideration to different approaches and innovative measures including the possibility of employing on a trial basis up to two Family Intervention Officers to work in conjunction with the Police and test whether this would bring worthwhile results.

Existing Policing initiatives

- 2.20 There are two similar current policing initiatives in operation within the borough.
- 2.21 There is a current policing initiative at the Gascoigne Estate in which police officers are matched funded to patrol the Estate which has resulted in significant reduction in fear of crime on the estate. Resident satisfaction with security and safety has improved and their well being has increased. Vandalism has declined as well as crime rates in a range of areas including burglary and car theft.
- 2.22 A similar initiative involving the boroughs parks has also secured increased resident satisfaction and had a positive impact on the park environment.

3. Options Appraisal

- 3.1 There are a wide range of options for providing security to blocks of flats and a number of these measures are currently in place including CCTV and Door Entry

Systems. The blocks which are subject to the concierge/ security proposals set out in this report all currently receive a concierge/ security service and the options for future provision include the hours of operation, the days of operations and the service to be provided. Consultation with residents has been carried out on these options and the outcome will be reflected in the tendering proposals.

- 3.2 The cost of ten Police Constables which would give the Council twenty police Constables and 20 Special Police Constables, is £500k. The reduction in vandalism repair and other forms of wilful damage is estimated at about £100k based on reductions achieved as part of the Gascoigne Police project.
- 3.3 There are three potential options to fund these costs
- General Fund
 - A specific service charge to Estates receiving the service
 - A universal HRA cost met from core rental income.
- 3.4 An assessment of each of these options has been carried out. Whilst a policing service could be seen as a General Fund activity, in this instance it is proposed that this service be restricted to housing estates. In addition this is an additional service and does not form part of core policing to the borough. In these circumstances it is therefore appropriate that this cost should be met from the Housing Revenue Account. Further consideration has been given to whether this should be a universal cost or a service charge to specific estates. The cost is considered to be a universal charge, as it is proposed that the additional policing will be deployed as needed, rather than being dedicated to a specific estate as this will give maximum flexibility in responding to particular issues on estates at different times. As a result this could not be made a specific service charge as a level of service could not be guaranteed to a particular block or estate and should therefore be borne from general core rental income. Provision to meet the additional costs has been within the existing HRA budget for the current year and will be built into future years forecasts.

4. Consultation

- 4.1 Consultation has been carried out with residents of affected blocks in respect of future concierge/ security provision. In addition residents' views were sought in respect of the policing proposals. In addition these proposals have been the subject of detailed discussions with the Metropolitan Police.

5 Financial Implications

Implications completed by: Jo Moore, Finance Group Manager

- 5.1 In 2010/11 the Housing Revenue Account paid approx £900k for security services which form part of the corporate contract. Under the recently re-tendered corporate contract the housing element is approximately £500k. As this is a charge which is passed on to tenants and leaseholders via service charges the saving will not impact on the HRA bottom line but should mean that tenants and leaseholders will benefit from lower costs. There will, however, be procurement costs payable as part of the new procurement arrangements with Elevate and these costs will equally need to be recharged to tenants and leaseholders.

- 5.2 The cost of 10 police officers (£50k each) totals £500k and, if accepted, will be built into the HRA business plan from 1 April 2012. The Metropolitan Police will complement this with a further 10 Officers and 20 Special Police Officers within the Borough. However, as this cost is recommended to be borne from core rental income (which is set based on government rent restructuring formulae) there will be an incremental cost to the HRA.
- 5.3 The HRA should benefit by reduced cost of vandalism or anti-social behaviour as result of the above measures which is estimated at £100k based on experience at the Gascoigne estate. This will also be built into the business plan.
- 5.4 The cost of 2 additional Family Intervention Officers will also be built into the HRA business plan and 2012-13 HRA budget.

6 Legal Implications

Implications completed by: Doreen Reeves Group Manager Legal

- 6.1 The Local Government and Housing Act 1989 requires that the Council maintains a separate accounts for housing related costs isolated from the general fund. This is called the Housing Revenue Account and it must balance each year.
- 6.2 It is therefore an implication that any costs incurred regarding the concierge and security services must be recovered in the form of charges to tenants and leaseholders. In the case of security a Notice must be given under the Housing Act 1985 to tenants before extra charges are made and consultation carried out in accordance with the Landlord and Tenant Act 1985 with the Leaseholders. This is vital or the full cost cannot be recovered.
- 6.3 Contracts can be made with the Police pursuant to section 92 of the Police Act 1996 and due to the specialist nature it would be suggested that it is made waiving the requirement to tender in accordance with the Council's Contract Rule 4.2.2.1, as the services to be provided under the contract with the Metropolitan Police are of a specialist or proprietary nature. As the cost is in excess of £400,000 this is a Cabinet decision.

7 Other Implications

- 7.1 **Risk Management** - The principle risks associated with the proposals set out within this report are:
- Concierge procurement risks - These will be mitigated through the use of Elevate for the procurement to ensure compliance with OJEU requirements.
 - Unable to reach agreement with the Metropolitan Police - This will be mitigated through early negotiation on key issues and by drawing on learning from existing contracts with the Metropolitan Police.
- 7.2 **Contractual Issues** - The proposals set out in this report will require a procurement process to secure concierge services as well as enter into a contract with the Metropolitan Police for the provision of Estate Policing.

- 7.3 **Staffing Issues** - There are no direct staffing implications for the Council arising from this report although there is the potential for TUPE between concierge/ security contractors.
- 7.4 **Customer Impact** - Concierge and security are existing services provided to residents in the affected blocks. Therefore there are no new implications for any identified groups arising from these proposals. The estate policing proposal is a new initiative which is aimed at enhancing quality of life on estates which will benefit all equality and diversity groups and particularly address those who may feel vulnerable in their home and environment.
- 7.5 **Safeguarding Children-** All of the proposals in this report are aimed at improving safety and security for all residents on estates including children. The proposals to link the policing initiative with the further development of the cadet arrangements is directed at providing services to young people.
- 7.6 **Health Issues** - The proposals in this respect are aimed at providing safe environments which will enhance health and wellbeing.
- 7.7 **Crime and Disorder Issues** - The proposals in this report directly contribute to the Council and Partnership work to tackle crime and disorder on estates.
- 7.8 **Property/ Asset issues** - There are no property/asset issues arising from the proposals in this report.

Background papers used in the preparation of this report: None

List of Appendices: None

CABINET

17 JANUARY 2012

Title: "Sporting Barking and Dagenham" - A Sport and Physical Activity Strategy for the Borough	
Report of the Cabinet Member for Culture, Leisure and Sport	
Open Report	For Decision
Wards affected: All	Key decision: Yes
Report Author: Paul Hogan, Divisional Director of Culture and Sport	Contact details: Tel 020 8227 3576 Email: paul.hogan@lbbd.gov.uk
Accountable Divisional Director: Paul Hogan, Divisional Director of Culture and Sport	
Accountable Director: Anne Bristow, Corporate Director of Adult and Community Services	
Summary	
<p>Barking and Dagenham has a uniquely sporting heritage, as the Sporting Legends sculpture by the A13 celebrates so proudly. Sporting heroes and heroines with local connections include Terry Venables, Bobby Moore, Sir Alf Ramsey, Beverley Gull, John Terry and Jason Leonard.</p> <p>Thanks to the high class facilities on offer and the impetus of the Olympic and Paralympic Games, stars of the future have the opportunity to shine in Barking and Dagenham. The Council and its partners have also been using sport and physical activity as a way of promoting community cohesion, encouraging regeneration, improving health and creating pride in the Borough.</p> <p>In order to build on this track record and to get the best possible legacy from the Olympic Games and Paralympic Games in 2012, a shared vision and strategy is being developed for everyone involved in the delivery and promotion of physical activity and sport in the Borough.</p> <p>The primary purpose of the strategy is to get <i>more people, more active, more often</i>.</p> <p>The goals are to:</p> <ul style="list-style-type: none"> • Build capacity – provide the right type of facilities, of the right quality in the right place. • Increase participation in sport and physical activity – encourage people who don't currently participate to do so and get people who are already active to take part more often. • Develop effective sporting and physical activity pathways – encourage and enable people to stay involved in sport and physical activity and achieve the highest standard that they want to and are capable of. • Widen access to sport and physical activity – make sure that people who don't 	

traditionally participate in sport and physical activity are supported to do so.

- Strengthen organisations and partnerships – increase the number and quality of volunteers, coaches and clubs

The draft strategy and improvement action plan is attached as Appendix 1.

Members should note that Sport England will be launching a new national strategy for sport in early 2012. It is expected that this will be a radical departure to their current priorities and is likely to have far reaching consequences in terms of funding opportunities and other support they provide to the Borough.

As a result, this report recommends that Members approve the draft strategy and improvement action plan as they currently stand but delegate authority to the Corporate Director of Adult and Community Services to finalise both documents in the light of the opportunities and implications presented by the new Sport England strategy.

Recommendation(s)

The Cabinet is recommended to:

- (i) Approve the current draft of the strategy and improvement action plan; and
- (ii) Authorise the Corporate Director of Adult and Community Services, in consultation with the Cabinet Member for Culture, Leisure and Sport, to finalise the strategy and improvement action plan once the opportunities and issues presented by the new national strategy for sport have been taken into account.

Reason(s)

The implementation of the strategy and improvement action plan will contribute to the achievement of the following Council priorities:

- A borough where people's health and fitness are improving, with fewer smokers, with more people taking exercise and where people take better care of their diet;
- A borough with excellent leisure and health facilities, in which people can exercise, relax and play;
- A borough which meets the needs of disabled children, young people and adults;
- A borough with a range of positive activities for young people;
- A borough with a thriving voluntary sector; and
- A borough with excellent parks, play and cultural facilities.

1. Information and Background

1.1 The sport and physical activity strategy has been developed with a number of key partners to provide a framework that will enable and encourage more people to be more active, more often.

1.2 The strategy aims to increase the level of participation in sport and physical activity in the Borough through the development of a wide range of opportunities, which are far broader than just traditional sporting activities.

- 1.3 To achieve this aim will need a radical change in behaviour and to do this everyone involved in delivering sport and physical activity initiatives needs to focus effort on where it will have the biggest impact.
- 1.4 The strategy proposes what the key priorities are to achieve this and how resources should be used to support future service delivery.

2. Proposals and Issues

Proposed Draft

- 2.1 The draft strategy and improvement action plan, which Cabinet Members are being asked to approve is attached at appendix one. It should be noted that some of the photographs in the draft document are generic. These will be replaced in the final version of the strategy with images of Borough sports people, facilities and clubs.

Process

- 2.2 The priorities and actions set out in the strategy improvement action plan have been identified by the Barking and Dagenham Community Sport and Physical Activity Network (CSPAN).
- 2.3 The development of the strategy has been informed by a variety of national, regional and local policies, plans and strategies. These are set out at section 6 of the draft strategy document.
- 2.4 Current information about sport and physical activity in the Borough, wider health inequalities and anticipated population changes has also been used. The key demographic drivers are set out at section 8 of the draft strategy.
- 2.5 The overarching outcome from the successful implementation of the strategy improvement action plan is to get more people, more active, more often.
- 2.6 The strategy aims to:
- **Build capacity** – provide the right type of facilities, of the right quality in the right place.
 - **Increase participation in sport and physical activity** – encourage people who don't currently participate to do so and get people who are already active to take part more often.
 - **Develop effective sporting and physical activity pathways** – encourage and enable people to stay involved in sport and physical activity and achieve the highest standard that they want to and are capable of.
 - **Widen access to sport and physical activity** – make sure that people who don't traditionally participate in sport and physical activity are supported to do so.
 - **Strengthen organisations and partnerships** – increase the number and quality of volunteers, coaches and clubs
- 2.7 The expected outcomes are set out in section 14 of the draft strategy along with an action plan that set out the work that will be undertaken to achieve strategy aims.

Issues

Governance arrangements

- 2.8 The proposed governance and reporting arrangements for the strategy and the central role envisaged for the Barking and Dagenham Community Sport and Physical Activity Network (CSPAN) is outlined in sections 9 and 10 of the draft strategy.
- 2.9 The strategy also describes the establishment of 'Sporting Barking and Dagenham', a new umbrella organisation that is open to all interested organisations and individuals. It will communicate information via a regular E newsletter and informal networking opportunities and will be facilitated by the Council's sport and physical activity development team
- 2.10 The aim of Sporting Barking and Dagenham is to celebrate success, share good practice, and help find solutions to common issues. It will raise the profile of sport and physical activity in the Borough, regionally and nationally.

Resourcing the strategy

- 2.11 Section 13 of the draft strategy confirms that it is not expected that there will be any growth in Council revenue funding for sport, physical activity and parks and open spaces over the life of the strategy. This reality has directly shaped the development of the strategy improvement action plan.
- 2.12 A cornerstone of the strategy is the need to improve efficiency and effectiveness to deliver the same quality and range of services for less money, or to deliver more for the same level of expenditure. There will also be a continued focus over the life of the strategy and beyond to secure funding from other sources working in partnership with local, sub-regional and national agencies.
- 2.13 The strategy outlines the need to consider a range of management models, including the possible asset transfer of pavilions and playing pitches from the Council to local clubs, as well as other services perhaps being delivered by the voluntary, private or trust sectors. These could provide a more effective way of maximising the impact of available resources by releasing funds for new sport and physical activity provision.

Sport England

- 2.14 Sport England has recently announced radical changes to the way it will be working in the future. This will be set out in a new youth and community strategy to be launched in January 2012.
- 2.15 The most important change expected in the strategy is a significantly increased focus on youth provision and improving the transition from school sport to community sport and creating a sporting habit for life. It has also been announced that the target for adult participation in sport and active recreation (3 x 30 minute sessions per week) will be dropped.

- 2.16 The new Sport England strategy will not be available until after the papers for this Cabinet meeting have been circulated, which is why this report seeks delegated authority to the Corporate Director of Adult and Community Services to finalise the strategy and improvement action plan.
- 2.17 This will allow the final version of the Borough's strategy to take into account the opportunities and issues presented by the marked change in direction that is expected at a national level.

3. Options appraisal

- 3.1 The options available to Cabinet are to approve the strategy and action plan (with any direction on amendments to be made) or not to approve it.
- 3.2 Not to approve the strategy and improvement action plan would be difficult because it would suggest that we are not open to collaborative working and that we do not have any commitment to address health inequalities in the Borough, in particular those related to combating the low levels of regular participation in physical activity.
- 3.3. Therefore, Members are recommended to:
- Approve the strategy and improvement action plan in principle;
 - To authorise the Corporate Director of Adult and Community Services, in consultation with the Cabinet Member for Culture and Sport, to finalise the strategy and improvement action plan, so that it takes into account Sport England's new youth and community strategy;
 - To provide such direction as they see fit on amendments, removals and additions.

4. Consultation

- 4.1 The draft strategy has been approved by the Barking and Dagenham Community Sport and Physical Activity Network (CSPAN). The aim of the CSPAN is to increase and promote participation in physical activity and sporting opportunities, through a diverse programme of opportunities that address health inequality.
- 4.2 The membership of the CSPAN is drawn from across the Council and includes representation from local sports clubs, the NHS and regional sports agencies. It meets quarterly to monitor and evaluate progress against action plan targets.
- 4.3 A consultation version of the draft strategy and improvement action plan has been reviewed at meetings of the Portfolio Holder for Culture and Sport (28/11/11), Corporate Management Team (15/12/11) and the Safer and Stronger Community Select Committee (06/12/11). Recommendations and comments from these meetings have been incorporated into the draft strategy and action plan.
- 4.4 The views of sports clubs in the Borough and relevant National Governing Bodies for sport are also being sought and there will be opportunities for individuals and community groups to have their say before the strategy and action plan is finalised.

5. Financial implications

Implications completed by Ruth Hodson, Group Manager, Finance

- 5.1 Due to the financial constraints on the budget, the Council will have to decide what level of service they can provide.
- 5.2 As highlighted in the strategy any additional revenue needed will either have to be raised by increasing income or bidding for additional external funding.

6. Legal implications

Implications completed by Fiona Taylor, Legal Group Manager

- 6.1 There are no legal implications in the report.

7. Other implications

7.1 Risk Management

The strategy is intended to provide a framework to co-ordinate and focus effort where it will have the greatest impact in increasing the levels of physical activity participation in the Borough. On this basis, it is expected to improve the effectiveness of the relationship between partners and stakeholders, as well as providing clarity about roles and expectations. In doing so, it will reduce the risk of the Council failing to achieve its priority outcomes for sport and physical activity.

There are no financial risks associated with the strategy and improvement action plan. It is expected that the strategic framework for sport and physical activity will enable the Council and its partners to lever in external funding to meet the costs of projects and programmes that otherwise could not be afforded.

7.2 Customer Impact

It is expected that the successful implementation of the strategy and improvement action plan will encourage people who already participate in sport and physical activity to do so more often. Also it will enable people who don't traditionally participate to become and stay active.

7.3 Safeguarding Children and Vulnerable Adults

One of the key actions in the improvement action plan is to implement effective safeguarding processes and procedures across the services provided by the Council, its partners and the voluntary sector.

7.4 Health Issues

The strategy and improvement action plan is intended to provide the principal vehicle by which the Borough's Health and Wellbeing Strategy priority to improve levels of physical activity will be achieved. It will also support the achievement of the priority outcomes relating to healthy weight and health at work.

7.5 Crime and Disorder Issues

Sport can make a significant contribution to the reduction of crime rates and anti-social behaviour. It has become increasingly apparent in recent years that physical activity and sport has an important role as a diversionary activity that reduces the levels of crime and disorder. Early involvement in sport and physical activity by young people can help in preventing a life of crime or diverting others away from re-offending.

Background papers used in the preparation of this report

The links to other strategies and plans that have informed the development of this report are set out in section 6 of the draft strategy.

List of appendices:

Appendix 1 Sporting Barking and Dagenham – sport and physical activity strategy

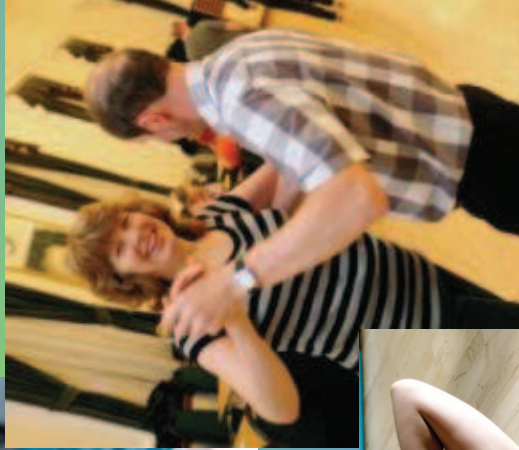
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A sport and physical activity strategy for Barking & Dagenham

2012 – 2015

more people, more active, more often

**CONSULTATION VERSION FOR
LBBB CABINET
V.0.5 20/12/11**



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Foreword

1

Barking and Dagenham has a uniquely sporting heritage as the Sporting Legends sculpture by the A13 celebrates so proudly. Sporting heroes and heroines with local connections include Terry Venables, Bobby Moore, Sir Alf Ramsey, Beverley Gull, John Terry and Jason Leonard.

Thanks to the high class facilities on offer and the impetus of the London 2012 Olympic and Paralympic Games, stars of the future will also have the opportunity to shine here in Barking and Dagenham.

The Council and its partners have also been using sport and physical activity as a way of promoting community cohesion, encouraging regeneration, improving health and creating pride in the Borough.

In order to build on this track record and to get the best possible legacy from the Olympic Games and Paralympic Games in 2012, we have set out a shared vision for everyone involved in the delivery and promotion of physical activity and sport in the Borough.

The Olympics and Paralympics provides us with both a challenge and an opportunity and we want to be sure that the direction we take over the next three years lays a strong foundation that will have some significant benefits for local people.

Our goals are to:

Build capacity – provide the right type of facilities, of the right quality in the right place.

Increase participation in sport and physical activity – encourage people who don't currently participate to do so and get people who are already active to take part more often.

Develop effective sporting and physical activity pathways – encourage and enable people to stay involved in sport and physical activity and achieve the highest standard that they want to and are capable of.

Widen access to sport and physical activity – make sure that people who don't traditionally participate in sport and physical activity are supported to do so.

Strengthening organisations and partnerships – increase the number and quality of volunteers, coaches and clubs

Above all else we want to get **more people, more active, more often.**

This strategy sets out how we plan to achieve this.

Councillor Bert Collins
Portfolio holder for Culture and Sport
Barking and Dagenham Council



It was great to come back to Mayesbrook where I used to train all those years ago. I'm very pleased to see that the track is being rebuilt in time for the London Olympics. I hope young athletes from Barking and Dagenham will take advantage of the new facilities. Maybe some of them will even make it onto the Olympic podium one day.
Daley Thompson, double Olympic Gold medal winner

Introduction

2

This strategy has been developed with a number of key partners to provide a framework that will enable and encourage more people to be more active, more often.

To achieve this aim will need a radical change in behaviour and to do this everyone involved in delivering sport and physical activity initiatives needs to focus effort on where it will have the biggest impact.

This strategy aims to increase the level of participation in sport and physical activity in the Borough through the development of a wide range of opportunities, which are far broader than traditional sporting activities.

This strategy identifies what the key priorities are to achieve this and how resources should be used to support future service delivery.

Outcomes

3

The key outcomes from the delivery of this strategy in 2015 will be:

- ✓ 5,600 more adults will be participating regularly in sport and physical activity, an increase of 3%.
- ✓ Leisure centre visits will have increased by 40% to 1.25 million per year.
- ✓ The percentage of 5 to 16 year olds participating in three hours or more PE and sport each week will have risen by 5% to 58% - performance measure to be changed in line with new Sport England strategy targets
- ✓ The % of adult residents who are regular sports volunteers will have increased by 1% to 3.2%
- ✓ Satisfaction with sport and leisure facilities in the Borough will have increased by 15% to 69%.
- ✓ Satisfaction with parks and open spaces will have increased by 5% to 71%.
- ✓ No. of coaches in the Borough (UK coaching certificate level 2 and above or equivalent) benchmark and targets to be confirmed.
- ✓ Better quality and more accessible clubs: 13 more Club Mark accredited and 24 achieving the Borough standard.
- ✓ Increase in participation in physical activity by target groups – leisure pass members: Over 60; Unemployed (claiming Job Seeker's Allowance); NEETS; Looked After Children; Students (over 16 and in full time education); Claiming income support or housing benefit; registered carer (benchmark and target to be confirmed).
- ✓ 20% of residents aged 60 – 85 will have Active Leisure memberships (an increase of 100%).
- ✓ Increase in opportunities for disabled people to participate in sport: 15 local sports clubs offering inclusive activity programmes.
- ✓ Open a new sports centre in Barking town centre (by spring 2014).

Definition of Sport & Physical Activity 4

The terms physical activity, sport, active recreation and active living sometimes get interchanged.

In the context of this strategy the terms are used in the following way:

Physical Activity is an all encompassing term that includes active living, active recreation, health related activity, exercise and play.

Sport uses the Council of Europe's European Sports Charter as adopted by Sport England.

'Sport means all forms of physical activity which through casual or organised participation, aims at expressing or improving fitness and mental well-being, forming social relationships or obtaining results in competition at all levels'

Active Living is a way of life in which physical activity is valued and integrated into daily living including gardening, everyday walking, everyday cycling, DIY.

Active recreation is generally unstructured activity that individuals freely pursue in their leisure time for a sense of enjoyment that also benefits their physical social and emotional wellbeing and includes exercise, play, dance, walking, cycling, swimming for leisure, aerobics.



The Importance of Sport & Physical Activity

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The Government and major agencies now clearly accept and understand the impact and role that physical activity and sport can have on improving the quality of life for people across all age ranges.

In this context Sport and Physical Activity is seen as making a significant contribution towards achieving a wide range of policy objectives and actions in central and local government especially in areas such as social inclusion, regeneration, community safety, crime reduction, lifelong learning and health improvement, including its contribution to halting the rise in obesity rates and in reducing the negative impact of health inequalities.

Sport, Physical Activity and Social Inclusion

Sport and Physical Activity clearly brings people together and greatly contributes to breaking down social and cultural barriers, creating common ground, a sense of belonging, it fosters civic and social pride as well as achieving community cohesion, especially in diverse communities. Participation in Sports and Physical Activity helps tackle isolation whilst improving people's purpose, self-esteem and confidence.

Sport, Physical Activity and Regeneration
The development of sports facilities, like Becontree Heath Leisure Centre and the SportHouse, as well as transformational schemes in our parks and open spaces, such as at Barking Park and Mayesbrook Park, can play an important role in enhancing the image of the area as a place to live and do business in.

Sport, Physical Activity and Community Safety

Sport can make a significant contribution to the reduction in crime rates and anti social behaviour. It has become increasingly apparent in recent years of the importance that physical activity and sport has in acting as a diversionary activity in reducing the levels of crime and disorder. Early involvement in sport and physical activities by young people can help in preventing a life of crime or diverting others away from re-offending.

Sport, Physical Activity and Lifelong Learning

There is an increasing weight of evidence to demonstrate that involvement in Sports and Physical Activity has a positive impact on educational attainment especially in young people.

Sport also helps by giving both young and older people the opportunity to develop new skills, as well as the confidence and motivation to gain qualifications that can ultimately lead to employment and career development.

Sport, Physical Activity and Health Improvement

Regular sport and physical activity is proven to have a direct impact on our health both physically and mentally. It can improve psychological, social and physiological health.

The mental health benefits from regular physical activity and sport includes the positive effects in reducing stress and anxiety as well as raising people's self esteem, confidence and purpose.

The physical health benefits include its role as part of a wide ranging approach to help combat obesity, reducing the risk of coronary heart disease, reducing the risk of stroke and hypertension, prevention and management of diabetes, prevention of cancer, prevention or reduction of osteoporosis, reductions in falls among older adults and minimising the effects of arthritis.

Links to other strategies and plans 6

There are a number of key national, regional and local strategies and policies that have both influenced and had an impact on the development of the London Borough of Barking and Dagenham's Sport & Physical Activity Strategy, these are identified as follows:

National Policy and Strategy Documents	Regional Policies, Strategies and Plans	Local Policies, Strategies and Practices
<p>Sport England Strategy 2008 – 11</p> <p>Start Active, Stay Active – a report on physical activity for health for the four home countries (Chief Medical Officer, 2011)</p> <p>PE and Sport Strategy for young people (PESSYP)</p> <p>Be Active, Be Healthy: a plan for getting the nation moving (DoH, 2009)</p> <p>Every Child Matters: change for children (2004)</p> <p>Building a society for all ages (2009)</p>	<p>A Sporting Future for London – Mayoral Legacy Plan for Sport in London</p> <p>Go London! An active and healthy London for 2012 and beyond (GLA)</p> <p>Convergence – Strategic Regeneration Framework 2011 - 15</p> <p>Six host borough sports development plans: hockey; disability; aquatics; athletics; basketball; cycling; and tennis</p> <p>The framework for sport and physical activity in East London 2007 – 16 (Pro Active East London)</p>	<p>Health and Well Being Strategy - Barking and Dagenham Partnership</p> <p>Policy House - Barking and Dagenham Council (LBBD)</p> <p>Barking and Dagenham Joint Strategic Needs Assessment</p> <p>Children and young people's plan (LBBD)</p> <p>Older people's strategy (LBBD)</p> <p>Regeneration strategy (LBBD)</p> <p>Barking and Dagenham Community Sport and Physical Activity Network (CSPAN) improvement action plan</p> <p>Parks and green spaces strategy (LBBD)</p> <p>Playing pitch strategy (LBBD)</p> <p>Annual Report of the Director of Public Health (2011)</p>

Principles of this strategy 7

In the initiation of this strategy there are some fundamental principles upon which the priorities and actions recommended for the development of sport and physical activity in the Borough have been based. These are:

- That there should be opportunities for everyone to become more physically active, but ensuring that those least likely to take part are targeted and included.
- That effective partnership working is fundamental to the development of physical activity and the delivery of sport in the Borough.
- That successes and lessons learnt from projects and pilot schemes delivered across the Borough are integrated into the training and development of our staff, programmes of activities and development of facilities.
- That priorities and actions are developed through, and reflect national, regional and local strategies, in particular contributing to improving outcomes for children and older people.
- That evaluation and monitoring against objectives are key elements of all initiatives, and of the overall strategy.
- That there is effective consultation with individuals, groups and the population in the development of programmes and activities seeking to increase physical activity and sport levels across the Borough.



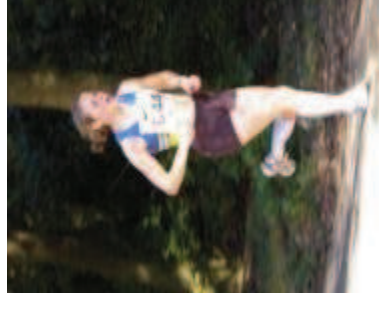
Ben Bradshaw



Conor Lynn



Bonne Buwembo



Robyn Matson

How active is Barking and Dagenham?

- **14.8%** of adults in Barking and Dagenham take part in sport and active recreation compared to the national average of 22%.
- However, **58.2%** of adults do no sport or active recreation.
- And, **59.7%** of adult residents in Barking and Dagenham want to start playing sport or do a bit more.

What are Barking and Dagenham's sporting statistics?

- **2.2%** of adult residents are regular sports volunteers compared to the national average of 4.5%.
- **15.6%** are members of sports clubs, compared to 23.9% nationally.
- **62.5%** are satisfied with sporting provision in the Borough compared to 69% nationally.
- Our most popular sports for adults are **swimming, going to the gym, football, athletics and aerobics**.

What does inactivity cost?

- The health costs of inactivity in Barking and Dagenham is at least **£2.9 million** per year.

Health inequalities in Barking and Dagenham

- The health of people in Barking and Dagenham is generally worse than the England average and 18,510 children live in poverty. Life expectancy for both men and women is lower than the England average.
- Life expectancy is 4.4 years lower for men in the most deprived areas of Barking and Dagenham than in the least deprived areas of the Borough.
- Over the last 10 years, all cause mortality rates have fallen. Early death rates from cancer and stroke have fallen but remain worse than the England average.
- About 23.6% of Year 6 children are classified as obese. A lower percentage than average of pupils spend at least three hours each week on school sport.
- Estimated levels of adult 'healthy eating' and obesity are worse than the England average.
- Rates of smoking related deaths and hospital stays for alcohol related harm are higher than average.

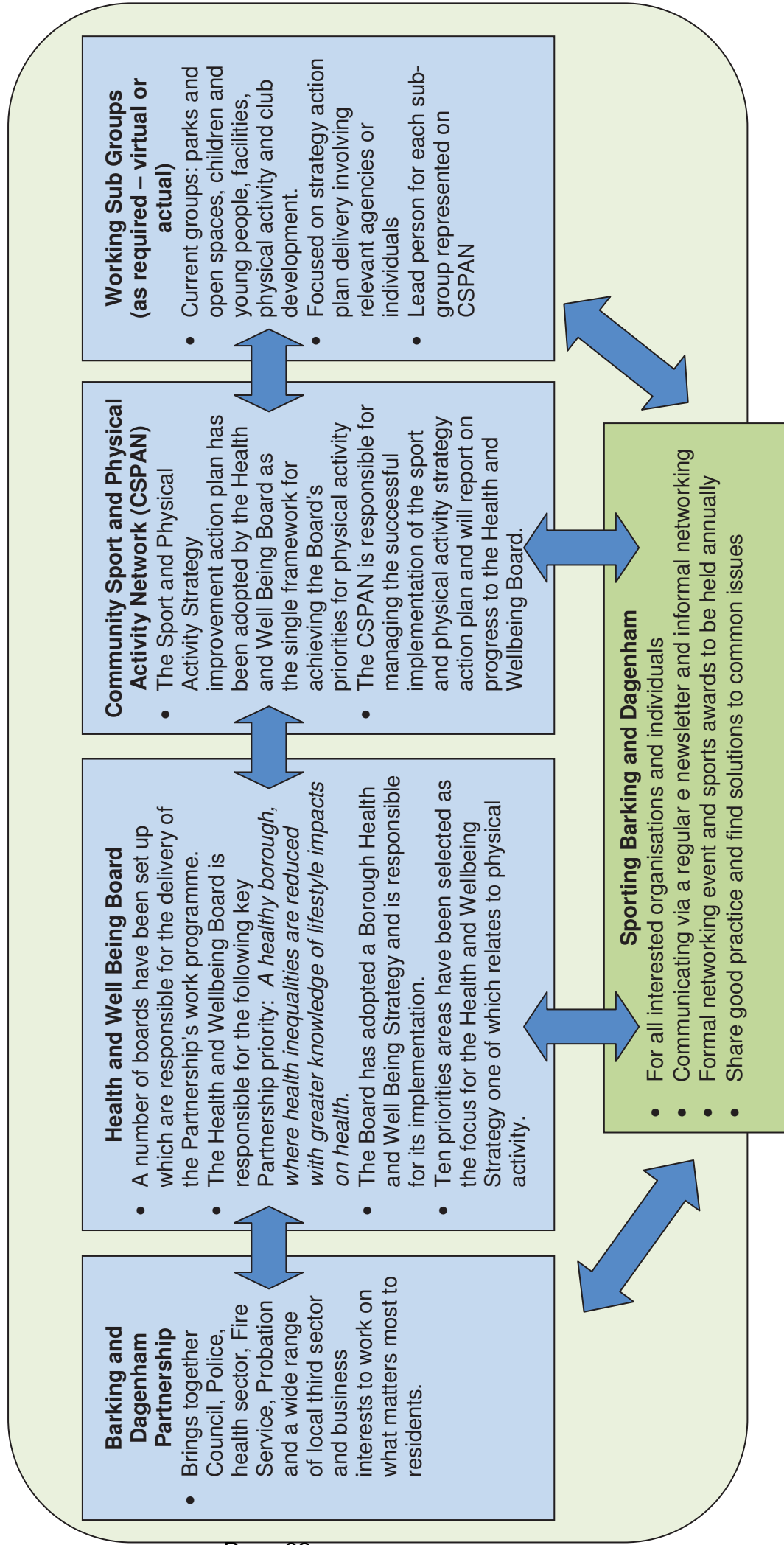
Population and pressures

- The main pressures on services are in the form of the increase in the number of children both at pre-school and school age. Whilst the elderly population has not increased dramatically, we are seeing the number in the older ages increase, which could indicate higher care requirements.
- It is expected that the Borough's population will rise from 179,350 to 199,500 in 2016 and 213,600 by 2021.
- In the long term to 2021, the Borough has London's third highest population increase. The Borough is projected to have the greatest growth in population aged 0 – 4 and 5 – 10 years in the whole of London.
- Growth in 11 – 15 year olds is in the top third of London Boroughs over the long term to 2021. Whilst the increase in 16 – 64 years is in the top 10 in London.
- The population aged over 65 has low growth in the short term and is in the 10 lowest across London in the long term.
- In the long term the growth in the over 85s is within the top 10 in London.

Governance Arrangements: How we are structured:

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The diagram below sets out the framework that has been established to drive the delivery of the sport and physical activity strategy



Monitoring, Evaluation & Review 10

Like all strategies, success very much depends on regular and robust monitoring and review to ensure that the intended outcomes are being achieved and action is taken to address service failings or other problems that will undoubtedly arise.

Throughout the life of this strategy the monitoring, evaluation and review will be undertaken by the Barking and Dagenham Community Sport and Physical Activity Network (CSPAN).

Barking and Dagenham Community Sport and Physical Activity Network (CSPAN)

The CSPAN is responsible for managing the successful implementation of the sport and physical activity strategy and will report on progress to the Health and Wellbeing Board.

The aim of the CSPAN is to increase and promote participation in physical activity and sporting opportunities within Barking and Dagenham, through a diverse programme of opportunities that address health inequality.

The CSPAN exists to bring together under a common purpose all agencies involved in providing opportunities for sport and physical activity in the London Borough of Barking and Dagenham. It creates a structure to enable joint working through a co-ordinated approach.

The CSPAN is a group of stakeholders providing strong leadership and co-ordination to deliver relevant targets and strategies for increasing sport and physical activity in Barking and Dagenham.

The membership of the CSPAN is drawn from across the Council as well as representatives from local sports clubs, the NHS and regional sports agencies.

The CSPAN develops and adopts an annual action plan that sets out how the aims and priorities for improvement set out in the Sport and Physical Activity Strategy will be taken forward. It meets quarterly to monitor and evaluate progress against action plan targets.

Five sub groups have been established that inform the work of the CSPAN: club development; young people; facilities; physical activity; and parks and green spaces. These groups help to ensure the widest possible engagement with people and organisations involved in sport and physical activity across the Borough.

This strategy draws on several national, regional and local strategies and plans.

The priorities and actions set out in the strategy improvement action plan have been developed by the Barking and Dagenham Community Sport and Physical Activity Network (CSPAN).

The views of sports clubs in the Borough and National Governing Bodies for sport have also been sought and there have been opportunities for individuals and community groups to have their say.

Equality and Diversity

The intention of this plan is to make physical activity and sport accessible to all sections of the community.

As well as stimulating participation by underrepresented groups, it is clearly advocated that work will continue to encourage increased participation by those groups in society who are already well represented.

It is recognised that equal opportunity requires targeted positive action, and in line with the vision for this strategy, actions will be taken to encourage all residents in the Borough to take part in sport and physical activity.

The strategy will support the setting of targets for identified groups and recommend that plans and programmes are developed in consultation with group representatives.

The training of people and capacity building within these communities will be a key feature of this development work.

An equality impact assessment has been produced that outlines how the needs of the Borough's diverse communities as well as people of all ages, different genders and people with disabilities have been considered and taken into account in the development of the strategy improvement action plan.

As well as driving improvements in sport and physical activity participation, the strategy will inform the budget setting process of the Council and its partners. It will also help to provide a compelling strategic rationale to support external funding bids for new projects, programmes and facilities.

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However, it must be recognised that these are very difficult times for local government and that Council revenue spending on sport, physical activity and parks and open spaces is unlikely to grow over the life of the strategy. This stark picture has directly shaped the development of the strategy improvement action plan to ensure that our aspirations are grounded in reality.

It also means that some tough decisions are having to be made about the level of service the Council can afford to provide. Whilst every effort is being made to try to ensure that price does not become a barrier to participation, one of the ways the Council is seeking to manage with less is by raising more income from its facilities and services.

A cornerstone of the strategy is the need to improve efficiency and effectiveness to deliver the same quality and range of services for less money, or to deliver more for the same level of expenditure.

There will also be a continued focus over the life of the strategy and beyond to secure funding from others sources working in partnership with local, sub-regional and national agencies.

To deliver the programme of activities set out in the strategy, existing funding streams will need to be directed toward the priorities identified. This will be supplemented by external funding sources. Bidding for, and securing external funding, will be a key strand of delivering this strategy if all of actions are to be achieved.

