

Public Document Pack

NORTH LINCOLNSHIRE COUNCIL

CABINET

6 February 2023

Chairman: Councillor R Waltham MBE **Venue:** Conference Room,
Church Square House,
Scunthorpe

Time: 4.00 pm **E-Mail Address:**
richard.mell@northlincs.gov.uk

AGENDA

1. Declarations of Disclosable Pecuniary Interests and Personal or Personal and Prejudicial interests.
2. To approve as a correct record the minutes of the meeting of the Cabinet held on 21 November 2022 (enclosed). (Pages 1 - 10)
3. 2022/23 Financial Management and Medium - Term Financial Plan Update (Pages 11 - 32)
Report of the Director: Governance and Communities
4. Local Safeguarding Adults Board - Annual Report for the Year 2021-22 and Strategic Plan for 2023-25 (Pages 33 - 78)
Report of the Director: Adults and Health
5. 2021/2022 Annual Report of the Virtual Headteacher (Pages 79 - 106)
Report of the Director: Children and Families
6. Foster Carers Support - Council Tax (Pages 107 - 112)
Report of the Director: Children and Families
7. UK Shared Prosperity Fund Update - January 2023 (Pages 113 - 116)
Report of the Director: Economy and Environment
8. Levelling Up Fund - Barton Regeneration (Pages 117 - 120)

Report of the Director: Economy and Environment

9. North Lincolnshire Community Energy - Towns Fund Project Enabling a Future for Clean Growth (Pages 121 - 126)
Report of the Director: Economy and Environment
10. Humber Freeport (Pages 127 - 130)
Report of the Director: Economy and Environment
11. Household Support Fund (Pages 131 - 134)
Report of the Director: Governance and Communities
12. Regulation of Investigatory Powers 2000 Update (Pages 135 - 156)
Report of the Director: Governance and Communities
13. Any other items which the Chairman decides are urgent by reason of special circumstances which must be specified.

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PRESENT: - Councillor Waltham MBE in the Chair

Councillors Hannigan (Vice-Chair), J Davison, Poole, Reed, Rose, C Sherwood and Marper

Simon Green, Becky McIntyre, Ann-Marie Matson, Paul Cowling, Rachel Smith, Adam Lovell and Richard Mell attended the meeting.

Councillors A Davison, O'Sullivan, L Foster, Rayner, Southern, Swift and Yeadon also attended the meeting.

The meeting was held at Conference Room, Church Square House, Scunthorpe.

1500 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS.**

There were no declarations of interest declared at the meeting.

1501 **MINUTES - RESOLVED**

That the minutes of the meeting of Cabinet held on 26 September 2022 having been circulated amongst the members, be taken as read and correctly recorded and be signed by the chair.

1502 **GREATER LINCOLNSHIRE JOINT STRATEGIC OVERSIGHT COMMITTEE**

Resolved - That the minutes of the meeting of the Joint Committee held on 1 July 2022 be received and where necessary approved and adopted.

1503 **2022/23 FINANCIAL POSITION UPDATE**

The Director: Governance and Communities submitted a report providing an update on the Council's in-year financial position, with specific reference to the inflationary environment and the ongoing measures and planned reserve utilisation to maintain a balanced position. It also identified the implications for the Council's medium term financial plan position and financial planning process for the 2023/24 budget setting process and requested Cabinet to note the latest revenue budget and capital position set out within the report and appendices and note the treasury management position against the prudential code.

The report explained that in February 2022, Council approved plans to invest £169.8m of revenue resource in 2022-23 and £137.8m of capital resource

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over a four-year period to support delivery of the Council plan, achieve its strategic objectives and legal duties for the benefit of residents and businesses. The financial strategy guided this and provided the mechanisms to ensure the council was financially sustainable and resilient.

At the time of setting the budget and medium-term financial plan the national economic outlook was that inflation would peak at 7.25% in April 2022 and begin to decline, taking two years to return to 2% target levels. The September 2022 rate of consumer price inflation (CPI) had now increased to 10.1% and was expected to further increase to around 11% in 2022. The Bank of England currently expected inflation to fall sharply to below the 2% target in two years' time.

In line with good financial management practices, the council's use of resources was closely monitored and reported to the Executive and this report provided information on the current financial position and would inform the next stages of financial planning, taking account of the risks and opportunities in respect of financial sustainability. A summary explanation with supporting appendices were provided under the following headings –

- Financial Position 2022/23 at Quarter 2
- Financial Resilience Context
- Medium Term Financial Plan and
- Budget Policy Framework

Councillor Marper, Cabinet Member Finance, Governance and Veterans thanked the Director for her report and work carried out by her officers and highlighted, summarised and commented upon key aspects of its content.

Resolved – (a) That the financial position set out in the report be noted; (b) that the budget adjustments approved under delegated powers and the revised budget position for 2022/23 be noted, and (c) that the progress against the approved Treasury Management Strategy and prudential code indicators be noted.

1504 **INDEPENDENT REVIEWING OFFICERS - ANNUAL REPORT 2021/22**

The Director: Children and Families submitted a report providing a summary update to Cabinet on the Annual Report of the Independent Reviewing Officers 2021/22 and sought its permission to publish the annual report in accordance with statutory guidance.

The Director in her report explained that the work of the Independent Reviewing Officers was a statutory function as detailed in the Independent Reviewing Officer Handbook 2010. Independent Review delivered the following functions to all Children in Care within North Lincolnshire:

- To undertake an initial Child in Care review within twenty working days of a child entering care,

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- To undertake further Child in Care reviews within three months and thereafter six monthly,
- To determine if a review was required following any significant change in a Child in Care's circumstances,
- To undertake visits to Children in Care to ascertain their understanding of their care plan and to gather their views, wishes and feelings,
- To ratify care plans and offer independent advice and recommendations, and
- To fulfil records and decisions distribution requirements

The report stated that Annual Report 2021/22, which was attached as an appendix, followed a standard format and set out a range of information about the service, including the extent to which it complied with regulation and best practice, and what independent review helped the council learn about the broader provision for children in care. Key points were as follows:

- Children in Care in North Lincolnshire benefitted from a timely, good quality review of their care plan by an experienced, skilled, and well-trained Independent Reviewing Officer (IRO). They were encouraged and supported to chair their own meeting, to attend, and to contribute their views.
- Robust systems of management oversight, quality assurance, dispute resolution, case allocation, and performance management helped ensure that the service was effective and responsive.
- Operating within a child-focused organisational culture with outstanding provision to children in care meant that IROs were able to prioritise children's participation and engagement and provide challenge and support to multi-agency teams to promote best outcomes.
- Independent review in North Lincolnshire was statutorily compliant and added value to a robust child in care system.

Councillor Reed, Cabinet Member Children and Families thanked the Director for her report and work carried out by her officers and summarised and commented upon key aspects of its content.

Resolved – That the key points in the Independent Reviewing Officers Annual Report 2021/22 as summarised in the report be noted, and that it be published on the council's website.

1505 **EDUCATION AND INCLUSION PLAN 2022-2025**

The Director: Children and Families submitted a report seeking approval of the new North Lincolnshire Education and Inclusion Plan 2022 – 25. The plan, which was attached as an appendix, set out the vision of how the Council, schools and multi academy trusts would work together to achieve ambitions for children and raise standards. It was founded on principles of schools working together, in the family of North Lincolnshire schools, regardless of designation, and set out the shared approaches to improving outcomes for

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children, challenging poor performance and raising standards, and ensuring a diverse estate of sustainable, inclusive local schools for all North Lincolnshire Children.

The report explained that the Education Inclusion Plan set out how the Council, schools, academy trusts, and key partners including DFE, Ofsted, Diocese would work together to ensure an enabling, accessible universal learning offer for all children, raising standards in schools, ensuring resilience and diversity in the education landscape and aligning local place leadership of education with local priorities and emerging national policy direction.

The plan outlined approaches and priorities to improve outcomes for children, the alignment of targeted and specialist support with sector led approaches, leadership development so that support and challenge for all schools is bespoke, coherently planned across services and so that the best person or service provided the right support at the right time. The Education and Inclusion Plan set the local approach, including through partnership working, to meeting statutory guidance for Local Authorities, including –

- School Standards and Framework Act 1998
- Education Act 2002, including Schedule 2; Education Act 2005; Education Act 2011
- Education and Inspections Act 2006
- The School Governance Regulations 2010; School Governance (Collaboration) Regulations
- Schools Causing Concern – Guidance for Local Authorities and RSCs
- Statutory Framework for the Early Years Foundation Stage
- National Curriculum in England Framework, Key Stages 1 to 4
- Keeping Children Safe in Education
- Working together to Safeguard Children
- SEND Code of Practice: 0-25 Years

Councillor Reed, Cabinet Member Children and Families thanked the Director for her report and work carried out by her officers and summarised and commented upon key aspects of its content.

Resolved – That the Education and Inclusion Plan be approved and supported which will give place level clarity and leadership to the local partnership approaches to raising standards, challenging poor performance, driving inclusion, and building a diverse and resilient education estate; and will provide a tool for all partners to frame decision making in the context of emerging national policy.

1506 **ANNUAL REPORT OF LOCAL ARRANGEMENTS TO SAFEGUARD AND PROMOTE THE WELFARE OF CHILDREN AND YOUNG PEOPLE 2021/22**
The Director: Children and Families submitted a report Cabinet informing Cabinet of the publication of the Annual Report of Local Arrangements to safeguard and promote the welfare of children and young people 2021/22,

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and consider the review in relation to planning, commissioning and budget setting. The Annual Report was attached as an appendix.