There also needs to be the consideration of a range of management models including asset transfer of pavilions and playing pitches from the Council to local clubs as well as other services being delivered by the voluntary, private or trust sectors.

These could provide a more effective way of maximising available resources in order to release funds for the continued development of sport and physical activity provision in these financially constrained times.

The purpose of this Strategy 14

Outcome

More people, more active, more often

1. **Build capacity** – provide the right type of facilities, of the right quality in the right place.
2. **Increase participation in sport and physical activity** – encourage people who don't currently participate to do so and get people who are already active to take part more often.
3. **Develop effective sporting and physical activity pathways** – encourage and enable people to stay involved in sport and physical activity and achieve the highest standard that they want to and are capable of.
4. **Widen access to sport and physical activity** – make sure that people who don't traditionally participate in sport and physical activity are supported to do so.
5. **Strengthening organisations and partnerships** – increase the number and quality of volunteers, coaches and clubs.

Aims



Success measures (by March 2015 except where indicated)	Source	Link to aims
1. 5,600 more adults will be participating regularly in sport and physical activity, an increase of 3%.	Active People Survey	Increase participation/widen access
2. Leisure centre visits will have increased by 40% to 1.25 million per year.	LBBB Culture and Sport	Increase participation/widen access/build capacity
3. The percentage of 5 to 16 year olds participating in three hours or more PE and sport each week will have risen by 5% to 58%. (NOTE: Indicator to be changed in line with new Sport England Strategy)	LBBB School Sport Partnership	Increase participation/widen access/develop effective sporting pathways
4. 10% year on year increase in sport and physical activity volunteering (baseline:15,000 hours per year)	LBBB Culture and Sport/Environment	Strengthen organisations and partnerships/Widen access/increase participation
5. Satisfaction with sport and leisure facilities in the Borough will have increased by 15% to 69%.	Place Survey	Widen access/increase participation
6. Satisfaction with parks and open spaces will have increased by 5% to 71%	Place Survey	Widen access/increase participation
7. No. of coaches in the Borough (UK coaching certificate level 2 and above or equivalent) (benchmark and targets to be confirmed)	Pro Active East London	Strengthen organisations and partnerships/Widen access/increase participation/develop effective sporting pathways
8. Better quality and more accessible clubs: 13 more Club Mark accredited and 24 achieving the Borough standard	LBBB Culture and Sport	Strengthen organisations and partnerships/Widen access/increase participation/develop effective sporting pathways
9. Increase in participation in physical activity by target groups – leisure pass members: Over 60; Unemployed (claiming Job Seeker's Allowance); NEETS; Looked After Children; Students (over 16 and in full time education); Claiming income support or housing benefit; registered carer. (benchmark and target to be confirmed)	LBBB Culture and Sport	Widen access/increase participation
10. 20% of residents aged 60 – 85 will have Active Leisure memberships (an increase of 100%)	LBBB Culture and Sport	Widen access/increase participation
11. Increase in opportunities for disabled people to participate in sport: 15 local sports clubs offering inclusive activity programmes	LBBB Culture and Sport	Widen access/increase participation
12. Open the new Abbey Sports Centre (by spring 2014)	LBBB Culture and Sport	Build capacity/increase participation/widen access

Priority One: Build Capacity

Examples of best practice we would like to build on:

Becontree Heath Leisure Centre

The centre opened in May 2011. It replaced Wood Lane Sports Centre and Dagenham Swimming Pool which were old, inefficient and no longer fit for purpose. The centre has been an immediate success with massive growth in the number of gym members and participation in swimming lessons. The centre will be used for the Olympics as a Games Time Training Venue for water polo.

SportHouse

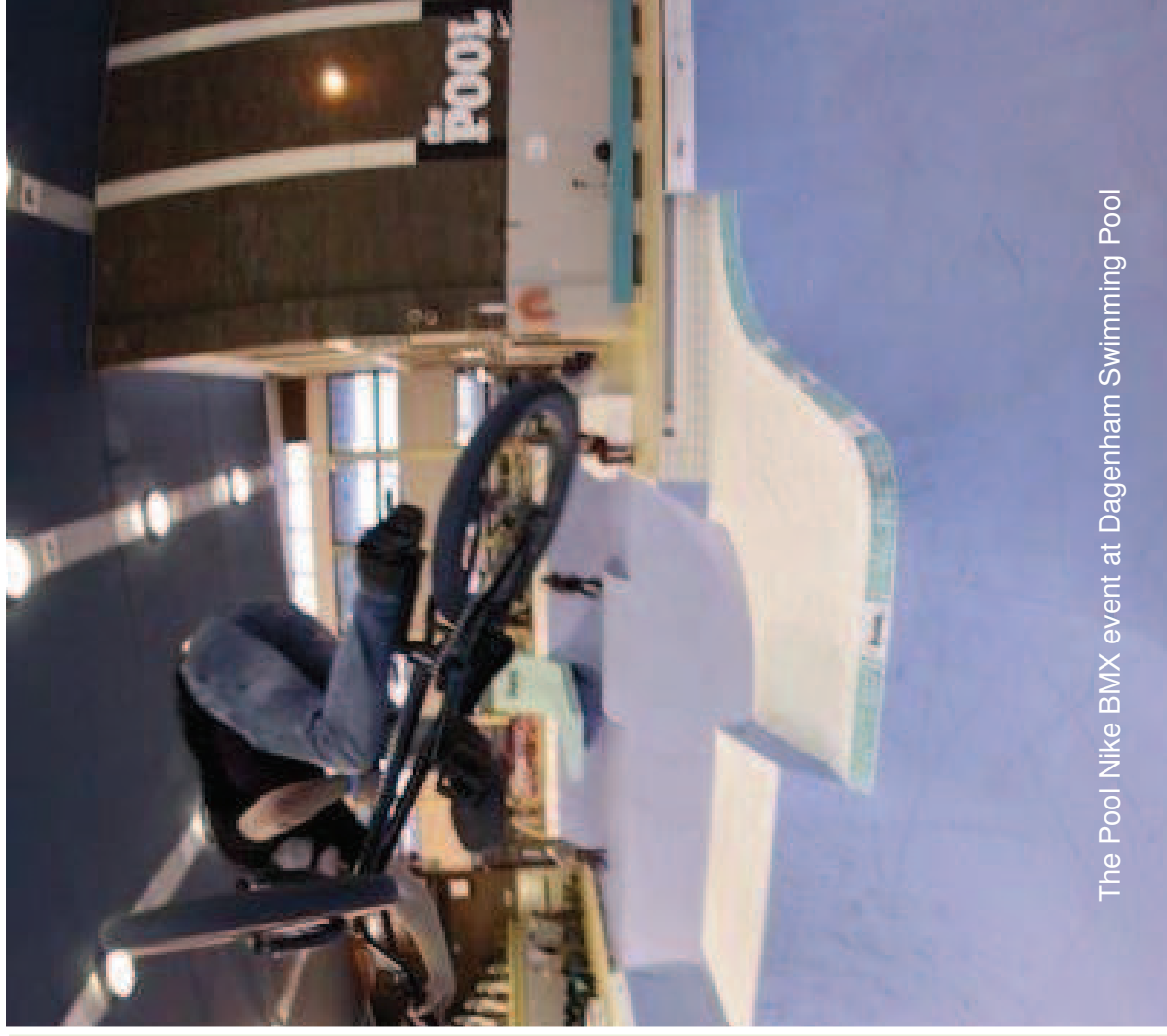
Maysbrook Park will be the venue for two Olympic Games Time Training Venues. It will comprise of Maysbrook Arena, which has been refurbished with £2m funding from the Olympic Delivery Authority, together with areas of the wider park for Athletics and Paralympic Athletics and a new build commercial sports centre which will host Handball, Wheelchair Rugby and Paralympic Judo. The £9.4m SportHouse will host a number of national and international sporting events after the Games as well as being accessible to local clubs and the wider community.

Barking Park

Barking Park has been transformed thanks to a £3.5 million Heritage Lottery Fund grant that was matched by the Council. It is the first of the Borough's parks to have its own dedicated manager, management plan and rangers' team.

Dagenham Park School

The new £24m Dagenham Park Church of England School, constructed as part of the national Building Schools for the Future (BSF) programme provides an inclusive range of outstanding sports, leisure and performing arts facilities for students and young people in the Borough. The centre provides a range of opportunities for community groups and organisations to share these wonderful facilities, providing an invaluable arts and leisure hub for the whole community.



The Pool Nike BMX event at Dagenham Swimming Pool

No.	FOCUS AREAS	SUCCESS MEASURES	When	Owner	How funded
1.1	Produce a leisure facilities plan to help protect current provision and address shortcomings in the number, distribution and quality of indoor and outdoor sport and leisure facilities, which are available for community use.	Refresh the leisure facilities strategy to provide a strategic assessment of current and future need in the Borough.	Oct 2012	CSPAN Facilities sub group	LBBD existing budgets
1.2	Create a sustainable network of fewer but better quality and more accessible leisure centres.	Close Goresbrook Leisure Centre and Abbey Sports Centre and re-provide facilities in a new leisure centre in Barking town centre. Sport House (Olympic handball training centre) in Mayesbrook Park opens for use by elite athletes and the wider community. Mayesbrook Arena (Olympic athletics' training venue) in Mayesbrook Park opens for club, community and school use	Spring 2014 Oct 2012 Oct 2012	LBBD Culture & Sport Ebsfleet ltd LBBD Culture & Sport	LBBD capital funding Olympic Delivery Authority/ Private sector Olympic Delivery Authority
1.3	Use the Borough's Parks and Green Spaces and Playing Pitch Strategies to plan for the effective design and provision of parks and playing pitches to enable more people to play sport.	Refresh the Borough Playing Pitch Strategy to provide a strategic assessment of demand for: cricket, football and rugby pitches; bowling greens; and tennis courts. Amend the type, distribution and number of pitch types across the Borough in line with Playing Pitch strategy recommendations.	Dec 2012 Dec 2013	LBBD Environment LBBD Environment	LBBD Existing budget LBBD Existing budget
1.4	Work strategically to secure investment for key sporting facilities and physical activity programmes	Develop a fundraising strategy to secure targeted investment in the Borough's key pavilions and playing pitches. Establish two new full size artificial turf pitches in the Borough.	June 2012 March 2015	LBBD Culture and Sport Barking Abbey School/ May and Baker sports club	LBBD officer time Private sector funding and grant aid

		Protect the May and Baker sporting facilities for future generations (community management arrangement in place).	April 2014	Partners: May and Baker sports club /D & R football club/LBDD/Eastbury school/Sanoffi Aventis	To be confirmed
		Support the development of a regional hub for basketball and netball at Barking Abbey School	April 2014	Barking Abbey School	Grant aid to be secured
1.5	Look at the opportunities for alternative management models to release resources to further improve physical activity and sport.	Increase the number of cricket pitches in the Borough	March 2014	LBDD Environment	Grant aid to be secured
		Undertake an options appraisal for the Council's leisure services.	October 2012	LBDD Culture and Sport	LBDD existing budget
		Implement a programme of community asset transfers for Council owned pavilions to local sports clubs.	March 2015	LBDD Environment	LBDD officer time

Priority Two: Increase participation in Sport and Physical Activity

Examples of best practice we would like to build on:

Older peoples offer

Since April 2010 all Barking and Dagenham residents over the age of 60 can access local leisure centres free of charge. So far 10% of the Borough's population aged 60 – 84 has signed up to the offer and participation levels are growing steadily. The project is helping to transform the lives of local people:

“Services have been fantastic! Thanks to you I have got my diabetes under control, my arthritis have virtually gone and I have lost 5 stone in weight. Thank you!”

“I am so pleased I am able to swim, do yoga etc for free, as I am only on a state pension. Thanks to you I don't have to choose between heating and activities”.

Active referral

Working in partnership with the NHS, the Council delivers a GP Exercise on Referral scheme for free. After completing the 12 week referral programme, customers can then join as an Active Referral member and get a free leisure centre membership for a further nine months. This ensures that price isn't a barrier that will stop them carrying on the hard work they have started and help them to be more active, more often.

Elderberries

Elderberries is a fifty plus exercise class which takes place 5 times a week at the three local leisure centres in the borough. The programme has been running for over seventeen years and attracts more than 60 participants at each session. The classes incorporate circuits, aerobics, badminton, table tennis and short mat. Elderberries sessions offer people the opportunity to socialise, have fun and be active all at the same time.



No	FOCUS AREAS	SUCCESS MEASURES	When	Owner	How funded
2.1	Encourage people who undertake little or no physical activity to be more active through interventions targeted at sedentary populations.	20% of over 60s in the Borough to hold Active Leisure (over 60s) memberships. Increase adult health and fitness memberships by 100% to 6,000. 5,600 more adults participating regularly in sport and physical activity	March 2015 March 2015 March 2015	LBBB Culture and Sport LBBB Culture and Sport CSPAN	LBBB adult social care budget LBBB existing budget -
2.2	Work with GPs and other health partners to develop interventions that encourage residents to be more active and help reduce health inequalities in the Borough.	Work with partners to implement co-ordinated and effective exercise referral and weight management programmes for young people and adults: No. of participants in sport and physical activity based short term health interventions – 5,000 per year Number of people participating in health referral programmes who remain physically active after 12 months – 350 per year. Develop a Cardio Rehab IV exercise referral programme to encourage people who have suffered a heart attack to become physically active.	March 2015 March 2015 March 2015	LBBB Culture and Sport/NHS B&D LBBB Culture and Sport/NHS B&D LBBB Culture and Sport/NHS B&D LBBB Culture and Sport/NHS B&D	NHS B&D/Sport England/LBBB NHS B&D/Sport England/LBBB NHS B&D/Sport England/LBBB NHS B&D/LBBB
2.3	Effectively market facilities and programmes to encourage more first time attenders and to get existing service users to participate more often.	Use the Sporting Barking and Dagenham brand to promote the sports facilities, clubs and programmes in the Borough as well as across the region and nationally. Use the Active Leisure brand to raise awareness of opportunities in the Borough to take up regular physical activity. Increase leisure centre visits by 40% to 1.25 million per year.	March 2015 March 2015 March 2015	CSPAN CSPAN LBBB Culture and Sport	Budgets to be identified for specific campaigns Budgets to be identified for specific campaigns LBBB Existing budgets

				Budgets to be identified for specific campaigns	LBB officer time
				CSPAN	
				March 2015	
				March 2015	LBB Children's Services
			Adopt the 'Street Base' and 'Splash' brands to help promote activities for children and young people in the Borough		
			Maximise the potential of the access and connect card to profile and understand the behaviour of children, young people and their families and target services accordingly.		

Priority Three: Develop Effective Sporting and Physical Activity Pathways

Examples of best practice we would like to build on:

Get wet swim for free

This 2 year initiative which was funded by the NHS focused on increasing physical activity amongst children and young people through increasing access and uptake of swimming in the borough. The project saw a growth in swimming participation of 25%, with the Borough having the second highest swimming participation levels in London.

Barking Abbey School

Barking Abbey School has developed a series of truly excellent programmes, in basketball, netball, football and golf that has led to a flurry of well deserved national titles. Beating off stiff competition from other outstanding nominees the school picked up the coveted "Specialist Sports College of the Year" national award for 2011.

London Youth Games

2012 marks the 35th year of competition in the London Youth Games. With the introduction of the School Games some 70 different sports competitions will be accessed by over 1,500 young people in the Borough. Level 1 and Level 2 competitions will take place in schools with winning teams going forward to represent the Borough in the Level 3 School Games Finals throughout the spring and summer terms in 23 sports. Other School and Borough teams will be formed and trained to compete in the London Youth Games Finals in June and July 2012.



Kiki Oniwinde

No	FOCUS AREAS	SUCCESS MEASURES	When	Owner	How funded
3.1	<p>Stop so many young people dropping out of sport and help them to reach their sporting potential by developing co-ordinated action plans to provide effective sport and physical activity pathways from entry level to elite status</p>	<p>Development plans adopted and improvement action plans implemented for: football; cricket; dance; netball; health and fitness; basketball; athletics; disability (inclusive and active); cycling; rugby; handball; aquatics and tennis.</p>	<p>March 2015</p>	<p>CSPAN</p>	<p>LBBB officer time to produce the development plans. External funding to be sought to implement plans as required.</p>
3.2	<p>Use the 2012 Games as a catalyst to stimulate coordinated participation and development in grassroots through to elite level sport.</p>	<p>A programme of promotional activities will be implemented to harness the profile of the talented athletes in the Borough to encourage and inspire local people to get physically active.</p> <p>Delivery of an Olympics related events programme in particular Countdown – London 2012 open weekend which will offer the community tasters and pathways into sport and physical activity participation.</p> <p>Co-ordinate the council's involvement in the Olympic torch relay</p> <p>Stage inter-school and cross sport games and participate in the London Youth Games each summer.</p>	<p>Sept. 2012</p> <p>Sept 2012</p> <p>July 2012</p> <p>March 2015</p>	<p>LBBB Culture and Sport</p> <p>LBBB Culture and Sport</p> <p>LBBB Culture and Sport</p> <p>LBBB school sport partnership & sport and physical activity teams</p>	<p>LBBB existing budgets/Olympic Delivery Authority funding</p> <p>LBBB existing budgets/Olympic Delivery Authority funding</p> <p>LBBB existing budgets/Olympic Delivery Authority funding</p> <p>LBBB existing budgets</p>

		Ensure Barking and Dagenham Development plans effectively dovetail with the Host Borough sports development plans for cycling, tennis, athletics, basketball, hockey, aquatics and disability sports that set targets for 2011 – 13 and costed implementation programmes to increase adult and young peoples participation levels (to included targets for BAME, women and low income families).	March 2013	CSPAN	LBBB officer time
		Stage an annual novice triathlon and BAD 5 mile race.	Annually in June	LBBB Culture and Sport	LBBB officer time
3.3	Ensure every child in the Borough can swim	1,800 children and young people enrolled on learn to swim programmes each year.	March 2015	LBBB Culture and Sport	LBBB officer time
3.4	Increase career opportunities in sport for young people	Number of people in vocational training and apprenticeship programmes.	March 2015	CSPAN Youth sub group	LBBB officer time
3.5	Improve support for talented athletes	Financial support provided via the Living the Dream Trust, LBBB gifted and talented programme and free use of leisure facilities by elite athletes.	Annual Awards Scheme	LBBB Culture and Sport/Living the Dream Trust	LBBB existing funding/ fundraising undertaken by LTD.

Priority Four: Widening access to Sport and Physical Activity

Examples of best practice we would like to build on:

Active Women

The Active Women project is a three year project funded by Sport England that is aimed at getting women back into sport or to try it for the first time. It specifically targets women caring for children and women living in disadvantaged communities. The programme is closely linked in with the local children centres to ensure that childcare can be provided during the classes.

Disability games

The Deloitte Community Games provides 200 young disabled people the opportunity to participate and compete in 8 different Paralympic sports including cycling, seated volleyball, wheelchair basketball and wheelchair rugby. Coaches from local clubs provide instruction and support at the event.

Premier league for sport

West Ham United Community Sports Trust is working in partnership with the Council and Small Business Centre to run a three year training and mentoring scheme. With funding from the Premier League Professional Footballers Association Community Fund (PFPLA) the scheme is operating as a comprehensive team teaching project supporting 10 Trainees (aged 18 – 25) each year to receive high quality mentoring from the Trust's Coach Educators. Each trainee is bringing their new skills back to the Borough by providing sporting opportunities in schools and in the community.

Change4life

Change4Life aims to prevent people from becoming overweight by encouraging them to eat better and move more. One of the most successful of the Change4Life clubs is at Trinity School. In the first year the club was open to Trinity School pupils only but is now open to all pupils with a disability in the Borough. Led by a charismatic coach who has disabilities himself, the Club attracts on average twelve pupils weekly. The programme has now extended to 15 primary schools across the Borough.



No	FOCUS AREAS	SUCCESS MEASURES	When	Owner	How funded
4.1	Harness sport and physical activity opportunities to provide positive and diversionary activities for children and young people.	Provide annual sporting holiday activity programme for children and young people in the Borough Create a new outdoor BMX facility with NIKE adjacent to Becontree Heath Leisure Centre. Work with the Youth Service to provide health and fitness memberships targeted on a reward basis for young people not in employment, education or training (NEETS) Delivery by Community Rangers and partners of weekly play sessions and adventurous play programme.	Each summer March 2013 Ongoing Ongoing	LBBB Children's Services/Environment/Culture and Sport LBBB Culture and Sport/NIKE LBBB Culture and Sport /Youth Service LBBB Environment	LBBB existing budgets NIKE funding plus additional fundraising LBBB existing budgets LBBB existing budgets/plus external funding secured for ranger posts
4.2	Encourage people to get back into sport and physical activity.	Devise and implement targeted programmes: Premier League for sport; More Active More Often; Active Women; Novice triathlon	March 2014	LBBB Culture and Sport	LBBB existing budgets/Sport England/NHS B&D plus other external funding
4.3	Consistently improve standards and embed quality assurance to increase public satisfaction with sport and leisure facilities in the Borough.	All council leisure facilities and sports development teams accredited as 'highly commended' under the Quest standard 72% of residents satisfied with parks and open spaces – an increase of 2% 70% of residents satisfied with sport and leisure facilities - an increase of 4%	Dec 2012 March 2015 March 2015	LBBB Culture and Sport LBBB Environment LBBB Culture and Sport	LBBB officer time and existing budgets LBBB officer time and existing budgets LBBB officer time and existing budgets

			Annual process	LBBB Environment	LBBB officer time
4.4	Use the Olympics and Paralympics to inspire as many people as we can to adopt an active and healthy lifestyle	Green Flag and Safer Parks awards secured for the Borough's parks and open spaces. Sport Maker and Gateway to the Games' volunteer programmes implemented to provide opportunities for the local community to be physically active and improve their overall health and wellbeing through leading healthy walks, stewarding and officiating at events and competitions and getting involved with local sports clubs – 500 volunteers recruited	Sept 2012	LBBB Culture and Sport	LBBB officer time and existing budgets
4.5	Improve the delivery of physical activity and sporting opportunities in neighbourhood settings.	Utilise social marketing tools (Experian and Sport England market segmentation data) to effectively promote sporting and physical activity opportunities at a neighbourhood level to those people in the Borough who do not currently participate. Development of a co-ordinated approach to pricing, programming and promotion across the Council and school based leisure centres, which have community access.	Utilised on a project by project basis Sept 2013	CSPAN LBBB Culture and Sport/Secondary Schools	LBBB officer time LBBB officer time
4.6	Develop the role that sport and physical activity can play in promoting community cohesion and fostering pride in the Borough.	Work with community groups to improve green spaces in the Borough.	Annual programmes	LBBB Environment/parks friends' groups	LBBB officer time and existing budgets
4.7	Support a strong and effective school sport infrastructure to assist schools in getting more children and young people regularly participating in sport and physical activity and to halt the rise in childhood obesity.	Increase the % of 5 – 16 year olds in the Borough participating in 3 hours or more PE and sport each week by 5% to 58%.	July 2015	LBBB primary and secondary schools & School Sport Partnership	LBBB officer time and existing budgets

4.8	Improving the quality of the Borough's parks and open spaces to encourage more healthy lifestyles e.g. fitness trails, activity trails, active play, marked walking routes.	20 parks to offer opportunities for active recreation Increase the network of sign posted cycle routes within and between parks and open spaces.	March 2015 March 2015	LBBB Environment LBBB Environment	External funding to be sought Transport for London and British Cycling
4.9	Explore opportunities to remove barriers to participation in sport and physical activity	Sign up to the Inclusive and Active Initiative and implement an improvement action plan to enable more disabled people to participate in sport and physical activity (by March 2013). Implement affordable pricing policies that do not exclude those on low incomes.	March 2013 March 2015	CSPAN CSPAN	LBBB officer time and existing budgets LBBB officer time for monitoring and evaluation

Priority Five: Strengthening organisations and partnerships

Examples of best practice we would like to build on:

Living the Dream Barking and Dagenham Trust

Living the Dream Barking and Dagenham is the borough's charitable trust inspired by the Olympics. It aims to help support aspiring athletes of Barking and Dagenham live their dream and reach the 2012 Olympics.

Dagenham United football club

Dagenham United Football Club was the National Charter Standard Club of the Year in 2010. The club won Sports Club of the Year at the Sporting Barking and Dagenham Awards 2010. Dagenham United have signed up to the Borough's football development plan focusing on young people and disability football. The club is also committed to coach development with over 20 coaches accessing the local Coach Education Programme in 2011.

Borough Club Standard

The Borough Standard was launched in November 2010 and is awarded to clubs that meet the minimum requirements in the following 4 categories; the playing programme, duty of care - safeguarding and protecting children, knowing your club and its community and club management. Borough Standard particularly focuses on child safety and equality in clubs, acting as a stepping stone to the national standard of Club Mark.

Goresbrook cricket club

Goresbrook Cricket Club is Essex County Cricket Board's focus club for Barking and Dagenham. The club are the only cricket club to have achieved Club Mark in Barking and Dagenham and have been awarded with Barking and Dagenham Borough Standard in December 2011. The club work well within the Borough supporting the London Youth Games by providing a team each year as well as running the school cricket tournament in partnership with the School Sports Partnership.



No	FOCUS AREAS	SUCCESS MEASURES	When	Owner	How funded
5.1	Champion and support the ongoing growth and development of voluntary sports clubs and teams as key providers of participation, coaching and competitive opportunities.	<p>Provide a support service to clubs and develop the Sporting Barking and Dagenham club forum to assist the development of new and existing clubs.</p> <p>Strengthen relationships with Pro-Active East London and National Governing Bodies for sport to support the delivery of sport specific development plans.</p> <p>Maintain and actively promote an up to date directory of local clubs</p> <p>Offer incentives, training and advice to help more clubs to achieve the Club Mark standard and to improve quality and accessibility : 13 new Club Mark accredited clubs (by March 2013); 24 new clubs signed up to the Borough Standard</p> <p>Number of members of local sports clubs that are affiliated to National Governing Bodies.</p>	March 2015	CSPAN Club development sub group	LBBB existing budgets/Sport England/Pro-Active East London
			March 2015	CSPAN	LBBB officer time
			Updated Annually	LBBB Culture and Sport	LBBB officer time and existing budgets
			March 2015	LBBB Culture and Sport	LBBB officer time and existing budgets
			March 2015	CSPAN Club development sub group	LBBB officer time
5.2	Encourage more people to volunteer their time, skills and expertise to support the delivery of sport and physical activity initiatives in the Borough.	<p>Improve the number and quality of coaches by investing in their development.</p> <p>Achieve a 10% year on year increase sport and physical activity volunteering by from a base of 15,000 hours per year.</p>	March 2015	CSPAN Club Development sub group	LBBB officer time
5.3	Safeguard children, young people and vulnerable adults.	Ensure effective implementation of pan-London policies and procedures for both children and adults	Reviewed annually	LBBB Culture and Sport	LBBB officer time

5.4	Develop the Barking and Dagenham Community Sport and Physical Activity Network (CSPAN) so that it can effectively manage the implementation of the sport and physical activity strategy as well as supporting the achievement of other elements of the Health and Well Being Strategy, in particular Healthy Weight and Health at Work strategies.	Produce an annual delivery plan and annual report on progress. Implement a corporate health and fitness membership scheme (health at work target). Deliver the MEND weight management programme (healthy weight target). Creation of 60 new allotments and community food growing sites in the Borough (healthy weight target)	Annually Annual programme March 2013 March 2015	CSPAN LBBB Culture and Sport LBBB Culture and Sport LBBB Environment	LBBB officer time LBBB existing budgets NHS B&D External funding to be sought

Produced by Culture & Sport Division,
London Borough of Barking & Dagenham

December 2011

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For more information please contact Paul Hogan, Divisional Director of Culture & Sport
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CABINET

17 JANUARY 2012

Title: Review of Responsibilities for Naming and Renaming of Roads and Buildings	
Report of the Cabinet Member for Regeneration	
Open Report	For Decision
Wards Affected: None	Key Decision: No
Report Author: Daniel Pope, Group Manager Development Planning	Contact Details: Tel: 020 8227 3929 E-mail: daniel.pope@lbbd.gov.uk
Accountable Divisional Director: Jeremy Grint, Divisional Director for Regeneration	
Accountable Director: Tracie Evans, Corporate Director of Finance and Resources	
<p>Summary:</p> <p>This report considers whether the current responsibilities for naming and renaming of roads and buildings are fit for purpose and what changes are necessary.</p> <p>Currently under the constitution the Cabinet is responsible for the naming of roads and buildings for which the Council is responsible irrespective of whether names are used from the Approved List of Names. This is considered unnecessarily bureaucratic. The constitution does not say who is responsible for the renaming of roads and buildings or for amendments to the Approved List of Names.</p> <p>At its meeting on 29 September 2009 (Minute 62 refers), Cabinet agreed an updated Approved List of Names and delegated authority to the Chief Executive to add the names of residents who died in active service abroad and residents awarded the Elizabeth Cross (Note: at the time of this delegation the Divisional Director of Regeneration was under the line management of the Chief Executive but has subsequently transferred to the line management of the Corporate Director of Finance and Resources. Therefore, this delegation should similarly transfer to the Corporate Director of Finance and Resources).</p> <p>This report recommends that the current arrangements be amended to provide a more responsive road and building naming service while at the same time ensuring that Members continue to be appropriately involved in the process.</p>	
<p>Recommendation(s)</p> <p>The Cabinet is recommended to:</p> <p>(i) Approve the following arrangements for the naming of roads and buildings:</p> <p>a) Cabinet be responsible for:</p> <ul style="list-style-type: none"> ○ approving amendments to the Approved List of Names, apart from those delegated under Minute 62, 2009/10) ○ approving all proposals to rename roads and buildings 	

- b) The Corporate Director of Finance and Resources be responsible for:
- approving the use of names from the Approved List of Names
 - approving the use of names not on the Approved List of Names following consultation with the Leader of the Council, the Cabinet Member for Regeneration and relevant Ward Members.

(ii) Note that the Council's Constitution will be amended accordingly.

Reason(s)

The naming of new roads is a good opportunity to reference people and features of local relevance which can help increase civic pride and interest in the local area. This helps deliver one of the expressed outcomes of the Council's Policy House which is; "a borough in which people are proud and satisfied to live and work".

1. Introduction and Background

- 1.1 The naming and numbering of roads and buildings is an important statutory Council duty. It is vital that roads and buildings are named and numbered clearly and logically as service providers depend on this information including the emergency services and many Council services. The naming of new roads is also a good opportunity to reference people and features of local relevance which can help increase civic pride and interest in the local area.
- 1.2 This report considers whether the current responsibilities for naming and renaming of roads and buildings are fit for purpose and what changes are necessary.
- 1.3 Section 3 of the Council's Constitution stipulates that the naming of roads and buildings for which the Council is responsible is a responsibility of the Cabinet except for those names delegated to the Chief Executive by Minute 62, 29 September 2009. No mention is made of the renaming of roads and buildings.
- 1.4 Minute 62, 29 September 2009 states that the Chief Executive has delegated authority to add to the Approved List of Names:
- the names of further residents of the Borough who died in active service abroad that are not currently included; and
 - the names of those commemorated by the award of the Elizabeth Cross, subject to obtaining families' approval before a formal proposal is made to use a name.
- 1.5 It should be noted that at the time of this delegation the Divisional Director of Regeneration was under the line management of the Chief Executive but has subsequently transferred to the line management of the Corporate Director of Finance and Resources. Therefore, this delegation should similarly transfer to the Corporate Director of Finance and Resources.
- 1.6 The Approved List of Names is a statutory requirement under the London Building Act. Cabinet on 29 September 2009 agreed to a revised and expanded list. The revision consisted of two parts: the first updated the current list and the second, at the request of Members, added the names of Borough residents who lost their lives during the war together with the names of servicemen and civil defence volunteers who either died in the borough whilst on active service or whose gallantry resulted

in the award of the Victoria Cross, George Cross or George Medal. It is planned to bring a report to Cabinet in the near future to add the names of local pubs current and past to the Approved List of Names.

- 1.7 As currently written the Constitution requires the Cabinet to authorise the naming of all roads and buildings for which the Council is responsible irrespective of whether they are on the Approved List of Names.
- 1.8 The Cabinet reporting process takes about three months which is too long to meet the day to day requirements of developers including the Council and its partners who want to progress their developments. At the same time, Members need to be involved in the naming of roads and buildings to ensure that the names used are locally acceptable.

2. Proposal and Issues

- 2.1 To address this it is proposed that the Constitution is changed so that Cabinet is responsible for agreeing amendments and updates to the Approved List of Names apart from those names agreed by Minute 62, 29 September 2009. The responsibility for naming of roads and buildings using names from the Approved List of Names would be delegated to the Corporate Director. If names are suggested which are not on the Approved List of Names and time dictates that it is not appropriate for Cabinet to be asked to agree changes to the Approved List then the Leader, the Lead Member for Regeneration and the relevant Ward Members would be consulted prior to the decision being taken by Corporate Director .
- 2.2 On rare occasions requests are received to rename existing roads. The Public Health Act Amendment Act 1907 requires that a road cannot be renamed unless it has the support of two thirds of those who live on the road under consideration. Officers consider that this can be a sensitive issue and for this reason recommend that the Constitution is changed so that it is clear that any proposals to rename existing roads must be approved by Cabinet before a consultation is carried out. If no consultation is necessary because there are no residents affected Cabinet approval should still be necessary.

3. Options Appraisal

- 3.1 The recommendations of this report are considered to strike the right balance between being able to provide a responsive roads and buildings naming service and ensuring Members are appropriately involved in the process.
- 3.2 Alternative options that were considered but discounted as they did not strike the right balance were:
 - To delegate the entire responsibility for the naming of all roads and buildings to the Corporate Director;
 - For the Cabinet to be responsible for all approvals.

4. Consultation

- 4.1 Section 2 above outlines the arrangements for consulting with relevant Members and the local community on any future proposals for the naming and renaming of roads and buildings.

5. Financial Implications

Implications completed by: David Abbott, Principal Accountant

- 5.1 There are no direct financial implications arising from this report. As and when roads are named the cost of the road signage will be funded from existing Council budgets.

6. Legal Implications

Implications completed by: Doreen Reeves, Legal Group Manager

- 6.1 The present powers which control the naming and numbering of roads in the London Borough of Barking and Dagenham and the Greater London area are derived from Part II of the London Buildings Act (Amendment) Act 1939.
- 6.2 The original Act referred only to the inner London area and was amended by Section 43(1) of the London Government Act 1963 to include the whole of Greater London.
- 6.3 With the dissolution of the Greater London Council in 1985 the powers held by that Council, in respect of road naming and numbering, were devolved to the London boroughs by virtue of the Local Government Act 1985.
- 6.4 During its existence the Greater London Council applied policies to regulate the naming of roads and the numbering of buildings, and adopted Regulations, formulated by the London County Council in 1952, governing the display of numbers and names on buildings. These have subsequently been adopted by the Council.
- 6.5 The Council Constitution delegates the power to name council property and roads to the Cabinet - Section B - The Cabinet Article 4 - Pages B25- B26 and Scheme of Delegation Pages C15-C16.

7. Other Implications

- 7.1 **Risk Management:** The proposed changes to the constitution are designed to ensure that the risk of inappropriate naming of roads and buildings is minimised.
- 7.2 **Customer Impact:** The revised responsibilities put forward in this report will provide a more responsive service for naming roads and buildings in comparison to what the Constitution currently requires. However the revised responsibilities still ensure that Cabinet approves any amendments to the Approved List of Names other than those delegated to the Chief Executive, and that the relevant Members are consulted where names not on the Approved List of Names are suggested.

- 7.3 The Approved List of Names predominantly contains names which have an association with the borough. Using names which reflect the borough's heritage can help promote pride and understanding.

Background Papers Used in the Preparation of the Report:

- Cabinet Report, 29 September 2009, Revisions to approved street naming list (Minute 62 – 29/09/09).
- Council Constitution

List of appendices:

None

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CABINET

17 January 2012

Title: Legal Services - Review of Shared Head of Service and Future Proposals	
Report of the Leader of the Council	
Open	For Decision
Wards Affected: None	Key Decision: No
Report Author: Tasnim Shawkat, Divisional Director for Legal and Democratic Services	Contact Details: Tel: 020 8227 2114 E-mail: tasnim.shawkat@lbbd.gov.uk
Accountable Divisional Director: Tasnim Shawkat, Divisional Director for Legal and Democratic Services	
Accountable Director: Stella Manzie, Chief Executive	
<p>Summary:</p> <p>On 25 January 2011 the Cabinet agreed a pilot under which Barking and Dagenham would second from Thurrock, for the period 1 April 2011 to 31 March 2012, their Head of Legal and Democratic Services to jointly fulfil the role as head of service and Monitoring Officer for both authorities on a shared basis.</p> <p>The Cabinet also agreed that the situation should be reviewed after six to nine months by the Chief Executive in consultation with the Corporate Management Team, managers in Legal Services and Thurrock colleagues, and reported back to the Cabinet by the end of 2011 in order that a final decision can be taken on future arrangements.</p> <p>We are now in a position to report to Cabinet, proposals for future arrangement and further opportunities for the sharing of Legal Services. These proposals are aimed at reducing management costs and building resilient teams of lawyers, which can continue to improve the quality and responsiveness of legal advice and representation for the Councils involved in the shared arrangements.</p> <p>This report will also be presented to Thurrock Cabinet for decision. Therefore it includes information regarding Thurrock Legal Services.</p>	
Recommendation(s)	
<p>The Cabinet is recommended to agree:</p> <p>(i) A 12 month extension of the secondment agreement between LBBd and Thurrock which enables the sharing of the Divisional Director of Legal and Democratic Services and Monitoring Officer;</p> <p>(ii) That the current shared arrangements are progressed to Phase Two, as set out in the report, which will see joined up legal teams between LBBd and Thurrock.</p>	

- (iii) That the Assembly be recommended to confirm the extension of the appointment of Tasnim Shawkat, Divisional Director Legal and Democratic Services, as this Council's Monitoring Officer.

Reason(s)

To ensure that the Council has an effective and efficient legal service, to develop further joint working and to assist in achieving efficiencies and budget savings.

1. Introduction and Background

- 1.1 On 25 January 2011 the Cabinet agreed a pilot, under which Barking and Dagenham would second from Thurrock, for the period 1 April 2011 to 31 March 2012, on a part-time basis their Head of Legal and Democratic Services to jointly fulfil the role as head of service and Monitoring Officer for both authorities on a shared basis. The Cabinet also noted that the arrangement would not involve any formal merger of services but would allow any opportunities for sharing of services to be explored.
- 1.2 At the same time the Cabinet also decided that a restructure of the Legal Practice at Barking and Dagenham would be implemented which, in particular, would see a reduction in the number of managers in order to make savings in the order of 20%, as had already been agreed as part of the budget considerations for 2011/12.
- 1.3 The Cabinet agreed that the shared arrangement would be reviewed after six to nine months by the Chief Executive in consultation with the Corporate Management Team, managers in Legal Services and Thurrock colleagues, and reported back to the Cabinet by the end of 2011 in order that a final decision can be taken on future arrangements.
- 1.4 On 18 February 2011 Thurrock Council's Cabinet resolved to:
- (a) Support a proposal that LBBDD second from Thurrock the Head of Legal Services and Monitoring Officers for a period from 1 April 2011 to 31 March 2012, on a part time basis to jointly fulfil the roles of Head of Legal Services and Monitoring Officer on a shared basis.
 - (b) Authorise the Chief Executive to finalise the arrangements with LBBDD.
 - (c) Note that the arrangements would not involve a formal merger of the services but would allow any opportunities for sharing of services to be explored in the short and medium term. In the longer term if both authorities are content for this to progress to full merger then a further report will be brought to the Cabinet.
- 1.5 On 23 February 2011 the Assembly made the final decision in terms of appointing Tasnim Shawkat as the Council's Monitoring Officer at LBBDD. Tasnim Shawkat officially started her secondment with this Council on 1 April 2011, although she had been working informally with LBBDD since October 2010. The restructure agreed by the Cabinet was undertaken and savings of about £470,000 were delivered for 2011/12.

- 1.6 The structure for Legal Services that Cabinet considered in January envisaged a reduction of Group Managers in the Legal Services from six down to two. However, during the course of the consultation process the then Interim Chief Executive agreed to retain three managers (at least while the team is in transition and until the arrangements are reviewed again).. Therefore this structure was implemented, and revised total savings for the Legal Practice of £470,000 were agreed to be delivered. More recently, the Chief Executive's Organisational Review has proposed a reduction of Group Managers in certain services for 2012/13. This proposed for Legal Services a reduction from three Group Managers down to two, giving a total saving of £80,000 but with £40,000 being reinvested for a junior solicitor post.
- 1.7 Some sharing of work has already taken place between LBBB and Thurrock Councils' Legal Services. Currently the Business Support Manager is also being shared between the two authorities on an informal basis. The safeguarding teams in both LBBB and Thurrock have met and have started to work together.
- 1.8 Through the East London Solutions discussions have taken place with London Borough of Newham about sharing advocates dealing with safeguarding work. Also discussions have progressed with London Borough of Waltham Forest and London Borough of Havering for more significant sharing in terms of sharing the lead in particular areas of work and creating joint teams.

2. Proposal and Issues

- 2.1 As can be seen from above some informal ad hoc sharing is already taking place between Thurrock and LBBB and this could be more systematic and formalised in the near future. Progress has been made in consulting with other East London Boroughs and there are tangible opportunities for working together. In order to implement further sharing between Thurrock and LBBB and other neighbouring authorities it is proposed that the secondment agreement with Thurrock Council to share the Head/ Divisional Director of Legal and Democratic Services is extended for another year taking us to April 2013.
- 2.2 On 25 January 2011 when the Cabinet considered the report proposing the sharing arrangement and the restructure it was suggested that the proposal to reduce capacity could impact on the ability to fully meet the Council's needs in relation to high level legal advice. This has been closely monitored and, in reality, the Council has continued to receive the best possible legal advice and the two services in Thurrock and LBBB have been able to assist each other at peak times.
- 2.3 Another issue that was identified at the time was that the sharing of a head of service (including the Monitoring Officer role) would mean that Members and client departments will not have full time access. Again access has not been an issue due to the way the arrangements have been put in place in that the Monitoring Officer is available to both authorities full time during the week albeit she is present physically only 50% of the time in each authority.
- 2.4 It is proposed that the arrangements for shared working between LBBB and Thurrock be implemented in three phases so that there is full flexibility to be decided at each stage whether both authorities are benefitting from the arrangements, whether staff, officers and Members are supportive of the arrangements and

whether the technology required for efficient seamless service delivery can be implemented and any risks addressed. It is proposed that only in phase three the option for full merger is considered.

Phase One

- 2.5 Phase one started with the sharing of the Divisional Director of Legal and Democratic Services in April 2011 and developed through sharing of the Business Support Manager in September 2011.
- 2.6 Since the start of the pilot in April 2011 LBBB Legal and Democratic Services management team have achieved the following:

Staffing and Structure

- Implemented the new structure in Legal Services including deletion of senior management posts and recruitment to more junior vacant posts
- Delivered approximately £470k savings from Legal Services for 2011/12 with further savings of £40k proposed for 2012/13
- Reviewed the structure in Democratic Services and proposed savings of £107k for 2012/13
- Reshaped the staffing structures in Electoral Services within existing budgets to compensate for the retirement of an existing post holder and to address increasing workloads
- Replaced a number of agency staff with permanent staff
- Recruited three of four apprentices and introduced training placements for volunteers, which help the service and contribute to the development of job skills for local people

Reducing the demand and cost of legal services

- Continued to reduce external legal cost by minimising use of external firms of solicitors except on major projects
- Reduced use of counsel by undertaking advocacy work in-house through in-house advocates so that we do not have to instruct external Counsel as much. This model has been singled out by the Stratford Family Court to other authorities as an example of good practice
- Introduced streamlined processes to produce efficiency, minimise costs and deliver value for money
- Increased legal training for staff within Directorates especially with front-line services such as Children and Customer Services with a view to training clients with routine legal work that can be done within Directorates thereby reducing reliance on lower level legal support and concentrating resources where demand is greatest

Implemented better budget and business management

- The service is on target to achieve a break even or better financial position at year end
- Putting in place Service Level Agreements with the four Directorates and quarterly review meetings

- Offered legal advice and support to schools in the 2012/13 Traded Services Brochure
- Making provision for business support to the legal practice, which enables the production of management information on cost and quality as well as progressing the implementation of Lexcel quality standards
- Improved overall processes in Legal and Democratic Services, with an emphasis on responsiveness to clients and the quality of legal and administrative advice
- Created admin capacity and improved the quality of admin support through the recruitment of three apprentices in Legal Services and a further apprentice will be recruited to support Members

Improving support to Members

- Analysing past Member Development programme and refocusing future Member Development with more emphasis on Peer Mentoring, in-house training and moving away from one off external courses for individual Members
- Sharing the post of Member Development Officer with HR so as to achieve greater efficiencies and make best use of the resource to the benefit of Members and officers with a focus on training officers to better support Members
- Working with Elevate to improve Member IT
- Ensuring the restructure of Democratic Services enhances the support to Members and increasing staffing in Member support for non-executive Members

Supported the improvement of corporate processes

- Assisted in more efficient co-ordination of Cabinet reports and earlier legal input into corporate reports in relation to legal issues
- Rolled out a new more user-friendly report template
- Supported the Chief Executive's priorities in relation to delivering the Borough's Olympic legacy by seconding a member of staff from Democratic Services for 18 months to the corporate Olympics Unit

2.7 In Thurrock similar achievements around structure, budgets, SLAs, business processes, improved administrative and Constitutional processes were achieved in 2009/10. Therefore the achievements in Thurrock in 2011/12 have related to outcomes such as:

- Shortlisted for two awards – Young Solicitor of the Year 2011 and LGC 2011 Legal Award for partnership with ELSP, Essex Legal Services Partnership (now PLP Public Law Partnership)
- Property and Planning Team have generated income of £101k for Legal Services and £460k for clients
- The Contract and Procurement Team has worked on large scale projects which have generated significant savings for the Council and has played a key role in redefining the relationship with the Councils Strategic Partner.
- The Safeguarding and Children Legal Team has been recognised for best practice in care proceedings in a National conference.
- The Litigation Team have undertaken extensive training for housing and other clients in order to up skill the clients and reduce the demand for legal services. They have also worked on significantly improving the practice and procedures

under RIPA (Regulation and Investigatory Powers Act 2000) as well as improving the Whistleblowing procedures.

In addition to the above since the sharing arrangements for the Divisional Director started in April 2011 the managers in Thurrock Legal Services have stepped up and taken on some of the management and Monitoring Officer tasks.

- 2.8 Like most other services Legal and Democratic Services are facing challenging times. The services will need to continue to deliver high quality services to Members and officers with reducing resources. LBBB Legal Services will need to continue to work to improve all of our clients' experience of the legal support provided. For example a more commercial and pragmatic approach to contract and property legal work will be needed given the challenging work programme of the Council and the resources of the legal teams may need to be reviewed. Another example would be improved support for clients in litigation (criminal and civil) where the workload is currently not high in LBBB but may increase in the future. Also both authorities face similar challenges in terms of the regeneration agenda. Joint working should assist in these respects.
- 2.9 The particular challenges for legal services in both authorities are to maintain the quality and responsiveness of the service against a demanding legislative timetable with new legislation such as The Localism Act, which will include a new standards regime, The Education Act and new health reforms in the Social Care Bill, which will come into force in the New Year, ensuring corporately the Council is prepared for such change. The Electoral Services will have the challenge of introducing individual electoral registration, a Government requirement to have in place for 2014/15.
- 2.10 Legal and Democratic Services working with Members and officer in LBBB will undertake a comprehensive review of the Constitution based on the learning from Thurrock's review of their Constitution in 2010. This will also include a review of the governance arrangements and reviewing the way we do business as Members and officers in a more efficient, transparent and cost effective way.
- 2.11 Before going into phase two of the shared arrangement LBBB will have made provision for the delivery of the savings as identified in the Chief Executive's proposals, including the reduction of management posts in Legal and Democratic Services.
- 2.12 Also in Thurrock a mini restructure will have been undertaken due to the departure of a manager and that post being reconfigured. This reconfiguration aims to reduce a manager and build capacity at a lower level increasing value for money and efficiency. This restructure is being undertaken in anticipation of the shared arrangements proposed for phase two and this reduction in management will have less impact because of the proposed joint working.

Phase Two

- 2.13 The continued sharing of the Head of Legal Services and Monitoring Officer role will generate savings to the Legal Services budget of the salary costs of the Head of Legal Services. The combined savings will be in the region of £100k across the two authorities (£55k LBBB and £45k Thurrock) excluding on costs.

- 2.14 It is proposed that in phase two the shared arrangements are progressed and implemented from 1 April 2012 and formal consultation with staff commences in January 2012. It should be noted that informal consultation has already taken place with the managers in legal services in LBBB and Thurrock. The unions will be involved in such consultation.
- 2.15 In phase two it is proposed that legal teams in LBBB and Thurrock are joined up and work together and led by one team manager whether that manager is based in LBBB or Thurrock. It is not proposed that staff are relocated but their team manager may not be based where the team is based. Staff travel will be minimised, however, the team managers will need to travel between the two authorities each week.
- 2.16 One of the benefits of this model is that it expands the span of control of the team managers providing greater efficiencies. This also means that whilst staff will remain based at their current location providing visible support to clients on the majority of cases there will be capacity to better manage peaks and troughs and even them out. We will ensure that clients in both authorities are made aware when their work is passed to the other authority and provide contact details.
- 2.17 The implementation of this arrangement will be staggered with the safeguarding team trialling this first, given that the discussions between the two team are advanced. Next we will look at the planning, housing and litigation teams and finally the contract and procurement teams.
- 2.18 The main benefits of the proposal are that we create bigger and more resilient teams in specialist areas managed by a team manager who has expertise in that particular area.
- 2.19 For example in LBBB there is a team of 4 posts which cover, housing, planning, licensing, criminal litigation. In Thurrock one team covers housing, civil litigation and criminal litigation. Under this proposal there could be a combined team of housing and regeneration, planning and licensing, criminal litigation, civil litigation. The above is illustrated in the table below.

Example of teams under the current arrangements

Areas of work	LBBB – workload and staff	Thurrock – workload and staff
Planning	.5	2 (4 from 1 April 2012)
Licensing	.25	.5
Housing	2.5	2.25
Criminal litigation	1	2 (incl 1 locum advocate)
Civil litigation	1	1
TOTAL		5.25 + 7.75 = 13

An example of potential combined teams

Areas of work	LBBB / Thurrock – combined teams
Planning Licensing	4
Housing	4.5
Criminal and Civil Litigation	3
TOTAL	11.5

2.20 It should be noted that the above is an example using a selection of areas of work. Managers and staff in legal services will be consulted in the configuration of teams and the proposed structure. The teams are likely to be as follows:

- Contract and Procurement
- Housing and regeneration
- Litigation (civil and criminal)
- Planning and licensing
- Property and construction
- Safeguarding children, adult and education

In the new structure going forward there will be two Group Managers in LBBB and one manager (Deputy Head) at that level in Thurrock and they will all be designated Deputy Monitoring Officers. The three managers at this level will provide senior level expertise in Procurement and Contracts, Safeguarding and Education, Governance and Litigation respectively.

2.21 As mentioned above significant restructure and savings have already been delivered in both authorities. In addition to that some posts held by agency and contract staff have either been deleted or are being held as vacant in preparation for the shared arrangements. During this period only essential posts will be filled permanently if vacancies arise. Otherwise each vacancy will be assessed and a decision will be made as to whether the work can be absorbed by the newly configured teams or whether a joint appointment should be made or whether another authority such as Havering or Waltham Forest can provide the service.

2.22 Therefore staff who are currently or are proposed to be in the structure in 2012/13 can be assured that there will not be any redundancies as a result of implementing phase two of the shared arrangements.

2.23 It is proposed that some funding from the savings made through the shared arrangement is retained in the budget to allow for temporary staff to be used as and when necessary to reduce external spend during peak times, to cover absences or on major project work. The funding is most likely to be used in areas such as procurement consultancy and to make provision for in house advocates. This provision will enable significant savings on external legal spend.

2.24 In addition to building resilient teams we will focus on realising other benefits such as:

- use of joint training and mentoring to further reduce costs, generate income, aid staff retention and build capacity in depth
- use larger market presence to secure more advantageous terms and discounts for any essential resource spend
- build reputation for resilience and expertise and where possible develop and begin to generate income streams from traded public sector legal services
- undertake proactive work such as standardising contracts, providing training for clients and thereby continue to reduce demand for legal services
- analyse work processes and tasks to eliminate needless duplication of effort and work – such as shared legal briefing notes and creating common legal precedents

- improved case management systems to produce accurate management information
- implementing and maintaining quality standards such as Lexcel
- improved ICT provision to enable staff to work across the two authorities
- more efficient use of admin for example through digital dictation

2.25 One of the issues will of course be time and cost of travelling between two authorities. Firstly we will have to find efficient ways of scheduling meetings and secondly we will need to monitor and assess the time and cost on a regular basis.

2.26 The next issue or challenge will be whether we will be able to use technology and ICT to bring about significant efficiencies. There are potential opportunities through for example Sharepoint. These will need to be tested out during phase two.

2.27 It should be noted that it is possible that LBBB and Thurrock may be in a conflict situation in future, for example in adult social care of children safeguarding cases. However, issues of conflict can be dealt with appropriately and a conflict protocol will be applied to such cases.

Phase Three

2.28 If phase two is successful then LBBB and Thurrock can consider a fully merged shared service between LBBB and Thurrock. A progress report on phase two and, if appropriate, proposals for phase three will be brought to Cabinet early 2013.

3. Options Appraisal

3.1 The option of doing nothing would mean that the secondment arrangement would come to an end. LBBB would need to decide whether to recruit a Divisional Director for Legal and Democratic Services at full cost.

3.2 An alternative option would be to fully merge the two services at this stage. Some other authorities have already created merged Legal Services such as Merton and Richmond. However, this is not recommended as significant time, cost and resources will be needed to implement such merger without a proper assessment of the full benefits or the likely savings that can be achieved.

3.2 The option proposed in this report is to start gradually working together and assess the success of joint working, test out the efficiencies that can be gained and most importantly test out whether there will be blockages such as ICT and address any such issues before finally deciding on a fully merged service.

4. Consultation

4.1 Informal consultation has taken place with Legal Services managers. On 22 November 2011 the Group Managers from LBBB visited Thurrock to meet the Deputy Head of Legal Services and the Principal Lawyers. Thurrock managers visited LBBB to meet the Senior Lawyers and also the Group Managers again on 12 December 2011. A meeting/ workshop of all staff is planned for January 2012.

4.2 Stella Manzie, Chief Executive of LBBB and Graham Farrant, Chief Executive of Thurrock met to discuss the proposals on 24 November 2011. Both Chief

Executives have provided their comments on and their support for the proposals in this report.

- 4.3 The Corporate Management Team in LBBB and Directors Board in Thurrock will have considered this report by the time it is considered by Cabinet. Also a draft of the report will have been circulated to the Divisional Directors in LBBB and Heads of Services in Thurrock.
- 4.4 The Leaders of both Councils and the Portfolio Holders will also have seen the final version of the report before Cabinet makes the final decision.
- 4.5 As mentioned in section 2 above staff will be consulted more formally from January 2012 and the Trades Unions in LBBB and Thurrock will be involved in that consultation.

5. Financial Implications

Implications completed by: David Abbott, Principal Accountant / Tracie Evans, Corporate Director of Finance and Resources

Phase 1: Sharing of Divisional Director Post

- 5.1 As mentioned in the body of the report significant savings have already been delivered since the proposals for sharing the Divisional Director / Head of Legal and Democratic Services was agreed by LBBB Cabinet on 25 January and Thurrock Cabinet on 18 February 2011. LBBB Legal Services delivered £470k for 2011/12 with a further £40k savings planned for 2012/13. In Thurrock approximately £245k was delivered from Legal Services in 2011/12.
- 5.2 Some of the savings have been delivered to achieve savings or efficiency targets in their own right but also in anticipation of the proposals for further sharing between LBBB and Thurrock Legal Services as set out in the report. Also the potential negative impact or risk of delivering these savings can be minimised or mitigated through the sharing arrangements proposed in this report.
- 5.3 The continued sharing of the Head of Legal Services and Monitoring Officer role will generate savings to the Legal Services budget of the salary costs of the Head of Legal Services. The combined savings will be in the region of £100k across the two authorities (£55k LBBB and £45k Thurrock) excluding on costs.

Phase 2: Further joint working with Thurrock Council

- 5.4 In Phase Two it is proposed that once the savings for 2012/13 are delivered the legal services budgets in both Councils are sustained at the same level as for the whole of 2012/13 to maintain stability. This is so that an assessment can be made each quarter to firstly ensure that each authority is benefiting from the shared arrangements but also where the pressures are and whether a future pooled budget would resolve the pressures. Clear records will be kept on the relative demands for legal services in each authority.
- 5.5 So far the shared arrangements in Phase One and proposals for Phase Two have not required any financial investment. In Phase Two provision will need to be made

for additional travel costs. This will be made from within the budgets.

- 5.6 However, it should be noted that before going into Phase Three it is likely that some investment will be required in IT and case management systems. Currently the two Legal Services use two different case management systems. We will need to explore if these systems can communicate with each other and if not then we will need to prepare a business case for implementing one system for both authorities and the costs and benefits of such investment.
- 5.7 Finally it is anticipated that the shared arrangements will reduce external legal spend and this will be monitored and data provided to clients on a regular basis. Also it is likely the LBBB will be able to generate income in the same way Thurrock Legal Services have been able to.

6. Legal Implications

Implications completed by: Tasnim Shawkat, Divisional Director, Legal and Democratic Services

- 6.1 The Local Authorities have the power to provide legal services by virtue of s111 of the Local Government Act 1972. Both authorities must, by virtue of s5 of the Local Government and Housing Act 1989, appoint a Monitoring Officer. Each authority, have power under the 1972 Act to arrange for the discharge of their functions by another authority.
- 6.2 One of the recommendations here is to agree a 12 months extension of the arrangements under which Thurrock Council's Head of Legal Services would jointly fulfil the role of Divisional Director Legal and Democratic Services and Monitoring Officer for both authorities on a shared basis. Legally this can be achieved by under section 113 (2) Local Government Act 1972, which has the straight forward effect of deeming the appointment /secondment of an officer from another authority as an officer of the authority being appointed and thereby satisfy the requirement under section 5 Local Government and Housing Act 1989 that an authority appoint "one of its staff" to be Monitoring Officer.
- 6.3 The arrangement does not involve any formal merger of services but would allow any opportunities for sharing of services to be explored and would involve an immediate saving to both authorities by sharing this resource.
- 6.4 General power of competence under Localism Act 2011 allows a local authority to do anything that individuals may do unless there are restrictions applied by other Statute. This power can be used by a local authority to provide back office functions to other bodies. This provision comes into force on April 2012.

7. Other Implications

- 7.1 **Risk Management** The proposal in this report is to progress a phased approach to a potential shared legal services between LBBB and Thurrock Council. A phased approach minimises or eliminates the potential risks of embarking on an untested fully merged service. The phased approach means that any potential risks can be assessed and addressed before a final decision is made to fully merge the two services. If it is found that there are significant risks and little benefit then the two authorities will be in a position to revert to the original position and have separate

legal services and Monitoring Officers. However, the more likely outcome is that the sharing of the two services will realise real benefits in terms of efficiencies, resilience and reduction of costs while ironing out any teething problems and removing barriers eg ICT and communication issues.

7.2 **Contractual Issues** - There is a secondment agreement in place between LBBB and Thurrock. The agreement will be extended for a further 12 months

7.3 **Staffing Issues** - Staff will be expected to work across the two authorities and it is possible that they may be asked to undertake pieces of work for other authorities in East London such as Havering and Waltham Forest. There will be no significant changes to terms and conditions of staff in either authority. Some staff will see a change in their line manager. Agreement will be sought from the managers that they travel to the other authority and line manage staff in LBBB or Thurrock and vice versa.

Some changes will be necessary in that staff will need to develop their skills as customer service professionals rather than an in-house team of lawyers. They will have to be aware of the differing needs and expectations of the two sets of clients. Staff will need to become better at accurately time recording their chargeable hours ensuring that costs are reflected on the right clients. Staff will need to be more prepared to use alternative means of communicating with clients, making more use of e-mail, phone, teleconference etc

Staff should experience better support and ability to share out peak time workloads. There will be improved cover in the team during annual leave and other absence. Although no redundancies are likely to result from Phase Two of the shared arrangements Unions will be advised of the proposals.

7.4 **Customer Impact** - The customers are internal clients in services in both authorities. They will be informed of these proposals. They may experience services being provided from another authority. The aim of this proposal is to ensure that the clients receive quality services from more resilient teams.

Clients will need to get used to their lawyers not necessarily always being available in person as and when they want to talk to them. Clients will need to become more aware of the cost of the legal services they request. This will lead to more rational decisions about when to seek legal services

Clients should experience speedier response and more proactive support. The clients should also see a reduction in external legal costs. Regular reports will be provided on volume of work undertaken and the costs both internal and external.

7.5 **Safeguarding Children** - The Safeguarding Children Legal Team is really trailblazing the joint / shared working. The team has already started working together and it is anticipated that from January 2012 a more integrated approach will be adopted, with sharing management capacity across the two authorities and sharing advocates.

7.6 **Property / Asset Issues** Not significant. Desk space will need to be made available in each authority for managers as and when they need to visit the other authority.

Background Papers Used in the Preparation of the Report:

LBBD Cabinet report dated – 25 January 2011
Thurrock Cabinet report dated – 18 February 2011
LBBD Assembly report dated – 25 February 2011

List of appendices:

None

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CABINET

17 JANUARY 2012

Title: Host Borough Employment and Skills Programme	
Report of the Cabinet Member for Regeneration	
Open report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Terry Regan, Group Manager Employment & Skills	Contact Details: Tel: 020 8227 5329 E-mail: terry.regan@lbbd.gov.uk
Accountable Divisional Director: Jeremy Grint, Divisional Director for Regeneration	
Accountable Director: Tracie Evans, Director of Finance and Resources	
<p>Summary: This report sets out details of the Host Borough Employment and Skills Programme funded by the Greater London Authority. The London Borough of Hackney acts as the accountable body for this programme.</p>	
<p>Recommendation(s)</p> <p>The Cabinet is recommended to agree that the Council enters into a Deed of Variation with the London Borough of Hackney to allow for additional Grant Funding in the sum of £955,892.71 to be provided to the Council under the Host Boroughs' Employment and Skills Programme.</p>	
<p>Reason(s)</p> <p>To assist the Council in achieving its objective of 'Raising Household Incomes'.</p>	

1. Introduction and background

- 1.1 In 2009/10 the London Development Agency reached an agreement to provide the then five Olympic Host Boroughs with £15m in funding over three years to support borough efforts to tackle worklessness. During late 2010/11, due to a late start on the programme, Barking and Dagenham was invited to participate and to contribute outcomes via the borough's Job Shop service. This agreement covered only 2010/11 and was signed off under delegated authority arrangements. A total of £98,828 was drawn down.
- 1.2 From April 2011 responsibility for this programme passed over to the Greater London Authority and was reduced in scale to just over £13m. During the early part of 2011/12 the five original boroughs had made an assessment of what they could realistically deliver, given the restrictive target groups and late start. This fell short of the allocated GLA funding and with the GLA's agreement this has provided the

opportunity for Barking and Dagenham to formalise an agreement which runs over 2011/12, 2012/13 and 2013/14.

- 1.3 The London Borough of Hackney act as the accountable body for the Host Borough Employment and Skills Programme. A contract variation has been received which takes total possible funding to £955,893 (including the 2010/11 sum already received). The profile of funding is £356,056 in 11/12, £415,024 in 2012/13 and £85,535 in 2013/14. This therefore requires Cabinet approval.

2. Proposal and Issues

- 2.1 The Host Borough Employment and Skills Programme is designed to provide added value to mainstream provision. No one can be supported who is claiming Jobseekers Allowance or who is already on the Government initiative for long-term unemployed, the Work Programme. Eligible participants are those who are:

- Aged 25+, workless for 1+ years and either not claiming benefits or claiming Incapacity Benefit, Income Support or other inactive benefits
- Aged 18-24, workless for 6+ months and either not claiming benefits or claiming Incapacity Benefit, Income Support or other inactive benefits

- 2.2 Payments under the programme are outcome-based and are made at four stages: at registration onto the programme; once a job is secured; at six months employment; at one year sustained employment. In 2010/11 a total of 131 residents were registered, 38 secured employment and 12 residents sustained employment for 6 months. All of these residents, whether in or out of work, will continue to be supported and tracked into 2011/12. The programme is heavily weighted in terms of funding to job-related outcomes.

- 2.3 The outputs under this programme are primarily delivered by the existing activities of the Borough's Job Shops. Staff are now focusing their one-to-one support on these client groups as they are, by definition, furthest from the labour market. This also maximises the contribution of the service to the Regeneration Division's income targets. Participants on the programme get access to a range of support, including:

- One-to-one support to build a skills action plan
- Help with job search
- CV-writing and interview skills support
- 'Better off' calculations and help in claiming in-work benefits
- Access to a range of short vocational training courses including those not otherwise funded locally (e.g. food hygiene)
- Continued contact and the offer of support once they are in work

- 2.4 Given the restrictive eligibility it is unlikely that the Council's Job Shops can deliver all of the outcomes expected. Work is ongoing with colleagues in Children's Centres to explore the contribution that work-related activities could make to output targets. Close contact is also made with Jobcentre Plus and other local providers to encourage referrals, including the Adult College of Barking and Dagenham, which is delivering an increasing number of short vocational courses for job seekers.

- 2.5 However, it is still likely that some element of sub-contracting will need to be explored in order to draw down the full sum for the benefit of local residents. This will be complicated by the allocation of outputs. Barking and Dagenham has been allocated a much more limited number of registrations than sustained job outcomes. This is because the other boroughs have retained a much higher proportion of registrations than sustained job outcomes. The latter are of course much more difficult to achieve. Any sub-contracting will take place in accordance with procurement rules and will minimise any financial exposure to the Council.
- 2.6 Match funding for the programme is in-kind and evidenced by salary costs in the Employment and Skills group, along with reporting of job entries for those not eligible for the Host Borough programme (i.e. all other Job Shop clients). Match funding and outcomes are required over all three remaining years of the project. If any provision is sub-contracted this will also include match requirements.

3. Options Appraisal

- 3.1 In the absence of a signed agreement the Council will be unable to draw down this funding to support residents through its Job Shops. The number of local residents assisted into employment will consequently be lower.

4. Consultation

- 4.1 Consultation has been undertaken with Jobcentre Plus and Children's Services Targeted Support on delivery of the outputs mentioned in this report.

5. Financial Implications

Implications verified by: David Abbott, Principal Accountant

- 5.1 This reports seeks Cabinet approval for power to be delegated to the Director of Finance and Resources to enter into an agreement with the London Borough of Hackney (the accountable body for the scheme) to deliver up to £955,893 of match funded income from the GLA. The Council has already received and accounted for £99,278 within 2010/11, and further amounts of up to £356,056, £415,024 and £85,535 are anticipated over the three years 2011/12 – 2013/14 respectively.
- 5.2 The successful receipt of this income will be dependent on match funding by the Council and the demonstration of outputs (in terms of the number of people successfully placed into and sustaining jobs), although no incremental spend will be incurred (over and above current spend/budgets). The sums quoted represent the maximum / target level of income. To the extent that the Council is unable to deliver the required outcomes and/or match the level of funding, then the total income to be received by the Council over the three years would be less.
- 5.3 A current conservative estimate of the actual income to be received in 2011/12 is only £249,155 (although staff will continue to ensure this gap is minimised). This figure is based on current service levels and projected job outcomes, rather than a lack of eligible match expenditure. The income received from this project will partly meet the income target for the Employment and Skills service (£145k); and will also fund the running of the Job Shops and the related training programmes. To the extent that this income exceeds the current income target, it also generates funding

for other Employment and Skills projects including the European Social Fund project (community-based delivery of employment services).

- 5.4 The Council's match funding element will be from existing budgets within the Employment and Skills service, and specifically from within the Job Shops. The total 2011/12 gross budget for this is £1.3m including £667k for employees. Approximately 10 members of staff (those within the Job Shops) could legitimately apportion up to 100% of their time to this project, and five other (office-based) members could legitimately apportion a smaller percentage of their time. Therefore there is sufficient basis in which to justify / match the costs of this project over each year; and thus, the critical success factor in terms of the level of income to be received is the job/service outcomes.
- 5.5 The cost of any additional sub-contracting may be incurred in order to help achieve further service outcomes, where it is economical to do so. The level of sub-contracting is not expected to be significant, and will be met from the current Employment & Skills team budget. There are no other incremental costs associated with this programme.

6. Legal Implications

Implications verified by: Eldred Taylor-Camara, Legal Group Manager

- 6.1 Cabinet's approval is being sought to enter into a Variation Agreement for Grant Funding for Five Host Boroughs Employment and Skills Programme. The Variation Agreement will be entered into with the London Borough of Hackney, who is the accountable body in respect of the grant funding to be received by the Council from the Greater London Authority.
- 6.2 The Council entered into the initial Grant Funding Five Host Boroughs Employment and Skills Programme on 27 May 2011. This was executed under the delegated authority process as the maximum value of the funding as noted in the agreement was £164,925. This report in paragraph 1.1 confirms that the actual total funding received was £98,828.
- 6.3 Further funding in respect of the years 2011 to 2014 is now being made available under the funding scheme bringing the total value of the funding to be received by the Council to over £955,892.71. Clause 3.6 of the Council's Contract Rules states that proposed contracts with a value of over £400,000 must be reported to Cabinet.
- 6.4 A variation agreement is now required to be executed between the Council and the London Borough of Hackney noting the following:
- 1) Details of the funding increase noted above;
 - 2) The fact that all references to the London Development Agency, with effect from 1st July 2011, will become references to the Greater London Authority; and
 - 3) The inclusion of a new clause giving the London Borough of Hackney the right to terminate the agreement upon giving the Council six months' notice.
- 6.5 The information provided at present is that no procurement is required to be undertaken by the Council at this stage as the delivery of the programme will be through the Council's existing Job Shops. Should a procurement be undertaken in

the future in relation to this grant then, depending on the value and nature of the procurement, the appropriate procurement route will have to be undertaken, in line with either the Council's Contract Rules or the Public Contract Regulations.

6.6 The Legal Practice is not aware of any reason why the variation agreement with the London Borough of Hackney should not be entered into.

7. Other Implications

7.1 **Risk Management** – all provision is paid for on the basis of evidenced outcomes which the Council is already committed to serving through its Job Shop service.

7.2 **Contractual Issues** – a funding agreement will be entered into with London Borough of Hackney. If any further provision is procured via sub-contracts this will take place through open and competitive tendering. Local voluntary sector organisations will be encouraged to apply.

7.4 **Customer Impact** – this programme will help more residents into sustainable employment. It should therefore positively impact on a number of other agendas, given that it should assist in raising incomes e.g. lower rent arrears.

7.6 **Health Issues** – employment is positively correlated with improved physical and mental health.

Background Papers Used in the Preparation of the Report:

None.

List of appendices:

None

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CABINET

17 JANUARY 2012

Title: Adoption of Joint Waste Plan and Adoption of Local Development Framework Proposals Map	
Report of the Cabinet Member for Regeneration	
Open report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Daniel Pope, Group Manager, Development Planning	Contact Details: Tel: 020 227 3929 E-mail: daniel.pope@lbbd.gov.uk
Accountable Divisional Director: Jeremy Grint, Divisional Director Regeneration and Economic Development	
Accountable Director: Tracie Evans, Corporate Director of Finance and Resources	
<p>Summary:</p> <p>The London Boroughs of Barking and Dagenham, Havering, Newham and Redbridge have prepared a Joint Waste Plan Development Plan Document (DPD) which is part of the Local Development Framework (LDF). The main purpose of the Joint Waste Plan is to ensure there is sufficient waste management capacity across the four boroughs to manage the apportionment set by the London Plan for municipal and commercial and industrial waste. The Joint Waste Plan has been through three main stages of consultation in line with the Town and Country Planning regulations; issues and options, preferred options and pre-submission. The preferred options version was approved by Cabinet on 20 February 2008 (Minute 115 refers). The pre-submission version was approved by Cabinet on 21 April 2009 (Minute 175 refers). The Plan was submitted to the Planning Inspectorate in September 2009 for an independent examination. The Planning Inspectorate has now approved the Joint Waste Plan subject to a number of binding changes being made. Officers consider that these changes do not significantly alter the Plan.</p> <p>The revised Joint Waste Plan DPD has been circulated under separate cover to all Councillors and is available on the Council's website. Members of the public can obtain a copy from the author.</p> <p>The Joint Waste Plan is the final LDF Development Plan Document to be adopted by the Council and therefore the Council can now proceed to adopt the LDF Proposals Map. The Proposals Map shows the designations and sites referred to in the Core Strategy, Borough Wide Development Policies, Site Specific Allocations and Barking Town Centre Area Action Plan which have all been adopted by Assembly, as well as the sites in the Joint Waste Plan Development Plan Document. It is an important tool in enabling stakeholders in the LDF process to understand and see where the policies of the LDF apply and where the site allocations are located.</p> <p>The Proposals Map has the status of a Development Plan Document and therefore Cabinet needs to agree to its adoption by the Assembly. A copy of the Proposals Map will</p>	

be available for Cabinet to view.
<p>Recommendation(s)</p> <p>The Cabinet is asked to recommend the Assembly:</p> <ul style="list-style-type: none"> (i) To approve the Barking and Dagenham Local Development Framework Joint Waste Plan Development Plan Document; and (ii) To approve the revised Proposals Map as presented to the meeting.
<p>Reason(s)</p> <p>The Joint Waste Plan will help deliver the Council's Policy House objective of raising households incomes by ensuring that the historical trend of the East London Waste Authority Boroughs being the dumping ground for London's waste is reversed. This will help create a better mix of industries in the borough's designated employment areas and assist the Council's regeneration objectives.</p>

1. Introduction and Background

- 1.1 The London Boroughs of Barking and Dagenham, Havering, Newham and Redbridge have prepared a Joint Waste Plan which is part of the Local Development Framework. The main purpose of the Joint Waste Plan is to ensure there is sufficient waste management capacity across the four boroughs to manage the apportionment set by the London Plan for municipal, commercial and industrial waste.
- 1.2 The Joint Waste Plan has been through three main stages of consultation in line with the town and country planning regulations; issues and options, preferred options and pre-submission. The preferred options version was approved by Cabinet on 20 February 2008 (Minute 115 refers). The pre-submission version was approved by Cabinet on 21 April 2009 (Minute 175 refers). The Plan was submitted to the Planning Inspectorate in September 2009 for an independent examination.

2. Proposal and Issues

- 2.1 The Joint Waste Plan meets the London Plan waste apportionment through a combination of safeguarding existing waste management capacity and allocating sites for new facilities. As previously approved by Cabinet the Plan identifies the need for three new waste management facilities within the Dagenham Dock Sustainable Industries Park by 2021; two medium and one small scale facility. Two of these already have the benefit of planning permission, the TEG Anaerobic Digester and In Vessel Composting Facility and the Thames Gateway Power Gasification Plant.
- 2.2 Following an independent examination the Planning Inspectorate has approved the Joint Waste Plan subject to a number of binding changes being made. Officers consider that these changes do not significantly alter the Plan and therefore this report recommends that the Cabinet agree to its adoption by the Assembly.

2.3 The main changes from the previous version of the Plan approved by Cabinet are as follows:

- In response to a representation from SITA their Materials Recycling Facility on River Road has been added to the list of safeguarded waste facilities. It is important to note that “safeguarded” means that if the use is lost to a non-waste use then its capacity must be compensated for elsewhere.
- The time span of the Plan has been revised from 2010-2020 to 2011-2021
- The revised (lower) London Plan apportionment has been included in the Joint Waste Plan and the Plan makes clear that the need for additional waste management capacity will be monitored against this figure.
- The assumed capacity of the safeguarded material reclamation facilities at Frog Island and Jenkins Lane has been revised to exclude the rejected waste and refuse derived fuel. Whilst this reduces the total capacity of safeguarded waste management facilities it has not altered the number of new waste management facilities needed.

3. Options Appraisal

3.1 The Council could choose not to adopt the Joint Waste Plan. However, the Cabinet previously approved the pre-submission version of the Plan and officers consider that the changes recommended by the Inspector do not alter it significantly.

3.2 The Council could choose not to adopt the Proposals Map but this would mean there would be no map showing where the policies and allocations of the LDF apply. This would severely hinder the development management process and be very inconvenient to all those with an interest in development in the borough.

4. Consultation

4.1 The Joint Waste Plan has been through three main stages of consultation in line with the town and country planning regulations; issues and options, preferred options and pre-submission. The preferred options version was approved by Cabinet on 20 February 2008. The pre-submission version was approved by Cabinet on 21 April 2009. Both Cabinet reports explained the consultation that took place and summarised the responses received. During the independent examination further consultation was undertaken on changes which arose before, during and after the hearings. This consultation involved advertising the changes in the local press and on the Council’s website. Due to the minor nature of these changes only a limited response was received principally from those bodies who had previously submitted representations in particular the GLA.