The Director in her report explained that as per Working Together to Safeguard Children 2018, there was a statutory requirement to publish an annual report, which set out what has been done as a result of the Local Arrangements and how effective these arrangements had been in practice. The Annual Report of Local Arrangements to safeguarding and promote the welfare of children and young people 2021/22 had been endorsed by the Children's MARS Board on behalf of the three safeguarding partners from North Lincolnshire Council, North Lincolnshire Clinical Commissioning Group (now the North Lincolnshire Health and Care Partnership) and Humberside Police. The Annual Report was then required to be distributed through relevant governance routes across the three safeguarding partner organisations and relevant partnership arrangements, to be considered in relation to planning, commissioning and budget setting.

The report summarised and highlighted key aspects of the Annual Report which demonstrated that the Children's Multi Agency Resilience and Safeguarding (MARS) Board:

- effectively met its statutory obligations,
- benefitted from strong and consistent leadership,
- had made good progress against its 'shine a light' areas of focus, and
- listened to and took account of the voices of children, young people and families.

Councillor Reed, Cabinet Member Children and Families thanked the Director for her report and work carried out by her officers and summarised and commented upon key aspects of its content.

Resolved – That the Annual Report of Local Arrangements to safeguard and promote the welfare of children and young people 2021/22 be received, and it be considered where relevant in relation to planning, commissioning and budgets setting processes.

1507 IMAGINATION LIBRARY TEN YEARS ON

The Director: Governance and Communities submitted a report updating Cabinet on the outcomes achieved over the ten years of the Imagination Library in North Lincolnshire. A document highlighting the key successes over the last ten years was appended to the report.

The report explained that the Imagination Library formed part of the Council's commitment to children having the best start in life through the investment in Children's Literacy and the offer that supported and enabled the home learning environment. The impact was evidenced through the educational outcomes achieved by children and young people over this period, especially those who did not have the same opportunities as their peers or are at risk of underachieving.

By the anniversary date of the Imagination Library's inception, it was

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anticipated that over 22,500 children have participated and over 835,000 books issued. Also, children who first registered with the Imagination Library when it was launched in 2013 reached the end of the Early Years Foundation Stage (EYFS) in 2016. Since 2016, data had been collated and analysed showing that children registered with the Imagination Library outperformed their unregistered counterparts each year. In 2022, 67.1% of children who registered with the Imagination Library achieved a good level of development at the end of the EYFS, compared to 52.6% of children who were not registered.

The Director in her report stated that the success of the Imagination Library programme had been achieved through close collaborative working with key partners, including early years settings, schools, and health professionals, to ensure that every child can participate in the Imagination Library. Parents were made aware of the Imagination Library scheme and to use the further benefits that the books can provide. As a result, parents had access to further information on themes such as health and wellbeing, good hygiene, school readiness, family matters, bereavement, and diversity.

It was recognised that book ownership was important, but in North Lincolnshire we know that it is how books are used in the home learning environment that has the greatest impact on outcomes for children. The wider work around each book is invaluable in maximising the learning opportunities made possible by children receiving high quality books into their family home. Sharing books meant so much more than a love of reading. Time together enjoying books promoted secure attachments, which encouraged confidence, self-esteem, health, and well-being. Having those special times together built communication, listening, understanding, and talking skills, and helped to lay the foundations of good literacy.

In recognition of the effectiveness of the programme in North Lincolnshire and successful partnership working with the Dolly Parton's Imagination Library the Dollywood Foundation were hosting a celebration event at Normanby Hall on 20 January 2023.

Councillor Reed, Cabinet Member Children and Families and Councillor C Sherwood, Cabinet Member Safer, Stronger Communities – Rural jointly thanked the Director for her report and work carried out by her officers and in turn highlighted, summarised and commented upon key aspects of its content.

Resolved – That the Director's report celebrating ten years of North Lincolnshire's Imagination Library programme be received, and the difference made to young children's early learning outcomes be noted.

1508 **REVIEW OF FREE PARKING POLICY**

The Director: Economy and Environment submitted a report updating Cabinet on North Lincolnshire Council's (NLC) Free Parking policy and impact on visitors accessing the Town Centre areas, and to determine whether the

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policy was appropriately supporting the positive delivery of NLC Economic Growth Plan and Economic Renewal Plan.

The Director in her report explained that two hours free parking was introduced at all North Lincolnshire Council's Pay and Display car parks in 2014 to support the Town Centre's economy. The aim of free parking was to encourage visitors to the town centre shops and amenities at no cost and enable the town centre to compete with out-of-town retail estates. Prior to 2014 the cost of parking was £1.50 for 2 hours within North Lincolnshire. Since its introduction over thirteen million free parking tickets have been issued. Whilst the full value this has had to business was difficult to quantify, customers within North Lincolnshire had benefited to the tune of £19.5 million.

On average 1,662,900 pay & display tickets would be obtained per year, of which 1,535,700 million were free. During 2020-21 at the peak of COVID 19 this fell to 844,000, with 797,500 free parking tickets issued. Whilst paid tickets remained around 50% down on pre COVID figures, the numbers of free tickets had recovered to around 80%. This indicated that visitors were returning to the Town Centre and the free car parking policy was enabling this.

The report also stated that in terms of supporting the town centre economy it was the free parking numbers that were also an indication of the retail recovery, as the paid for parking was primarily used by town centre workers and not retail customers. Similarly, when two hours free parking was first introduced, 92.6% of pay & display tickets were free. This percentage had continued to rise over the years and despite the pandemic had risen to 94.7% in 21-22. This year looked to continue that trend with currently 94.8% of pay & display tickets being free. In addition, free parking on a Saturday was also introduced. But as no pay & display tickets were now required on these days it was difficult to know accurately how much free parking had been offered during the weekend.

Councillor N Poole, Cabinet Member Highways and Flooding thanked the Director for her report and work carried out by her officers and highlighted, summarised and commented upon key aspects of its content.

Resolved – That the content of the Director's report and continuation of existing policy be noted and endorsed.

1509 TREE PLANTING AND THE NORTHERN FOREST

The Director: Economy and Environment submitted a report updating Cabinet on progress towards tree planting targets and outlined future approaches to the Northern Forest and other tree planting initiatives.

The Director in her report explained that the Northern Forest was the government's 25-year vision to plant 50 million trees across the North of England, stretching from Liverpool to Hull. This was set out in the 25-year

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Environment Plan. National Forest Inventory data provided the following baseline information for North Lincolnshire:

- Area of tree cover: 4263 hectares
- Percentage tree cover: 4.9% of land surface.
- Ancient Woodland: 0.4% of land surface

From that baseline, the Council had set a target to plant a further 172,000 trees: one for each resident. Officers within Economy and Growth had identified six main approaches to maintaining and increasing tree cover in North Lincolnshire,:

1. Urban Areas- identifying and planting on suitable Council and partners' land
2. Urban Areas- identifying and planting suitable locations for street trees
3. Rural (& some Urban) Areas- Targeting tree planting according to the Biodiversity Opportunity Map:
 - (a) Avoid important open habitats, archaeology, open landscapes, landfill sites and other constraints.
 - (b) Target and support landowners through the Woodland Trust
4. Green Infrastructure/Ecosystem Service standards for new development:
 - (a) Local Plan (Policies DQE2p, DQE3p, DQE8p, DQE12p & DQE13p).
 - (b) Supplementary Planning Documents
 - (c) Design Codes (e.g. Lincolnshire Lakes)
5. Tree protection and Replacement
 - (a) No loss of Ancient Woodland
 - (b) Tree Preservation Orders (TPOs) and Conservation Areas
 - (c) Planting a specified number of trees for every tree lost
6. Natural regeneration and natural habitat change – allowing native trees to spread naturally creating scrub and new woodland.

The report summarised and highlighted the success of projects undertaken from 2020/21 to date and set out proposed projects to 2025, together with associated financial implications and alignment to the council's 'A Green Future' (north Lincolnshire) Strategy.

Councillor D Rose, Cabinet Member Environment and Strategic Planning thanked the Director for her report and work carried out by her officers and highlighted, summarised and commented upon key aspects of its content.

Resolved – That the content of the report be noted, and the continued delivery of priority actions be supported.

1510 **EMPLOYABILITY AND SKILLS EVENTS - SEPTEMBER 2022.**

The Director: Economy and Environment submitted a report highlighting the success of the Jobs Expo and Discover events held in September 2022.

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The Director in her report explained that the council Events Team, working in partnership with colleagues and external organisations delivered a programme of employability and skills events in 2022 which had been attended by almost 7000 people; the most recent events being Jobs Expo and Discover held in September. Each event had been organised and delivered with a clear purpose and target audience identified:

Jobs Expo: all those of working age in either unemployment or looking for a career change encouraged to attend. Businesses attended the Jobs Expo with live vacancies they were looking to recruit too.

Discover: showcase careers and skills opportunities for young people aged 5-12 years through a free, fun and interactive hands-on event specifically designed for children. Due to the popularity of the first Discover event in March the September event was expanded to incorporate more venues including St Johns Market, Scunthorpe Central and Church Square Gardens.

The report stated that the Jobs Expo and Discover proved to be hugely popular with both attendees and businesses/providers who attended. Feedback had been overwhelmingly positive. At the Job Expo 722 job seekers attended, the highest number since the event resumed following Covid-19. Of the 135 people surveyed 54% said it was their first time attending the event and 82% classified themselves as not employed, looking for work. 64% of those surveyed stated they had found vacancies at the event they intended to apply for. The Discover event was attended by an estimated 1500 people with 27 activities on offer. The report also summarised the positive feedback received by those attending and exhibitors.

Councillor R Hannigan, Deputy Leader and Cabinet Member Adults and Health thanked the Director for her report and work carried out by her officers and summarised and commented upon key aspects of its content.

Resolved – That the success for the Skills and Employability Events held in March 2022 be noted.

1511 **LITTER PLAN - THREE MONTHS ON**

The Director: Economy and Environment submitted a report highlighting the success of the Jobs Expo and Discover events held in September 2022.

The Director in her report explained that the council Events Team, working in partnership with colleagues and external organisations delivered a programme of employability and skills events in 2022 which had been attended by almost 7000 people; the most recent events being Jobs Expo and Discover held in September. Each event had been organised and delivered with a clear purpose and target audience identified:

Jobs Expo: all those of working age in either unemployment or looking for a career change encouraged to attend. Businesses attended the Jobs Expo

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Councillor R Hannigan, Deputy Leader and Cabinet Member Adults and Health thanked the Director for her report and work carried out by her officers and summarised and commented upon key aspects of its content.

Resolved – That the success for the Skills and Employability Events held in March 2022 be noted.

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2022/23 Financial Management and Medium-Term Financial Plan Update

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1. To provide an update on the Council's in-year financial position.
- 1.2. To set out the Council's updated medium term financial planning position and options for consideration for funding strategy.

2. BACKGROUND INFORMATION

2.1. The Council Plan 2022-25 provides the frame for policy decisions and utilisation of resources intended to achieve the greatest impact on improved outcomes for residents. In response to the economic climate affecting the Council's operating environment Cabinet agreed to increase the planned use of reserves in 2022-23. This report provides an overview of the latest financial position, estimated year-end projection and forecast of spending power for the medium-term financial plan 2023-26.

In Year Financial Position:

Revenue 2022/23

2.2. Based upon financial management information at period 8 (November 2022), a total net operating expenditure of £175m is forecast, which represents a balanced position utilising the additional £5m use of reserves. Further detail is provided in Appendix 1.

Capital 2022/23

2.3. There are a series of capital adjustments necessary to ensure the programme remains aligned with delivery timescales and the Council Plan. The in-year position can be seen in Appendix 1, with anticipated rephasing and a revised programme showing amendments to externally & internally funded schemes summarised in Appendix 2.

Budget Adjustments 2022/23

2.4. Several adjustments to the revenue budget have been made, as the Council continually seeks to align budgets with delivery of the Council Plan. The

adjustments have all been made under delegated powers and are summarised in Appendix 3.

Treasury Management 2022/23

- 2.5. The Council is continuing to manage cash balances and debt in line with the approved Treasury Management Strategy. The impact of the interest rates increase has a short-term benefit in increased yield on investment of cash balances. The Council's borrowing at the end of December 2022 was £157m and is expected to remain lower than had been forecast for the remainder of the year due to a change in the profile and timing of expenditure and income cash flows. Appendix 4 sets out the prudential indicators for 2022/23 approved by Full Council in February 2022, and the current estimate.

Medium Term Financial Plan Update

Core Spending Power - Funding

- 2.6. Since the previous report to Cabinet in November, the Department for Levelling Up, Housing and Communities (DLUHC) published the provisional Local Government Finance Settlement on 19th December 2022. This confirmed a large proportion of Total Spending Power for 2023/24. North Lincolnshire's anticipated maximum spending power in 2023/24 is £175.7m, which is an increase of £18.4m (11.7%) from 2022/23. Of this increase:

- **£12.3m represents an increase in finance settlement funding:**
 - £0.9m additional Revenue Support Grant through inflationary increase and rolling in of existing service grants.
 - £1.2m inflationary uplift in Business Rates Baseline Funding.
 - £3.2m predicated on maximising Council Tax increases and £1.7m in Social Care Precept
 - £7.2m additional funding intended for Adult Social Care, including supporting hospital discharge, fair cost of care and rolling in of Independent Living Fund grant. Of this £1.0m is to be distributed through the Better Care Fund.
 - £(1.9)m reduction anticipated in other grants, including New Homes Bonus and Services Grant.

- **£6.0m represents an increase in Local Funding:**
 - £6.1m from inflationary uplift compensation grant and growth from Retained Business Rates
 - £0.1m reduction in Collection Fund surplus/deficit

Further detail of the finance settlement and Total Spending Power is included at Appendix 5.

- 2.7. Council Tax & ASC Precept: The referendum limits confirm the maximum annual core increases of 3% with the potential to levy an additional 2% ASC precept. This means the **maximum** combined domestic rate increase for North Lincolnshire for 2022/23 is 5%. The table below illustrates the impact of the increases assumed in the finance settlement on a Band D property:

	Council Tax	ASC Precept	Total
Band D 2023/23	£1,418.91	£195.90	£1,614.81
Increase at Settlement Assumptions	£48.28	£32.30	£80.58
Band D 2023/24	£1,467.19	£228.20	£1,695.39

2.8. Alongside the provisional finance settlement, the Government also announced a £100m Council Tax Support Fund for local authorities to support the most vulnerable households from increases in council tax bills. The majority of funding is to be used to reduce the bills of those in receipt of Local Council Tax Support by up to £25, with the remainder to be used to support vulnerable households.

2.9. Settlement funding (business rates) has been increased by 3.74% for inflation with compensation due to the Council for the remainder of inflationary increases up to 10.1% through new burdens grant included within NNDR Rate Retention Scheme. The Business Rates multiplier remains at 49.9% therefore businesses have protected from inflationary uplifts on their business rate bills. There has also been growth in the Business Rates base and further growth expected from Keadby 2 power plant that has contributed towards increased income from NNDR Rate Retention Scheme in 2023/24.

2.10. While the Provisional Funding Settlement has provided a level of certainty over key elements within the Council's Core Spending Power there remain a number of key variables that are expected to be confirmed by the end of January:

- NNDR1 – confirmation of the Business Rates Base (based on the 2023 valuation listings). This will confirm the level of income from expected from the NNDR Rate Retention Scheme.
- Confirmation of Public Health Grant – expected January 2023

Financial Sustainability – Net Operating Expenditure

2.11. Whilst the provisional financial settlement recognises the impact of the economic climate on local government at a sector level, there are some costs that are affected by other operating environment factors in addition to inflation. The Council must set a balanced budget for 2023/24 in the context of a robust medium term financial plan. The Council's financial strategy provides a guide to do this alongside the mechanisms to ensure the Council is financially sustainable and resilient.

2.12. In allocating financial resources the Council has regard to the key elements of its financial strategy (detailed in appendix 6). These include:

- **Grow the Tax Base** – supporting growth in both the Council Tax and Business Rates base. Forward growth is assumed across both areas of local taxation, reflecting the Council's confidence in the local economy and its desire for increased local resource generation to enable enhanced financial resilience.

- **Maximise Commercial Income** – commercial activity (inc. commercial property, trade waste and operations of leisure and cultural activities) undertaken by the Council in additional to it's core service offering. These are operated with a commercial mindset to generate income alongside providing a positive economic, social and wellbeing impact. Ongoing review ensures full cost recovery alongside contribution towards council priorities and outcomes.
- **Taking advantage of opportunities to access external income** – The Council continues to be successful at leveraging in external investment in to the area and the financial plans assume continuation of that success towards supporting delivery of the Council Plan.
- **Finding innovative ways of enablement and delivery** – as demonstrated during the COVID19 pandemic and beyond the Council has adapted to challenging circumstances at pace ensuring that it continues to meet local need well. It continues to maximise enablement opportunities, minimise the increase in long-term complex need and maximise outcomes for residents.
- **Ensuring decision making** is based on the context of **agreed and emerging policy** informed by insight and **demonstrates value for taxpayers money** through robust financial planning – Investment decision are supported by detailed business cases incorporating the financial case into the development process alongside the strategic, economic, commercial and management case aligned with council plan priorities
- Seeking **opportunities with partners to maximise economies of scale** whilst **enabling communities to take more responsibility for their local facilities**

2.13. In determining that the budget proposal and medium-term financial plan demonstrate robust estimates, the following cost drivers have been considered:

- Policy decisions (new and emerging)
- Activity/demand
- Economic (inflation, interest rates, national living wage and pay)
- Other operating environmental factors (compliance etc)

The most significant cost drivers impacting in 2022-23 and expected to continue in 2023-24 are due to external economic factors with inflationary impact estimated at £18.4m (£34.1m over 3-year MTFP period). See Appendix 5.

Financial Resilience – Use of Reserves

2.14. The council maintains a General Fund Reserve of 5% of Net Operating Expenditure. Surpluses are held in the Risk and Transformation reserve or in Earmarked and Grant reserves depending on the funding source.

2.15. Financial resilience, the ability to weather financial shocks, is an important consideration for council sustainability. The assessment of the Council's financial resilience allows for the planned use of reserves over the medium term. This will be considered in the context of maintaining the right balance of cost control and demand management with the uncertainty of external factors affecting the operating environment.

2.16. The Council's financial planning process will culminate in the 2023/26 medium term financial plan being taken to Full Council in February 2023.

3. OPTIONS FOR CONSIDERATION

3.1. To note the in-year financial position on revenue and capital budget plans and treasury management activity.

3.2. To note the latest revenue budgets in Appendix 3 and approve the revised capital programme in Appendix 2.

3.3. To note the medium term financial plan update above includes confirmation of the referendum limits for Council Tax and ASC precept at 2.7. The maximum increase for North Lincolnshire is 5% (made up of 3% Council tax, 2% ASC Precept). **The local council tax rates will be subject to Full Council decision in February 2023.**

4. ANALYSIS OF OPTIONS

4.1. The in-year revenue forecast is based upon provisional financial management information at quarter 3 and is an improved position since the previous quarter. Further detail is provided in the appendices.