4.2 The proposals map represents the policies and proposals in the LDF which have been consulted on extensively prior to their adoption by the Council.

5. Financial Implications

Implications completed by: David Abbott, Principal Accountant

5.1 There are no significant financial implications / commitments as a result of the policies / principles / requirements specified within the Joint Waste Plan. The document is a forward plan that formally states the places within the Borough that

waste industries can now go. The stipulations of the plan are essentially already in practice, but this document formalises them under the Local Development Framework, and provides a stronger tool through which the Authority can control waste industries across the borough.

- 5.2 There are minor costs associated with printing and publishing the Joint Waste Plan, including placing a notice in the News at an average cost of £700. A limited number of Joint Waste Plans will be printed at a cost of £100. The cost of printing and publishing the proposals map will also cost approximately £2,300. These costs have been budgeted for and therefore can be met from within the existing Development Planning budget.

6. Legal Implications

Implications completed by: Doreen Reeves, Legal Group Manager

- 6.1 The Planning and Compulsory Purchase Act 2004 (the “Act”) required the Council to replace its Unitary Development Plan (UDP) with a LDF. As observed above the Joint Waste Plan DPD and Proposals Map DPD are key LDF documents.
- 6.2 The Local Authorities (Functions and Responsibilities) (Amendment) (No 2) (England) Regulations 2004 provide that adoption of LDF documents are not an Executive function, so the resolution to adopt LDF documents under section 23 of the Act must be carried out by the Assembly.

7. Other Implications

- 7.1 **Customer Impact** - The Joint Waste Plan is subservient to and helps implement the Council’s LDF Core Strategy which was adopted by Council on 21 July 2010 (Minute 14 refers). The report clarified that in preparing the Core Strategy officers needed a thorough understanding of the current and forecast population profile of the borough and this was established in preparing the baseline for the Sustainability Appraisal for the Core Strategy and in preparing the Issue and Options documents. The Issues and Options documents included a document profiling the composition of each ward, the issues raised at their community forums and a focus on the major projects and development opportunities available in each as a basis for consultation. Officers are confident that having undertaken comprehensive consultation and undertaken a thorough sustainability appraisal that the Core Strategy policies do and will respond to the needs of the borough’s current and future residents.
- 7.2 **Health Issues** - The main impact on health is likely to be emissions produced during processing. However advice from the Health Protection Agency (2009) states that while it is not possible to rule out adverse effects from modern, well regulated waste incinerators with complete certainty, any potential damage to the health of those living close by is likely to be very small if detectable. There is less information available about alternatives to incineration such as gasification or anaerobic digestion; however impacts on health are likely to be similar to those arising from incineration. In any event the Joint Waste Plan specifically rules out incineration and makes clear that planning permission will only be granted for new

waste facilities if they avoid any material adverse impact from the release of polluting substances to the atmosphere or land arising from facilities and transport.

Background Papers Used in the Preparation of the Report:

- Planning and Compulsory Purchase Act 2004
- The Town and Country Planning (Local Development) (England) Regulations 2004.
- The Local Authorities (Functions and Responsibilities) (Amendment) (No 2) (England) Regulations 2004
- Executive report, 20 February 2008, Local Development Framework: Joint Waste Development Plan Document Preferred Options (Minute 115 - 20/02/08)
- Executive report, 21 April 2009, Local Development Framework - Core Strategy, Borough-wide Development Policies, Site Specific Allocations and Joint Waste Development Plan Documents (Minute 175 – 21/04/09)
- Assembly report, 21 July 2010, Local Development Framework – adoption of Core Strategy Development Plan Document (Minute 14 – 21/07/10)
- Pre-submission Joint Waste Plan , LBB, LBR, LBN, LBH, September 2009
- Inspector’s report on the Joint Waste Plan, Development Plan Document, Planning Inspectorate, November 2011
- The impact on health of emissions to air from municipal waste incinerators, Health Protection Agency, September 2009

List of appendices: None

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CABINET

17 JANUARY 2012

Title: The Policies and Strategies of the Assurance and Risk Division	
Report of the Cabinet Member for Finance and Education	
Open	For Decision
Wards Affected: None	Key Decision: No
Report Author: Sandy Hamberger, Divisional Director for Assurance & Risk	Contact Details: Tel: 020 8227 2115 E-mail: sandy.hamberger@lbbd.gov.uk
Accountable Divisional Director: Sandy Hamberger, Divisional Director for Assurance & Risk	
Accountable Director: Tracie Evans, Corporate Director of Finance and Resources	
Summary:	
<p>The Council's statutory 151 Officer (the Corporate Director of Finance and Resources) is required by the Local Government Act to ensure that there are proper arrangements in place to administer the Council's financial affairs. This includes the development and adoption of key polices to combat fraud, irregularity and manage any risk. These are an important aspect in helping the council demonstrate high levels of integrity to the public whose money we spend.</p> <p>The Accounts and Audit Regulations 2011 require the section 151 officer to have sound internal audit arrangements. In LBBd this function is undertaken on behalf of the 151 officer by the Divisional Director of Assurance and Risk. A key element of this is the development and maintenance of policies to combat fraud, corruption and other forms of financial crime, including money laundering corruption and bribery.</p> <p>It is vital that Members are confident that these policies will support the Council's zero tolerance to fraud stance. Collectively the seven polices attached at Appendices A to G set the tone which will direct the actions of the audit, fraud and risk work and help staff and contractors understand the standards required of them and actions and sanctions that would be applied in the event of such an occurrence.</p> <p>Each policy has a specific purpose including;</p> <ul style="list-style-type: none"> • What happens if a fraud or irregularity is suspected • The sanctions the council will take in such cases • Minimizing the risk of exposure to money laundering by setting acceptable cash payment acceptance levels • Communicating the councils duty to take actions to prevent any bribes happening • A confidential mechanism for staff to contribute to the delivery and development of the Council's Anti- Fraud and Corruption Strategy, without fear of reprisal the authority • The management and mitigation of risk, protecting the councils reputation and subsequent citizen confidence levels 	

Recommendation(s)

The Cabinet is recommended to agree;

- 1) The policies listed below and as attached at Appendices A - G to the report;
 - Fraud & Corruption Policy and Strategy
 - Fraud Prosecution Policy
 - Money Laundering Policy
 - Whistleblowing Policy
 - Policy and Code of Practice of The Regulation of Investigatory Powers Act 2000 (RIPA)
 - Bribery Act Policy
 - Risk Management Policy and Strategy
- 2) An amendment to the Risk Management Framework making the Cabinet's role in Risk Management more explicit (see paragraph 1.8)
- 3) A Lead Portfolio Holder for Risk Management

1. Introduction and Background

- 1.1 The Assurance and Risk Division maintains a suite of policies relating to risk and anti-fraud and other financial matters on behalf of the section 151 officer. These support the compliance of the Local Government Finance Act and the Accounts and Audit Regulations. Collectively the policies support the Council's adopted zero tolerance to fraud, which helps increase public confidence in the integrity of public servants that are responsible for large amounts of public money.
- 1.2 The policies were previously approved by the Standards Committee. At its meeting on 18 May 2011, the Assembly agreed that, to reinforce their importance as part of robust governance, these policies be approved by Cabinet from 2011/12 onwards.
- 1.3 As key policies, they will be reviewed annually and where there are significant changes, they will be taken back to Cabinet to allow Members to agree any strengthening changes that may emerge or be required to meet statutory requirements.
- 1.4 On behalf of the Assembly, PAASC receives quarterly summaries on the work of the Assurance & Risk Division which includes issues arising from the operation of these policies.
- 1.5 There is one new policy put forward, that addresses the Bribery Act 2010 which came into effect in July 2011. The Act introduced a new corporate responsibility "to take measures to prevent any bribery offences happening" and is subject to prosecution itself if it is deemed to have failed to do this. We are separately pursuing adoption of this new policy by Governors within schools along similar lines to the schools whistle blowing policy that is already in existence.

1.6 The respective Anti-Fraud & Corruption Strategy & Policy and Prosecution Policy have been combined to cover Housing Benefit and Corporate Anti-Fraud matters.

1.7 A brief description of the purpose of each policy is set out in the table below.

Appendix	Policy	Brief Description
A	Anti-Fraud & Corruption Strategy & Policy including Fraud Response Plan	Sets out the Council's commitment to reducing opportunities for fraud and corruption across all council services and taking the strongest possible action against those who seek to defraud the Council. Includes guidance on what to do if an employee suspects fraud.
B	Prosecution Policy	Sets out the Council's approach to seeking redress/sanction against those who seek to defraud the Council, linking to the Disciplinary rules where the perpetrator is a member of staff
C	Money Laundering Policy	Sets out the Council's commitment to ensuring compliance with the requirements of the Proceeds of Crime Act 2002, the Money Laundering Regulations 2007 and Chartered Institute of Public Finance and Accountancy (CIPFA) guidance for Local Authorities on Money Laundering.
D	Whistleblowing Policy	In accordance with the Public Disclosure Act 1998, sets out how officers can raise serious or sensitive concerns about other members of staff, suppliers, or people who provide services without fear of harassment, victimisation or bullying as a result of them raising concerns.
E	Regulation of Investigatory Powers Policy	Sets out rules and procedures for undertaking and gaining authorisation for covert surveillance in accordance with the RIPA Act 2000 and Human Rights Act 1998
F	Anti-Bribery Act Policy (NEW)	Sets out the Council's commitment to the prevention, deterrence and detection of bribery and to raise awareness with relevant officers linking with the already in place Employee Code of Conduct and rules on accepting gifts and hospitality
G	Risk Management Policy	Sets out the Council's stance on Risk Management as a sound management technique that is an essential part of any successful organisation. It gives a tool to enable an effective approach to better decision making, improved performance and delivery of services, more effective use of resources and the protection of reputation

1.8 While bringing forward these policies, officers have reviewed the Council's Risk Management Framework and recommend an amendment as follows to the framework, which will make more explicit the role of the Cabinet in relation to risk describing it as, to:

- Agree the Risk Management Policy and Strategy and receive reports on them
- Hold the political responsibility for risk within each individual portfolio
- Identify a lead portfolio holder for Risk Management.

2. Consultation

2.1 All policies, and particularly the Bribery Act Policy (Appendix F) as it is a new policy, have been widely consulted on with Members of the Cabinet and the Public Accounts and Audit Select Committee as well as with senior officers in Human Resources, Finance and at Divisional and the Corporate Management Team. The Unions have been consulted with regard to the impact of this piece of legislation and the Policy wording has gone through the 'Plain English' process.

3. Financial Implications

Implications completed by: Mark Taylor, Finance Manager

3.1 The approval by Cabinet of all policies of the Assurance & Risk Division should enhance the Governance framework of the Council as part of an annual review will ensure that the policies remain relevant and up to date and reinforce the culture of compliance across the Council through its officers.

4. Legal Implications

Implications completed by: Doreen Reeves, Legal Group Manager

4.1 The report sets out the suite of policies for the Council's governance framework which brings together the underlying set of legislative requirements, governance principles and risk management processes.

4.2 The Public Accounts and Audit Select Committee has to be satisfied that the report read in conjunction with the appendices, provides the level of assurances in respect of the Council's corporate governance and risk management before recommending to Cabinet for Decision.

5. Other Implications

5.1 **Risk Management** - The attached policies are an essential part of the Council's governance structure and in some cases a legislative requirement, like the Anti Bribery Act Policy. As such it is essential to have this suite of policies agreed and endorsed at the highest level.

Background Papers Used in the Preparation of the Report:

- Standards Committee, 1 July 2010
- Council Constitution report to Assembly, 18 May 2011
- PAASC report 23 November 2011
- Informal Cabinet report 4 January 2012

List of appendices:

- Appendix A Fraud & Corruption Policy & Strategy
- Appendix B Fraud Prosecution Policy
- Appendix C Money Laundering Policy
- Appendix D Whistleblowing Policy
- Appendix E Policy and Code of Practice of the Regulation of Investigatory Powers Act (RIPA) 2000
- Appendix F Bribery Act Policy
- Appendix G Risk Management Policy & Strategy

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Internal Audit

**Fraud & Corruption
Policy & Strategy**
(Incorporating Housing Benefit Fraud)
17 January 2012

The Council's commitment to the Fraud Corruption Policy

London Borough of Barking & Dagenham, "the Council" carries out its responsibilities and delivers high quality services to the local community. The immense variety of service provision places the Council at risk of loss from fraud and corruption perpetrated both internally and externally. The Council operates a zero tolerance policy to Fraud and Corruption and considers the Fraud and Corruption Policy and Strategy to be an integral part of our approach.

What are the aims and requirements of the legislation?

Where Fraud or Corruption is found to occur, in any form, it will be dealt with rigorously in a controlled manner in accordance with the principles in the Fraud and Corruption Policy and Strategy. It will be investigated fully and the Council will prosecute all offenders where appropriate including, Members, employees, contractors, agency staff, consultants, suppliers and partners.

Who is governed by this Policy?

The Fraud and Corruption Policy and Strategy applies to all staff including and not limited to temporary staff, sessional staff, consultants and contractors. It also covers suppliers and those providing services under a contract with the Council in their own premises, for example, care homes and sheltered accommodation.

Executive Summary

The Fraud and Corruption Policy and Strategy makes clear the Council's commitment to reducing opportunities for fraud and corruption and taking the strongest possible action against those who seek to defraud the Council. There will be no distinction made in investigation and action between cases that generate financial benefits and those that do not.

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Fraud & Corruption Policy & Strategy

Fraud & Corruption Policy

The council is responsible for the proper administration of its finances. This not only includes direct income and expenditure but also monies that is administered on behalf of the Government, our clients and for which the Council is the responsible accountable body. Anyone committing fraud, both inside and outside the organisation, attack all of these sources of income and expenditure and our valuable assets.

The Council aims to set high standards of service provision and is committed to upholding the reputation of the Authority and maintaining public confidence in its integrity and expects that Members (Elected councillors) and staff at all levels will adopt the highest standards of propriety and accountability and will lead by example.

The Authority also expects that individuals and organisations that come into contact with the Authority e.g. the public, suppliers and contractors, will act with integrity and without intent or actions involving fraud and corruption.

To achieve its aims and objectives the Council will therefore take a firm stance against any individual, group or organisation committing acts constituting theft, fraud, corruption, financial irregularity or malpractice or other form of wrongdoing, whether it is attempted against, from or within the Council.

In fulfilling its responsibilities to protect the public funds it administers against fraud and corruption the Authority recognises the responsibilities placed upon it by statute and will actively promote this Fraud and Corruption Policy and Strategy which is designed to:

- Promote standards of honest and fair conduct
- Encourage prevention of fraud and corruption
- Maintain strong systems of internal control
- Promote detection
- Pursue a zero-tolerance policy and bring to justice all persons who commit acts of fraud or corruption against the Council
- Recover any losses incurred by the Council

In addition to the following, specific matters in respect of Housing Benefits Fraud are set out in Appendix 1.

The Anti Fraud Culture and Deterrence

The culture of the organisation is one of honesty, openness and opposition to fraud and corruption. Members play a key role in maintaining and promoting this culture. Specifically the Standards Committee is responsible for promoting high standards of conduct by Members, employees, its contractors and partners.

Members have a duty to ensure that Council assets are adequately safeguarded from fraud and abuse and to ensure that the Council's powers, duties and responsibilities are exercised in an open fair and proper manner to the highest standards of probity.

The Members and employees are an important element in the Council's stance on fraud and corruption and they are positively encouraged to raise any concerns that they may have on these issues where they are associated with a Council activity.

Members of the public are also able to report concerns to appropriate Council officers or relevant external agencies such as the Police, External Audit, and the Local Government Ombudsman.

The Public Interest Disclosure Act 1998 provides protection for those who voice genuine and legitimate concerns through the proper channels. In this connection the Council has adopted a Whistleblowing Policy to ensure a defined route to bring alleged instances of fraudulent, unlawful or otherwise improper conduct to the Council's attention. As well as the Whistleblowing Officer, this can involve the Monitoring Officer, Fraud Teams, or the employee's line manager or Divisional Director or, if more appropriate, an officer external to the individual's department.

The underlying message is that this Council will not tolerate fraudulent and corrupt activity. A pound lost through fraud and corruption is a pound that is stolen from Barking and Dagenham residents and reduces the amount available to spend on delivering services to residents.

A proactive programme of work will be agreed and published each year, using a risk-based approach to prioritise areas inherently at risk from fraud, outcomes from which will be publicised as appropriate.

New employees will receive fraud and corruption awareness training as part of their induction programme. Fraud awareness programmes will be targeted at all staff in the form of presentations, workshops and newsletters.

Additionally, this strategy and policy will also be available to all employees, contractors and partners and link to associated policies and guidance, for example:

- Employee Code of Conduct
- Disciplinary Rules
- Whistleblowing Policy
- Bribery Policy
- Money Laundering Policy
- Fraud Prosecution Policy

Prevention – Managing the Risk of Fraud

Fraud, theft and corruption are costly in terms of financial loss and reputational risk. The risk of loss can be reduced through robust preventive measures. The Council has a number of key processes and procedures which can assist in the prevention of fraud and corruption that include:

- Internal Control systems
- Standing Orders & Financial Regulations
- Employee Code of Conduct
- Disciplinary Rules
- Members Code of Conduct

The Director of Finance & Resources has been delegated, through the Council's Standing Orders and Financial Regulations powers to control and regulate the Council's finances. These include the promotion of systems and practices to minimise the risk of fraud and corruption. An important part of the control framework is the maintenance of an effective internal and external audit of the

Council's finances that operate to the "best practice" standards defined in the Accounts and Audit Regulations (2011).

Managers

The effective eradication of fraud starts with managers. It is the responsibility of all Council managers to ensure that they manage the risk of fraud within their respective work areas. Managers are expected to be fully conversant with fraud risks (internal and external) relevant to their service areas. Some services will be predominantly at risk of attack from external sources, for example, Council tax, Housing and Renovation grants.

When considering the risk of fraud, managers must take the following steps:

Identify the risk areas

Managers must establish which parts of the service are most vulnerable to fraud e.g. letting or managing contracts, handling cash, allocating or distributing grants, ordering equipment, paying invoices, validating documentary evidence in support of claims for benefits etc. Other risks include assessing declared staff interests and considering whether such interests conflict with the Council's interests or would undermine public confidence in the Council.

Allocate responsibility for the risk

Managers must identify who has responsibility for managing each risk and ensure that the officer concerned has adequate training, support and expertise to manage the risk effectively.

Identify the need for revised controls

Managers must evaluate the adequacy of existing controls and establish what further controls or changes to existing controls are required to reduce or eliminate the risk of fraud. For this, managers should refer to audit reports, internal investigation findings, value for money review findings, External Audit reports or findings from other external inspections. This will help ensure that there is full compliance with the Regulatory Framework, Standing Orders, local procedures and any relevant legislation.

Implement the revised controls effectively

Managers must ensure that the revised controls are cost effective and that written procedures are updated informing staff and customers of any changes that affect them. Staff will need to be trained in the use of revised controls and procedures. Managers must also identify any continued weaknesses and adjust as necessary.

Evaluate the effectiveness of controls

After a reasonable period of time managers should assess the effectiveness of the controls and evaluate whether the risk of fraud has been eliminated or reduced.

For advice on managing risk, evaluating possible conflicts of interest, or the development or evaluation of controls contact the Internal Audit or Risk Management Sections.

Any system weaknesses identified as a result of Fraud Investigations will be reported to the relevant service manager as well as the Group Manager (Internal Audit & Anti Fraud) and addressed through an agreed action plan. The relevant Service Manager will be responsible for implementing the action plan. Internal Audit will have a monitoring role, addressing failures to implement

recommendations to the relevant Divisional Director in addition to reporting major system failures, remedial action plans and instances of non-compliance to the Public Accounts & Audit Select Committee.

Contractors

It is expected that the Council's contractors and partners will have adequate controls in place to minimise fraud. We will however, provide fraud awareness training to our community partners as deemed necessary to help them implement robust controls to protect the funds they administer.

Contractors and partners are also expected to have adequate recruitment procedures in place covering requirements under the Immigration and Nationality Act, Criminal Records Bureau checks and stringent vetting in relation to employment history and references. This expectation will form part of all contract terms and conditions.

Employees - Recruitment and Conduct

It is recognised the majority of staff are conscientious and hard working and whose conduct is beyond reproach. However, where it becomes evident fraud and corruption has taken place, action will be taken in accordance with the Council's Disciplinary Rules. Fraud and corruption are specific instances of gross misconduct and will therefore be treated very seriously and likely to involve criminal or civil proceedings as appropriate.

The Council recognises that a key preventative measure is to take effective steps at the recruitment stage to establish, as far as possible, the previous record of potential employees, in terms of their propriety and integrity. Temporary and agency employees will be treated in the same way.

Staff recruitment is required, therefore, to be in accordance with the Council's recruitment and selection policies and, in particular, written references regarding known honesty and integrity of potential employees must wherever practicable be obtained before employment offers are made. Criminal records will be checked and disclosed prior to appointment in accordance with the Council's Safer People for Safer Services Policy

Employees of the Council are expected to follow the Employees' Code of Conduct and any other Code related to their personal Professional Body.

Employees must comply with their statutory obligations regarding pecuniary interest in Contracts relating to the Council or fees and rewards other than proper remuneration. They are also required to declare any interests which they have that may conflict with the impartial performance of their duties.

Members (Elected Councillors)

Members are expected to conduct themselves in a way that is beyond reproach, above suspicion and fully accountable by acting in a manner that sets an example to the community they represent and employees who implement their policy objectives.

Malpractice of any sort will not be tolerated and where evidence indicates malpractice has occurred, a report will be made to the relevant Body.

Members are required to operate within:

- The Council Constitution
- National Code of Conduct

- Local Code of Conduct

These matters are specifically brought to the attention of Members and include the declaration and registration of potential areas of conflict between Members' Council duties and responsibilities and any other areas of their personal or professional lives.

The Standards Committee will advise and train Members on matters relating to the Members' Code of Conduct. The Committee will monitor the operation of that Code.

Detection and Investigation

This section should be read in conjunction with the Fraud Response Plan (Appendix 2).

The array of preventative systems, particularly internal control systems within the Council, has been designed to provide indicators of any fraudulent activity, although generally they should be sufficient in themselves to deter fraud it is often the alertness of employees, Members and the public to indicators of fraud and corruption that enables detection to occur and the appropriate action to take place when there is evidence that fraud or corruption may be in progress.

Employees must report any suspected cases of fraud and corruption to the appropriate manager, or, if necessary, direct to the appropriate Fraud Investigation Team. The Fraud Response Plan appended to this policy provides guidance on what to do when an individual suspects fraud and corruption (other than benefit fraud) has or is taking place.

Reporting cases in this way is essential to the Fraud and Corruption Strategy and makes sure that:

- suspected cases of fraud and corruption are investigated properly
- there is a standard process for dealing with all suspected cases of fraud and corruption; and all connected persons and the Council's interests are protected

The Fraud Investigation Teams are at the forefront of the Council's fight against fraud and will examine all allegations of theft, fraud and financial malpractice, corruption and behaviour likely to adversely impact on the finances or integrity of the Council, its Members and employees. This extends to allegations against organisations funded by the Council or those with whom the council has a contract.

It is expected that the Council's partners will provide full and unrestricted access to their financial records relating to the council finances and the co-operation of their staff with any investigation. In addition, personnel records of any person suspected of involvement in fraud against the council will also be made available to the Fraud Investigation Teams.

The Council will utilise the additional powers of Police to obtain evidence or recovery of funds or where the matter cannot be pursued in-house, for example, serious organised crime and money laundering.

Referral to the Police will be undertaken in consultation with the Divisional Director (Assurance & Risk) and in accordance with the Council's Prosecution Policy. In cases involving Members, the Standards Committee would determine the issue of Police involvement.

Complaints of misconduct under the Members Code of Conduct will be dealt with in accordance with the Standards Committee's Local Assessment arrangements.

Combining with Others

We will utilise all methods available to detect fraud. Arrangements are in place to actively participate in the Audit Commission's National Fraud Initiative (NFI). We will also continue to develop and support initiatives that involve the exchange of information and systematic data matching between the Council and other agencies on national and local fraud and corruption activity in relation to Local Authorities.

These agencies include:-

- Police
- Department for Works and Pensions
- HMRC
- UK Border Agency
- Pensions Service
- JobCentre Plus
- Inland Revenue

Sanction and Redress

The strongest available sanctions will be applied to all who commit fraud against the Council, its clients or the public purse. This may include disciplinary action, prosecution and civil proceedings or a combination of all three.

This also applies to employees who defraud or steal from the Council's clients. Disciplinary action will also be taken against staff found to have committed fraud against other Local Authorities, or any other agency administering public funds.

Contractors or partner organisations will be expected to take appropriate action against the individual(s) concerned. The ability to request removal of staff will be written into contract terms.

The decision to recommend any of all of the above sanctions will be made on a case by case basis, having regard to the Disciplinary Rules and Prosecution Policy in place at the time.

Sanctions imposed in relation to cases of fraud involving Members will be imposed by the Standards Committee in accordance with powers bestowed under the Standards Committee (England) Regulations 2008.

Fraud and Corruption Strategy

To create a culture and organisational framework - through a series of comprehensive and inter-related procedures and controls - which minimises the risk and impact of fraud or corrupt acts against the Council, whether internally or externally perpetrated.

Where fraud and corruption does occur, to fully investigate all cases and, where proven, take a zero tolerance approach through appropriate use of the full range of available sanctions and penalties. The Strategy is based on the following principles of best practice:

- Culture & Deterrence
- Prevention & Risk Management
- Detection & Investigation
- Sanctions & Redress

Links to Corporate Objectives

The vision for the Borough is **building a better life for all** with the key aims of:

- Raising household incomes
- School and post-16 education
- Housing and estate renewal

The priority themes of the Council as shown in the “Policy House” are:

- Better together - We all want our borough to be a place we can be proud of
- Better homes - More people want to live in our borough
- Better health and well-being - With the Olympics on the horizon we want our Borough to be a healthier, fitter place
- Better future - We want a borough that believes in opportunity underpinned by the theme, ‘a well-run organisation’

This Policy and Strategy ensures resources are correctly applied in the provision of high quality services and initiatives that deliver these Corporate Objectives.

Resources

A Corporate Anti Fraud Team will be maintained, to investigate all issues of suspected fraud and irregularity other than housing benefit fraud and to promote the anti-fraud agenda of the Council through proactive and preventative activities.

A Tenancy Audit Team will investigate allegations of abuse concerning council housing and seek to recover council properties, for example where it is determined the registered tenant is not in residence as defined by the tenancy agreement, with the aim of delivering housing units back to proper use, and prevent misuse of the Social Housing Stock.

The authority for Fraud Investigators to investigate is enshrined in the Council’s Constitution, Financial Rules.

Internal Audit will, within the context of the Director of Finance and Resources statutory powers, have authority for internal audit purposes to:

- Enter at all reasonable times in to any Council premises or onto Council land
- Have access to all records, documents and correspondence relating to operations or transactions of the Council
- Require and receive such explanations as are necessary concerning any matters under examination
- Require any employee of the Council to produce cash, stores or any other property of the Council in her/his custody

Sufficient Benefit Fraud Investigators will be appointed to undertake investigation of referrals of suspected fraud and Visiting Officers whose duties will be to visit benefit customers to check the details of their claim obtaining any necessary supporting documentation in accordance with the DWP Verification Framework.

Housing Benefit Fraud Investigators will be appointed as “Authorised Officers” who have the power of entry and inspection under section 110A of the Social Security Administration Act 1992.

“Authorised Officers” must be right and proper persons and be issued with a certificate of appointment which will last for no more than one year at a time.

“Authorised Officers” will use their powers in connection with a claim for Housing Benefit and or Council Tax Benefit to enter business premises of landlords, agents or employers to inspect relevant documents and to interview persons found on the premises.

The “Authorised Officers” will also use their powers to write and request information from prescribed persons or businesses.

Any abuse of these powers will result in the “Authorised Officers” being subjected to disciplinary procedures.

Training

The Council will ensure that all Fraud Investigators are fully trained, appropriately qualified and are continually kept up to date with respective relevant legislative changes.

Publicity

Publicity will be used appropriately to discourage those who might seek to commit fraud both generally and in instances of specific outcomes from individual cases, to highlight the existence and work of the Anti-Fraud Teams and to promote the zero-tolerance approach.

All successful prosecutions for benefit fraud will be reported within internal and external media.

Fraud Hot Line

The Council has in place dedicated fraud and whistleblowing telephone hotlines and email addresses to enable members of the public to report concerns about possible fraudulent activity. All calls will be followed up by appropriate Fraud Investigators and all information supplied will be treated as private and confidential.

Case Management

Fraud Investigation Teams will maintain electronic records (e.g. case management system) to assist with the proper management, monitoring and recording of cases subject to investigation.

Considerations for Anti-Fraud Officers

When investigating fraud, Investigators and Visiting Officers will work to professional standards and in accordance with codes of practice as well as applying the Council's policies on equal opportunities and customer care. They will at all times apply appropriate procedures to maintain confidentiality. They are expected to comply with the Council's Code of Conduct specific to their activity.

Additionally, they will operate within the guidelines of:

The Police and Criminal Evidence Act 1984,	In undertaking an investigation Council officers will observe the Police and Criminal Evidence Act Codes of Practice. The customer will be advised of their rights and evidence will be obtained and secured in accordance with the Act. These Codes
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	of Practice will also be observed when taking statements.
The Human Rights Act 1998	Officers, when dealing with a suspected fraud, will comply with the requirements of the Human Rights Act.
Data Protection Act 1998	The Council will act in accordance with the current data protection legislation and any advice issued by the Information Commissioner. It is registered with the Commissioner that data may be used for the prevention of crime and the prosecution of offenders. It will use exemptions under the legislation to protect those organisations and individuals who may be asked to supply information to the Council in its investigation of fraud.
Regulation of Investigatory Powers Act 2000	Council officers will abide by the requirements of the Regulation of Investigatory Powers Act when conducting surveillance in relation to a suspected fraud.
Whistleblowing Policy & Public Interest Disclosure Act 1998	The Council has set out a policy of whistleblowing in accordance with the Public Interest Disclosure Act. In accordance with this policy Council employees and elected members are expected to inform the Council of any concerns about suspected malpractice by colleagues. The Council will follow the procedures set out in the policy when responding to such concerns.

Definitions

What is theft?

Under the section 1 of the Theft Act 1968 “A person is guilty of theft if: he dishonestly appropriates property belonging to another with the intention of permanently depriving the other of it.”

Examples of theft include stealing any property belonging to the council or which has been entrusted to it (i.e. client funds); including cash, equipment, vehicles and data and can also include the stealing of property belonging to our staff or members whilst on council premises.

Under section 24A of the Theft Act 1968, a person is also guilty of theft where ‘they dishonestly retain a wrongful credit’. For example where they do not report and repay an overpayment of salary or advance.

What is fraud?

The Fraud Act 2006 introduced into statute the first legal definition of fraud.

For the purposes of this strategy, fraud is defined as the intentional distortion of records for gain; corruption as the offering or acceptance of inducements designed to influence official action; financial malpractice as theft of funds or assets from the Council or its clients and intentional, unauthorised breaches of financial regulations; and misuse of official position as employees or their friends, relatives or acquaintance benefiting inappropriately from exercise of duty.

Fraudulent acts may arise from:

Systems Issues - i.e. where a process /system exists which is prone to abuse by either employees or members of the public e.g. Housing Allocations.

Financial Issues - i.e. where individuals or companies have fraudulently obtained money from the Council. Examples include falsification of expense claims, theft of cash and alteration of records to conceal deficiencies, falsification of invoices for payment, failure to account for monies collected.

Equipment Issues - i.e. where Council equipment is used for personal reasons, for example personal use of council vehicles.

Resource Issues - i.e. where there is a misuse of resources for example theft of building materials or working in a private capacity during contracted hours or whilst sick.

What is corruption?

In contrast, corruption has been defined as the offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of any person contrary to the proper conduct of their duties.

Examples of areas where corruption can occur include tendering and awarding of contracts, appointment and reward of external consultants, awarding permissions, planning consents and licenses.

Types of inducement include cash, “free” holidays, “free” professional services and advice, provision of goods or materials, “free” entertainment such as tickets to sporting events.

This area is covered in greater depth by the Bribery Act Policy.

Further Support, Tools & Guidance

• The latest version of the Fraud & Corruption Policy & Strategy and all of our documents
• can be obtained from either contacting the Group Manager – Internal Audit directly or by
• visiting our intranet pages:

• If you have any comments or feedback to do with this document, we would like to hear
• from you, so please get in touch and email us at the following address:

david.greenfield@lbbd.gov.uk

1. STATEMENT OF INTENT

The Council is committed to providing Housing Benefit & Council Tax Benefit to its eligible residents promptly and accurately following the receipt of all necessary supporting information.

It will do all it can to ensure that customers receive the benefits to which they are entitled. It will encourage the take up of benefits by those people who are eligible.

The Council is also aware that some people will attempt to obtain benefit to which they have no entitlement or continue to receive benefit for which they are no longer eligible. It is therefore committed to a robust anti fraud stance in order to protect public funds and to ensure that benefits are delivered only to those who have entitlement to them.

When a fraud has occurred it will consider taking sanctions against the customer dependent upon their personal circumstances and the gravity of the case. Decisions will be taken in accordance with the Council's Prosecution Policy.

2. DUTIES AND CONSIDERATIONS OF BENEFIT OFFICERS

The Council is also committed to prevent benefit fraud by staff therefore all new staff employed in benefits and fraud administration will be rigorously vetted before being offered employment. Any issues that arise subsequently will be dealt with under disciplinary procedures.

The Council requires all officers involved in benefits and fraud administration to report:

- details of any property they are renting to tenants
- any claims for benefit in which they may have an interest

An interest is defined as a claim for benefit where the officer is

- the landlord or agent
- the customer or partner of the customer
- is a dependent or non dependant of the customer

If an officer involved in the administration of benefits or fraud has knowledge of a claim where the customer is a close family member as described by the Housing Benefit and Council Tax Benefit General Regulations, that officer must report the facts.

Interest in a benefit claim must be recorded in the Register of Employee Disclosures and Interests in accordance with agreed procedures. Officers will undertake regular checks on all properties recorded in this register to ensure that no benefit payment has been made in relation to these properties without the prior knowledge of Managers.

Any officer found to be involved in any offence involving any claims for benefit from the Department for Work & Pensions or any local authority will be disciplined under the disciplinary procedures in addition to any prosecution that may occur.

Where any officer investigating a fraud is believed to have abused their powers an investigation will take place with a view to disciplinary action being taken.

Gifts and hospitality offered to employees as a consequence of their role as an employee must be reported to their line manager and recorded in the Register of Gifts and Hospitality in accordance with agreed procedures.

3. DUTIES AND CONSIDERATIONS OF ELECTED MEMBERS

The Council requires all elected members to report details of:

- any property they are renting to tenants
- any claims for benefit in which they may have an interest

An interest is defined as a claim for benefit where the member is:

- the landlord or agent
- the customer or partner of the customer
- is a dependant or non dependant of the customer

Interest in a benefit claim must be recorded in the Council's Register of Interests in accordance with agreed procedures. Officers will undertake regular checks on all properties recorded in this register to ensure that no benefit payment has been made in relation to these properties without the prior knowledge of Managers.

Gifts and hospitality offered to a member as a consequence of their role as an elected member must be recorded in the Register of Gifts and Hospitality in accordance with agreed procedures.

4. DATA MATCHING EXERCISES

The Council will use the Department for Work & Pensions Housing Benefit Matching Service (HBMS) which checks benefit claim data for duplication and inconsistencies with data held by other authorities, the Pensions Service and Jobcentre Plus.

The Council will participate in the National Fraud Initiative (NFI) administered by the Audit Commission which allows comparison of Housing Benefit data against other data sources to identify inconsistencies requiring further investigation.

The Council will also run data matching exercises against its own records but will consult with recognised trade unions prior to data matching payroll data of staff and members.

At all times the Council will act in accordance with its understanding of the law and guidance issued by the Information Commissioner, the Department for Work & Pensions and the Audit Commission.

5. VERIFICATION OF HOUSING BENEFIT & COUNCIL TAX BENEFIT CLAIMS

To discourage and prevent fraud from taking place the Council have adopted the Department for Work & Pensions Verification Framework.

The information on the Benefit claim form will be verified by Benefits staff with all supporting documentation photocopied by the relevant officer and endorsed with their name and signature before the original document is returned to the customer.

The DWP Customer Information System (CIS) which is a web enabled application that all Benefit Officers have access to will be used by designated officers to validate information concerning the payment of Income Support or Jobseekers Allowance by that agency.

If fraud is suspected further enquiries will be made which may include contacting third parties and interviewing under caution those suspected in accordance Police and Criminal Evidence Act.

Although all claims for benefit will come under close scrutiny the Council is committed to paying benefit accurately and speedily within recognised time scales. Advice and assistance will be given to customers when applying for benefit to maximise take up.

6. BENEFIT CLAIM FORM

The Council will ensure that its application form for Housing Benefit and Council Tax Benefit includes questions and instructions in plain language. The form will make clear to the customer that giving false information could result in the customer being prosecuted. It will also state that the Council may cross check information on the form with other Departments within the Council, other agencies, other Councils and the Rent Officer Service.

The Council will put in place systems which will help the customer to make their claim for benefit and remind them of the need to advise the Council promptly of any change in circumstances. This will include those customers whose ethnicity or disability presents particular difficulties.

The Housing Benefit & Council Tax Benefit claim form will reviewed and amended regularly to ensure it remains helpful to customers when applying for benefit.

7. OVERPAID BENEFIT TO CUSTOMERS

If benefit has been obtained from the Council where there was no entitlement, for example due to a false claim or a failure to disclose a change in circumstances, the Council will consider the particulars of the individual case. If it is deemed that the customer could reasonably have known they were being overpaid benefit the Council will consider prosecution in accordance with the Prosecution policy.

Where appropriate the Council will consider applying either an administrative penalty equal to 30% of the overpayment or issuing a local authority caution as alternatives to prosecution.

If it is considered not to be in the public interest to apply a relevant sanction the Council will still seek to recover the overpaid benefit in accordance with the Council's overpayment policy.

8. OVERPAID BENEFIT TO LANDLORDS

Payments of benefit are often made directly to landlords on behalf of customers. If a landlord falsifies a claim or assists a customer to falsify a claim they are guilty of an offence and will normally be prosecuted by the Council in accordance with the Prosecution policy.

Landlords who receive benefit directly are obliged to report any change in their tenant's circumstances. Failure to do so may result in more benefit being paid directly than is actually due.