4.2. The Local Government Finance Settlement provides certainty for one-year, with policy intentions for a further year. The draft medium term financial plan assumes a steady state beyond 2023/24 unless it has been confirmed otherwise.

4.3. The changing composition of core spending power has been captured in Appendix 5 (table 2). The ever-increasing importance of council tax and ASC precept is fully evident (48% of CSP 15/16, 55% 23/24). Application of the maximum increase of 4.99% is assumed in treasury calculations and would contribute £4.9m to core spending power in 2023/24 with ongoing impact in future years.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1. The financial model under which Local Government operates means that risk management is fundamental to everything the Council does. The Council is constrained in its ability to significantly increase resources and is statutorily determined on large areas of need-led spending which can be volatile. Financial plans and the actions taken by the Council therefore must be adaptive to ensure the Council remains financially sustainable over the short, medium and long-term.
- 5.2. The potential financial implications of the risks identified within this report have been considered in detail within the relevant section. It remains the case that the Council needs to be adaptive and influence in the areas where it is able. The Council holds reserves to mitigate against expenditure and income shocks and other unforeseen events, to provide capacity to withstand shocks and time to plan cost base adjustments which reflect the emergent position.
- 5.3. Based upon current analysis and assessment of financial resilience, it is recommended that the Council should aim to retain a balance of at least £10m of risk reserves to cover residual risk mitigations. The proposed closing balance enables short to medium-term plans to smooth transition to a sustainable budget, assuming a high-level of confidence in deliverability of plans.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

- 6.1. Not applicable.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 7.1. Not applicable.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

- 8.1. Not applicable.

9. RECOMMENDATIONS

- 9.1. To note the financial position set out in the report
- 9.2. To note the budget adjustments approved under delegated powers and the revised budget position for 2022/23.
- 9.3. To approve the revised capital investment programme 2022/25.
- 9.4. To note the progress against the approved Treasury Management Strategy and prudential code indicators.
- 9.5. To endorse the formulation of the Financial Strategy and Medium Term Financial Plan.

DIRECTOR OF GOVERNANCE AND COMMUNITIES

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Author: Nina Torr/Louise Allison
Date: 17 January 2023

Background Papers used in the preparation of this report

Reports to Full Council:

- Financial Strategy, Budget 2022/23 and Medium-Term Financial Plan 2022/25
- Capital Investment Strategy and Capital Programme 2021/2025
- Treasury Management and Investment Strategy 2022/23

Other background papers:

- Local Government Finance Settlement 2023 (DHLUC, 19 December 2023)

REVENUE AND CAPITAL MONITORING POSITION 2022/23**Table 1 – Revenue Net Operating Expenditure Forecast ***

By Accountability	Budget £M	Forecast £M	Core Variance £m	DSG Variance £m
Adult Social Services	23.0	23.8	0.8	-
Adults Early Help & Prevention	22.5	26.2	3.7	-
Integrated Health & Care	4.7	5.4	0.7	-
Education	4.7	4.9	0.3	(0.1)
Children's Help & Protection	10.3	9.1	(1.2)	-
Children's Standards & Regulation	10.9	10.1	(0.8)	-
Place	30.4	31.9	1.5	-
Public Protection	1.8	2.4	0.6	-
Organisational Development	16.9	17.1	0.2	-
Governance & Partnerships	5.1	4.7	(0.4)	-
Resources & Performance	8.5	8.2	(0.3)	-
Community Enablement	8.3	8.9	0.6	-
Public Health	7.3	6.6	(0.7)	-
Central & Technical	15.5	15.5	0.0	-
Net Operating Expenditure	169.9	174.9	5.0	(0.1)
Approved increase in use of reserves 2022/23	5.0	-	(5.0)	-
Revised Net Operating Expenditure	174.9	174.9	0.0	(0.1)

Table 2 – Capital position 2022/23 forecast*

CAPITAL FORECAST 2022/23 -Budget includes rephasing shown at Appendix 2, tables 2 and 3	Budget £000's	Forecast Spend £000's	Year to Date Spend £000's	% Spend to Date
Expenditure				
Keeping People Safe and Well	7,124	7,124	7,182	100.81%
Enabling Resilient and Flourishing Communities	10,306	10,306	9,825	95.34%
Enabling Economic Growth and Renewal	17,940	17,940	13,066	72.83%
Providing Value for Money for Local Taxpayers	4,066	4,066	2,912	71.63%
Capital Investment Allocation	78	78	0	0.00%
TOTAL EXPENDITURE	39,514	39,514	32,985	83.48%
Financing				
External & Grant Funding	28,416	28,416		
Council Resources	11,098	28,288		
TOTAL FINANCING	39,514	56,704		

* figures subject to rounding

Analysis of Revenue 2022/23

1. The Council's Net Operating Expenditure represents the day-to-day costs of council service delivery. For 2022/23, the Council has a cash limit of £174.9m. This includes approval for an additional £5m use of reserves to address unprecedented inflationary pressures in year ahead of a fundamental review of inflation impacts in the revised Medium Term Financial Plan 2023-27.
2. The Council has a strong track record of managing financial risk, with continuous improvement and implementation of efficient delivery models that achieve the best outcomes. Financial sustainability remains a key aim of the Council, which requires continuous improvement in how it generates and utilises resources. This relies upon robust financial management processes which enable it to identify emergent risk and opportunities which could impact delivery of the approved financial plan early, giving the potential to develop solutions and achieve a different financial outcome.
3. The current forecast indicates net operating expenditure will be £174.9m by the end of 2022/23, which would be a balanced position within the adjusted approved budget.
4. Proactive financial management activity continues to reduce the forecast outturn from previously reported levels. This includes:
 - **Targeted financial management** – through AD focus on subjective spend with scrutiny across all cost lines including agency, overtime, supplies and services and income targets
 - **Robust contract management**
 - **Revisiting energy supply contracts** to ensure best rates.
 - **Vacancy savings – in-year adjustments** – as part of budget setting, an organisational level vacancy reduction was applied at £2.5m (reflecting historic levels of salary cost compared to budget) which was met through a quarterly budget adjustment based on assessment of net staffing spend (including agency/vacancy factor) against profiled budget up to period 6. The balance of any further vacancy savings are expected to be used to mitigate cost pressures.
5. Financial pressures in 2022/23 continue to be driven by:
 - Increasing **need and demand** in some areas, particularly adult social care and SEND Transport
 - **Inflationary pressures**, specifically energy, fuel and pay.
6. The Council continually adapt delivery models to keep people safe and well. Changes implemented have ensured continuity of high-quality care. The investment in keeping adults safe and well is forecast to be £5.2m extra than the budget assumed, which reflects increased workforce costs, higher unit prices and increased activity. These pressures are partly attributable to temporary measures brought about by the pandemic, with around eighty percent considered a core issue which reflects higher activity and unit costs in both short term residential care and

home care and with increased home care packages as people are supported to return to or remain in their own homes. Both elements represent a financial risk if they remain over the longer-term.

7. The Council has a reserves strategy which governs deployment of reserves. This forms part of the wider approach to risk management. Current financial plans utilise £2.369m of reserves in 2022/23 with an additional £5.000m approved to address in-year inflationary pressures. These pressures and their impact over the short to medium term are addressed in the revised medium term financial plan. The overall level and robustness of reserves are also assessed in the medium-term financial plan against assessment of identified risks and short-term transformation investment.

Analysis of Capital 2022/23

8. The Council plans to invest £121m of capital resource by 2024/25 to support delivery of the Council plan. Approval is sought for the latest capital investment plan set out in appendix 2 (table 1), with adjustments to the current approved programme reported to Cabinet in November 2022 contained in tables 2 and 3. These set out rephasing of investment and additional investment of £4.2m, reflecting further external funding to enhance the Schools Investment Programme.
9. The Council undertakes regular monitoring of its capital investment programme, to ensure the programme remains realistic and invests in Council priorities. The pandemic and supply chain issues has slowed delivery of the capital programme, which was evident during 2021/22 and remains so, which necessitates some re-phasing.
10. The adjustments that have been made ensure the programme is more realistic. However, the spend to date position indicates that further re-phasing may be necessary as part of the end of year adjustments. No significant expenditure risks have been identified within the current investment. It is envisaged that, should such risks occur this will be contained through reduced expenditure elsewhere in the programme.

CAPITAL INVESTMENT PROGRAMME 2022/25**Table 1 – Programme Summary 2022/25 (reflects rephasing in tables 2 and 3)**

Proposed Programme	2022/23 £000's	2023/24 £000's	2024/25 £000's	Total £000's
Investment in Priority				
Keeping People Safe and Well	7,124	4,335	665	12,124
Enabling Resilient and Flourishing Communities	10,306	13,200	6,686	30,191
Enabling Economic Growth and Renewal	17,940	24,345	10,132	52,417
Providing Value for Money for Local Taxpayers	4,066	11,489	2,542	18,097
Total Investment	39,436	53,369	20,025	112,829
Capital Investment Allocation	78	590	7,164	7,832
Capital Investment Limit	39,514	53,959	27,189	120,661
Funding Analysis				
External & Grant Funding	28,416	27,259	13,415	69,090
Revenue Funding	194	0	0	194
Borrowing	904	26,700	13,774	41,378
Capital Receipts	10,000	0	0	10,000
Total	39,514	53,959	27,189	120,661