The Council will make landlords aware of their duty to report a known change of circumstances and that failure to do so is an offence. If the Council believes that an offence has been committed it will consider prosecution and will recover any overpaid benefit either from future direct payments to the landlord or by civil recovery through the Courts.

The Council will expect its Fraud Investigators to use their powers of inspection to obtain information from landlords. These powers will be used reasonably and in compliance with the regulations.

9. "DO NOT REDIRECT MAIL"

The Council will use the "do not redirect mail" service provided by the Post Office to prevent benefit payments being re directed to other addresses.

10.PROACTIVE CAMPAIGNS

The Council will undertake at least two specific benefit fraud campaigns each year either alone or in partnership with another authority or organisation.

The London Borough of Barking and Dagenham is committed to developing a culture of honesty and zero tolerance to fraud and corruption.

The purpose of this document is to demonstrate and set out the procedures to be followed where theft, fraud or corruption (other than Benefit Fraud) is suspected or detected. It is part of the Council's overall fraud and corruption policy & strategy. It therefore applies to all Members (elected Councillors) and all personnel whether staff of the London Borough of Barking and Dagenham, consultants, agency staff or contractors.

It also provides a framework for responding that enables evidence to be gathered and collated in a way which facilitates an informed initial decision and ensures that any evidence gathered will have been lawfully obtained and will be admissible if the matter proceeds to criminal or civil action.

This document is not an investigation procedure for staff. If you suspect fraud it is vital that you follow the guidance in this plan and report your suspicions to the Corporate Anti-Fraud Team. Neither does this document provide guidance on fraud prevention. It is quite simply a brief guide on "what to do if you become aware of fraud" and tells you how the Council will respond to suspected or actual occurrences of fraud.

Roles & Responsibilities In Respect Of Fraud and Corruption

All staff and Elected Members have duties under the Council's Corporate Governance arrangements to prevent and detect occurrences of fraud and have a responsibility to ensure compliance with relevant legislation in discharging these duties.

The Divisional Director (Assurance & Risk) will maintain a log of all reports, detail actions taken and conclusions reached and report at least annually to Members of the Public Accounts & Audit Select Committee.

The Divisional Director (Assurance & Risk) will ensure a consistent approach to the conduct of any investigations into matters reported and that proper records of each investigation are kept from the outset, including accurate notes of when, where and from whom evidence was obtained, and by whom.

Where a member of staff is to be investigated, the relevant Chief Officer and Departmental Human Resources Officer will be informed. Normally, the member of staff's line manager will also be informed unless this is deemed to be inappropriate given the circumstances of the case.

If a suspicion is reported to a manager, s/he must pass that suspicion on to the Corporate Anti-Fraud Team immediately. Any delay could compromise subsequent investigations.

What should staff do if they suspect fraud or corruption?

Employees are often the first to become aware that there is something seriously wrong within the Council.

If you suspect or become aware of fraud or any other illegal act perpetrated by an employee, or other individual(s) against the Council, there are several avenues through which your concerns should be reported.

Initially your concerns should be brought to the attention of your line manager. Alternatively, the matter may be raised with the Corporate Anti-Fraud Team who can advise or discuss the matter informally.

You can also report concerns via the Fraud telephone Hotline and/or dedicated email address.

If you feel unable to express concerns openly and wish to report concerns in confidence, you may do so in accordance with the Council's Whistleblowing Policy without having to worry about being victimised, discriminated against or disadvantaged in any way as a result.

When you become aware that there may be a problem you should:

- Make an immediate written note of your concerns, details of any telephone or conversations you have heard or documents you have seen, and note the date, time, and names of the people involved. These notes should be signed, timed and dated. Timeliness is important because the longer you delay writing up the notes, the greater the chances of recollections becoming distorted and the case being weakened
- Pass any documents that would normally come into your possession immediately to Corporate Anti-Fraud Team if this can be done without alerting suspicions; this should include any relevant e mails

You should not:

- Ignore the concerns or be afraid of raising them. You will not suffer recriminations from your employer as a result of voicing a reasonably held suspicion
- Approach individuals yourself or convey your suspicions to other staff, except those authorised to deal with the matter. There may be an innocent explanation that resolves your concerns. If you have any doubts about who to consult, speak to the Corporate Anti-Fraud Team first
- Investigate the matter yourself. There are special rules relating to the gathering of evidence for use in criminal cases. Attempts to gather evidence by persons who are unfamiliar with these rules may jeopardise or undermine the case
- Discuss it with anyone else after you have reported your suspicions

What should a member of the public or a partner organisation do if they suspect fraud or corruption?

The Council encourages members of the public who suspect fraud and corruption to contact the Divisional Director (Assurance & Risk) in the first instance. Suspicions or identified instances of fraud, corruption or other wrongdoing against the Council can be reported via a confidential hotline number.

How will allegations of fraud and corruption be dealt with by the Council?

The Corporate Anti-Fraud Team operates independently of other Council services but will pool resources with other stakeholders such as the Internal Audit, Tenancy Audit and Benefit Fraud Teams to provide a joined up approach to prevention, detection, investigation and prosecution of fraud and corruption within the council.

When allegations are received from staff or the public the Corporate Anti-Fraud Team will establish at an early stage the action to be taken by the Council; this may depend on the nature of the

allegation. The matters raised may be investigated internally; however, allegations of wrongdoing involving a criminal act may shape the way the investigation is handled and by whom.

Within ten working days of a concern being received, the responsible officer will write to the complainant:

- Acknowledging that the concern has been received
- Indicating how they propose to deal with the matter
- Giving an estimate of how long it will take to provide a final response; and
- Informing whether or not any further investigations will take place

If it appears that a criminal act has occurred or where there is sufficient evidence of fraud or corruption, the Police will be involved in accordance with the Council's Prosecution Policy. In most cases, referral to the police will be the normal course of action.

All staff must cooperate fully with police or any other form of external enquiry.

Where the police are unable to progress a criminal prosecution, e.g. because the burden of proof is insufficient to convince the Crown Prosecution Service to proceed, legal opinion will be sought as to the expediency of civil action particularly in relation to recovering losses.

If it appears not to be a criminal matter, an internal investigation will be undertaken to:

- Determine the facts
- Consider if the allegation should be dismissed or
- What action should be taken against any staff found culpable
- Consider what may be taken to recover any losses to the Council which could include civil action
- Identify whether the Council's system controls or procedures need to be improved

If the outcome of an investigation is that action should be taken against an employee, the Corporate Anti-Fraud Team will advise the appropriate service manager and/or Divisional Director and liaise with the Human Resources section to determine whether disciplinary action is appropriate for:

- misconduct i.e. negligence or error of judgement
- gross misconduct, i.e. dishonesty

A fraud log will be completed detailing every action taken during the investigation, this will include the dates and times that each action undertaken was carried out.

How we gather and deal with evidence

The Corporate Anti-Fraud Team will normally manage investigations and will be responsible for gathering evidence and will seek to establish whether there is any physical evidence that fraud has occurred and collect such evidence, recording the time and place that the evidence was obtained.

Where there are reasonable grounds for suspicion, the police will be involved at an early stage however the Divisional Director (Assurance & Risk) may still undertake part or all of the investigation on behalf of the police. All employees MUST co-operate with the investigation process.

If appropriate, and in accordance with Human Resources policies and with their agreement, suspension of officers will be considered to ensure unfettered progress of investigations. It should be noted that suspension is a neutral act and in no way implies guilt of the officer.

Failure to co-operate will itself constitute a disciplinary offence.

It is important, from the outset, to ensure that evidence is not contaminated, lost or destroyed. Wherever possible original documents should be retained, secured and handled as little as possible. Under no circumstances should they be marked in any way. Computer data must also be secured and should not be viewed by anyone who is not appropriately trained.

All evidence will be obtained lawfully, properly recorded and retained securely in accordance with the Police and Criminal Evidence Act 1984 and the Criminal Procedure and Investigations Act 1996.

The outcomes of internal investigations will be reported to the Public Accounts & Audit Select Committee.

Conducting interviews

Interviews will be conducted in a fair and proper manner and in accordance with the Council's Disciplinary Rules.

As much documentary evidence as possible will be gathered before any interviews are conducted. If it is established there are any witnesses to the events the Corporate Anti-Fraud Team will seek to interview witnesses and obtain written statements. File notes of all actions and discussions will be maintained. The veracity of the information provided by witnesses and or other evidence documentary or otherwise will determine whether the employee should be interviewed.

Where there is a possibility of subsequent criminal action, the police will be consulted and interviews may be conducted under caution in compliance with the Police and Criminal Evidence Act 1984 which governs the admissibility of evidence in court proceedings.

Closing the investigation

The investigation will be concluded by deciding whether there is a case to answer and by making recommendations as to appropriate action in a written report to the relevant manager and Divisional Director as well as improvements to systems and procedures.

Management will seek advice from Human Resources to establish the correct procedure to progress the matter through the Council's disciplinary framework.

For acts of dishonesty, false accounting, gross negligence, deception, or theft, employees can expect to be dismissed.

Employees found to have committed fraud against other organisations responsible for the administration of public funds will be considered to have brought this Council into disrepute and can expect to be dismissed.

All matters investigated will be dealt with in accordance with the Council's Human Resources Disciplinary Rules and Code of Conduct for Employees.

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Internal Audit

**The Fraud Prosecution
Policy**
(Incorporating Housing Benefit Fraud)
17 January 2012

The Council's commitment to the Prosecution Policy

The London Borough of Barking & Dagenham is committed to the protection of public funds through its action against fraud and has adopted a zero tolerance approach to fraud and wrong doing perpetrated against it. The Council will seek application of the strongest possible sanctions against those found to have perpetrated fraud against it.

What are the aims and requirements of the legislation?

The aim of this prosecution policy is to deter fraud against the Council including fraudulent benefit claims.

This policy sets out the range of sanctions that may be applied where fraud and wrongdoing is identified and the circumstances relevant to their application.

Who is governed by this Policy?

This policy applies to claimants of Housing or Council Tax benefit, council employees, contractors and members of the public found to have committed fraud and other wrongdoing against the Council.

Disciplinary action will also be taken against Council employees found to have made fraudulent benefit claims.

Executive Summary

The London Borough of Barking & Dagenham is committed to the protection of public funds through its action against fraud. Where a claimant of Housing Benefit or Council Tax benefit has been accused of committing a fraud against the Council and the Fraud Investigation Team have enough evidence to sustain prosecution the Council will employ any or all of three sanctions available to it.

Where other types of fraud and wrong doing are identified the Council will employ disciplinary action in (the case of Staff), civil action or criminal sanctions or a combination of all three in parallel.

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Fraud Prosecution Policy

The London Borough of Barking and Dagenham is committed to preventing fraud and corruption wherever possible. All allegations of fraud and corruption will be taken seriously.

Where fraud and corruption is found to occur, in any form, it will be dealt with rigorously in a controlled manner in accordance with the principles in the fraud and corruption strategy. It will be investigated fully and the London Borough of Barking and Dagenham will prosecute all offenders where appropriate including Members, employees, contractors and external partners, in accordance with this policy.

This procedure will be operated in conjunction with the London Borough of Barking and Dagenham's disciplinary procedures and all employees will be subject to disciplinary action as well as any prosecution process.

Where there is clear evidence that a fraudulent or corrupt act has been committed, the following will be taken into account before a case is considered for prosecution.

- The seriousness of the case
- The level of evidence available
- The level of money or misappropriated assets involved
- Whether the public interest will be served

In assessing a case for prosecution, the following tests will be applied:

- **The Evidential Test:** To ensure sufficiency of evidence to provide a realistic prospect of conviction
- **The Public Interest Test:** To determine whether or not it would be in the public interest to proceed

A prosecution will usually be pursued unless there are public interest factors tending against prosecution which clearly outweigh those tending in favour. To pass the public interest test, Fraud Investigators will balance carefully and fairly the public interest criteria as detailed in 'The Crown Prosecution Service's Code for Crown Prosecutors 2010' against the seriousness of the offence.

The public interest criterion includes:

- The likely sentence (if convicted)
- Whether the offence was committed as a result of genuine mistake or misunderstanding
- Any previous convictions **and the conduct of the defendant**

The Council will in most instances prosecute where the fraud perpetrated:

- was not a first offence
- was planned
- was undertaken by an officer in a position of authority or trust and he or she took advantage of this, or
- involved more than one person

The full tests the council will apply in considering a case for prosecution are set out in Appendix 1.

Applicable sanctions differ between general fraud and benefit fraud in accordance with legislation, as follows.

With respect to a prima facie case of fraud, an appropriate combination of the following three sanctions may be applied.

- **Disciplinary Action** - Application of this sanction is normally internal disciplinary action but may involve a referral to the relevant professional organisation from which professional disciplinary action could ensue
- **Civil Action** – to recover money, interest and costs where it is cost effective and desirable for the purpose of deterrence, it may be decided that civil redress is the most appropriate course of action. In such instances the council's legal services team will utilise civil law to recover any losses
- **Criminal Sanction** - fines, imprisonment, and compensation orders

Where it is decided that a criminal prosecution is to be pursued, the Divisional Director Assurance & Risk will be consulted and will brief the Director of Finance & Resources and Chief Executive as appropriate. However, the option to prosecute may also be determined by the police in some instances.

Managers should not notify the police directly, except in an emergency in order to prevent further loss, or where it is necessary for the police to examine an area before it is disturbed by staff or members of the public.

In instances where an investigation reveals either;

- numerous cases of fraudulent activity
- significant value, or
- breaches of the employee code of conduct and/or disciplinary rules

The option of pursuing a series of sanctions (parallel sanctions) may be chosen.

The individual or parallel sanctions that are to be applied will be the decision of the Corporate Anti-Fraud Team following consultation with the Divisional Director Assurance and Risk.

In instances where parallel sanctions are applied, for example, internal disciplinary and criminal sanctions, the Corporate Anti-Fraud Team will carry out an investigation with a view to criminal prosecution, whilst simultaneously conducting an internal investigation under the Disciplinary Procedure.

The Corporate Anti-Fraud team will provide sufficient evidence to Human Resources in order that an internal investigation and disciplinary hearing can be taken forward with respect to the evidence given. The advantage of this approach is that all appropriate action is taken at the earliest opportunity.

The Council believes fair and effective prosecution is essential in order to protect public funds and deter fraudulent activity.

Irrespective of the sanctions pursued for general fraud, the council will use all measures available to it to recover any money lost due to fraudulent activity.

In respect to criminal sanctions, this will be sought through the application for a Compensation Order to the Courts. This Order will not only outline the losses sustained by the council through fraud but also the investigation costs.

In respect of Internal Disciplinary, the council has a responsibility following the outcome of its investigation, to initiate an appropriate procedure aimed at recovering all monies identified as being lost or misappropriated through fraud.

The mechanism by which misappropriated monies are to be repaid will normally be established and agreed prior to any sanction being applied, and may be managed through utilisation of procedures such as deduction from salary or debtor invoicing.

Where the above mechanisms fails to recover any monies owed to the council, following advice from Legal Services, the Corporate Anti-Fraud Team will consider the option of civil redress.

Civil redress is available to the council in all instances where initial attempts to recover the loss, such as deduction from salary or debtor invoicing, have failed. In such instances, if considered appropriate, Legal Services will make an application either to the Small Claims or County Court - depending on the value to be recovered.

Other Redress - the council will also seek recovery of losses from pension entitlements where appropriate.

Housing Benefit Fraud Sanctions & Redress

The Council has the power to impose three forms of sanction on those whom it believes have committed benefits offences. Prosecutions will be reserved for those cases which in the opinion of the Council are the most serious. These will be followed by Administrative Penalties and Local Authority Formal Cautions.

Factors Influencing Sanctions for:

- Closure of the case with No further Action
- A Formal Caution
- An Administrative Penalty
- Prosecution

Closure of the Case with No Further Action

The Authority would consider using its discretion to close the case with no further action being taken by an Investigation Officer, although any overpayment would still be recovered if the circumstances in which the fraud arose are relatively minor, e.g.

- to the best of the council's knowledge the claimant has never previously offended and
- there was no planning involved in the process and
- there was no other person involved in the fraud and
- the overpayment is low

A Formal Caution

If the circumstances in which the fraud arose are more serious, e.g.

- it is known the claimant had previously offended, but no Formal Caution has been previously recorded or 14 months have elapsed since the last Formal Caution
- Mitigating factors determine the need to consider a Formal Caution Penalty
- there was little or no planning involved in the process
- there were no other persons involved in the fraud
- An admission has been made

the Authority would consider issuing a Formal Caution.

What a Formal Caution is

Unlike the administrative penalty, a caution can only be issued when a customer has admitted an offence. It cannot be issued if the customer refutes or denies the charge. The case should again be at prosecution standard if a caution is to be issued. If a caution is refused the Authority will refer to Prosecution Tests and decide upon suitability and cost effectiveness to prosecute.

To reflect the seriousness the Authority places on this course of action, a Caution will be administered by an Officer of no less seniority than a Senior Investigation Officer

An Administrative Penalty

If the circumstances in which the fraud arose are fairly serious, e.g.

- to the best of the Council's knowledge the claimant had never previously offended
- the person had not previously been issued with a Formal Caution or Administrative penalty in the last 14 months
- Mitigating factors determine the need to consider an Administrative Penalty
- The Penalty amount does not usually exceed £ 3000

the Authority would normally consider issuing an Administrative Penalty.

What an Administrative Penalty is

Section 115A of the Social Security Administration Act 1992, as amended by Section 15 of the Social Security Fraud Act 1997, allows an Authority to apply a penalty equal to 30% of the total overpayment. The claimant has 28 days in which to change their decision. If a penalty is not accepted or is withdrawn, the Authority may consider prosecution. The Authority will refer to the prosecution tests and decide upon the suitability and cost effectiveness to prosecute. Consequently, all cases considered for penalties, must be at prosecution standard.

The offer of a penalty should happen at a special interview.

NOTE: Officers involved in the Interview under Caution, will not conduct the Administrative Penalty interview.

Prosecution

If the circumstances in which the fraud arose are very serious, e.g.

- it is known the claimant had previously offended or a Formal Caution/Administrative Penalty has been recorded in the last 14 months
- there was planning involved in the process
- there were other persons involved in the fraud

- the overpayment is of a high amount

the Authority would normally consider referring the case for prosecution.

It may still be appropriate to prosecute someone who has not been paid any benefit but where the attempt to defraud was so serious as to justify a prosecution.

Publicity

Anti-Fraud officers will seek to publicise cases identified for prosecution, with the aim to deter others and thereby to prevent further frauds. The final decision to publicise will rest with the Council's Press and Publicity Section.

Further Support, Tools & Guidance

The latest version of the Fraud Prosecution Policy and all of our documents can be obtained from either contacting the Group Manager – Internal Audit directly or by visiting our intranet pages:

[Hyperlink?](#)

If you have any comments or feedback to do with this document, we would like to hear from you, so please get in touch and email us at the following address:

david.greenfield@lbbd.gov.uk

Tests the council will apply in considering a case for prosecution: to be applied in considering a case for prosecution.

The Evidential Test

In deciding whether to refer a case for prosecution, the following tests will be considered:

- Is there sufficient evidence for a realistic prospect of a prosecution?
- Can the evidence be used in court?
- Could the evidence be excluded by the court e.g. because of the way it was gathered or the rule about hearsay?
- Is the evidence reliable?
- Is its reliability affected by such factors as the defendant's age, intelligence or level of understanding?
- What explanation has the defendant given? Is the court likely to find it credible in the light of the evidence as a whole?
- Is the witness's background likely to weaken the prosecution case? e.g. does the witness have any motive that may affect his or her attitude to the case?
- Are there any concerns over the accuracy or credibility of a witness?
- How clear is the evidence?
- Has there been any failure in investigation?
- Has there been any failure in benefit administration including delay?
- Is prosecution in the public interest?

The Public Interest test

In making a decision, the following factors should also be considered:

- Whether a conviction is likely to result in a significant sentence or a nominal penalty
- Whether the offence was committed as a result of genuine mistake or misunderstanding
- Cost effectiveness of taking the case to court
- Any abuse of position or privilege i.e. a member of staff or Councillor
- Whether the claimant is suffering from either significant mental or physical ill health
- Any social factors
- Any voluntary disclosure
- Any previous incidences of fraud
- The evidence shows that the defendant was a ringleader or an organiser of the offence
- There is evidence that the offence was premeditated i.e. the claim was false from inception
- There are grounds for believing that the offence is likely to be continued or repeated, e.g. by a history of recurring conduct
- The offence, although not serious in itself, is widespread in the area where it was committed

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Internal Audit

Money Laundering Policy

17 January 2012

The Council's commitment to the Money Laundering Policy

London Borough of Barking & Dagenham, "the Council" takes a zero tolerance approach to fraud and corruption and as such will be taking a proactive approach to the prevention, detection and reporting of suspected money laundering incidents.

What are the aims and requirements of the legislation?

The regulations have two main aims:

- to enable suspicious transactions to be recognised and reported to law enforcement agencies,
- to ensure that if a business' client comes under investigation in the future, the business can provide.

Who is governed by this Policy?

The Money Laundering Policy applies to all staff including and not limited to temporary staff, sessional staff and contractors. A failure to comply could be damaging to the finances and reputation of the Council.

Executive Summary

This Money Laundering Policy sets out the Council's commitment to ensuring compliance with the requirements of the Proceeds of Crime Act 2002, the Money Laundering Regulations 2007 and Chartered Institute of Public Finance and Accountancy (CIPFA) guidance for Local Authorities on Money Laundering.

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Money Laundering Policy

Our policy is to do all we can to prevent wherever possible the Authority and its staff being exposed to money laundering, to identify the potential areas where it may occur, and to comply with all legal and regulatory requirements, especially with regard to the reporting of actual or suspected cases.

We cannot stress too strongly that it is every member of staff's responsibility to be vigilant.

What is Money Laundering?

Money Laundering is the term used for a number of offences involving the proceeds of crime. It is the process by which the identity of "dirty" money (i.e. the proceeds of crime and the ownership of those proceeds) is changed so that the proceeds appear to originate from legitimate "clean" sources.

Some areas of the Council's activities are thought to be particularly vulnerable to attempts to launder money. It can simply involve receiving payment for goods or services with "dirty" money – usually cash. For the purposes of the new legislation it now includes possessing, or in any way dealing with, or concealing, the proceeds of any crime.

What is the legal definition?

Money Laundering is defined as:

- concealing, disguising, converting, transferring or removing criminal property from England, Wales, Scotland or Northern Ireland
- being involved in an arrangement which a person knows or suspects facilitates the acquisition, retention, use or control of criminal property
- acquiring, using or possessing criminal property
- when a person knows or suspects that money laundering activity is taking place (or has taken place), or becomes concerned that their involvement in a matter may amount to a prohibited act under the legislation, they must disclose this as soon as practicable or risk prosecution

What is the legislation?

The Proceeds of Crime Act 2002 and the Money Laundering Regulations 2007 places specific obligations on persons who are involved in "relevant business". Offence under the Proceeds of Crime Act and Money Laundering Regulations can attract penalties of unlimited fines and up to 14 years imprisonment.

How can suspicious activity be identified?

Employees dealing with transactions which involve income for goods and services (or other income), particularly where large refunds may be made or large amounts of cash are received, will need to consider issues such as:

For new customers:

- is checking their identity proving difficult?
- is the individual reluctant to provide details?
- is there a genuine reason for using the services provided?
- is the customer attempting to introduce intermediaries to either protect their identity or hide their involvement?
- is the customer requesting a large cash transaction?
- is the source of the cash known and reasonable?

For regular and established customers:

- is the transaction reasonable in the context of the service provider's normal business?
- is the size or frequency of the transaction consistent with the normal activities of the customer?
- has the pattern of the transaction changed since the business relationship was established?

What are the areas at risk of Money Laundering?

Some areas of the Council's activities are thought to be particularly vulnerable to attempts to launder money. Where a need is identified by the risk assessment, advice will be provided to line managers to enable them to provide more targeted training. This may be provided using in-house resources, or through courses and seminars run by external agencies.

Possible examples relating to the Council include:

- Conveyancing, including Housing Right-to-Buy transactions
- Housing Benefit fraud
- Payments in excess of £10,000 e.g. business rates, business rents, hall hire etc.
- Refunds of large overpayments to accounts e.g. as above, plus: Council Tax, hire fees etc.
- Suspiciously low tenders

Generally, for the types of transactions the Council is involved with which are at risk in relation to Money Laundering, for example the sale of a capital asset, the risk is mitigated because these transactions will be with large, well known companies who will be represented by their solicitors who have their own professional duties regarding the Money Laundering Regulations. Conversely, where we have similar transactions with un-represented individuals or bodies this is an area of greater risk and our response will need to reflect this.

Reporting of Money Laundering concerns

The Council has nominated the Corporate Director of Finance & Resources as the main point of contact for money laundering issues and to act as the nominated Money Laundering Reporting Officer. Staff should report any suspicions to the Corporate Director of Finance & Resources immediately as they arise.

Suspicious may be reported informally by telephone or email and the responsible officer will seek to establish the facts of the case and determine whether a formal referral to the National Criminal Intelligence Service (NCIS) is appropriate.

The Money Laundering Reporting Officer, or their delegated officer, will consult with staff as appropriate in order to investigate the matter.

Further Support, Tools, Training & Guidance

The latest version of the Money Laundering Policy and all of our documents can be obtained from either contacting the Group Manager – Internal Audit directly or by visiting our intranet pages:

[Hyperlink?](#)

If you have any comments or feedback to do with this document, we would like to hear from you, so please get in touch and email us at the following address:

david.greenfield@lbbd.gov.uk

Internal Audit

Whistleblowing Policy

17 January 2012

The Council's commitment to the Whistleblowing Policy

London Borough of Barking & Dagenham, "the Council" considers the Whistleblowing Policy encourages and enables employees to raise serious concerns within the Council rather than overlooking a problem or 'blowing the whistle' outside.

What are the aims and requirements of the legislation?

This policy has been put in place to make sure that if you want to come forward and raise any concern, you can do so with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result.

Who is governed by this Policy?

The Whistleblowing policy applies to all staff including and not limited to temporary staff, sessional staff and contractors. It also covers suppliers and those providing services under a contract with the Council in their own premises, for example, care homes and sheltered accommodation.

Executive Summary

This Whistleblowing Policy sets out the Council's commitment to ensuring compliance with the requirements of the Public Interest Disclosure Act 1998.

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Whistleblowing Policy

Our policy is to promote a culture of openness and a shared sense of integrity throughout the Council by inviting employees to act responsibly in order to uphold the reputation of the Council and maintain public confidence.

What is Whistleblowing?

Whistleblowing encourages and enables employees to raise serious concerns within the Council rather than overlooking a problem or “blowing the whistle” outside.

Members of staff may be the first to spot anything that is seriously wrong within the Council. However, they might not say anything because they think this would be disloyal, or they might be worried that their suspicions are not justified. They may also be worried that they or someone else may be victimised.

That is why we have produced this Whistleblowing policy to help staff, including agency workers and contractors to contact us with their concerns.

We are committed to being open, honest and accountable. For this reason concerns/disclosures of malpractice and impropriety are taken very seriously. We want you to be able to raise any serious concerns you have.

We expect our employees and other organisations working for or with the Council to bring to our attention any issues of concern, malpractice or other wrongdoing.

This policy has been put in place to make sure that if you want to come forward and raise any concern, you can do so with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result.

Who is covered by this Policy?

All staff (including those designated as casual, temporary, agency, authorised volunteers or work experience), and those contractors working for the Council on Council premises, for example, agency staff, builders, drivers. It also covers suppliers and those providing services under a contract with the Council in their own premises, for example, care homes and sheltered accommodation.

What types of action are covered by the Policy?

The policy is intended to deal with serious or sensitive concerns about wrongdoings such as the following:

- Misuse of Council funds
- Other fraud or corruption
- Bribery
- Clients, children or students, particularly children and adults in our care, being mistreated
- Improper or unauthorised use of Council money

- An unlawful act
- Any danger to health and safety
- The environment being damaged (for example, by pollution)
- A person abusing their position for any unauthorised use or for personal gain
- A person deliberately not keeping to a Council policy, an official code of practice or any law or regulation
- A person failing to meet appropriate professional standards
- A person being discriminated against because of their race, colour, religion, ethnic or national origin, disability, age, sex, sexuality, class or home life
- Other wrongdoing including instances where attempts have been made to conceal or cover up wrongdoing

Your concern may be about members of staff, people who work directly for the Council, suppliers, or people who provide services to the public for us.

What is not covered by the Policy?

You cannot use this policy to deal with serious or sensitive matters that are covered by other procedures, for example:

- Staff complaints about their employment. These complaints are dealt with through our Grievance or Bullying and Harassment Policies and Procedures
- Customers' complaints about our services. These complaints are dealt with through our Corporate Complaints Procedure
- Allegations against councillors. Such allegations should be sent in writing to: The Monitoring Officer, London Borough of Barking and Dagenham, Civic Centre, Dagenham, Essex, RM10 7BN. Write "Private and Confidential" on your envelope. A complaint form and other information is available on line at <http://www.lbbd.gov.uk/CouncilandDemocracy/Complaints/Pages/CouncillorComplaint.aspx>
- Also, you cannot use this policy to raise issues that have already been settled through other procedures, for example, matters previously resolved under the Council's Disciplinary Rules procedure

Protecting you

If your allegation is true, you have nothing to fear. But we understand that deciding to blow the whistle is not easy.

If you raise a concern which you believe is true, we will take appropriate action under the Public Interest Disclosure Act 1998 to protect you from any harassment, victimisation or bullying.

We will do our best to protect your identity and keep your concerns confidential if this is what you want.

There may be occasions when you will need to provide statements of evidence in order for us to conclude the investigation. In this case we will not reveal your name or position without your permission or unless we have to do so by law, for example, if the evidence is required in Court then your anonymity may be subject to the decision of the Courts.

If you work for the Council, you should also know that any allegation you make will not influence, or be influenced by, any unrelated disciplinary action against you or any redundancy procedures that may affect you.

Anonymous allegations

Because we will protect you (as explained previously), we encourage you to give your name when you make an allegation. Concerns raised anonymously tend to be far less effective and if, for example, we do not have enough information, we may not be able to investigate the matter at all.

If you feel that you cannot give your name, our Whistleblowing Officer will decide whether or not to consider the matter. This will depend on:

- the seriousness of the matter
- whether your concern is credible; and
- whether we can carry out an investigation based on the information you have provided

Untrue Allegations

If you make an allegation which you believe is true, but it is not confirmed by our investigation, we will not take any action against you.

However, if the investigatory process finds you have made an allegation which you know is untrue; we will take appropriate disciplinary or legal action against you.

How to raise a concern

If you work for the Council you should first raise your concern with your immediate supervisor, manager or group manager (but obviously this will depend on the seriousness and sensitivity of the matter, and who is suspected of the wrongdoing).

If you are not comfortable reporting the matter to your direct line manager or group manager because it is too serious or sensitive, or because the line manager is involved, you may also raise concerns with your Divisional or Corporate Director.

Concerns that involve financial malpractice should always be raised with the Corporate Anti Fraud Team.

If you prefer, or you do not work for the Council, you can contact the Whistleblowing Officer and Corporate Anti Fraud Team direct in any of the following ways:

- By phoning the Whistleblowing line on 020 8227 2541. You can leave a confidential voice-mail message 24 hours a day
- By writing to the Whistleblowing Officer, Divisional Director Assurance and Risk, London Borough of Barking and Dagenham, Civic Centre, Dagenham, Essex. RM10 7BN. Write 'Private and Confidential' on your envelope

- By sending an e-mail to: whistle-blowing@lbbd.gov.uk
To maintain confidentiality you are advised not to copy other people into your message to the whistleblowing mailbox

If you are putting your concerns in writing it is best to give the Whistleblowing Officer as much information as possible - including any relevant names, dates, places and so on. A form is available on the intranet to help you provide information that will be helpful in following up your concerns.

You should also provide:

- The reason why you are concerned about a situation
- Background information
- What you personally witnessed or extent to which you have experienced the problem

If possible you should provide documentary evidence.

The earlier you raise a concern, the easier it will be to take effective action.

Although you will not have to prove beyond the shadow of a doubt that your allegation is true, you will have to show the Whistleblowing Officer or designated officer that there are reasonable reasons for your concern.

The earlier you raise a concern, the easier it will be to take effective action.

Help for you

You may want to discuss your concern with a friend or colleague first. You may then find it easier to raise a concern if others share the same experiences or concerns.

Your trade union representatives can also give you general support and advice, or act for you if this would help. This could be useful, particularly if you do not want the Whistleblowing Officer to know who you are.

We will encourage the trade unions to support any member of staff who raises a concern with them.

How we respond to your concerns

Within 10 working days of you raising a concern, the Whistleblowing Officer or designated investigator will:

- acknowledge that we have received your concern
- explain how we will handle the matter; and
- tell you what support is available to you

It is difficult to set further timescales as they depend on the nature of the allegation and the type of investigation we need to carry out.

The way we deal with the concern will depend on what it involves. If we need to take urgent action, we will do this before carrying out any investigation.

We will first make enquiries to decide whether we should carry out an investigation and, if so, how we should go about it. Throughout all our enquiries and any investigation, our main concern will be to put the interests of the public first.

Your concern may be investigated by council management, our internal audit investigators, or we may refer it to:

- the police
- other agencies (for example, if it involves the abuse of children or vulnerable adults it may be referred to the relevant Director of Services)
- our external auditor; or
- an independent investigator

If your concern or allegation can be handled under any other procedure or policy, we will pass it on to the relevant person and let you know.

We may be able to settle some concerns without carrying out an investigation but by taking action agreed by you.

The amount of contact you have with the Whistleblowing Officer or designated investigator will depend on the nature of your concern, the potential difficulties involved, and whether or not the information you have given us is sufficiently clear.

If you need to have a meeting, you can be accompanied by a friend or a representative from a trade union or professional association. Meetings with the Whistleblowing Officer or designated investigator will normally take place in his or her office but can be arranged elsewhere, but not in your home unless there are exceptional circumstances.

We will take steps to reduce any difficulties you may experience as a result of raising a concern. For instance, if you need to give evidence in criminal or disciplinary proceedings, we will arrange for you to get advice on the procedure.

If the investigation finds that misconduct and/or gross misconduct has occurred, disciplinary action may be initiated in accordance with the Council's Disciplinary procedures.

In all cases we will seek to apply the most appropriate sanction against employees considered to be guilty of malpractice. This includes commencing disciplinary action, which may lead to dismissal, and, in the case of unlawful wrongdoing may also involve criminal proceedings.

We will usually update you on the progress of investigations and inform you of the closure of an investigation within 5 working days of completion, however, the nature and outcome of any disciplinary action taken will remain confidential.

Who is responsible for this Whistleblowing policy?

The Whistleblowing Officer is a senior officer in the Council who can take an independent view of any concerns raised. That officer keeps a confidential record of all concerns raised and the outcomes and gives the Public Accounts and Audit Select Committee a yearly summary of all cases without revealing any specific details.

What if a concern involves the officer involved in the Whistleblowing procedure?

If a concern involves the Whistleblowing Officer, the matter should be referred to the Council's Monitoring Officer, whose contact details can be found on the council's Internet site at <http://www.lbbd.gov.uk/CouncilandDemocracy/EthicalGovernance/Pages/MonitoringOfficer.aspx>

If a concern involves the Chief Executive, the matter should be referred to the Leader of the Council (or the Deputy Leader if the Leader is not available).

If there are exceptional circumstances which make reporting your concern uncomfortable, you can also obtain advice from the Chair of the Standards Committee.

How you can take a matter further

We hope you will be satisfied with any action we take. If you're not, and you want to take the matter outside the Council, you could contact:

- our external auditor; contact details on the council website
- the Audit Commission; email: www.audit-commission.gov.uk/
- your local Citizens' Advice Bureau
- relevant professional bodies or regulatory organisations
- a relevant voluntary organisation; or
- the police

Independent advice

You can get independent advice or support from an organisation called Public Concern at Work.

Their address is:

Public Concern at Work

3rd Floor, Bank Chambers

6-10 Borough High Street

London

SE1 9QQ

Phone: 020 7404 6609

E-mail: whistle@pcaw.co.uk

If you require a copy of this document in another language or other format such as large print or audio tape please contact the Corporate Anti Fraud Team on 020 8227 2264 or write to:

Audit and Risk Division

London Borough of Barking and Dagenham

Ground Floor Annexe,

Civic Centre

Dagenham, Essex

RM10 7BN

Further Support, Tools & Guidance

- The latest version of the Whistleblowing Policy and all of our documents can be obtained from either contacting the Group Manager – Internal Audit directly or by visiting our intranet pages:

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- If you have any comments or feedback to do with this document, we would like to hear from you, so please get in touch and email us at the following address:

david.greenfield@lbbd.gov.uk

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Internal Audit

**The Policy and Code of Practice
of
The Regulation of Investigatory Powers Act
2000
(RIPA)
17 January 2012**

Purpose

London Borough of Barking & Dagenham, “the Council” considers the RIPA Policy as being necessary to the proper conduct of crime prevention activities that involve use of covert directed surveillance. The Council has compiled a RIPA Code of Practice in accordance with the RIPA Act 2000 detailing the procedures necessary to comply with legislative requirements.

Staff found to have breached the RIPA Act and the Council’s Code of Practice are deemed to have breached the Council’s staff Code of Conduct and liable to disciplinary action.

Related Documents

This policy sets out the Council’s approach to covert surveillance and the use of covert human intelligence sources. In particular, it details the checks and balances in place to ensure that any use of covert techniques is lawful, necessary and proportionate.

Who is Governed by this Policy & Strategy?

The RIPA Policy covers all council staff and those working on behalf of the Council who are engaged in crime prevention and detection activities which involve the use of surveillance.

Executive Summary

Local authorities can undertake surveillance and access communications data under the framework of the Regulation of Investigatory Powers Act 2000 (RIPA) allowing local authorities to use directed surveillance and covert human intelligence sources in order to prevent or detect crime or disorder in connection with their statutory functions.

These rules set high standards for all public authorities that use these powers to undertake a range of enforcement functions to ensure they can keep the public safe and bring criminals to justice, whilst protecting individuals’ rights to privacy.

The London Borough of Barking & Dagenham has a strategy for tackling fraud and corruption, which covers reporting and investigation. In some circumstances the borough may wish to use surveillance techniques. RIPA defines the types of surveillance activities, which must be subject to a formal written procedure for both authorisation and conduct.

This policy describes the Council’s procedures for use of RIPA powers to be compliant with the RIPA Act 2000 and associated Code of Practice.

In line with recent revised Code of Practice issued by Central Government and pending introduction of revised legislation contained within the Protection of Freedoms Bill, LBBD will only use covert surveillance where it is proportionate and necessary to do so, and only in the investigation of serious criminal offences.