Table 2 – Externally Funded Schemes rephasing and net additional investment

Capital Investment Scheme	2022/23 £000's	2023/24 £000's	2024/25 £000's	Total £000's
Approved externally funded budget	33,792	18,231	13,015	65,038
Baysgarth Park Enhancements	4	0	0	4
Community Equipment	271	0	0	271
Disabled Facilities Grants	-793	0	0	-793
Electric Vehicle Charging Points	74	24	0	98
Flood and Drainage	-495	495	0	0
Formula Capital Devolved To Schools	-188	1,000	0	812
Future High Streets Fund	-2,000	2,000	0	0
Home Assistance/RHHA Loan	-93	0	0	-93
Humberhead Levels Landscape Pt	-56	0	0	-56
Infrastructure Schemes	-842	842	0	0
Schools Investment Programme	-166	4,041	0	3,875
Telecare Investment	-865	400	400	-65
Towns Fund	-226	226	0	0
Total rephasing and additional investment	-5,375	9,028	400	4,052
Revised externally funded budget	28,416	27,259	13,415	69,090

Table 3 – Internally Funded Schemes rephasing and net additional investment

Capital Investment Scheme	2022/23 £000's	2023/24 £000's	2024/25 £000's	Total £000's
Approved internally funded budget	25,527	13,290	12,654	51,471
Additional Capital Investment Allocation	10	-180	-500	-670
Ancholme River Path / Isle Cycleways	-226	226	0	0
Burton Sports Centre	-32	0	0	-32
Capital Minor Works	172	-112	0	60
Capital Receipts Flexibility	-103	603	500	1,000
Community Buildings Investment - Community Hubs	-2,085	2,085	0	0
Community Buildings Investment - Operational Infrastructure	-621	301	0	-320
Community Capital Grants	-98	0	98	0
Complex Care (Disability)	-2,883	2,883	0	0
Defibrillators	-75	0	0	-75
Enhanced & Prosperous Communities Fund	-322	22	422	122
Fleet Asset Management Programme	-2,600	2,000	600	0
Flood and Drainage	-603	603	0	0
Formula Capital Devolved to Schools	29	0	0	29
Infrastructure Schemes	-2,758	2,758	0	0
Normanby Hall Deer Park Fencing	-90	90	0	0
One Family Hub	8	0	0	8
Replacement HR/Payroll/Finance system	-142	142	0	0
Schools Investment Programme	-6	0	0	-6
Skip Replacement	-40	40	0	0
Street Lighting & LED	-100	100	0	0
Town Centre Regeneration - Car Parking	-99	99	0	0
Towns Fund	-1,750	1,750	0	0
War Memorials	-15	0	0	-15
Total rephasing and additional investment	-14,429	13,410	1,120	101
Revised internally funded budget	11,098	26,700	13,774	51,572

LATEST APPROVED 2022/23 REVENUE BUDGET**Table 1 – Revenue Investment (Accountability Structure)**

2022/23 REVENUE INVESTMENT: BY SERVICE	Q2 Revised Approved Budget £000's	Technical Budget Transfers £000's	Q3 Revised Approved Budget £000's
Adults & Health	49,355	826	50,181
Children & Families	25,163	734	25,897
Economy & Environment	43,709	5,396	49,105
Governance & Communities (Core)	20,974	933	21,907
Public Health	7,258	23	7,281
SERVICE TOTAL	146,459	7,912	154,371
Central & Technical	23,392	(7,912)	15,480
NET OPERATING EXPENDITURE	169,851	0	169,851
Additional Use of Risk and Transformation Reserve			5,000
REVISED NET OPERATING EXPENDITURE LIMIT			174,851

	2022/23	
	Original Budget	Forecast (Q3)
Estimates of capital expenditure	£M 47.2	£M 39.3
General Fund ratio of financing Costs to the net revenue stream %	% 7.00	% 7.1
An estimate of the capital financing requirement	£M 255.4	£M 254.6
The authorised limit for external debt:	£M	£M
borrowing	275.4	204.6
other long-term liabilities	10.0	0
total	285.4	204.6
The operational boundary for external debt:	£M	£M
borrowing	255.4	204.6
other long-term liabilities	10.0	0
total	265.4	204.6
maturity structure of fixed interest rate borrowing 2022/23	Upper %	Upper %
under 12 months	30.0	no change
12 months to 2 years	30.0	
2 years to 5 years	40.0	
5 years to 10 years	45.0	
10 years to 20 years	50.0	
20 years to 30 years	75.0	
30 years to 40 years	60.0	
40 years to 50 years	25.0	
maturity structure of variable interest rate borrowing 2022/23	%	%
under 12 months	100.0	no change
12 months to 2 years	90.0	
2 years to 5 years	90.0	
5 years to 10 years	90.0	
10 years to 20 years	50.0	
20 years to 30 years	20.0	
30 years to 40 years	10.0	
40 years to 50 years	10.0	
Total principal sums invested for periods longer than 364 days	£M 0	£M no change

MEDIUM TERM FINANCIAL PLAN UPDATE

1. Full Council will meet on 13th February 2023 to consider setting an updated medium term financial plan comprising revenue and capital investment and the council tax for 2023/24. The purpose of this appendix is to inform Cabinet of the Local Government Finance Settlement that was published on Monday 19th December 2022 and set out the funding envelope available in 2023/24. This follows on from the Autumn Statement in November, where the Government indicated spending and funding priorities for the sector.
2. The finance settlement fixes grant funding for 2023/24. It provides an estimate of council tax income, based on assumptions with regards to the rate and tax base. It also states the Council's baseline funding from business rates (i.e. what it needs from business rates). However, the actual amount of council tax and business rates that will support spending power next year will be determined by the taxbase for each set by the Council, together with the council tax rate (the business rates multiplier is set nationally and frozen for 2023/24).
3. **Council Tax & ASC Precept** : The settlement confirms maximum annual core increases of 3% with the potential to levy an additional 2% ASC precept. **Council Tax rates will be determined locally at Full Council in February** taking account of the local economic context and the cost of delivering services to expected standards. The impact of each 1% of rate increase is £0.8m so consideration on future sustainability will be needed in any divergence from the Treasury assumptions made in the settlement.
4. The settlement confirmed and clarified a number of other key funding elements:
 - **Business Rates Retention** – confirmation inflation linked to CPI (10.1% Sept 2022) – local authorities fully compensated for freezing of the multiplier
 - **Revenue Support Grant** – increased by CPI Inflation and £78m of existing grants rolled in to RSG.
 - **Local Government Funding Reform** – the review of relative needs formula and Resources (Fair Funding Review) and reset of Business Rates growth will not be implemented in next two years.
 - **Additional Funding For Adult Social Care:**
 - i. **Social Care Grant** – increased by £1,506m to £3,852m (£161m of the increase is due to the roll-in of the Independent Living Fund with the balance coming from the postponement of adult social care charging reforms and from other parts of the settlement)
 - ii. **ASC Market Sustainability & Improvement Fund** - £562m total funding (£162m rolled in from Market Sustainability & Fair Cost of Care) with an additional £400m intended for local authorities to make tangible improvements to adult social care and in particular to address discharge delays; social care waiting times; low fee rates; workforce pressures; and to promote technological innovation in the sector
 - iii. **ASC Discharge Fund** - A new £300m grant for 2023/24 intended to form part of Better Care Fund plans, aimed at reducing delayed transfers of care

- **Reduced Grants** – Services Grant (reduced from £822m to £464m), New Homes Bonus (reduced from £556m to £291m), Lower tier services grant (abolished – replaced by funding guarantee)
 - **Rural Services Delivery Grant** – no change
5. It is important to note the wider economic context for public spending, with inflation forecast to remain elevated in 2023. Of the two main measures of inflation, CPI is forecast to average 5.5% in 2023/24 and RPI is forecast to average 8.3% in 2023/24.
 6. The ongoing inflationary impact on the cost base in 2023/24 is expected to continue specifically in relation to energy and fuel, contracts linked to inflation, pay costs and the National Living Wage. The Medium-Term Financial Plan is based on informed current expectation, but these are subject to change due to national and international factors outside of the council's control. The funding settlement has recognised to some extent the pressure local authorities are under from inflation with settlement funding increased in line with inflation. However other funding areas have not kept pace with inflation and therefore a continued robust budget managed approach and services delivery development is required to ensure costs are contained within available resources.
 7. It is envisaged that the Council will need to identify new ways to reduce its cost base, to accommodate increases elsewhere (e.g. social care). This is expected to require a combination of: organisational commissioning, addressing historical variances, focus on achieving economy, efficiency and effectiveness, supported by continuously improving supporting information (e.g. activity data integration, contract spend, service integration).
 8. A draft position of the medium-term financial plan is set out below which incorporates: the outcome from the provisional finance settlement in December, an updated estimate of funding from the tax base, and required investment as set out in priority investment plans.
 9. The next steps in the financial planning process are to agree the spending power assumptions following Cabinet consideration of the current position. The investment plans can then be finalised for recommendation to Council within the prudential code requirements for setting a balanced budget for 2023/24 within our funding strategy.
 10. In determining that the Budget proposal and medium-term financial plan demonstrate robust estimates, the following cost drivers have been considered:
 - Policy decisions (new and emerging)
 - Activity/demand
 - Economic (inflation, interest rates, national living wage and pay)
 - Other operating environment factors (compliance etc)
 11. The most significant cost drivers impacting in 2022-23 and expected to continue in 2023-24 are due to external economic factors being the inflationary impact on costs including pay - £18.4m (£34.1m over 3-year MTFP period).
 12. Changes in activity levels linked to demand is estimated as £6.2m – mainly relating to Adult Social Care (increase in complexity of need) and home to school transport.