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The Regulation of Investigatory Powers Act Policy

The Regulation of Investigatory Powers Act 2000 (RIPA) is concerned with the regulation of surveillance by public authorities in the conduct of their legitimate business. Surveillance is an unavoidable part of modern public life, but has not until now been the subject of formal statutory control. RIPA was enacted to regularise that position and to ensure that, in conducting surveillance, public authorities have regard to The Human Rights Act 1998 and to Article 8 of the European Convention on Human Rights – the right to a private and family life.

The use of surveillance is an interference with rights protected by Article 8 of the European Convention on Human Rights and is prima facie a violation of those rights unless the interference is in accordance with the law, is in pursuit of one or more of the legitimate aims established by Article 8(2) and is “necessary in a democratic society”

The Council is defined as a Public Authority to which the Act applies by virtue of Section 1 of the Local Government Act 1999. The forms of surveillance that it is entitled to authorise are covert directed surveillance and the use of Covert Human Intelligence Sources (informants), known as CHIS

The London Borough of Barking & Dagenham has approved a strategy for tackling fraud and corruption, which covers reporting and investigation. However, in some circumstances the borough may wish to use surveillance techniques. RIPA defines categories of Public Authorities regulated by the Act together with acts of surveillance, which must be subject to a formal written procedure for both authorisation and conduct.

What is the Regulations of Investigatory Powers Act 2000 (RIPA) ?

The Regulation of Investigatory Powers Act regulates the work of the Council in the key areas of enforcement and prosecutions, and provides a legal framework for the Council to carry out surveillance which is not intrusive and is undertaken for the purposes of a specific investigation or a specific operation in such a manner as is likely to result in the obtaining of private information about a person. ***This is known as Directed Surveillance.***

The Act also regulates the Council’s use of undercover officers or informants to obtain information. Under the Act they are referred to as Covert Human Intelligence Sources (‘CHIS’).

It is necessary for the Council to have a policy in order to describe and record the way in which the Authority complies with the Regulation of Investigatory Powers Act.

Regulations of Investigatory Powers Act 2000

The covert surveillance regulated by the RIPA 2000 (the Act) and covered by the Code of Practice is divided into two categories: intrusive surveillance and directed surveillance. Authorisation under the Act gives lawful authority to carry out certain types of covert surveillance.

What is not intended to be covered by the Act?

- General observations such as monitoring the crowd to maintain public safety and prevent disorder
- Trading standards or HM Customs & Excise officers covertly observing and then visiting a shop as part of their enforcement function
- General observations using equipment such as binoculars or cameras where this does not involve systematic surveillance of an individual
- Open use of CCTV surveillance systems where members of the public are aware that such systems are in use, for their own protection, and to prevent crime

Surveillance

What is Covert Surveillance? - Surveillance carried out in a manner calculated to ensure that the person(s) being surveyed are unaware that they are being observed.

What is Directed Surveillance? - Directed Surveillance is defined in section 26(2) of the Act as covert surveillance which is covert, but not intrusive, and undertaken:

(a) for the purposes of a specific investigation or operation;

(b) in such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation);

(c) and otherwise than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under this Part to be sought for the carrying out of the surveillance.

What is Private Information? - Any information relating to a person in relation to which that person has or may have a reasonable expectation of privacy. This includes information relating to a person's private, family or professional affairs. Private information includes information about any person, not just the subject(s) of an investigation.

Examples of Directed Surveillance - the observation of a person or persons with the intention of gathering private information to produce a detailed picture of a person's life, activities and associations.

Examples of Surveillance which is not Direct Surveillance - covert surveillance carried out by way of an immediate response to events or circumstances which, by their very nature, could not have been foreseen. For example, a plain-clothes police officer would not require an authorisation to conceal himself and observe a suspicious person who he comes across in the course of a patrol.

Directed surveillance does not include any type of covert surveillance in residential premises or in private vehicles. Such activity is defined as "intrusive surveillance" and authorisation for this will not be given for a Local Authority.

Directed surveillance does not include entry on or interference with property or wireless telegraphy. These activities are subject to a separate regime or authorisation and again such authorisation will not be given to a Local Authority.

What is Intrusive Surveillance? - It is defined as covert surveillance that:

- (a) is carried out in relation to anything taking place on any residential premises or in any private vehicle;

- (b) and involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device

Where surveillance is carried out in relation to anything taking place on any premises or in any vehicle by means of a device which is not actually on the premises or in the vehicle, it is not intrusive unless the device consistently provides information of the same quality and detail as might be expected to be obtained from a device actually present on the premises or in the vehicle. Therefore, an observation post outside premises, which provides a limited view and no sound of what is happening inside the premises would not be considered as intrusive surveillance.

Residential premises can include a house, a yacht, a railway arch, makeshift shelter, hotel rooms, bedrooms in barracks and prison cells but not any common area to which a person is allowed access in connection with his or her occupation of such accommodation e.g. a hotel lounge.

A private vehicle is defined as any vehicle which is used primarily for the private purpose of the person who owns it, it does not include taxis.

The Council cannot be authorised to carry out intrusive surveillance.

What if the Council works with another agency? - In cases where one agency is acting on behalf of another, it is normally for the tasking agency to obtain or provide the authorisation. For example, where surveillance is carried out by the Council on behalf of the police, authorisations would be sought by the police and granted by the appropriate authorising officer within the police force.

The London Borough of Barking & Dagenham Code of Practice

The Government provides full guidance on the use of covert surveillance by public authorities under Part II of the 2000 Act in its **Code of Practice** and is available on the Council Intranet Site

How does RIPA affect the Council's activities?

Types of Surveillance

Surveillance of Council property to detect anti-social behaviour.

Where the Council quite openly sets up CCTV cameras to monitor common or public areas of Council owned housing estates then the surveillance would not be covert and therefore would not fall under the act.

If however any surveillance was covert then as long as it did not collect private information about an individual(s) then authorisation should be sought under the following purpose: for the purposes of preventing and detecting crime.

If the surveillance collected private information about an individual e.g. watched someone coming in and out of their home, then such an individual would probably be able to argue that the Council had been in breach Article 8 of the Human Rights Act – the right to respect for his private and family life, home and correspondence. In such a situation, authorisation should be sought. Although the obtaining of authorisation would not in itself prevent an individual bringing a claim for breach of Article 8, because Article 8 does not confer an absolute right, the Council may be able to defend the claim by demonstrating that an evaluation of the necessity and proportionality of the need for the surveillance had been carried out by the Authorising Officer.

Surveillance of Council employees in the workplace.

Again, open surveillance would not fall under RIPA as long as staff were consulted and knew where the cameras were. If the cameras were introduced in a high handed way, without consultation then an employee could have a claim for constructive dismissal in that the sudden introduction of unreasonable filming constituted a breach of contract. The lawfulness will depend on the nature and degree of the filming e.g. installing a camera in a stationery cupboard where there have been many thefts as opposed to the installing of a video camera with sound recording in the coffee break area.

If the Council wishes to covertly film officers then as long as the purpose for the surveillance falls under the listed purpose: to prevent and detect crime – then authorisation should be sought. However, the filming could still be questionable employment practice for the reason set out above – and may lead to a claim for constructive dismissal. Considerations of privacy can also apply to a person's life at work, so a Human Rights Claim could also be made, and possibly defended in the same manner as above – namely by the obtaining of authorisation.

Surveillance of employees who are suspected of 'moonlighting' or malingering

There is no requirement on the part of a public authority to obtain an authorisation for a covert surveillance operation to monitor activities in this regard and the decision not to obtain an authorisation would not, of itself, make an action unlawful. However, equivalent consideration should be given to such actions which will make the action less vulnerable to challenge under the

Human Rights Act 1998. Section 71 of the Act places the Council under a mandatory duty to have regard to the provisions of the code.

Carrying out surveillance of the sort would necessarily involve the collection of private information and would leave the Council open to a claim for a breach of Article 8 of the Human Rights Act.

As above, it could also leave the Council open to a claim for constructive dismissal.

Furthermore, where an officer follows an individual for a significant length of time, there is also a risk that this work will be regarded as a form of stalking in breach of the Protection from Harassment Act 1997.

If an employee is suspected of claiming statutory sick pay as well as working then the matter would be a fraud against the Benefits Agency who could be authorised to conduct their own surveillance.

What of the recording of telephone conversations?

The Council is not able to covertly record telephone conversations but the use of a surveillance device should not be ruled out simply because it may incidentally pick up one end of a telephone conversation, and such product can be treated as having been lawfully obtained. Further, where one party to the conversation consents, and where the surveillance is authorised, the interception is treated as directed surveillance. For example, a person may consent to the recording of a telephone conversation sent by or to him.

However, such an authorisation cannot be used as a means of deploying recording equipment without obtaining the proper authorisation. If any other recording equipment is to be used, other than in the presence of the person who has consented to the recording then the surveillance should not continue.

Covert Human Intelligence Sources (CHIS)

A person is a covert human intelligence source if he/she develops a relationship with another person in order to covertly obtain information or to provide access to information to a third party or to covertly disclose information obtained by the use of such a relationship and the other person is unaware that the purpose of the relationship is one of the above. The use of a CHIS must be recorded by the authorising officer and approved by the Lead Officer.

The Council does not at present utilise CHIS. Any consideration of such use can only be considered with prior discussion with the Divisional Director of Assurance & Risk and/or Head of Legal.

For Directed Surveillance

Covert directed surveillance means surveillance so carried out that the persons subject to the surveillance are unaware that it is or may be taking place. Surveillance is directed if it is covert, but not intrusive, and is undertaken for the purposes of a specific investigation, in such a manner to obtain private information about a person, and otherwise than by way of an immediate response to events where authorisation could not be sought.

Directed surveillance will only be carried out with the express authority of the authorising officer.

Authorisation

In a Public Authority such as the council, only officers of the rank of Deputy Chief Officer or their nominated deputy and above may be designated as Authorising Officers for the purposes of the Act. No covert directed surveillance or use of covert human intelligence sources may be undertaken without obtaining authority

Covert surveillance that is properly authorised will, as long as it is carried out in accordance with the terms of the authorisation, be legitimate. The authorisation will provide a defence to a challenge under the Human Rights Act

Investigations requiring the use of covert directed surveillance or covert human intelligence sources may only be undertaken by officers of the Corporate Anti-Fraud Team (CAFT) or by specialist investigators who are professionally qualified and approved, engaged by the Authority

The Council will appoint authorising officers of suitable seniority to grant surveillance authorisations for individual incidents.

An authorisation for directed surveillance may be granted by the authorising officer who will be the Assistant Chief Officer responsible for the management of an investigation or anyone senior to him/her. The Authorising Officer must believe that the authorisation is necessary on the following grounds: **for the purposes of preventing and detecting crime or of preventing disorder.**

When considering the giving of authorisation the authorising officer must also consider the following:

- That the surveillance is proportionate to what it seeks to achieve
- Whether or not the privacy of persons other than the subject(s) of surveillance will be interfered, if so then it may even be necessary to consider whether a separate authorisation is required
- Particular consideration should be given in cases where the subject of the surveillance might reasonably expect a high degree of privacy, for instance in his/her home, or where there are special sensitivities

How do you obtain an Authorisation? - Authorisations must be given in writing by an authorising officer and will cease to have effect (unless renewed or cancelled) at the end of a period of three months beginning with the time at which it took effect.

In urgent cases where it is not possible for the requesting officer to complete the form there remains a requirement for the Authorising Officer to be consulted in order for an oral authorisation to be granted.

1. Oral authorisation in an urgent situation may only be granted for a maximum of 72 hours. A written application for Authorisation must be completed as soon as possible following 'the oral grant and in any case within the 72 hour period'.
2. A case is not normally to be regarded as urgent unless the time that would elapse before the authorising officer was available to grant the authorisation would, in the judgement of the person giving the authorisation, be likely to endanger life or jeopardise the operation or investigation for which the authorisation was being given. An authorisation is not to be regarded as urgent where the need for an authorisation has been neglected or the urgency is of the authorising officer's own making.

In cases of emergency, the investigating officer will obtain authority from either the authorising officer or their deputy by telephone, with the authorisation being confirmed in writing as soon as possible thereafter.

A central record of authorisations will be kept centrally by the Divisional Director of Assurance & Risk and will be monitored and reviewed on a regular basis by the Monitoring Officer. The records will be confidential.

Any request received from external authorised agencies, such as the police or security services either to disclose communications data, e.g. Billing information, e-mail addresses, etc., or to unlock encrypted data or provide the key to unlock encrypted data, will be referred to the Divisional Director of Assurance & Risk who will have the power to authorise such requests in consultation with the Head of Legal Services.

Authorising Officers must also assess the extent to which confidential information about the subject will come into the Authority's possession as a result of the investigation. Such information may be relevant to the investigation but protected for example as a result of legal professional privilege or it may be irrelevant but sensitive information for example medical records. Deliberately obtaining (or the use of) confidential information may only be authorised by the Chief Executive as laid down in Schedule 2 of the RIPA Act 2000.

Finally, the Authorising Officer should give due consideration to the impact on the community of the use of covert surveillance methods. In particular the officer should have regard to community confidence. The officer should consider if the circumstances of the investigation were to become public, what the reaction of the community is likely to be and whether and to what extent the Authority would be able to justify the use of its chosen methods.

All requests for an authorisation to conduct covert surveillance should be submitted by the appropriate officer to the Authorising Officer in writing using the forms attached to this policy note as updated from time to time by the Coordinating Officer, and completed in compliance with the written guidance.

Whatever the nature of the decision taken by the Authorising Officer, the decision should be confirmed in writing with reasons for the decision. Authorisations should be regularly reviewed in compliance with the legislation and the reasons for extending or terminating them should be recorded in writing.

Authorisations must not be allowed to expire. Authorisations must be reviewed regularly or cancelled after surveillance has been completed and put onto central records.

Surveillance should be carried out according to written procedures, adhering to good practice and health and safety conditions. Advice may be taken from the Divisional Director of Assurance & Risk and Corporate Anti-Fraud Team. All officers involved in applying for, authorising or undertaking surveillance will understand the legal requirements set out in RIPA and the Code of Practice. They will personally take responsibility for ensuring the propriety of their involvement. All authorisations, notebooks, surveillance logs and other ancillary documentation that relates to surveillance will be maintained to the required standards and retained for three years. All documentation will be volunteered for any management or regulatory inspection on demand.

Wilful disregard of any part of the RIPA Code of Practice or of internal procedures shall be a breach of the Code of Conduct for council officers and will be dealt with accordingly.

Further Support, Tools & Guidance

Link to the websites for the Surveillance Commissioner, the Home Office and the Office for the Public Sector Information can be found here:

- <http://www.surveillancecommissioners.gov.uk/>
- http://www.homeoffice.gov.uk/counter-terrorism/regulation-investigatory-powers/http://www.opsi.gov.uk/acts/acts2000/ukpga_20000023_en_1
- http://www.surveillancecommissioners.gov.uk/about_covert.html

Designated RIPA Coordinator and Authorised Officers

Designated RIPA Coordinator and Authorised officers can be found here:

<http://lbbd/resources/authorising-officers.htm>

RIPA forms

Can be accessed here:

<http://lbbd/corporate-finance/ripa-2000.htm>

For further information, please access www.surveillancecommissioners.gov.uk

• The latest version of the RIPA Policy and all of our documents can be obtained from either contacting the Group Manager – Internal Audit directly or by visiting our intranet pages:

[Hyperlink?](#)

• If you have any comments or feedback to do with this document, we would like to hear from you, so please get in touch and email us at the following address:

david.greenfield@lbbd.gov.uk

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Internal Audit

The Bribery Act Policy

17 January 2012

The Council's commitment to the Prosecution Policy

London Borough of Barking & Dagenham, "the Council" considers the Bribery Act to be an integral part of our fight against bribery. The council will not condone acts of bribery in any form whether it is in the form of money, gifts or a favour, offered or given to a person in a position of trust to influence that person's views or conduct.

What are the aims and requirements of the legislation?

Where Bribery is found to occur, in any form, it will be dealt with rigorously in a controlled manner in accordance with the principles in the Bribery Act policy. It will be investigated fully and the London Borough of Barking and Dagenham will prosecute all offenders where appropriate including, Members, employees, contractors and external partners

Who is governed by this Policy?

The Bribery Act policy covers everyone working for us, or on our behalf, including all permanent employees, temporary agency staff, contractors, members of the council (including independent members), volunteers and consultants.

Executive Summary

The Bribery Act Policy sets out the Council's commitment to ensuring compliance with the requirements of the Bribery Act

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The Bribery Act Policy

The Bribery Act 2010 came into force on 1st July 2011. It is tougher than previous laws relating to bribery and corruption.

It makes it an offence to offer, promise or give a bribe (section 1). It also makes it an offence to ask for, agree to receive, or accept a bribe (section 2). Section 6 of the Act creates a separate offence of bribing a foreign public official with the intention of getting or keeping business or an advantage in carrying out business. There is also a new corporate offence under section 7 that we will commit if we fail to prevent bribery that is intended to get or keep business or an advantage in business for our organisation. We are no longer able to claim we were not aware of bribery and may be responsible as an organisation, but we will have a defence if we can show we had adequate procedures in place designed to prevent bribery by our staff or by people associated with our organisation. (See 'What are adequate procedures?' below for an explanation).

Bribery Act policy statement

Bribery is a criminal offence. We do not offer bribes to anyone for any purpose, and we do not accept bribes.

Using another person or organisation to give bribes to others is a criminal offence. We do not offer bribes indirectly or otherwise engage in bribery.

We are committed to preventing and detecting bribery. We take a zero-tolerance stance towards bribery and aim to ensure this Bribery Act policy is observed throughout the Council.

We will deal with allegations of bribery involving employees under our disciplinary procedure as "gross misconduct". It is normal practice to dismiss employees without notice in cases where gross misconduct is considered to have taken place.

The aim of this policy

This policy provides a framework to allow those affected by it to understand and put into place arrangements to prevent bribery. It will work with related policies and other documents to identify and report when this policy is breached.

The policy aims to ensure that everyone:

- acts honestly at all times and protects the council's resources they are responsible for; and
- keeps to the spirit, as well as the letter, of the laws and regulations that cover our work

Scope of this policy

This policy applies to all of our activities. All levels of the council are responsible for controlling the risk of bribery. We will aim to encourage schools, suppliers and other organisations we work with to adopt policies that are consistent with the principles set out in this policy.

The Bribery Act policy applies to and covers everyone working for us, or on our behalf, including all permanent employees, temporary agency staff, contractors, members of the council (including independent members), volunteers and consultants.

This means that everyone at all levels of the council has a responsibility to control the risk of bribery occurring.

What are “adequate procedures”:

In order for this council to show that we take the Bribery Act seriously, we need to show we have adequate procedures in place designed to prevent bribery. Whether our procedures are adequate will be for the courts to decide. Our procedures need to be in proportion to the level of risk of bribery in our organisation. Individual organisations can refer to six principles to decide whether their procedures are in proportion to the level of risk. These principles are not prescriptive. These principles are intended to be flexible, allowing for the different circumstances of organisations. Small organisations will, for example, face different challenges to those faced by large multi-national organisations. The detail of how an organisation applies these principles will be different depending on the organisation, but the outcome should always be effective Bribery Act procedures.

What are the six principles?

1. Proportionate procedures

An organisation’s procedures to prevent bribery by the people associated with it should be in proportion to the risks of bribery it faces and to the nature, scale and complexity of the organisation’s activities. They should include interrogation of data for the purpose of discovering evidence and ensuring personal data is protected. The procedures should also be clear, practical, accessible and effectively put into place and enforced.

2. Commitment at the top levels of our organisation

Our Cabinet and Corporate Management Team are committed to preventing bribery by the people associated with us. They help create a culture in our organisation where bribery is never acceptable.

3. Risk assessment

We regularly assess how and to what extent we will be exposed to potential risks of bribery. We keep a record of the assessments, which include financial risks and also other risks such as damage to our reputation.

4. Due diligence

We apply due diligence procedures in relation to people who provide services for or on behalf of our organisation to reduce the risks of bribery. This would include carrying out checks on such organisations or companies and ensuring that they have similar anti bribery processes in place.

5. Communication (including training)

We aim to make sure that our policies and procedures to prevent bribery are understood throughout our organisation. We do this through communication inside and outside of our organisation, including training.

6. Monitoring and review

We monitor and review the procedures designed to prevent bribery and make improvements where they are needed. The Monitoring Officer and Divisional Director Assurance and Risk will oversee this.

We are committed to putting these principles into place.

We can also be fined, and if we are found guilty of an offence under section 7, can be fined an unlimited amount.

Facilitation payments

Facilitation payments are unofficial payments made to public officials in order to get them to take certain actions or take actions more quickly. Facilitation payments are illegal under the Bribery Act, and we will not tolerate them.

Gifts and hospitality

This policy is in line with our gifts and hospitality policy (this can be read at <http://lbbd/hr/ongoing-process-of-managing-people/gifts-and-hospitality.htm>). The gifts and hospitality policy makes it clear that if members of the council or staff are offered gifts in their council role, they should not accept anything with more than a token value (examples of things that are of token value include bottles of wine, boxes of chocolates, flowers, pens, calendars and diaries).

Public contracts and failure to prevent bribery

Under the Public Contracts Regulations 2006, a company is automatically and permanently barred from competing for public contracts if it has been convicted of a corruption offence. There are no plans to amend the 2006 regulations to include the crime of failing to prevent bribery. Organisations that are convicted of failing to prevent bribery are not automatically barred from competing for public contracts. However, we can exclude organisations convicted of this offence from competing for contracts with us. We will include standard clauses in our commercial contracts forbidding bribery and corruption.

Penalties

We will not tolerate bribery

Those covered by the policy must not:

- give, promise to give, or offer a payment, a gift or hospitality with the expectation or hope that they will receive a business advantage, or to reward a business advantage that they have already been given
- give, promise to give, or offer a payment, a gift or hospitality to a government official or representative to speed up a routine procedure
- accept a payment from another person or organisation if they know or suspect that it is offered with the expectation that it will give them a business advantage
- accept a gift or hospitality from another person or organisation if they know or suspect that it is offered or provided with an expectation that they will provide a business advantage in return

- take action against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy; or
- take part in activities that break this policy

Our commitment to action

We are committed to:

- setting out a clear Bribery Act policy and keeping it up to date
- making all employees aware of their responsibility to keep to this policy at all times;
- training all employees so that they can recognise and avoid the use of bribery
- encouraging our employees to be aware and to report any suspicions of bribery
- providing our employees with suitable ways of telling us about their suspicions and making sure we treat sensitive information appropriately
- investigating alleged bribery and helping the police and other authorities in any prosecution that happens because of the alleged bribery
- taking firm action against any people involved in bribery
- providing information to all employees to help them tell us when someone has broken or is suspected of breaking this policy; and
- including appropriate clauses in contacts to prevent bribery

Employee Responsibilities

All the people who work for us or are under our control are responsible for preventing, detecting and reporting bribery and other forms of corruption. All staff must avoid activities that break this policy and must:

- make sure they read, understand and keep to this policy; and
- tell us as soon as possible if they believe or suspect that someone has broken this policy, or may break this policy in the future

Anyone covered by the policy found to break it will face disciplinary action, could be dismissed for gross misconduct and/or may also face civil and criminal prosecution.

Reporting a concern

We all have a responsibility to help detect, prevent and report instances of bribery. If anyone has a concern about suspected bribery or corruption, they should speak up – their information and support will help. The sooner they act, the sooner the situation can be dealt with.

There are several ways of informing about any concerns. For example, talking to a line manager first, or the contacts listed in the Whistleblowing Policy if this is more appropriate.

Those reporting concerns do not have to give us their name. Upon receiving a report about an incident of bribery, corruption or wrong doing, action will be taken as soon as possible to assess the situation. There are clear procedures for investigating fraud and misconduct and these will be followed in any investigation of this kind. This will be easier and quicker if those reporting concerns decide to give their name. In some circumstances, we will have to consider reporting the matter to the Serious Fraud Office.

Staff that refuse to accept or offer a bribe, or those who report concerns or wrongdoing can understandably be worried about what might happen as a result. To encourage openness and

anyone who reports a genuine concern in good faith will be supported under this policy, even if they turn out to be mistaken.

There is a commitment to making sure nobody is treated badly because they have refused to take part in bribery or corruption, or because they have reported a concern in good faith.

If there are any questions about these procedures, the Monitoring Officer can be contacted, on 0208 227 2114 or the Divisional Director Assurance and Risk, on 0208 227 2015.

Other relevant policies

- Fraud Prosecution Policy
- Money Laundering Policy
- Whistleblowing Policy
- Employee Code of Conduct
- Rules in respect of Gifts and Hospitality
- Disciplinary Procedure and Disciplinary Rules

Further Support, Tools & Guidance

The latest version of the Bribery Act Policy and all of our documents can be obtained from either contacting the Group Manager – Internal Audit directly or by visiting our intranet pages:

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If you have any comments or feedback to do with this document, we would like to hear from you, so please get in touch and email us at the following address:

david.greenfield@lbbd.gov.uk

Corporate Risk Management

Risk Management Policy and Strategy

17 January 2012

Purpose

The Risk Management Policy & Strategy outlines the overarching risk management framework in Barking & Dagenham detailing where a formal approach to risk management must be adopted by officers.

The document details the priorities of Corporate Risk Management over the next 12 months, how risk is monitored, reported and escalated across the Council and what duties are placed on officers across the council to ensure compliance.

Related Documents

- [Risk Management Charter](#)
- [Risk Management Guide](#)

Who is Governed by this Policy & Strategy?

The Risk Management Policy and Strategy applies to all staff including and not limited to temporary staff, sessional staff and contractors. A failure to comply could be damaging to the finances and reputation of the Council.

Executive Summary

This combined risk management policy and strategy details the Council's framework for managing business risk. The risk management framework is the culture, processes and structures that are directed towards effective management of potential opportunities and risks that the council faces in delivering its objectives.

LBBB takes risks and recognises that risk is involved in everything it does and that it has a duty to manage these risks. This duty is to staff, residents and people working in the borough, service users, partners and funding agencies. Proactive risk management makes sound business sense; effective risk management is good management.

The [Risk Management Charter](#) and [Risk Management Guide](#) expand upon the principles laid out in this document; the Charter provides more detail about roles and responsibilities for managing risk and the Guide provides more support on how to undertake a risk assessment.

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Risk Management Policy

Risk needs to be managed rather than avoided, and consideration of risk should not stifle innovation.

The Council delivers services in an increasingly litigious and risk averse society and believes that risk management is a tool for exploiting opportunities as well as safeguarding against potential threats. LBBB uses the discipline of risk management to promote innovation in support of the council's strategic objectives as detailed in the Corporate Plan.

The risk management framework is the all-encompassing approach that LBBB takes towards risk management; including the adoption of this Policy & Strategy, the resourcing of Corporate Risk Management and the consideration of risk management in other corporate policies and procedures.

The risk management process involves the identification, rating, prioritisation, control, review and escalation of risk. Whenever an officer is involved in an activity which has significant levels of risk, it is important that the risk management process is formalised by, for example, undertaking a risk assessment or detailing risks in a report. The council recognises that the approach to risk management should be proportionate to the level of risk present.

The management of risk is woven throughout the Council's key governance frameworks and as such there are specific requirements for all officers to adopt a **formal** approach to risk management in the following areas;

- Key decision making reports
- Corporate, Directorate and Divisional planning processes
- Programme and Project management
- Procurement processes
- Partnership working arrangements
- Change management processes.

Corporate Risk Management is responsible for developing and embedding the risk management framework within which risks are to be managed across the council. This includes developing risk management capacity within the Council's workforce through the offer of training, guidance and support.

All council officers are responsible for the management of the risks that surround their role and adherence to the risk management framework. Managers also have a responsibility to ensure that their service areas have service continuity plans in place which are periodically reviewed and tested.

The Risk Management Policy and Strategy are reviewed on an annual basis by Corporate Risk Management. Public Accounts & Audit Scrutiny Committee (PAASC) Members are consulted as part of this process. This policy is approved by Cabinet.

Adherence to the requirements set out in the Risk Management Policy & Strategy is monitored by Corporate Risk Management and reported to the Corporate Risk Board, Corporate Management Team and PAASC as appropriate.

Risk Management Strategy

Overview

Barking & Dagenham believes that through the proactive management of its significant business risks it will be in a stronger position to deliver the Corporate Plan and Members Promises.

To this end, Corporate Risk Management has been issued the remit of developing and embedding an enterprise-wide risk management framework.

There is strong senior management support for both the Group Manager - Risk and the risk management discipline. The Council has a developing risk culture and a positive attitude to risk – recognising that well managed risk brings opportunity and innovation.

The Risk Management Framework

Having a robust and systematic risk management framework which is embedded throughout the organisation will;

- Help officers to fully understand the causes and impacts of the risks that they face, and in turn make more informed decisions on how best to manage risks.
- Allow officers to analyse and prioritise risks; helping inform decisions on the management, escalation and communication of risks.
- Creates a management tool which promotes discussion and helps reinforce officers' understanding of risks and how they will be managed; as well as encouraging the assignation of roles and responsibilities.
- Provide senior managers and members with the assurance that risks are being considered and managed across the organisation, and where need-be risks are escalated for their input and guidance.

Key Risk Management Objectives

In order to realise the organisational benefits of managing risk and deliver upon their remit of developing and embedding a risk management framework, Corporate Risk Management has identified the following objectives;

1. To maintain and review the risk management framework which takes into account new and emerging risk management practices in accordance with the principles of British Standard 31100.
2. To develop and maintain a service continuity planning framework that allows the council to continue to deliver it's most important services in accordance with the Civil Contingencies Act 2004 and the principles of British Standard S 25999.
3. To ensure the Council actively manages risks and opportunities in the delivery of Divisional Plans, Directorate Plans and the Corporate Plan.

4. To ensure risks in the present and the future are considered and discussed as part of the councils key decision making processes.
5. To ensure all programmes and projects in the council have a robust approach to risk management which includes risk identification, analysis, prioritisation, control, communication, review and escalation.
6. To ensure officers consider the risks associated with partner organisations, delivery agents and the voluntary sector.
7. To ensure officers consider the management of risk within the procurement process.
8. To integrate and embed risk management throughout the working culture of the Council by providing support, guidance and training to officers.
9. To monitor adherence to the Risk Management Framework and report on performance to Corporate Risk Board (CRB), Corporate Management Team (CMT), and the Public Accounts & Audit Scrutiny Committee (PAASC).

Defining Risk Management

The Council has adopted the CIPFA Better Governance Forum's definition of risk, described as:

"Risk arises as much from failing to capture opportunities, as it does from a threat that something bad will happen."

This definition compliments the context of risk management as detailed in the British Standard 31100, which states;

"Risk management is as much about exploiting potential opportunities as preventing potential problems."

Corporate Risk Management

Corporate Risk Management sits within the Finance & Resources Directorate under the Assurance & Risk Division. It is led by the Group Manager - Risk who is mandated to;

- Establish the councils risk management framework through developing procedures, tools and guidance on how to manage risk;
- Embed the framework by providing training, guidance and support to officers across the council on how to comply with it.

The tools that Corporate Risk Management (CRM) has developed can be downloaded from the Intranet.

For more information about the role of CRM refer to the [Risk Management Charter](#).

Risk Management In Barking & Dagenham

Barking & Dagenham's Risk Management Policy & Strategy was first adopted in 2006 and it is reviewed on an annual basis.

PAASC acts as the risk management oversight body; receiving regular reports throughout the year and providing challenge and adding a powerful contribution to the whole process. The Chair of PAASC and the Chief Executive promote risk management across the Council in their respective roles of Member and Officer Risk Management Champions.

This Policy & Strategy provides an overview of the risk management framework within Barking & Dagenham and outlines Corporate Risk Management's objectives over the next 12 months to further develop and embed the framework.

Risk Management Priorities for 2011-2012

The following priorities will be incorporated into Corporate Risk Management plan for 2011-2013.

- Establish a clear golden thread from the policy house to the Corporate Risk Register
- Establish the portfolio, programme and projects risks escalation & reporting
- Embed and simplify risk management process below CRR level
- Quantify impact of corporate and other risks on delivery of policy house themes (and outcomes)
- Determine role of Members

Governance & Compliance

The management of risk is woven throughout the Council's key governance frameworks and as such there are specific requirements for all officers to adopt a **formal** approach to risk management in the following areas;

- Key decision making reports
- Corporate, Directorate and Divisional planning processes
- Programme and Project management
- Procurement processes
- Partnership working arrangements
- Change management processes

A formal approach to risk management will involve for example, undertaking a risk assessment or detailing risks in a report. The council recognises that the approach to risk management should be proportionate to the level of risk present. For more information refer to the [Risk Management Guide](#).

Compliance to the Risk Management Framework

This policy and strategy is just one part of the councils risk management framework, which also includes a 4 x 4 risk matrix scoring system, risk assessment template, corporate risk register system and service continuity planning templates.

To ensure consistency it is important that these tools are adopted across the Council. Any variations or dispensations will be kept to a minimum and must be approved by Corporate Risk Management.

Group Managers, Divisional and Corporate Directors have responsibilities to ensure that their staff adhere to the risk management framework.

For more information on the roles and responsibilities of all staff please refer to the [Risk Management Charter](#).

Monitoring, Reporting & Escalating Risk

Corporate Risk Management continually monitors the management of risk across the council. This is done through 6 monthly reviews of each division's key risks, regular engagement on the management of risk within programmes and projects, consultation and sign-off of all key decision making reports, and review and testing of service continuity plans.

Each division's performance in relation to compliance to the risk management framework and management of risk is reported on a quarterly basis through the departmental management teams.

Risks are escalated and reported throughout the organisation in a number of different ways. As part of the 6 monthly review of key division risks, a process of aggregation and escalation occurs through which directorate level risks are developed and reported to each Corporate Director. These Directorate risks are then further analysed to develop corporate risks which are reported to Barking & Dagenham Corporate Management Team on a 6 monthly basis and PAASC annually.

Within programmes and projects the monitoring, reporting and escalation of risk is less formal. Corporate Risk Management provides support to many programmes and projects, and the corporate programme and project management methodology details the approach that should be followed for monitoring, reporting and escalating risk to project and programme boards.

The risks associated with key decisions and how they will be managed are detailed within all reports to Cabinet. The Group Manager - Risk is a mandatory consultee for all reports and this process of risk reporting helps Members to make informed decisions.

Barking & Dagenham's Risk Management Maturity - Benchmarking

The development of the risk management framework and the level to which it is embedded in the working practices of the organisation are benchmarked on an annual basis. Corporate Risk Management is a member of the CiPFA benchmarking club through which we are compared against our local authority peers.

Areas of weakness are highlighted in benchmarking feedback reports and incorporated into the annual review and informs Corporate Risk Management priorities.

Further Support, Tools, Training & Guidance

The latest version of the Risk Management Policy and Strategy and all of our documents can be obtained from either contacting the Group Manager - Risk directly or by visiting our intranet pages:

[Hyperlink?](#)

If you have any comments or feedback to do with this document, we would like to hear from you, so please get in touch and email us at the following address:

sharon.roots@lbbd.gov.uk

Risk Management Framework

Who	Role & Responsibility	Report Type	By Whom	Frequency
Assembly	<ul style="list-style-type: none"> Receive & Act Upon Reports from Cabinet & Head of Paid Service Reports, Recommendations & Advice from PAASC 	Annual Governance Statement and other relevant reports	Cabinet and PAASC	Annually
Cabinet	<ul style="list-style-type: none"> Agree the Risk Management Policy and Strategy and receive reports on them Hold the political responsibility for risk within each individual portfolio Identify a lead portfolio holder for Risk Management. 	Policy & other relevant reports	PAASC/CMT	As requested
PAASC	<ul style="list-style-type: none"> Oversee & Challenge Assurance and Risk Management Frameworks 	<ul style="list-style-type: none"> Receive assurances on effectiveness of Risk Management Receive updates on Corporate Risks & Action Plans 	Divisional Director of Assurance & Risk	Bi-Annually
CMT	<ul style="list-style-type: none"> Strategic Leadership Group for Risk Management Responsibility for effectiveness of Risk Management & Assurance Frameworks and any mitigation Quarterly Monitoring of Corporate Risks and associated Action Plans 	<ul style="list-style-type: none"> Reviews of Policy, Strategy and Framework Corporate Risk Dashboards (Operational and Strategic Risks) Corporate Risk Board Recommendations Action Plans 	<ul style="list-style-type: none"> DD of Assurance & Risk on behalf of DD Group Programme & Partnership Boards Performance 	Quarterly
Divisional Directors Group	<ul style="list-style-type: none"> To identify, manage & monitor Corporate Risks on behalf of CMT (individual corporate risks allocated to named DD's) Monitoring and escalation as appropriate of DMT Risks Monitoring and escalation of Project Risks (outside of programmes) as necessary 	<ul style="list-style-type: none"> Report to CMT on the identification, escalation, removal, monitoring & management of Corporate Risks for agreement To receive and consider escalated risks from DMT's, PAASC & CMT for inclusion on Corp Risk Register 	<ul style="list-style-type: none"> DMT's DD Partnership & Programme Boards 	Quarterly
Programme Boards Partnership Boards	Responsible for the identification and management of Risks within their given areas	Report on the management of risks and escalate High risks as required or necessary	Programme Boards Partnership Boards	Quarterly to DD Group
DMT	<ul style="list-style-type: none"> To identify, manage & monitor Risks within their Services & Department in respect of Service Delivery & Strategic Policy Outcomes & Priorities Monitoring and escalation of Project Risks (outside of programmes) as necessary Monitoring and escalation as appropriate of Risks to either DMT or DD Group 	<ul style="list-style-type: none"> Review of Risk Registers and other risks as a standing agenda item at DMT/SMT Mtgs Report via nominated DD to DD Group on those Departmental/Service/Project Risks that require consideration for escalation to the Corporate Risk Register To receive update reports on Corp Risk Action Plans allocated to DD in own Department 	<ul style="list-style-type: none"> SMT's Project Boards 	Quarterly or as required to DD Group
Service Managers				Quarterly or as required
Employees	To manage risk effectively in their job and report hazards/risks to their Service Managers.	Report incidents/risks following procedures laid down in corporate policies	All Employees	As necessary/required

CABINET

17 JANUARY 2012

Title: The Adult Social Care Local Account 2010/11	
Report of the Cabinet Member for Children and Adult Services	
Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Mark Tyson, Group Manager, Health Governance & Partnerships	Contact Details: Tel: 020 8227 2875 E-mail: mark.tyson@lbbd.gov.uk
Accountable Divisional Director: Karen Ahmed, Divisional Director of Adult Commissioning	
Accountable Director: Anne Bristow, Corporate Director of Adult & Community Services	
<p>Summary:</p> <p>The Government has changed the regime for the regulation and assessment of the social care services delivered by local authorities. In line with the push towards greater localism, and local political accountability, they have moved the emphasis away from a centralised regime of audit led by the Care Quality Commission to a model whereby the Council accounts to local people for its performance and invites their scrutiny and challenge. The Local Account is our published report on our performance for the year 2010/11.</p> <p>The way in which this will work is still being developed, led by the social care sector itself, who are still developing the structure and content of a 'model' Local Account. Nonetheless, the expectation has been set that there will be a Local Account for 2010/11, and this is the document Cabinet is being asked to approve. Given that we are some time after the close of 2010/11 year, we are using this as an opportunity to gain views on the published report so as to inform the Local Account for 2011/12, which it is intended to bring to Cabinet in June 2012.</p>	
<p>Recommendation(s)</p> <p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> (i) Approve the publication of the Local Account 2010/11 attached at Appendix B, subject to any comments and/or amendments; and (ii) Provide guidance in the development of the Local Account 2011/12. 	
<p>Reason(s)</p> <p>In the absence of a centralised audit regime for adult social care, it is important that the Council sets out its own view of where adult social care services need to improve, as well as what we do well, so that local residents can engage with our assessment of our</p>	

performance. The Local Account does this. By using 2010/11 as a first publication we can refine it further over the coming months, so that the 2011/12 version is a fuller, more robust assessment in line with Member and public priorities.

1. Introduction and Background

- 1.1 On entering office, the Coalition Government set out immediately to remove a number of centralised performance and audit regimes. Amongst these was the Care Quality Commission's Annual Performance Assessment of councils' adult social care services, which marked the Council against a list of national targets. The Care Quality Commission maintains a risk-based approach to inspections of the safety of services, leaving councils to account for their overall performance. In line with the principles of localism, the emphasis was placed on councils being accountable to their residents for their performance.
- 1.2 Responding to these moves, the adult social care sector began development of sector-led improvement, with support from the Department of Health and the Local Government Association. The aim is to build a model by which councils, working together, could present a broadly consistent account of their performance, support each other in identifying weaknesses, and thereby build the reputation and quality of adult social care services nationally. It is recognised that failures in one council impact on the reputation of services nationally, and that, therefore, as well as shining a light on their own performance, all councils have an interest in engaging with their peers to support the wider improvement of the sector.
- 1.3 This model is built into the Government's recent publication "Transparency in Outcomes: A Framework for Quality in Adult Social Care" which includes new guidance for measuring performance, and recommendations that councils produce an annual statement on outcomes and priorities: a Local Account. The Local Account is therefore primarily an effort to improve transparency, while emphasising the importance of community and citizen involvement in driving improvement over distant bureaucratic inspections.
- 1.4 Appendix A provides a diagram which summarises how sector-led improvement would interface with central Government or regulator action on extreme failure. There is some debate still underway about the exact 'tipping point', but it is provided for Members' background interest in connection with the Local Account.

2. Proposal and Issues

- 2.1 The first Local Account is attached at Appendix B, in a draft for Members' review and approval. Members are recommended to approve publication, but in doing so to recognise that this is a first, exploratory version. There will be much development of its structure and content as we get feedback on the first one, and plan for the 2011/12 version, to be issued in a more timely fashion, in June 2012.
- 2.2 The structure of the Local Account is based around the "Vision for Adult Social Care" that was published by the Government in November 2010. This sets out seven principles as follows:

- **Prevention:** empowered people and strong communities will work together to maintain independence. Where the state is needed, it supports communities and helps people to retain and regain independence.
- **Personalisation:** individuals not institutions take control of their care. Personal budgets, preferably as direct payments, are provided to all eligible people. Information about care and support is available for all local people, regardless of whether or not they fund their own care.
- **Partnership:** care and support delivered in a partnership between individuals, communities, the voluntary and private sectors, the NHS and councils - including wider support services, such as housing.
- **Plurality:** the variety of people's needs is matched by diverse service provision, with a broad market of high quality service providers.
- **Protection:** there are sensible safeguards against the risk of abuse or neglect. Risk is no longer an excuse to limit people's freedom.
- **Productivity:** greater local accountability will drive improvements and innovation to deliver higher productivity and high quality care and support services. A focus on publishing information about agreed quality outcomes will support transparency and accountability.
- **People:** we can draw on a workforce who can provide care and support with skill, compassion and imagination, and who are given the freedom and support to do so. We need the whole workforce, including care workers, nurses, occupational therapists, physiotherapists and social workers, alongside carers and the people who use services, to lead the changes set out here.

2.3 The Local Account aims to be honest about the Council's performance and recognise that there are areas where services need to improve. Throughout, the Account provides evidence of what the Council are doing to drive improvement. One of the ways to judge performance is by benchmarking. The Local Account compares the Council's current performance with previous performance, national and regional performance. Whilst benchmarking is useful, the Local Account is set on local priorities which differ over time and between geographical areas.

2.4 The Local Account is a way of opening up information on adult social care. It should foster a conversation between the Council, service providers, commissioners, service users and the public. The Local Account should empower people to challenge or commend local services as they see fit. The Local Account should promote accountability and engagement; it delivers a clear account of adult social

care services which can be disseminated, discussed, challenged and services developed as a result.

2.5 Some questions on which Members may wish to reflect, and to provide guidance to officers in the development of future Local Accounts, include:

- a) In a document that covers a subject of this complexity, and aims to account to residents for performance, the language and tone is critical: is the narrative pitched appropriately?
- b) Are the right areas covered, and should there be more (or less) use of case studies and other examples?
- c) Does the seven-point breakdown, in line with the Vision for Adult Social Care outlined above, provide an effective structure in which to account for our performance?
- d) Should there be more (or less) use of data to account for performance, and should there be more tabular presentation of raw numbers or is it better to account for the data in narrative form as we have sought to do here?

2.6 The timescale for publication of 2011/12's Local Account is June 2012.

3. Options Appraisal

3.1 Members have the option to approve (with any amendments) or reject the draft Local Account attached.

3.2 As outlined above, approval is recommended as it allows the Council to get this first iteration into the public domain and to seek views from service users, the public and providers. Members may have reservations about publishing the Local Account for 2010/11 in January 2012, but to do so will enable us to improve successive editions of the Local Account, when local feedback on this first version can be combined with guidance and thinking from London-wide and national sector-led improvement groups. Some areas are not publishing an Account this year, whilst others are using it as a developmental year as described above. It is suggested that we take the latter approach, being proactive about publishing the Local Account in the spirit of self-directed improvement.

4. Consultation

4.1 The 2010/11 Local Account has not been subject to external consultation. However, it is proposed that user groups, the Local Involvement Network, voluntary organisations and other partners are now consulted. Consultation should cover both the approach adopted in respect of the 2010/11 Local Account and include the gathering of user/carer input for the 2011/12 Local Account.

5. Financial Implications

Implications completed by: Ruth Hodson, Group Manager, Finance

5.1 There are no financial implications for the Adults and Community Services Directorate. However, if there are any improvements in performance needed with costs attached this will have to be managed within the already pressured budgets.

6. Legal Implications

Implications completed by: Doreen Reeves, Group Manager, Legal Services

- 6.1 There are no legal implications arising from this report that are not dealt with elsewhere in the body of the report.

7. Other Implications

7.1 Risk Management

The process of self-directed or sector-led improvement requires an honesty about weaknesses in the Council's adult social care provision, a willingness to acknowledge them publicly and to set in place appropriately challenging and robust actions. The Local Account has been drafted in that spirit, and the proposal to publish before guidance and 'models' have been developed further reinforces that approach.

7.2 Staffing Issues

The Local Account provides information about staffing, but makes no recommendations that are not being assessed and managed through other mechanisms.

7.3 Customer Impact

The Local Account will become a critical mechanism for assessing the feedback from service users and setting out how services will respond as a result. It contains information about how services have responded to individual needs and to the tailored needs of specific groups, most particularly in the sections on Plurality and Partnership, but in fact threaded through the document.

7.4 Safeguarding Children & Vulnerable Adults

Safeguarding vulnerable adults is dealt with comprehensively in the document, most particularly under the 'Protection' theme. The Local Account focuses on adult provision, but in recognising individual needs it describes services that will provide tailored support to those with care needs who have responsibility for children, improving the outcomes for those children as well. At page 19 it deals specifically with joint working between adults' safeguarding and children's safeguarding where risks to the safety of children are identified through work with adult service users.

7.5 Health Issues

The health of vulnerable adults in receipt of social care services is a key issue described through the Local Account. The document also details the moves that have been made to implement Government health reforms which place the Council more firmly at the heart of efforts to improve the health of the local population.

7.6 Crime and Disorder Issues

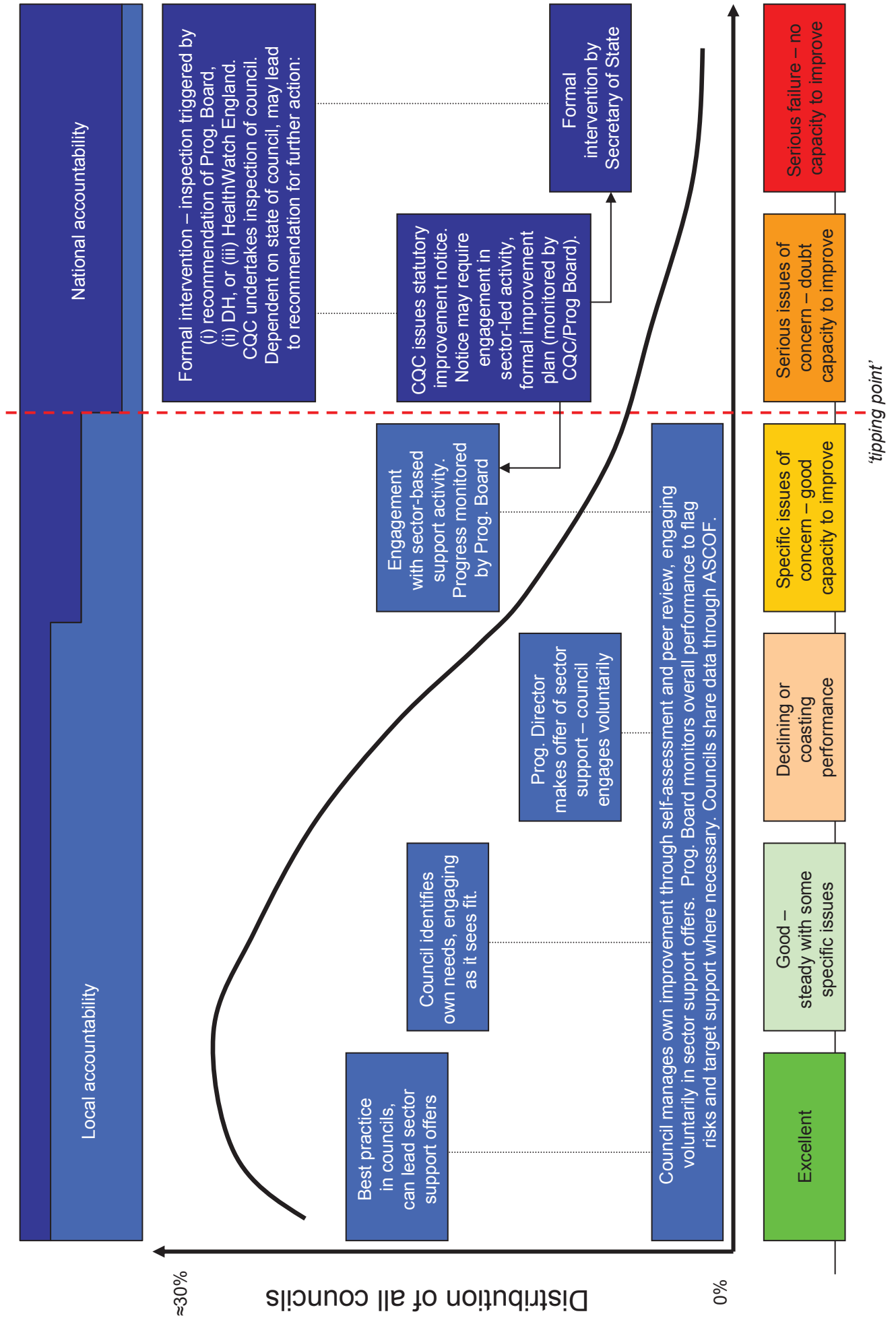
The document deals with a number of initiatives taken during the year in question to improve the safety of vulnerable adults and older people.

Background Papers Used in the Preparation of the Report: None

List of appendices:

- Appendix A Promoting excellence in councils' adult social care – a model for accountability (The London Joint Improvement Partnership)
- Appendix B London Borough of Barking & Dagenham (draft) Adult Social Care Local Account 2010/11

APPENDIX A Promoting excellence in councils' adult social care – a model for accountability



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DRAFT



The Adult Social Care Local Account 2010/11

Helping you to live the life you want



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This is our way of accounting to you for the quality of the social care services we provide for adults in Barking & Dagenham.

We want to know what you think.

I am proud to present our first Local Account of the social care services we provide to adults.

This document is our way of telling you:

- what we think we are doing well;
- how we perform in comparison to other local authorities;
- where we think we could do better; and
- what our plans are for the next year.

Until now, all Councils who provided adult social care services were assessed every year by the Care Quality Commission (the regulatory body for health and social care services). Under new Government plans, this is changing and the focus is now on us accounting to local residents for our performance. To do this, we produce this Local Account, so you can see how well we are doing.

The Local Account should tell people what they want to know about adult social care services and be the start of making sure that local residents, service users, carers and providers can make their views known about where they think the important areas are for improvement in Barking and Dagenham.

In Section 3 we tell you about the Principles that the Government has set for the delivery of social care. These are what we have used to structure our Local Account. What we aim to achieve through our social care services is:

- Enhancing quality of life for people with care and support needs;
- Delaying and reducing the need for care and support;
- Ensuring that people have a positive experience of care and support;
- Safeguarding adults whose circumstances make them vulnerable and protecting from avoidable harm.

I really hope this Local Account gives you some useful information, from which you can decide for yourself about how well we are doing in our adult social care services. We really want to hear your views.

Draft pending signature

**Cllr Linda Reason
Cabinet Member for
Adults' & Children's Services**

Our local context

2

When assessing the quality of our services, it is important to recognise the sort of borough we are and the particular challenges - and opportunities - that we face.

We have a fast growing Borough and our community mapping estimated the population at 182,276 in 2010, with 43,195 young people aged under 16, and 11,132 older people aged 75 or over. The number of people living in Barking and Dagenham has increased by 11% in the last 10 years.

The age distribution of Barking and Dagenham residents is changing. The proportion of young people is high compared with England as a whole, and the proportion of over 50s lower. The proportion of women aged 15 to 44 years is estimated to increase by 9.3% between 2008 and 2020, compared to a decrease of 2.4% in England. The population aged 75 or over is stable, but within this the number of people aged over 90 is predicted to increase from 1,100 in 2010 to 1,400 in 2014.

The ethnic diversity of our population has also changed. The White British population fell from 82.5% of the total population to 56.4% in the same time period. The White Other group increased from 2.6% to 10.8%. The Black African population increased from 4.4% to 15.4% and the Asian population increased from 5% to 14.4%. This means that Barking and Dagenham is becoming much more like the rest of London.

Deprivation is a major factor in Barking and Dagenham, and we have the lowest household incomes in London. According to the Index of Multiple Deprivation, the Borough is the 22nd most deprived out of the 354 local authorities in England; 14 of our 17 wards are in the bottom 20%, none in the top 50%. Unusually for London, the social and economic characteristics are uniform across the Borough rather than having pockets of deprivation and wealth.

The percentage of residents with no qualifications is higher than the London average, and the percentage with degree level qualifications or equivalent, is the lowest in London. Levels of adult basic skills are very low, but are improving. Average house prices are by far the lowest in London, unemployment levels are third highest in London, and the recession has added pressure to the job market which has suffered from the loss of traditional manufacturing and manual trade.

A 2011 report reviewed health inequalities in London in terms of health outcomes of key indicators. Six boroughs, including Havering, were better on every indicator than the England average. Barking and Dagenham was one of only two boroughs significantly worse for all indicators. The indicators include life expectancy together with disability adjusted life years, child development, young people not in education, employment or training, and receipt of means tested benefits.

Within this borough, inequalities are less than in some others, because deprivation is much the same across the borough. For example, life expectancy in Westminster differs between the most and the least affluent areas by 16.6 years for men and 10 years for women. In Barking and Dagenham, the difference is 4.4 years for men and 2.3 for women. Life expectancy in Westminster is 83.4 for men and 86.5 for women, whereas in Barking and Dagenham it is 76.5 years and 81.

It is within this context that we provide adult social care services for our local residents.

The Vision for Adult Social Care 3

The Government's Vision for Adult Social Care sets out seven principles, around which we have based this Local Account.

1. **Prevention**

We aim to provide care and support which will help people to live a healthy lifestyle and remain active in the community. We want to help people maintain their independence and feel confident living at home.

2. **Personalisation**

We aim to give our service users greater choice and control over their care package. In order to ensure people can access the right services for them, we provide helpful and appropriate information and advice about care and support which is easily accessible to everyone.

3. **Partnership**

We work with individuals, communities, the voluntary and private sectors, the NHS and councils to deliver the best possible care and support to local people. By sharing best practice and utilising each other, we can improve our efficiency and deliver high quality social care service.

4. **Plurality**

We are looking to develop the market to ensure that a choice of services and providers meets people's specific needs. We also aim to ensure that our services are good value for money.

5. **Protection**

Whilst we strive to give our service users choice and control, we ensure there are sensible safeguards against the risk of abuse or neglect.

6. **Productivity**

We encourage local people to feedback on their experiences of social care services. The feedback we receive helps us to deliver new services and improve on the services we already offer. We also recognise the importance of advocating and campaigning on behalf of local people on relevant issues.

7. **People**

We support our staff to be highly skilled, compassionate and imaginative. We provide specific training to carers focused on their needs and help them to live a healthy and active lifestyle outside of their caring role.

Principle 1: PREVENTION

4

Supporting people to live a healthy lifestyle

Helping people stay at home and active in the community

Enabling people to maintain independence

Our Performance

- Despite the current economic climate, we have been able to increase the level of support we provide to help people to live independently. In March 2011, we were supporting over 3,500 people to live independently; this is an increase of over 300 people the previous year.
- Reablement provides intensive support over a short period of time in order to enable people to regain the skills to live independently. This may be necessary after a stay in hospital. In 2010/2011 we saw 444 people through the reablement process. 41% of these people did not need any further care at the end of the reablement period.
- We work hard to support adults with a learning disability to support themselves and live an active life in the community. The percentage of adults with a learning disability in employment has risen from 4% in 2009/10 to 4.8% in March 2011. This is still below the national average of 7.1%. In 2010/11 81% of adults with learning disabilities known to the Council were living in settled accommodation in the community. This is above the national average of around 60%.
- Providing adaptations to people's homes enable more people to remain independent. The average waiting times for major adaptations for people with disabilities rose from nearly 25 weeks in 2009/10 to 34 weeks in 2010/11. Still, the percentage of items and minor adaptations delivered within 7 days has stayed high at 97%.
- In 2010/11 Councils were rated on the levels of employment of adults in contact with secondary mental health services. The Council scored just 4.3 against a national average of 9.0. Still, 86% of adults in contact with secondary mental health services are in settled accommodation. This is better than the national average of just over 66%.



Principle 1: PREVENTION continued

What we've been doing

Health and Wellbeing

- Funded by Adult Social Care, we now offer free leisure passes to the over-60s. This has resulted in an increase in the number of 60 plus members at the local leisure centres, currently standing at over 3,000 active members. The popularity of the offer is reflected in the increase in the use of local leisure centres. In 2010/2011 older people made nearly 37,000 visits to leisure centres in the Borough.
- Our Active Age Centres offer older people the chance to meet new people and try different activities including tai chi, line dancing, art and bingo. We have 6 centres across the Borough with over 300 members.
- Our Home Library Service will pay a monthly visit to anyone unable to visit a library. In October 2010, over 500 people had benefited from this service.
- The Healthy Walks programme continues with four walks taking place in the borough every week. In 2010-11, the number of people taking part in Healthy Walks increased to nearly 2,000 in 2010/11.

Our Support Services

- Our Intake, Information and Advice team provide a frontline telephone service to people who are in need of urgent care and support. This service deals with all aspects of social care and provides advice and information, or immediate social work input to improve their health and wellbeing.
- An Affordable Warmth (Fuel Poverty) Work Programme has been developed by the Housing Service and Climate Change team which includes an action plan to tackle fuel poverty in private and public sector housing. We have secured a £3 million NPower grant to help us to reduce the number of households that spend more than 10% of their income on fuel.
- Whilst the number of residents with learning disabilities in paid employment has increased since last year, it is still below the national average. We have recently commissioned a specialist employment support provider, Toucan, to assist adults with learning disabilities to find employment.

Principle 1: PREVENTION continued

Where we need to improve our services

Health and Wellbeing

- The general health of adults in the Borough is still quite poor. Over 30% are obese compared to the England average of 24%.
- Smoking levels are the third highest in London. Still, the prevalence of smoking amongst adults has reduced from 32% to 29% this year.
- Whilst the new Becontree Heath Leisure Centre has accessible changing rooms and other accessible facilities, we need to do more to ensure that more mainstream and commercial services are inclusive and accessible in how they deliver services.
- We also need to produce more information on which venues are accessible to older people or people with disabilities.



Our Support Services

- To help more people with dementia to remain independent, we will pilot *Just Checking* telecare systems. *Just Checking* is an activity monitoring system which monitors a person's movements. It will check that people with dementia are safe at home rather than admitting them into residential care.
- We aim to restructure our Reablement team to bring together Occupational Therapists and Social Workers in order to provide better outcomes for people in terms of their physical mobility.
- There is an increasing demand for Extra Care Housing for people with dementia. In 2011/2012 we will deliver 13 refurbished flats at Fews Lodge in Marks Gate. The scheme will delay the need for residential care and allow couples to move in together and remain with each other for longer.
- The average waiting time for major adaptations for people with disabilities has increased this year. We will work to bring this waiting time down.
- The number of residents with learning disabilities and mental health needs in paid employment is below the national average. This may reflect the higher unemployment levels in the total working age population in Barking and Dagenham compared with the rest of London. Whilst we have commissioned services to assist people to find employment, we need to do more in this area.

Principle 2: PERSONALISATION 5

Individuals gain greater choice and control over their care and support

Information and advice about care and support is available to everyone

Our Performance

- The Government set a target for all local authorities to have 30% of all eligible people on personal budgets by 31st March 2011. This target was achieved in Barking and Dagenham in July 2010 and at the end of March 2011, over 39% of all eligible people were on personal budgets.
- The majority of social care assessments are completed within 28 days. Our efficiency in this area has increased from around 88% in 2009/10 to over 90% this year. The forward planning of service user reviews has resulted in an increase from nearly 85% in 2010/11 to more than 99% in 2010/2011.
- *Helping You Live the Life You Want* is the adult social care website for the Council. The website is easy to navigate, accessible and tailored to our users' needs. It encourages users to ask questions and explore, rather than assuming they already know what they are looking for. From January to the end of March 2011, over 2,300 people looked at 3,100 pages on the website.

Case Study

Rebecca Ahmed used her personal budget to return to education

Rebecca has a history of mental illness, physical problems and dyslexia and as such was awarded a personal budget in August 2009. She has a flare for graphic design and in her late 30s, enrolled to do a BTec course at Redbridge College.

Rebecca's dyslexia makes it harder for her to use new equipment. She therefore spent her budget on buying home equipment which matched the college's operating systems. Rebecca purchased an Apple PC, graphics software and an office chair with appropriate back support.

Rebecca's use of mental health services has decreased. She attributes her happiness to her personal budget, which enabled her to return to study. In September 2011, Rebecca began her degree at Havering College.

Principle 2: PERSONALISATION continued

What we've been doing

Information and Advice

Face-to-face meetings

- Weekly information and advice surgeries are held at sheltered housing venues, helping pensioners gain more knowledge on how to take up their benefits.
- The Community Legal Advice centre (CLAC) is jointly funded by the Council and the Legal Services Commission. CLAC mainly offers advice around benefits, housing, employment, immigration and health through drop-in services. In 2010/11 CLAC took on over 6,300 cases.

Published material

- We encourage the use of online resources but do print leaflets, sometimes only on demand. In 2010/11 we revised and updated advice and information leaflets. Information is always available in a number of languages and formats, and in a range of venues.

Choice and Control

Online resources

- The website has been updated and is now more accessible. People can now access our website by using 'Elephant kiosks' in 4 locations across the Borough. These touch-screens are adapted for any heights and accessible to wheelchair users. The kiosks were used over 2,400 times last year.
- We have made our website more accessible by the use of 'talking pages'. This involves films of service users with learning disabilities speaking about the services available.



Talking Pages

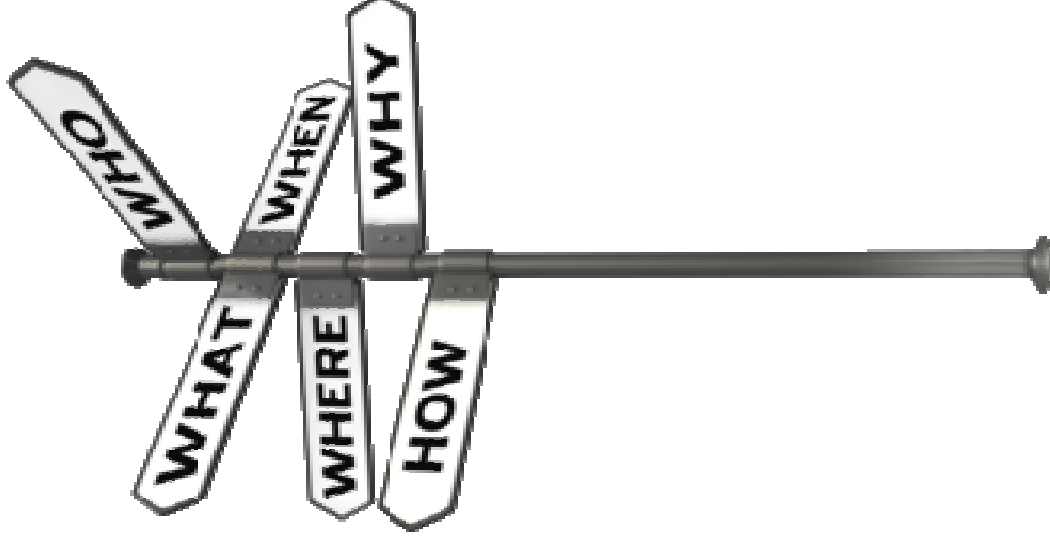


- In April 2010 we worked in partnership with three local London boroughs to commission *People4People*, a Personal Assistant service. The service is designed to help older people or those with a disability to live independently by matching them with personal assistants. In 2010/11 there were 16 successful matches between customers and personal assistants in Barking and Dagenham.
- We are responsible for commissioning and providing good quality, appropriate and accessible information, advice and advocacy services for vulnerable adults. We have a range of provision for general and specific advocacy services.
- The Independent Living Agency supports local people by providing support for people on a personal budget to manage their funds and services. This helps our service users to remain in control and independent.

Principle 2: PERSONALISATION continued

**Where we
need to
improve our
services**

- We need to introduce a way of providing community meals to enable customers to make decisions about who provides the meal, choosing the food they want, to eat at the right price. This will replace the traditional style meals-on-wheels service that fewer and fewer people want. We need to develop this system, expand the range of options available to people. We plan to do this by advertising local services and specialist providers to service users.
- In order to further our personalisation agenda, we need to introduce Support Planners to work alongside Social Workers. Support Planners help service users and carers to optimise their independence by intervening early, providing the right information and advice and by supporting people to determine their own solutions through a personal budget.
- We intend to review our current provision of advocacy to ensure that there are no gaps or duplication in provision. The review will look at the number of providers and the varied investment for different social care needs.



Principle 3: PARTNERSHIP 6

Working with individuals, communities, the voluntary and private sectors, the NHS and councils to deliver high quality care and support

Our Performance

- We work with local hospitals to ensure that we provide a high quality service in hospital and in the community. This is reflected in that less people are experiencing a delayed transfer of care from hospital. In 2009/10 the rate (per 100,000) of people experiencing a delay was 16.51; this has been reduced to 9.5 in 2010/11.
- We are committed to helping older people stay independent after they leave hospital. 90% of older people in the Borough are still living at home three months after being discharged from hospital.
- The Health & Wellbeing Board supported the Barking & Dagenham Tobacco Alliance to promote *No Smoking Day 2010*. The Alliance won the No Smoking Day charity's Best Community Partnership award for their hard work in delivering a successful event to mark the day.
- We work in partnership with local organisations to provide opportunities for local people to contribute to the community. The Local Place Survey 2011 found that around 20% of local people volunteer at least once a year; 13% volunteer at least once a month.

Some of our partnership events

Older People's Day, 1 October 2010

Organised by the Barking and Dagenham Partnership the event attracted over 500 people. Older people were given the opportunity to try new activities including yoga, barn dancing and table tennis.

International Day of Disabled People, 3 December 2010

Organised by the Disabled Equalities Forum, the event attracted 100 people as well as entertainers and speakers. Quest88 provided accessible bicycles, giving some disabled people an opportunity to ride a bike independently for the first time.

Learning Disability Week, 21-27 June 2010

Organised by the Council, Mencap and the Advisory Partners Group, the event showed off the talents of local people with learning disabilities. Activities included an all ability sports day, an Elvis evening and a health walk at Eastbrookend Country Park.

Principle 3: PARTNERSHIP continued

What we've been doing

Unique Care

- In 2010 we initiated the Unique Care service model in collaboration with the NHS. A piece of software called EASI allowed us to identify people who are at risk of hospital admission. We could therefore intervene early and we were able to help people stay independent for a longer period of time.

Up2Us

- Adult Social Care has worked with the Housing Association Charitable Trust, the Department of Health, Hanover, the New Economics Foundation and TLC Care Services on the Up2Us project. The project enables service users to test approaches to purchasing care. By purchasing services and activities together, service users were able to increase their purchasing power.

Strategies

- The Learning Disability Strategy, Dementia Action Plan and Carers Strategy are just some of the strategies we have developed after consulting widely with service users, the private and voluntary sector.
- We have developed a coordinated response to the provision of eye care by working with the NHS, RNIB and Action for Blind People to develop the Barking and Dagenham Vision Strategy. The Strategy sets out a plan to make eye care more accessible to older people and other visually impaired people.

HUBB

- We work with local NHS services and the London Borough of Havering to support the Barking, Havering and Brentwood Mental Health User Group (HUBB).
- HUBB offers support for people with mental health needs and isolated people and often advocates on their behalf. HUBB consults with people and voice their opinion to commissioners and providers of mental health services.

Caress

- We work with the NHS and Caress to offer support and services for people living with AIDS, including hospital visits, transport for hospital, minor home repairs, counselling and information.

Reablement

- During the winter of 2010/2011 we used government funding and worked closely with the Primary Care Trust (PCT) and Barking, Havering, Redbridge University Hospitals (BHRUT) to deliver an enhanced reablement service. We increased the level of support from Social Workers and Occupational Therapists and by doing so, we were able to discharge patients from hospital with increased reablement services and free up beds within the trust.

Principle 3: PARTNERSHIP continued

Where we need to improve our services

- We will evaluate and develop the Unique Care service model and relaunch as Integrated Care providing support to all adults not just older people. Adult social care services will work together with the NHS to develop six clusters covering the whole Borough. Clusters will be based in GP surgeries and will consist of a manager, 2 Social Workers, 2 Support Planners, Occupational therapist, Practice Nurse, Community Matron, District Nurses and Care Coordinator. This will enable local residents with health and social care needs to get individually tailored and joined up care packages through closer working between the Council and NHS.
- In 2010, the Community Safety Partnership, together with the Health & Wellbeing Board launched an Independent Domestic and Sexual Violence Advocacy Service to reduce repeat victimisation. Although this prompted a reduction in repeat incidents (19% in 2011 against 28% the previous year), the arrest rate has since dropped from 83% in 2010 to 76% in 2011. The Partnership plans to update its strategy.
- During 2010/11, the Government published its proposals for reform of the health service, in two White Papers: *Equity & Excellence: Liberating the NHS* and *Healthy Lives: Healthy People*. These White Papers were combined into the Health & Social Care Bill. The Council took a proactive stance towards the reforms, and began establishing a Health & Wellbeing Board, in shadow form, which will become the centrepiece of co-ordination of local health and social care services. We responded to various consultations, seeking to add our views into the debates about how to make the reforms work for local people. We also began to plan for the transfer of public health to the local authority, embracing the new responsibilities for tackling health inequalities and seeking to improve the health of the population, that are anticipated to come to the Council in 2013.
- The Department of Health encourage integrated working across health and social care. In order to improve efficiency the Government will introduce a new set of performance indicators in 2011/12. This will provide further insight into where we can improve our jointly commissioned services.

Principle 4: PLURALITY 7

Developing the market to ensure that a choice of services and providers meets people's specific needs and are good value for money

Supporting and interacting with local health and social care providers to ensure that our residents have a positive experience

Our Performance

- We encourage people to remain independent and active in the community. There has been an increase in the number of weeks spent in residential homes compared to last year but a decrease in the number of weeks spent in nursing care.
- We also monitor what social care services our service users spend their money on. This helps us to understand the market and commission the services that will benefit our service users. The DEMOS report also looked at the spending patterns of personal-budget holders and found that moving to a personal budget resulted in:
 - The use of day centres falling
 - The use of family members and friends falling
 - Participation in education and training increasing
 - The use of leisure services increasing substantially
 - The employment of personal assistants



Principle 4: PLURALITY continued

What we've been doing

Market development projects

- In 2010 we commissioned a programme 'Preparing for the business of personalisation'. 3 workshops were delivered to 13 different social care providers. The programme generated new ideas aimed at increasing market choice and competition.
- We design our care and support in consultation with the people who use our services. In 2010, a survey led by DEMOS for the Council confirmed that:
 - 75% of local people receiving care and support want professionally trained staff
 - 80% of local people want staff to know them personally
 - 71% want flexibility of services
 - 60% think it is important for services to be locally based.
- In February 2011, the Council agreed to support two local timebanks. Timebanks enable volunteers to deposit their time by giving practical help and support to others and are able to withdraw time when they need someone to help them.
- Launched in January 2011, the Transforming Community Equipment Service gives a *prescription* to the service user detailing the equipment they need. Service users are able to redeem this *prescription* at one of our providers. These are mainly local retailers, often but not always, pharmacists. 693 prescriptions were issued in 2010.

Changing what we do

- We have developed a new market strategy which reflects our new market development strategy. We reshaped our commissioning team to focus on market intelligence, procurement and market development.
- The 'Personalisation and Social care market development' strategy outlines five principles we aim to put into practice. These are:
 - A move towards more independence focussed services.
 - Putting service users and carers in control of services
 - Developing a market of services for people to choose from
 - Working in partnership to deliver services to the community
 - Stimulating local communities and maximising social capital to increase the focus on a network for prevention in the Borough
- With the introduction of Self Directed Support services there are fewer people receiving homecare as a traditional package. New software means we are also able to keep a closer eye on the actual hours our agencies provide.

Principle 4: PLURALITY continued

Where we need to improve our services

- The introduction of personal budgets has increased individuals choice and control over the care package. Whilst service users tell us they are satisfied with current providers, we need to do more to develop the market so our service users are presented with a range of options which meet their needs. We want to promote competition in the market so that we can deliver better outcomes and good value for money.
- We also need to help providers develop their services in line with personalisation and people's needs in Barking and Dagenham. Small local providers can deliver specialist and more personalised services. We need to support small providers throughout the tendering process. The appointment of a market manager will provide us with the opportunity to organise events to tackle this issue.



Principle 5: PROTECTION

8

Ensuring there are sensible safeguards against the risk of abuse or neglect.

Our Performance

- The Council's response to Safeguarding Adults was subject to an external inspection by Care Quality Commission in 2010. Our services in this area were judged to be 'Excellent'. This places the quality of our services 8th in London and within the top 25% in England.
- We encourage more people to report concerns in the Borough and launched the iCare campaign in 2010/11 in an effort to significantly increase alerts. It is believed that as a direct result of this campaign reporting levels nearly doubled from 494 in 2009/10 to 720 in 2010/11.
- We have also seen an increase in reports of alleged abusers who are partners/ ex partners. 130 alerts were raised in 2009/10 compared to nearly 200 reports in 2010/11. This suggests awareness and confidence in our services has increased and the people we commission are promoting a willingness to report amongst our most vulnerable service users, their families and carers.
- The Safeguarding Adults Board has seen the benefits of the appointment of an Independent Chair. This has increased accountability and strengthened the partnership.
- It is useful to compare the type and number of safeguarding alerts in the Borough with regional and national data in order to gain a better understanding of local issues around abuse and the reporting of it. 2010/11 is the first year in which these national statistics have been collected and published. The Office for National Statistics considers these to be 'experimental' and the results need to be viewed with caution. Examples of the finding are:
 - In Barking and Dagenham there is a lower percentage of Learning Disability service users with Safeguarding Alerts recorded
 - The rate of repeat referrals for people with a learning disability is 16% locally. The national average is 30%.
- We have focused upon the education of adults at risk, through targeted training sessions, learning events and specialist resources. This has led to a 25% increase in referrals.

Principle 5: PROTECTION continued

What we've been doing

Working Together

- We were one of the earliest councils to roll out the London wide 'Protecting Adults At Risk' policy. The policy aims to co-ordinate public, private and voluntary organisations to ensure that there is a coordinated approach across Greater London to preventing and protecting adults at risk from abuse.
- We have established new ways to support those most at risk through regular problem solving meetings between the Police, Mental Health and the Council's Community Safety Teams.
- The Safeguarding Action Group is run by, and for, service users and carers. Local people, carers, the Council, Metropolitan Police, London Fire Service and partners work to raise awareness about hate crime and how to report it. The group have established a voluntary database for vulnerable adults and their carers which the police use to contact individuals to make sure they are safe.
- We understand that children's safeguarding issues may be identified when we are working with adults. The Adults Safeguarding Team works closely with Children's Services to ensure that information is shared and cases are reviewed. This enables us to deliver a more personalised service that considers adult social care in terms of the individual, as well as the family.

Helping more people at risk

- We have trained nearly 650 staff from across the Council and independent providers to recognise abuse and neglect at the earliest stage.
- We have worked with commissioners, health, police, regulators and providers to address issues of concerns within several local homes and institutions.
- The Council has continued its investment in the Safeguarding team. This has enabled the Council to consistently offer our staff and providers expert advice and support. This, in turn, means that we can offer better protection to our service users and their carers.
- We published '*Getting it Right*' Six Lives Report in response to several deaths across London. The deaths of six people with learning disabilities were caused by poor healthcare. The recommendations have been implemented through the Safeguarding Adults Board Case Review Subgroup. The actions included:
 - Roll out of named staff for inpatients with a learning disability
 - Roll out of the Hospital Passport Booklet
 - Appointment of a GP with special interest in Learning Disabilities
 - Introducing regular safeguarding adults reports to the Learning Disability Partnership Board.