13. The provisional settlement changes in grants require budget adjustments to be made within the net operating expenditure assumptions which equate to £2.2m (£2.8m over 3 years).
14. Specific policy related costs total £1.2m including foster carer support, car parking pricing, capital investment feasibility planning and schools catering transition to full cost recovery.
15. Other operating factors including the 2023 local election costs and compliance with public service vehicle accessibility regulations equate to £0.5m.
16. Costs mitigations currently identified equate to £5.9m in 2023-24 (of which £4.6m is one-year only – the total mitigations over 3 years amount to £2.9m), including Health and Social Care Integration, place-based fleet transformation and property trading re-gearing.
17. A funding shortfall of £7.5m is anticipated in 2023-24 with the potential financial sustainability gap over the 3 years of the medium-term financial plan equating to £11m. This represents the level of cost reductions required to be achieved by 2025-26 through:
 - Redesigning the council for a new future: redefining purpose, organisational development, transformation, systems and place leadership
 - Outcomes led investment – evaluation of impact and effectiveness of interventions and policy intent.
 - Efficiency and productivity opportunities, including commercial income and contract management.

Planned Use of Reserves

18. The estimated opening balance of risk and transformation reserve at 1.4.23 is £26m. This includes risk mitigation for self-insurance, NNDR and general unforeseen operating environment factors. It is recommended that the level of risk reserve should not fall below £10m. Therefore, it is possible to apply an element of the reserves to smooth transition to implement transformation and change to achieve a sustainable budget over the next 3 years.
19. It also allows for an element to meet the temporary costs associated with change or investment to save projects. The level of planned use will need to be risk assessed in respect of level of certainty of cost mitigation and reduction opportunities

Table 1a – Spending Power Projection

2022/23 Approved Budget £000's		2023/24 Provisional Budget £000's	2024/25 Provisional Budget £000's	2025/26 Provisional Budget £000's
	FORECAST SPENDING POWER			
	<u>LOCAL GOVERNMENT FINANCE SETTLEMENT FUNDING</u>			
	<u>Settlement Funding Assessment</u>			
(6,426)	Revenue Support Grant	(7,281)	(7,572)	(7,572)
(33,171)	NNDR Baseline Funding	(34,412)	(35,792)	(36,481)
(39,597)	Total Settlement Funding Assessment	(41,693)	(43,364)	(44,053)
	<u>Other General Funding</u>			
(72,683)	Council Tax (2.99% 23/24 & 2024/25, 1.99% 25/26)*	(75,851)	(79,063)	(81,520)
(9,952)	Social Care Precept (2% 23/24 & 2024/25, 1% 25/26)*	(11,700)	(13,541)	(14,571)
(673)	New Homes Bonus	(75)	(75)	0
(7,237)	Improved Better Care Fund	(7,237)	(7,237)	(7,237)
(216)	Rural Services Delivery Grant	(216)	(216)	(216)
(7,614)	Social Care Grant	(12,494)	(14,434)	(14,434)
0	Adult Social Care Market Sustainability Fund	(1,782)	(2,678)	(2,678)
(514)	Adult Social Care - Fair Cost of Care Fund	0	0	0
0	Adult Social Care Discharge Fund	(1,015)	(1,649)	(1,649)
(266)	Lower Tier Services Grant	0	0	0
(2,287)	2022/23 Services Grant	(1,289)	(1,289)	(1,289)
(101,442)	Total Other Funding	(111,659)	(120,182)	(123,594)
(141,039)	TOTAL FINANCE SETTLEMENT FUNDING	(153,352)	(163,546)	(167,647)
	<u>Local Spending Power Funding</u>			
(1,456)	Collection Fund Surplus (-) / Deficit (+): CTAX	0	0	0
(73)	Collection Fund Surplus (-) / Deficit (+): NNDR	(1,433)	0	0
(14,777)	NNDR Rate Retention Income**	(20,914)	(22,167)	(22,898)
(16,306)	Total Local Spending Power Funding	(22,346)	(22,167)	(22,898)
(157,345)	TOTAL SPENDING POWER	(175,698)	(185,713)	(190,545)
	<u>Core Funding - Other Grants</u>			
(437)	DSG Central School Services	(495)	(495)	(495)
(9,700)	Public Health Grant	(9,894)	(10,092)	(10,294)
(10,137)	Total Core Funding - Other Grants	(10,389)	(10,587)	(10,789)
(2,369)	Use of Reserves ***			0
(169,851)	TOTAL CORE FUNDING	(186,087)	(196,300)	(201,334)

* Local amounts will differ from Government assessment figures due to local decisions

** Includes compensation for underindexing to business rates multiplier which the Government include in core spending power assessment

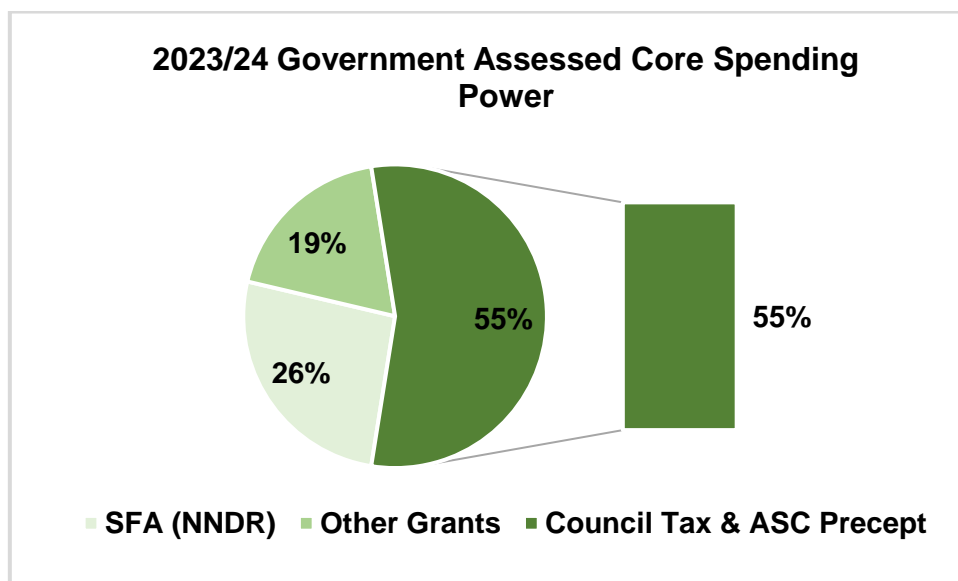
*** Additional £5m use of reserves approved in year in 2022/23 to address inflation pressures, increasing revised net budget to £174.9m

Table 1b – Net Operating Expenditure projection

Forecast outturn 2022-23 £'000		Estimate 2023-24 £'000	Estimate 2024-25 £'000	Estimate2 025-26 £'000
174,851	Total Net Operating Expenditure	193,536	206,759	212,259

Table 2 – Finance Settlement – Core Spending Power Split showing increase dependence on council tax (North Lincolnshire)

Illustrative Core Spending Power	North Lincolnshire (figures in £M's)								
	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24
Settlement Funding Assessment	58.5	50.9	45.3	42.1	38.7	39.4	39.4	39.6	41.7
Other Grant Funding	3.9	4.7	8.0	9.0	11.1	14.2	15.7	22.9	30.0
Council Tax & ASC Precept	57.9	60.9	65.6	69.5	72.7	76.2	78.5	82.6	87.7
CORE SPENDING POWER	120.3	116.5	118.8	120.6	122.5	129.8	133.6	145.2	159.4



20. The financial planning process is summarised in the table below:

Timeline	Milestone - detail		Progress
13 February 2023	Full Council	Set council tax and approve MTFP and revenue and capital budget	On track
6 February 2023	Cabinet	Financial Management and Medium-Term Financial Plan Update	✓
19 December 2022	Department of Levelling Up, Housing and Communities	Draft local government finance settlement published	✓
5 December 2022	Full Council	Set council tax base	✓
21 November 2022	Cabinet	Financial position and Medium Term Financial Plan update	✓

Timeline	Milestone - detail		Progress
17 November 2022	HM Treasury	Autumn Budget Statement 2022	✓

The financial strategy for achieving a **sustainable** council is to:

- **Grow the tax base** – enabling economic growth and renewal in the local economy and housing market
- **Maximise income** by investing wisely in commercial activity and ensuring traded services fully recover costs
- **Take full advantage of opportunities to access external funding** sources which will support achieving the council's ambitions
- **Find innovative ways of preventing need and minimising demand**
- **Continuous process of evaluation to ensure sufficient value to the experience and outcomes for residents** is being achieved
- Balance robust **challenge** and **support** to meet financial stewardship requirements and advance sustainability aspirations
- **Ensure decision making** is based on the context of **agreed and emerging policy** informed by insight and **demonstrates value for taxpayers' money**
- Seek **opportunities with partners to maximise economies of scale** whilst **enabling communities to take more responsibility for their local facilities.**

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NORTH LINCOLNSHIRE COUNCIL

CABINET

LOCAL SAFEGUARDING ADULTS BOARD - ANNUAL REPORT FOR THE YEAR 2021-22 AND ITS STRATEGIC PLAN FOR 2023- 25

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 The Cabinet notes the publication of the Local safeguarding adults board (LSAB) Annual Report for 2021-22, this report covers how the last set of priorities for the board have been met. The second report attached is the Strategic Plan for the next three years, the plan sets out what the board aims to do to, and how it will work with partners to help protect adults who are at risk of abuse and neglect.
- 1.2 Both documents should be considered in relation to planning, commissioning and budget setting.

2. BACKGROUND INFORMATION

- 2.1 The LSAB is committed to ensuring that local safeguarding arrangements and partners act to help and protect adults who have care and support needs from abuse and neglect.
- 2.2 The board has a statutory duty to publish a strategic plan which sets out how the board plans to work with partners, and people in the community so that adults can be safe from abuse and neglect.
- 2.3 The LSAB must also publish an annual report which tells people how they have worked with partners and the community to deliver the strategic plan.

Annual Report 2021 – 2022

- 2.4 The annual report highlights the progress made during this period in delivering the last strategic plan, and evidences that positive outcomes for adults with care and support needs and their families have been achieved.

2.5 Some of the key achievements and positive impacts are –

- There is a strong focus on engaging with and listening to adults, and their families to understand their views and experiences. Several policies and key documents have been co-produced with adults who have a lived experience of safeguarding.
- Adults and their families are empowered to keep themselves and others safe - several easy read documents in relation to recognising the signs of abuse have been co-produced and are now available on the website.
- There are strong relationships with the other key partnerships such as the Children's Multi-agency and Resilience Safeguarding, Experts Together Partnership, and the Community Safety Partnership.
- To help partners make continued improvements in keeping adults safe, key messages and learning from reviews have been shared.
- In partnership with adults who have a lived experience, communications on the board's website have been enhanced as a means of sharing information and publicising key documents, tools, and resources with adults and their families, as well as partner agencies.
- The safeguarding data shows the voices of the adult, and their families are being listened to, the data dashboard is regularly scrutinised by the board.

Strategic Plan 2023 – 2025

2.6 The board have agreed a new strategic plan for the next three years (2023-2025), in developing the plan they have -

- Worked with adults with a lived experience, with carers and with the workforce to hear what is important to them.
- Reviewed the commitments made in the previous three year strategic plan, looking at what has worked well, and ensuring policies and procedures are effective at keeping people safe.
- Considered what the data and information about adult safeguarding and outcomes for people tells us, and –
- Thought about learning locally and nationally in relation to best practice and areas for development.

2.7 The plan is intended to ensure that adults with care and support needs in North Lincolnshire can live the lives they want, free from abuse and neglect. Listening to the voice of people with a lived experience continues to remain at the heart of the plan.

2.8 The plan will follow the six safeguarding principles - **partnership, empowerment, protection, accountability, prevention, and proportionality**.

- 2.9 The board partners will measure our progress and achievements through a delivery plan, which will be regularly reviewed and shared within the next Annual Report.
- 2.10 Both the 2023-2025 Strategic Plan and the Annual Report have been approved by the board and have been published on its website.
- 2.11 LSAB partner organisations are required to share the key documents through relevant governance routes, and consider how they can improve their contributions to both safeguarding throughout their own organisation, and to the joint work of the LSAB.

3. OPTIONS FOR CONSIDERATION

- 3.1 Cabinet notes the publication of the Annual Report 2021-2022 which details how the last set of priorities for the board have been met, and to note the publication of the new Strategic Plan, which sets out how the board will work with partners to help and protect adults at risk of abuse and neglect over the next three years (2023-2025).
- 3.2 Receive both documents and consider where relevant in relation to planning, commissioning and budget setting processes

4. ANALYSIS OF OPTIONS

- 4.1 None, for information only

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1 None, for information only

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

- 6.1 None, for information only

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 7.1 Not applicable

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

- 8.1 There has been wide ranging consultation and collaboration with adults who have care and support needs, adults with lived experience, as well as safeguarding partners and relevant agencies.

- 8.2 There will be further engagement opportunities as we continue to ask, listen, and act.

9. RECOMMENDATIONS

- 9.1 Cabinet notes the publication of both the LSAB Annual Report for 21-22 which covers how the last set of priorities for the board have been met, and the Strategic Plan for 2023 – 2025 which sets out what the board aims to do to, and how it will work with partners to help protect adults who are at risk of abuse and neglect.
- 9.2 That Cabinet agree to use both documents in considering their respective planning, commissioning, and budget setting.

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Date: 16 January 2023

Appendix –

LSAB Strategic Plan 2023 – 2025

LSAB Annual Report 2021 - 2022

North Lincolnshire
Safeguarding Adults Board

Annual Report

2021 - 2022

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Foreword

It is now one year since I took over from Moira Wilson as the Independent Chair of the North Lincolnshire Safeguarding Adults Board and it is my pleasure to introduce the 2021 -22 annual report. I would like firstly to thank Moira for all her work with the Board.

She is a hard act to follow! I would also like to thank all the board members, and the Executive for the commitment and hard work throughout the year, particularly for their support in planning and developing a new three year strategic plan, which will be launched in January 2023, as well as the progress that has been made in meeting the Board's strategic priorities.

Secondly, I would like to thank our Experts Together group, and the people who have given up their time to share their experience and knowledge to help develop our safeguarding responses and who have shown how important it is for us all to listen. The Board continues to monitor safeguarding activity in North Lincolnshire, looking at how we compare regionally and with the national picture.

This includes looking at numbers of enquiries and outcomes, the extent to which people feel involved in decision making throughout the enquiry, the involvement of advocates and the quality of local care provision. Analysing this information helps us to identify themes and trends in safeguarding, informing areas for future development, innovation, and improvement. Board members are fully committed to the principle that safeguarding adults is everyone's responsibility.

We want to ensure that all the communities in North Lincolnshire are equipped to play their part in preventing, detecting, and reporting neglect and abuse. As part of its statutory duties, the board completed an independent Safeguarding Adults Review (SAR) in relation to Adult B.

This identified good practice as well as areas for improvement in working with autistic people. The SAR has been published on our website and has provided us with important learning to take forward in the future. I look forward to building on our progress and meeting the objectives identified within our strategic plan. We continue to work positively with the children's safeguarding partnership arrangements and the overarching North Lincolnshire community safety partnership to streamline our priorities and address areas of common concern.

As partners we will continue to learn and reflect on how we can work together to improve safeguarding practice within North Lincolnshire, raising awareness on how we all play a part in keeping people safe and making sure that the voices of people with lived experience are heard in everything we do.

Kamy Clark - Independent Chair

Introduction

This Annual Report details the work carried out by the North Lincolnshire Safeguarding Adults Board (NLSAB), to fulfil its statutory responsibilities for strategic development and oversight of adult safeguarding across the North Lincolnshire area. The report covers the one-year period (1 April 2021 – 31 March 2022) highlighting the board's progress and achievements.

The report includes how partners have contributed to the work of the board to promote effective adult safeguarding during the last year.

As reported within the last annual report, Covid-19 has brought significant challenges and changes to people in our communities and to the way in which services are delivered. Safeguarding adults however, has not changed and has remained a statutory function and a priority.

The NLSAB have made good progress in delivering the priorities and objectives laid out within our Strategic Plan for 2019 – 2022.

Partnership Key achievements

- The board have made good progress delivering against the priorities and objectives identified within the strategic plan.
- There is a clear commitment to safeguard adults across the area, through representation by senior managers of all partner agencies at board meetings.
- In line with the government change in legislation and the formal establishment of Integrated Care Systems (ICS), the board has ensured that safeguarding arrangements continued to remain a priority locally and strengthening working arrangements with colleagues across the regional Humber Partnership and the Humber and North Yorkshire Integrated Care System.
- The council have developed and implemented an enhanced audit framework to assure that safeguarding practice is strengths-based and outcome focused.
- Following the publication of Adult A SAR in 2020, in the absence of a forensic service nationally and locally, North Lincolnshire Clinical Commissioning Group, in collaboration with East Riding of Yorkshire Clinical Commissioning Group commenced a pilot, supported by NHS England and the Faculty of Forensic and Legal Medicine, to develop a Forensic Medical Examination service. The planning, preparation, governance and training has taken place throughout the year and commencement of the pilot will go live in 2022.
- RDASH have created a joint safeguarding child and adult's supervisor training package.
- Humberside Fire and Rescue Services have rolled out Professional Curiosity training to all prevention staff – this training will become mandatory in 2022.
- Ongo have reviewed and streamlined their safeguarding reporting mechanisms making it easier for staff to report concerns.
- Humberside Police have implemented a PITSTOP meeting to identify and signpost to the correct pathway for support where safeguarding or wellbeing concerns do not meet the statutory thresholds. The focus is on taking a multi-agency and targeted approach to prevention, diversion, and intervention.
- NLAG have developed an electronic referral via WebV across all sites, enabling staff to refer directly from electronic records and allowing data to be accurately monitored and analysed.
- Healthwatch North Lincolnshire continued to facilitate the 'Telephone Buddy Scheme' to help people who may be feeling isolated or lonely.
- EMAS have reviewed their safeguarding policy, triangulating best practice guidance and learning identified locally and nationally.

About the North Lincolnshire Safeguarding Adults Board

The NLSAB brings together partner agencies to work together to on priorities to reduce the risks for adults with care and support needs in respect of abuse and neglect.

The board is a statutory partnership with specific duties and functions as set out within the Care Act 2014.

The overarching purpose of the board is to ensure effective coordination of response and services to safeguard and promote the welfare of local adults who may be at risk of abuse and harm. It does this by:

- Assuring itself that local safeguarding arrangements are in place as defined within the Care Act 2014.
- Assuring itself that practice is person-centred and outcome focussed.
- Working collaboratively to prevent abuse and neglect where possible.
- Ensuring that agencies and practitioners give timely and proportionate responses when abuse or neglect have occurred.
- Assuring itself that safeguarding practice is continuously improving and enhancing the quality of life of adults in its area.

The duties of the board as set out within the Care Act 2014 include:

- The publication of a strategic plan, outlining how the board will meet its objectives and how partner agencies will support the delivery of the plan.
- The publication of an annual report, providing details of the work of the partnership to implement the strategy and achieve its objectives during the previous year.
- The commissioning of Safeguarding Adult Reviews (SARs) under section 44 of the Care Act 2014.

The NLSAB is made up of senior officers nominated by each member agency. Members have sufficient delegated authority to effectively represent their agency and make decisions on their agency's behalf, and, if they are unable to attend board meetings for any reason, they send a nominated representative of sufficient seniority.