Principle 5: PROTECTION continued

Where we need to improve our services

- We need greater consultation with adults to ensure that the protection we offer is meeting their needs without compromising their independence.
- We need to work more closely with the Police, the Crown Prosecution Service and HM Courts to increase the number of successful prosecutions.
- Through training and awareness campaigns we have continued to increase the level of reporting. Still, in comparison to England averages we continue to receive lower levels of reporting from people with learning disabilities and people from a Black, Minority Ethnic and Refugee (BMER) background. We have increased engagement with our local BME and faith groups as well as disability groups to try and raise awareness.
- Whilst we strive to give our service users greater choice and control, we need to develop a robust positive risk taking policy. An action plan has been developed to help our service users benefit from personalisation whilst being confident that they are protected.
- We do not think enough people report hate crime and abuse in the Borough. Service users are currently working with the Adult Safeguarding Team on the production of a DVD about combating hate crime against people with a learning disability, which will be used to raise awareness amongst local people and staff.



Principle 6: PRODUCTIVITY 9

Encouraging our customers to feedback on their experience of social care services

Using feedback from customers to improve our social care services

Advocating and campaigning on behalf of local people

Our Performance

- In 2010/11 over 700 local service users were asked to rate their experience of social care services. Out of 16 comparable London boroughs we scored the highest; 19.5 out of 24. This is better than the national average of 18.6.
- The details of the 2010/11 survey of local social care service users shows that:
 - Nearly 85% of respondents were quite, very or extremely satisfied with the care and support services they receive
 - Over 81% of respondents feel that they have adequate or as much control as they want over their daily life
 - Around 97% of respondents feel either adequately clean and presentable or able to present themselves in the way that they liked
 - Satisfaction levels are above the national average. On average, 77% of social care service users are satisfied with the services they receive.
- The 2010/11 Place Survey shows that in Barking and Dagenham, 66% of older people are pleased with the way the Council operates. 71% of people aged over 65 said they are satisfied with both home and neighbourhood life in Barking and Dagenham. This has increased from only 59% the previous year.
- We welcome feedback from our service users and strive to improve services based upon the opinions of local people. We aim to resolve any complaints we receive at point of contact. If the complaint is still not resolved, it is submitted to the Local Government Ombudsmen. Adult social care services received 114 complaints in 2010/11 compared to 94 the previous year. We aim to improve our services to reduce the number of complaints whilst ensuring that our service users are fully aware of how to contact us if they wish to do so.

Principle 6: PRODUCTIVITY continued

What we've been doing

Consultation and Engagement

- The *Fairer Contributions Policy* proposal is going through an extensive consultation process with the public, service users and local agencies. The proposal outlines a new method of ensuring that service users who receive services such as home care and day services make a fair contribution. The consultation ran until May 2011 and feedback received directly impacted upon two draft proposals.
- Barking and Dagenham LINK is the local watchdog for health and social care services in the Borough. It is the role of the LINK to hold services to account and ensure that those services are meeting the needs of local people. LINK provides information and publicises government consultations locally.
- We develop strategies in consultation with our services users. Consultation with carers has showed that combining the caring role with work can be a real challenge. Therefore the *Carers Strategy 2010-15* outlines an action plan that increases employment opportunities for carers, encourages flexible working opportunities and expand training provision.
- The Health & Adult Service Select Committee conducted detailed reviews of work on smoking and on dementia, producing recommendations that were accepted by Cabinet. Additionally, they provided robust comment on the Health for North East London proposals on restructuring local health services.

Campaigning

- We robustly challenged the NHS budget setting process which we considered had not properly taken local needs into account. For instance, we opposed proposals which would see the close of Broad Street Health Centre.

New Activities

- We will use feedback from Women's Health and Wellbeing Day in March 2011 to develop an Active Women programme. The programme will aim to provide women with the activities they want whilst reducing barriers to participation such as cost.



11th and Wellbeing Day, March 2011
Salsa Class

Principle 6: PRODUCTIVITY continued

Where we need to improve our services

- We need to increase our engagement with older people to ensure that they are better represented on partnership boards and have a greater say on services and activities that affect them. To meet this need, an Older People's Forum called Silvernet has been developed at Harmony House. The forum will meet six times a year at a variety of locations, the first meeting was held in October 2011.
- The Customer Reference Group was co-ordinated and run by LINKs. The group ran monthly as an open public meeting with the aim of allowing service users and carers to challenge and comment on the proposed changes to social care provision made under personalisation. The Group no longer runs but there will be a service user engagement set up as part of the new Health and Wellbeing Board.
- LINK has focused on health services to date. In 2011, LINK set up the Social Care Working Group. The Group provides an opportunity for LINK to generate customer feedback on social care services in order to help us meet our service users needs.



Principle 7: PEOPLE

10

Supporting our staff to be highly skilled, compassionate and imaginative

Provide specific training to carers focused on their needs

Support carers to live healthy and active lifestyles outside of their caring role

Our Performance

Employees

- We completed our plans for remodelling adult social care and increased the complement of qualified Social Worker posts to over 50, and the number of qualified occupational therapists to more than 10.
- We supported a total of 26 apprentices in social care, with 12 completing their apprenticeship during the year and 14 new starters.
- Around 95% of our social care staff are qualified to NVQ Level 2 or above.

Carers

- In order to provide carers with the support and care they may need, we encourage carers to identify themselves at a young age. Carers UK estimate that in 2011 there are 16,758 carers in Barking and Dagenham and that the value of care they provide is £352 million. Our partner voluntary organisations currently have only approximately 2,600 local carers registered for support and advice.

- We encourage carers to maintain independence and choose the care and support which suits them. Self-Directed Support (SDS) is one way of carers doing this. In 2010/11 131 carers were receiving SDS; this has decreased slightly from 145 carers receiving SDS the previous year. The numbers of carers receiving an assessment or review has also fallen slightly this year from more than 28% in 2009/10 to around 26% this year.
- We support carers health and wellbeing by funding services such as short breaks. In 2010/11 600 carers received funded services; this is an increase from 472 the previous year. We have also provided 1500 carers with information and advice; an increase of 50% on 2009/10.

Principle 7: PEOPLE continued

What we've been doing

Carers

- We support and empower carers by offering training courses throughout the year. We offer Challenging Behaviour Training for Parents and Council Safeguarding training.
- We support carers to stay healthy and maintain an active social life. The Council's three leisure centres are also free to use for carers and the people they care for if they go to the leisure facilities together.
- A Carers Networking Group has been established, made up of representatives from various voluntary sector organisations, health care providers, mental health services and Black and Minority Ethnic groups, with the purpose of working in partnership to provide expertise on various areas of service delivery.
- The Learning Disability Partnership Board has a Carers Champion working at a local and national level linking with our carer focused organisations. The Council have also developed a Shared Lives scheme, offering the opportunity for people with a learning disability to go and stay in another carers home. The service can be used for a long or short period of time.
- We have monthly coffee mornings for carers of people with learning disabilities at Heathlands day centre. This gives carers the chance to socialise and talk about the things that matter to them. Any concerns are directed to the Carers Sub-Group and thence to the Learning Disability Partnership Board.

- Carers Week 2010 provided an opportunity for us to hear the views of carers. We distributed a questionnaire on information and advice for carers in the Borough and used their feedback to improve our advocacy services.

Our Staff

- The Council has signed up to an Employee Assistance Programme which helps identify and resolve staff personal and work concerns. Information, advice and counselling are available to employees to help ensure their wellbeing. Many of our employees are also carers.
- We consulted with our staff to understand their training needs. Staff feedback shaped the 2010/11 Putting People First training programme which offered introductory and more specialised modules around the topic of Personalisation.
- Over 30 apprentices have shadowed experienced carers; many have gone on to careers in health and social care sectors. The scheme is so successful that other London boroughs have asked our Council to help them develop similar schemes.
- We encourage local employers to improve the health and wellbeing of their employees. The Council and NHS Primary Care Trust are leading the way by promoting "Fit for Life", an exercise programme run by the Council for people who need support to stay fit and active.

Principle 7: PEOPLE continued

Where we need to improve our services

- Although take-up of planned respite in Barking and Dagenham is good and we have emergency respite, we need to provide more information about emergency respite options. We will work with the voluntary sector and providers to develop *In Case of Emergency* (ICE). ICE is a system to help relatives or carers be identified through a person's mobile phone. The idea behind ICE is that police, ambulance and hospital staff can access the next of kin details from a mobile phone under the name ICE. This service gives people peace of mind by providing a back-up service if care cannot be provided because of an emergency.
- In early 2011 we piloted the *Message in a Bottle* scheme in Parsloes ward. Small plastic bottles are provided for free by the Lions Charity. They are placed in a person's fridge with details of vital information about their health and medication. This means that in case of emergency, relatives or emergency staff will know the person's condition. The scheme now needs to be rolled out across the Borough.
- We need to focus the information we provide to carers to ensure that it meets their individual needs. More information needs to be delivered to carers on specific conditions as well as more general information about the role of a carer.
- We need to provide more training to educate GPs and practice nurses to raise awareness about carers and mental health.
- There is great disparity between the number of carers estimated to live in the Borough and the numbers of carers registered with our partner voluntary organisations. We need to identify and support those with caring responsibilities to recognise themselves as carers. This would enable more carers to access support services.



As we have said through this first Local Account, we want to hear from you about what you think of the services we provide.

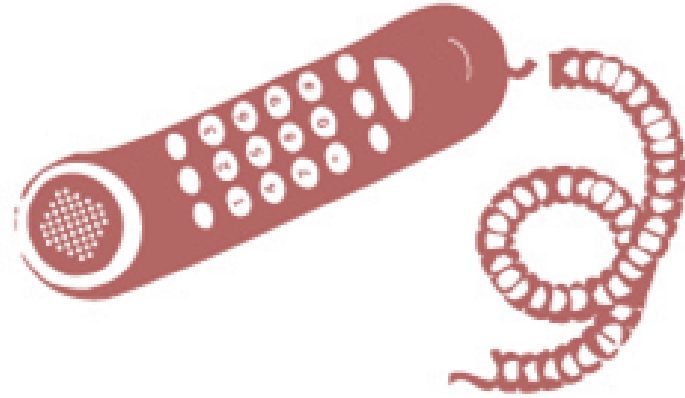
If you want to give us your views on the services we provide you can contact our Complaints and Information Manager, Janet Ryan.

Contact details

Address: Janet Ryan
Community Safety and Public Protection
Room 218, Barking Town Hall
1 Town Square
Barking, Essex IG11 7LU

Phone: 0208 227 3636

Email: janet.ryan@lbbd.gov.uk



Appendix 1: Performance Data

Reporting Period April 2010 – March 2011		National Indicators			
		Result 2009/10	Target 2010/11	Result 2010/11	
N125	Achieving independence for older people through rehabilitation/ intermediate care	89.00%	90.00%	90.00%	
N127	Self reported experiences of social care users	64.3%		81.25%	
N130	Clients receiving Self Directed Support	16.40%	30.00%	40.31%	
N131	Delayed Transfer of Care	16.52 (per 100,000 people)	15 (per 100,000 people)	7.88 (per 100,000 people)	
N132	Timeliness of social care assessments	87.80%	95.00%	90.06%	
N133	Timeliness of social care packages	95.10%	97.00%	89.53%	
N135	Carers receiving needs assessment or review and a specific care's services, or advice and information	28.70%	30.00%	26.4%	
N141	Number of vulnerable people achieving independent living	80.00%	85.00%	81.8%	
N142	Number of vulnerable people who are supported to maintain independent living	98.30%	99.00%	98.3%	
N145	Adults with learning disability in settled Accommodation	73.12%	75.00%	80.9%	
N146	Adults with learning disability in employment	4.02%	5.00%	4.8%	

**Produced by the Adult & Community Services Directorate
of the London Borough of Barking & Dagenham**

December 2011

Helping you to live the life you want.

CABINET

17 JANUARY 2012

Title: Term Contract for Asbestos Analysis and Surveying in Council Properties	
Report of the Cabinet Member for Finance and Education	
Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Colin Payne, Principal Environmental & Compliance Officer, Assets & Commercial Services	Contact Details: Tel: 020 8227 3117 E-mail: colin.payne@lbbd.gov.uk
Accountable Divisional Director: Sue Lees, Divisional Director of Assets & Commercial Services	
Accountable Director: Tracie Evans, Corporate Director of Finance and Resources	
<p>Summary:</p> <p>This report asks the Cabinet for approval to enter into a procurement exercise for the award of a new Term Contract for Asbestos Analysis and Surveying in Council Properties over a three year term covering the period from 5 November 2012 to 4 November 2015 with the option of a two year extension subject to satisfactory performance of the appointed contractor to 4 November 2017. This contract is for management (previously known as type 2) and refurbishment & demolition (previously known as type 3) surveys for construction projects and includes re-inspections of known asbestos.</p> <p>This contract will work in tandem with, and monitoring, the contract for Asbestos Removal and Management in Council Properties which is also due for re-tender.</p> <p>This contract will be used to:</p> <ul style="list-style-type: none"> • Assess the level of asbestos present in any Council domestic property, public building or school by use of non invasive and invasive investigations as necessary. • Assess the quality of the air and test for any residual asbestos after remedial work has been undertaken under the Asbestos Removal and Management Contract 	
<p>Recommendation(s)</p> <p>The Cabinet is recommended to:</p> <ul style="list-style-type: none"> (i) Approve the procurement of a Term Contract for Asbestos Analysis and Surveying in Council Properties on the terms detailed in the report; (ii) Indicate whether the Cabinet wishes to be further informed or consulted on the progress of the procurement and the award of the contract, or whether it is content for the commissioning Chief Officer to award the contract to the successful Contractor; and (iii) Authorise the Corporate Director of Finance and Resources to effect the extension clause within the contract for up to a period of two years, subject to satisfactory performance by the contractor during the initial term of the Contract. 	

Reason(s)

The procurement and award of a new Asbestos Analysis and Survey contract will help the Council meet its statutory obligations and manage asbestos in its properties responsibly. The procurement exercise will lead to the award of a new Term Contract which will provide the Council with a responsible, safe and cost-effective asbestos management programme including analysis, surveying and monitoring for its properties, thus assisting the Council in achieving its Community Priorities of “Safe”, “Clean” and “Healthy” as well as aiding the development of a well run organisation

1. Introduction and Background

- 1.1 The Council has a statutory responsibility to comply with the Control of Asbestos Regulations 2006 and the Health and Safety at Work Act 1974.
- 1.2 At its meeting on 25 March 2008 (Minute 145), Cabinet agreed to the procurement of a new four year term contract for Asbestos Analysis and Surveying in Non-domestic Council Premises and subsequently the current term contract was tendered and awarded to Armstrong York Ltd in 2008. The current contract with Armstrong York Ltd is for a term of four years starting 5 November 2008 and is due to expire on 4 November 2012.
- 1.3 To ensure that a contract is in place following the expiry of the current contract, it is considered advisable to re-tender through a new term contract. The use of a term contract will remove the need to tender for each job and mitigate the administrative work involved in this process.

2. Proposal and Issues

- 2.1 Tenders will be sought through a full European Restricted Procedure following an advertisement in the OJEU. The OJEU Notice is intended to be issued soon after the Cabinet decision on 17 January 2012.
- 2.2 The contract will be awarded through a scoring matrix on the basis of 40% price and 60% quality.
- 2.3 It is proposed that this contract will be let as a JCT Measured Term Contract 2011, which is appropriate for use:
 - By Employers who have a regular flow of maintenance and minor works, including improvements, to be carried out by a single contractor over a specified period of time and under a single contract;
 - Where the work is to be instructed from time to time and measured and valued on the basis of an agreed schedule of rates; and
 - Where a Contract Administrator and Quantity Surveyor are to administer the conditions. These roles are performed by the Environmental & Compliance Officers within the Council’s Energy, Environmental & Compliance Team.
- 2.4 It is anticipated that the new contract will commence 5 November 2012 for a period of three years with the option to extend it for a further two years subject to satisfactory performance of the appointed contractor. The contract has an estimated value of £700,000 over the full five year term. However, the inclusion of HRA properties will not be effected until 1 May 2013 when the existing repairs and maintenance contract ends.

- 2.5 In order to provide a safe environment for the community, visitors, staff, and contractors, which satisfies both legislative and customer requirements, it is essential that all asbestos material is managed or removed. Failure to provide this requirement could result in unsafe assets and buildings, with the potential of causing ill health to the community, visitors, staff, and contractors, which could result in criminal prosecution of Officers and Councillors under Health and Safety legislation.
- 2.6 The contract will work on a “call off” basis from a priced Schedule of Rates for the duration of the contract and wherever possible work will be planned using the corporate asbestos risk register and the relevant database for housing properties. This will ensure the Council enjoys the benefits of economies of scale. The “call off” arrangements do not commit the Council to guaranteed payments to the contractor by way of any stand-by arrangements, but will ensure continued supply of important services during the four year contract.
- 2.7 The applicants will be assessed on their economic and financial standing, health and safety standards, technical capability, prices and references, as well as a qualitative assessment of performance targets and method statements on a range of criteria relevant to the contract.
- 2.8 Applicants who are able to demonstrate that they are UKAS accredited, licensed by the Health and Safety Executive, have adequate training and experience in such work, can demonstrate independence, impartiality and integrity, be able to carry out surveys sampling and assessments of asbestos containing materials in accordance with approved codes of practice, and have adequate policies and methods in place to measure quality and performance and are able to provide this information to the Council will be considered as suitable tenderers.
- 2.9 The successful contractor will be expected to maintain a full audit trail electronically of the work undertaken on behalf of the Council and this data must be accessible to LBBD Officers without additional data capture. The contractor will also be expected to work with the Council during the contract term to enhance the electronic data exchange to meet our ICT aspirations.

3. Options Appraisal

- 3.1 Option 1
Tender for a three year (with the option of a two year extension subject to satisfactory performance) term contract – This is the preferred option as it gives the benefits listed in Section 2 of this report.
- 3.2 Option 2
To undertake tenders / quotations for each individual project – This is not considered cost effective, both in terms of procedural costs of tendering and by offering no long term commitment to a specific contractor. This would also create delays and additional costs where emergency action is required.
- 3.3 Option 3
No work – Should the decision be made not to undertake this Asbestos Analysis and Surveying the Council will not be compliant with The Health & Safety at Work

Act 1974 and the Control of Asbestos Regulations 2006. Failure to undertake monitoring after asbestos removal may not under the Control of Asbestos Regulations 2006 permit safe release of the building for further use. This option has therefore been disregarded as unsuitable.

4. Consultation

- 4.1 Formal consultation with leaseholders will form part of the procurement process as any works undertaken to communal areas of HRA properties is included in service charges.

5. Financial Implications

Implications completed by: Jo Moore, Finance Group Manager

- 5.1 Asbestos analysis and surveying works in non-domestic properties are currently funded within revenue budgets, where approximately £40,000 is charged to Schools through formalised buy-back agreements and a further £60,000 is funded from budgets within the Assets and Commercial Services Division. Additionally, there is also a further £50,000 paid through the repairs and maintenance budget within the Housing Revenue Account.
- 5.2 As the proposed contract represents a continuation of existing arrangements for asbestos analysis and surveying works, then the financial implications for the Council are unlikely to change unless the prices submitted by the successful tenderer and/or the annual industry index adjustments are significantly different.
- 5.3 The precise contract value will depend on the amount and urgency of the work that is placed with the successful contractor, but is also dependent on client budgets. However, the estimated contract value is approximately £500,000 for non-domestic properties and £200,000 for domestic properties.

Projected contract expenditure (non-domestic)						TOTAL
	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	
TOTAL	£100,000	£100,000	£100,000	£100,000	£100,000	£500,000

Projected contract expenditure (domestic)						TOTAL
	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	
TOTAL	£Zero	£50,000	£50,000	£50,000	£50,000	£200,000

Projected contract expenditure (total)						TOTAL
	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	
TOTAL	£100,000	£150,000	£150,000	£150,000	£150,000	£700,000

- 5.4 There is a provision within the agreed revenue major maintenance bid to carry out the necessary re-inspections in Council buildings (non-domestic) containing asbestos, including schools. The remaining work, including air monitoring and additional surveys will be funded through other capital budgets and projects that provision will need to be made for. Separate funding for school removal works will

also need to be agreed. There will be no guarantee that the contractor will receive the full contract value.

- 5.5 The contract relates to planned and reactive asbestos management works and will be based on priced schedules of rates items plus an element of unspecified work where estimates have been used for materials and hourly attendance rates. Industry agreed adjustments will be applied to the priced schedule of rates annually where necessary.
- 5.6 The contract will be let on a call off basis only. The contract is expected to reduce the overall cost of maintaining the Council's domestic properties, schools, operational and public buildings by the ongoing reduction of asbestos in buildings which will reduce the general cost of maintenance and management.
- 5.7 The Children's Service Department has been advised that whilst schools are encouraged to use this contract (under best value principles), the Department cannot insist that they do. Should schools decide not to use this contract and make their own arrangements for asbestos management and removal they will be required legally to undertake the same Health & Safety assessment of potential contractors and to formally monitor their work once contracted, complying at all times with current legislation.

6. Legal Implications

Implications completed by: Eldred Taylor-Camara, Legal Group Manager

- 6.1 The Council is required to comply with the Health & Safety at Work Act 1974 and the Control of Asbestos Regulations 2006.
- 6.2 This report is seeking Cabinet's approval to re-tender a contract for the provision of asbestos analysis and surveying services in Council owned properties for a period of three years with an option to extend it for a further two years subject to satisfactory performance of the appointed contractor. The current contract expires on 4 November 2012. This contract is to be tendered in conjunction with the contract for Asbestos Removal and Management Services.
- 6.3 The value of the contract exceeds the EU threshold for services; therefore, there is a legal requirement to tender the contract in the EU.
- 6.4 Furthermore, the Council's Contract Rules (Contract Rule 3.6) require the strategy for the procurement of contracts of above £400,000 in value to be submitted to Cabinet for approval prior to procurement of such contracts.
- 6.5 As the value of the proposed contract is circa £400,000, the proposed strategy for the procurement of the contract has been set out in Paragraph 2 of this report, for approval by Cabinet.
- 6.6 It is proposed that the asbestos analysis and surveying services contract will be tendered in the EU, using the Restricted Procedure - a two-stage tendering procedure which allows a procuring authority to shortlist the service providers to be invited to tender from a list of those who have expressed an interest in the contract, by undertaking a Pre-qualification exercise.

- 6.7 This strategy complies with the EU public procurement rules as contained in the Public Contracts Regulations, 2006.
- 6.8 The report is furthermore seeking a decision pursuant to Council Contract Rule 3.6.4, as to whether or not Cabinet should be kept informed on the progress of the procurement or would wish to be involved in the award of the contract or whether it is content for the commissioning Chief Officer to award the contract to the successful Contractor.
- 6.9 Under Contract Rule 13.3, a commissioning Chief Officer acting in consultation with the Council's Section 151 Officer has the power to award a contract of this value, in the absence of direction to the contrary from Cabinet.
- 6.10 The Legal Practice confirms that there is no legal reason preventing Cabinet from approving the recommendations of this report. It is, however, expected that the Legal Practice will be consulted in the planning and preparation of terms and conditions that will be applicable to this contract.

7. Other Implications

7.1 Risk Management

Current Risks

- 1) Works carried out may not meet the appropriate health and safety standards or current legislation.
- 2) Urgent works may not be properly procured or delayed by procurement processes.
- 3) Closure of buildings due to risk of exposure to asbestos.
- 4) The Council may be at risk of litigation if building users and or visitors are exposed to asbestos.

How these risks are managed

- 1) By utilising the corporate asbestos management plan and asbestos risk register for the management and timing of necessary works reduces the risk of building closure, delays to works and risk of exposure.
- 2) The use of the proposed contract will facilitate the long-term planning of the majority of this work in line with the corporate asbestos risk register and will negate possible delays and costs incurred by the use of a separate quotation process. However, there will remain a minimum of urgent work found necessary during other major works. This work will also be undertaken through the utilisation of this contract.
- 3) Officers will administer the contract to pre-agreed service level agreements, strictly monitoring the performance levels of the contractor.
- 4) Should the Term Contract option not be pursued, Officers would be required to seek competitive tenders for all works. This is likely to be in the region of 200 to 250 individual quotations / tenders per financial year which would not be considered cost effective or practical in an emergency situation.

7.2 Staffing Issues

There are no TUPE (Transfer of Undertakings (Protection of Employment) Regulations 2006) implications or risks arising from this contract. in relation to non-domestic buildings. However, when the R&M contract expires in April 2013 then there will be a potential situation where TUPE will apply.

7.3 Safeguarding Children

The contractor shall take all reasonable precautions to prevent injury to children by implementation of measures set out in Guidance notes H.S.G 151 issued by H.S.E. All operatives and contractual staff working in schools and public buildings will have been CRB checked which will be on file and will be part of their Barking and Dagenham contractor's identification card, which will display their specific CRB number and expiry date.

7.4 Health Issues

The contractor shall comply with current HSE Control of Asbestos Regulations 2006 when carrying out works in all public buildings and school areas.

Background Papers Used in the Preparation of the Report:

- Cabinet Report and Minute 145, 25 March 2008.

List of appendices: None

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CABINET

17 JANUARY 2012

Title: Term Contract for Asbestos Removal and Management in Council Properties	
Report of the Cabinet Member for Finance and Education	
Open Report	For Decision
Wards Affected: All	Key Decision: No
Report Author: Colin Payne, Principal Environmental & Compliance Officer, Assets & Commercial Services	Contact Details: Tel: 020 8227 3117 E-mail: colin.payne@lbbd.gov.uk
Accountable Divisional Director: Sue Lees, Divisional Director of Assets & Commercial Services	
Accountable Director: Tracie Evans, Corporate Director of Finance and Resources	
<p>Summary: This report asks the Cabinet for approval to enter into a procurement exercise for the award of a new Term Contract for Asbestos Removal and Management in Council Properties over a three year term covering the period from 20 May 2012 to 19 May 2015 with the option of a two year extension subject to satisfactory performance of the appointed contractor to 19 May 2017. This contract is for removal and re-instatement works and will include construction projects where known asbestos has been identified.</p> <p>This contract will work in tandem with the contract for Asbestos Analysis and Surveying in Council properties which is also due for re-tender.</p>	
<p>Recommendation(s) The Cabinet is recommended to:</p> <ul style="list-style-type: none"> (i) Approve the procurement of a Term Contract for Asbestos Removal and Management in Council Properties on the terms detailed in the report; (ii) Indicate whether the Cabinet wishes to be further informed or consulted on the progress of the procurement and the award of the contract, or whether it is content for the commissioning Chief Officer to award the contract to the successful Contractor; and (iii) Authorise the Corporate Director of Finance and Resources to effect the extension clause within the contract for up to a period of two years, subject to satisfactory performance by the contractor during the initial term of the Contract. 	
<p>Reason(s) The procurement and award of a new Asbestos Removal and Management in Council Properties contract will help the Council meet its statutory obligations and manage asbestos in its properties responsibly.</p> <p>The procurement exercise will lead to the award of a new Term Contract which will provide the Council with a responsible, safe and cost-effective asbestos management programme including analysis, surveying and monitoring for its properties, thus assisting the Council in</p>	

achieving its Community Priorities of “Safe”, “Clean” and “Healthy” as well as aiding the development of a well run organisation.

1. Introduction and Background

- 1.1 The Council has a statutory responsibility to comply with the Control of Asbestos Regulations 2006 and the Health and Safety at Work Act 1974.
- 1.2 At its meeting on 18 December 2007 (Minute 101), Cabinet agreed to the procurement of a new four-year term contract for Asbestos Removal and Management in Non-domestic Council Properties and subsequently the current term contract was tendered and awarded to Silverdell UK Ltd in 2008. The current contract with Silverdell UK Ltd started on 20 May 2008 and is due to expire on 19 May 2012.
- 1.3 To ensure that a contract is in place following the expiry of the current contract, it is considered advisable to re-tender through a new term contract. The use of a term contract will remove the need to tender for each job and mitigate the administrative work involved in this process.

2. Proposal and Issues

- 2.1 Tenders will be sought through a full European Restricted Procedure following an advertisement in the OJEU. The OJEU Notice is intended to be issued soon after the Cabinet decision on 17 January 2012.
- 2.2 The contract will be awarded through a scoring matrix on the basis of 40% price and 60% quality.
- 2.3 It is proposed that this contract will be let as a JCT Measured Term Contract 2011, which is appropriate for use:
 - By Employers who have a regular flow of maintenance and minor works, including improvements, to be carried out by a single contractor over a specified period of time and under a single contract;
 - Where the work is to be instructed from time to time and measured and valued on the basis of an agreed schedule of rates; and
 - Where a Contract Administrator and Quantity Surveyor are to administer the conditions. These roles are performed by the Environmental & Compliance Officers within the Council’s Energy, Environmental & Compliance Team.
- 2.4 It is anticipated that the new contract will commence 20 May 2012 for a period of three years with the option to extend it for a further two years subject to satisfactory performance of the appointed contractor. The contract has an estimated value of approximately £1,850,000 over the full five-year term. However, the inclusion of HRA properties will not be effected until 1 May 2013 when the existing repairs and maintenance contract ends.
- 2.5 In order to provide a safe environment for the community, visitors, staff, and contractors, which satisfies both legislative and customer requirements, it is essential that all asbestos material is managed or removed. Failure to provide this requirement could result in unsafe assets and buildings, with the potential of causing ill health to the community, visitors, staff, and contractors, which could

result in criminal prosecution of Officers and Councillors under Health and Safety legislation.

- 2.6 The contract will work on a “call off” basis from a priced Schedule of Rates for the duration of the contract and wherever possible work will be planned using the corporate asbestos risk register and the relevant database for housing properties. This will ensure the Council enjoys the benefits of economies of scale. The “call off” arrangements do not commit the Council to guaranteed payments to the contractor by way of any stand-by arrangements, but will ensure continued supply of important services during the four year contract.
- 2.7 The applicants will be assessed on their economic and financial standing, health and safety standards, technical capability, prices and references, as well as a qualitative assessment of performance targets and method statements on a range of criteria relevant to the contract.
- 2.8 Applicants who are able to demonstrate that they are licensed by the Health and Safety Executive and have policies and methods in place to measure quality and performance and are able to provide this information to the Council will be considered as suitable tenderers.
- 2.9 The successful contractor will be expected to maintain a full audit trail electronically of the work undertaken on behalf of the Council and this data must be accessible to LBBD Officers without additional data capture. The contractor will also be expected to work with the Council during the contract term to enhance the electronic data exchange to meet our ICT aspirations.

3. Options Appraisal

3.1 Option 1

Tender for a three year (with the option of a two year extension subject to satisfactory performance) year term contract – This is the preferred option as it gives the benefits listed in Section 2 of this report.

3.2 Option 2

To undertake tenders / quotations for each individual project – This is not considered cost effective, both in terms of procedural costs of tendering and by offering no long term commitment to a specific contractor. This would also create delays and additional costs where emergency action is required.

3.3 Option 3

No work – Should the decision be made not to undertake Asbestos Removal and Management the Council will not be compliant with The Health & Safety at Work Act 1974 and the Control of Asbestos Regulations 2006. Failure to undertake removal when it has been identified as in a poor condition, susceptible to disturbance or exposure, or non removal prior to refurbishment works; may not under the Control of Asbestos Regulations (2006) permit safe release of the building for further use. This option has therefore been disregarded as unsuitable.

4. Consultation

- 4.1 Formal consultation with leaseholders will form part of the procurement process as any works undertaken to communal areas of HRA properties is included in service charges.

5. Financial Implications

Implications completed by: Jo Moore, Finance Group Manager

- 5.1 Where capital works are to be undertaken in a building where asbestos is known to exist, then the cost of its removal is budgeted for and subsequently charged to that specific capital project.
- 5.2 Where works are undertaken which lead to unplanned ad-hoc asbestos removal the associated costs are usually charged to a specific budget in the Council's Capital Programme which, in the current financial year, there is total approved provision of £120,000 for non-domestic properties and £150,000 for domestic properties.
- 5.3 As the proposed contract represents a continuation of existing arrangements for asbestos removal and management in council properties, then the financial implications for the Council are unlikely to change unless the prices submitted by the successful tenderer and/or the annual industry index adjustments are significantly different.
- 5.4 The precise contract value will depend on the amount and urgency of the work that is placed with the successful contractor, but is also dependent on client budgets. However, the estimated contract value is approximately £1,000,000 for non-domestic properties and £600,000 for domestic properties.

Projected contract expenditure (non-domestic)						TOTAL
	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	
TOTAL	£250,000	£250,000	£250,000	£250,000	£250,000	£1,250,000

Projected contract expenditure (domestic)						TOTAL
	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	
TOTAL	£Zero	£150,000	£150,000	£150,000	£150,000	£600,000

Projected contract expenditure (total)						TOTAL
	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	
TOTAL	£250,000	£400,000	£400,000	£400,000	£400,000	£1,850,000

- 5.5 Provision will need to be made within capital budgets and projects to carry out the necessary removals on asbestos in Council buildings (domestic and non-domestic) containing asbestos, including schools. There will be no guarantee that the contractor will receive the full contract value.
- 5.6 The contract relates to planned and reactive asbestos removal works and will be based on priced schedules of rates items plus an element of unspecified work where estimates have been used for materials and hourly attendance rates. Industry agreed adjustments will be applied to the priced schedule of rates annually where necessary.

- 5.7 The contract will be let on a call off basis only. The contract is expected to reduce the overall cost of maintaining the Council's domestic properties, schools, operational and public buildings by the ongoing reduction of asbestos in buildings which will reduce the general cost of maintenance and management.
- 5.8 The Children's Service Department has been advised that whilst schools are encouraged to use this contract (under best value principles), the Department cannot insist that they do. Should schools decide not to use this contract and make their own arrangements for asbestos management and removal they will be required legally to undertake the same Health & Safety assessment of potential contractors and to formally monitor their work once contracted, complying at all times with current legislation.

6. Legal Implications

Implications completed by: Eldred Taylor-Camara, Legal Group Manager

- 6.1 The Council is required to comply with the Health & Safety at Work Act 1974 and the Control of Asbestos Regulations 2006.
- 6.2 This report is seeking Cabinet's approval to re-tender a contract for the provision of asbestos removal and re-instatement works in Council owned properties for a period of three years with an option to extend it for a further two years subject to satisfactory performance of the appointed contractor. The current contract will expire on 19 May 2012. This contract is to be tendered in conjunction with the contract for Asbestos Analysis and Surveying Services.
- 6.3 Consideration has been given as to whether this contract should be classified as works or services for the purposes of the Public Contract Regulations 2006 (as amended). In light of the Commission Regulation (EC) No 213/2008 it has been decided that it should be tendered as a contract for services.
- 6.4 The value of the contract exceeds the EU threshold for services; therefore, there is a legal requirement to tender the contract in the EU.
- 6.5 Furthermore, the Council's Contract Rules (Contract Rule 3.6) require the strategy for the procurement of contracts of above £400,000 in value to be submitted to Cabinet for approval prior to procurement of such contracts.
- 6.6 As the value of the proposed contract is in excess of £400,000, the proposed strategy for the procurement of the contract has been set out in Paragraph 2 of this report, for approval by Cabinet.
- 6.7 It is proposed that the asbestos removal and re-instatement services contract will be tendered in the EU, using the Restricted Procedure - a two-stage tendering procedure which allows a procuring authority to shortlist the service providers to be invited to tender from a list of those who have expressed an interest in the contract, by undertaking a Pre-qualification exercise.
- 6.8 This strategy complies with the EU public procurement rules as contained in the Public Contracts Regulations, 2006.

- 6.9 The report is furthermore seeking a decision pursuant to Council Contract Rule 3.6.4, as to whether or not Cabinet should be kept informed on the progress of the procurement or would wish to be involved in the award of the contract, or whether it is content for the commissioning Chief Officer to award the contract to the successful Contractor.
- 6.10 Under Contract Rule 13.3, a commissioning Chief Officer acting in consultation with the Council's Section 151 Officer has the power to award a contract of this value, in the absence of direction to the contrary from Cabinet.
- 6.11 The Legal Practice confirms that there is no legal reason preventing Cabinet from approving the recommendations of this report. It is, however, expected that the Legal Practice will be consulted in the planning and preparation of the terms and conditions that will be applicable to this contract.

7. Other Implications

7.1 Risk Management

Current Risks

- 1) Works carried out may not meet the appropriate health and safety standards or current legislation.
- 2) Urgent works may not be properly procured or delayed by procurement processes.
- 3) Closure of buildings due to risk of exposure to asbestos.
- 4) The Council may be at risk of litigation if building users and or visitors are exposed to asbestos.

How these risks are managed

- 1) By utilising the corporate asbestos management plan and asbestos risk register for the management and timing of necessary works reduces the risk of building closure, delays to works and risk of exposure.
- 2) The use of the proposed contract will facilitate the long-term planning of the majority of this work in line with the corporate asbestos risk register and will negate possible delays and costs incurred by the use of a separate quotation process. However, there will remain a minimum of urgent work found necessary during other major works. This work will also be undertaken through the utilisation of this contract.
- 3) Officers will administer the contract to pre-agreed service level agreements, strictly monitoring the performance levels of the contractor.
- 4) Should the Term Contract option not be pursued, Officers would be required to seek competitive tenders for all works. This is likely to be in the region of 100 to 150 individual quotations / tenders per financial year which would not be considered cost effective or practical in an emergency situation.

7.2 Staffing Issues

There are no TUPE (Transfer of Undertakings (Protection of Employment) Regulations 2006) implications or risks arising from this contract in relation to non-domestic buildings. However, when the R&M contract expires in April 2013 then there will be a potential situation where TUPE will apply.

7.3 Safeguarding Children

The contractor shall take all reasonable precautions to prevent injury to children by implementation of measures set out in Guidance notes H.S.G 151 issued by H.S.E. All operatives and contractual staff working in schools and public buildings will have been CRB checked which will be on file and will be part of their Barking and Dagenham contractor's identification card, which will display their specific CRB number and expiry date.

7.4 Health Issues

The contractor shall comply with current HSE Control of Asbestos Regulations 2006 when carrying out works in all public buildings and school areas.

7.5 Property / Asset Issues

No specific implications, other than improving the general condition of our estate.

Background Papers Used in the Preparation of the Report:

- Cabinet Report and Minute 101, 18 December 2007.

List of appendices: None

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