The board is funded by the core statutory partners - North Lincolnshire Council, North Lincolnshire Clinical Commissioning Group and Humberside Police. This funding enables the board to commission an Independent Chair and a board Business Unit to help carry out its duties and functions.

Board membership

Core statutory members:

- North Lincolnshire Council
- North Lincolnshire Clinical Commissioning Group
- Humberside Police

Additional members:

- Regulated health and social care provider representative
- Humberside Fire and Rescue Service
- Northern Lincolnshire and Goole NHS Foundation Trust
- Rotherham, Doncaster and South Humber Mental Health Trust
- Primary care
- National Probation Service
- East Midlands Ambulance Service
- Ongo (housing provider)

Advisory members:

- Cabinet Member for Adults and Health
- North Lincolnshire Council Principal Social Worker
- Care Quality Commission
- Healthwatch North Lincolnshire
- NHS England

Strategic Plan 2019 - 2022

The NLSAB Executive Group (North Lincolnshire Council, North Lincolnshire Clinical Commissioning Group and Humberside police) and the full Safeguarding Adults Board monitors, and continually reviews progress made against the strategic plan.

As this plan is in its last year, a new Strategic Plan is being developed, which will be published and will be formally launched at our NLSAB Conference in February 2023.

North Lincolnshire Safeguarding Adults Board Strategic Plan 2019-2022



www.northlincssab.co.uk/wp-content/uploads/2019/11/SAB-Strategic-Plan-2019-22-D.pdf

Strategic Plan 2019 - 2022

The NLSAB Strategic Plan covers a three-year period as recommended by the Care Act Statutory Guidance 2015. The plan lays out the shared outcomes, goals and objectives for the board partnership.

The plan was developed in collaboration with adults who have a lived experience, their carers and board members. The plan covers how the board will focus on the prevention of abuse and neglect as well as making sure that partner agencies work together to keep people safe when abuse has occurred, giving people choice, control and involvement.

The **board's overarching strategic priorities** are aligned to the **six principles of safeguarding**, which are underpinned by the following strategic objectives -

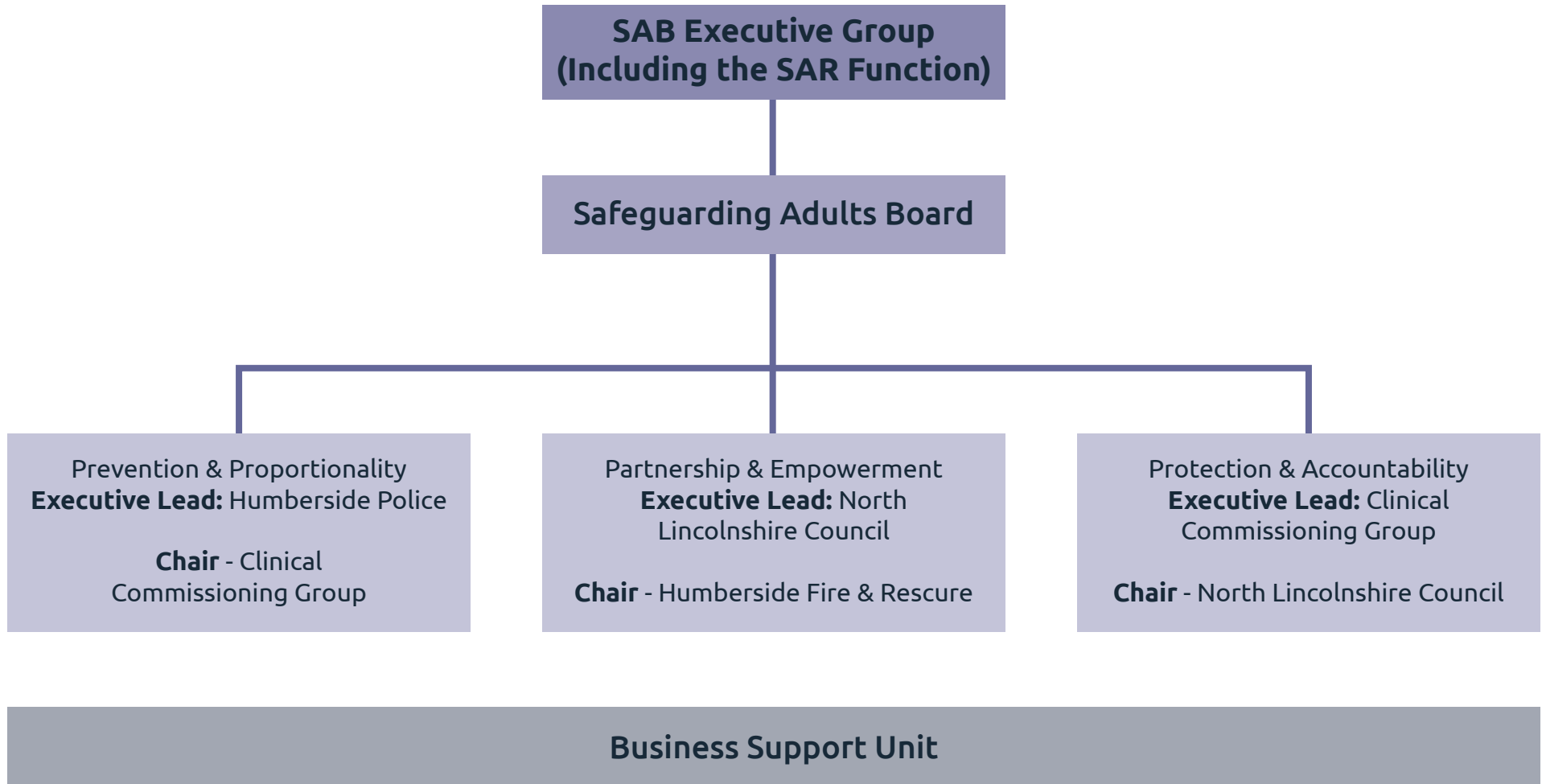
- Ensuring our focus remains on the issues that are going to make the greatest difference to safeguarding people in North Lincolnshire.
- Seeking assurance that our partners are securing improvement with regard to the Mental Capacity Act 2005 and Deprivation of Liberty Safeguards.
- Working with community services.

- Learning from case studies and reviews and using this to develop preventative measures.
- Strengthening existing processes which support the transitions arrangements between childhood and adulthood.
- Ensuring that people who are receiving health and social care services in North Lincolnshire are protected from abuse and harm.
- Ensuring the needs and aspirations of adults at risk are fundamental to the safeguarding journey.
- Engaging with adults with a lived experience and local communities to contribute towards policy, practice and awareness raising.
- Ensuring there is a joint and consistent approach to Safeguarding across all Boards and partnership arrangements
- Supporting the community to have an understanding of safeguarding, what support is available and how to access it.
- Ensuring that our partners are clear as to their roles, responsibilities and expectations.

Delivery Framework

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Subgroups

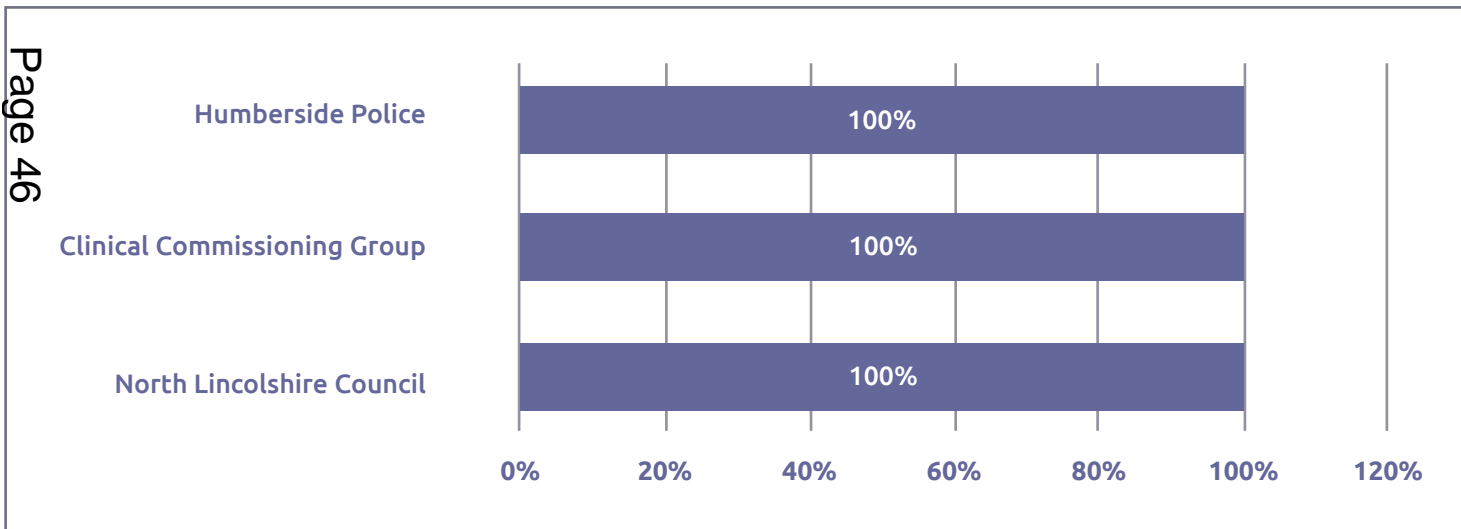


Board attendance

Throughout 2021 / 22 the Executive group and the full board met quarterly. In the intervening periods the subgroups (Protection & Accountability, Prevention & Proportionality, and the Partnership &

Empowerment) regularly met and carried out safeguarding activity as outlined within the strategic plan, reporting progress and outcomes directly to both the Executive group and the board.

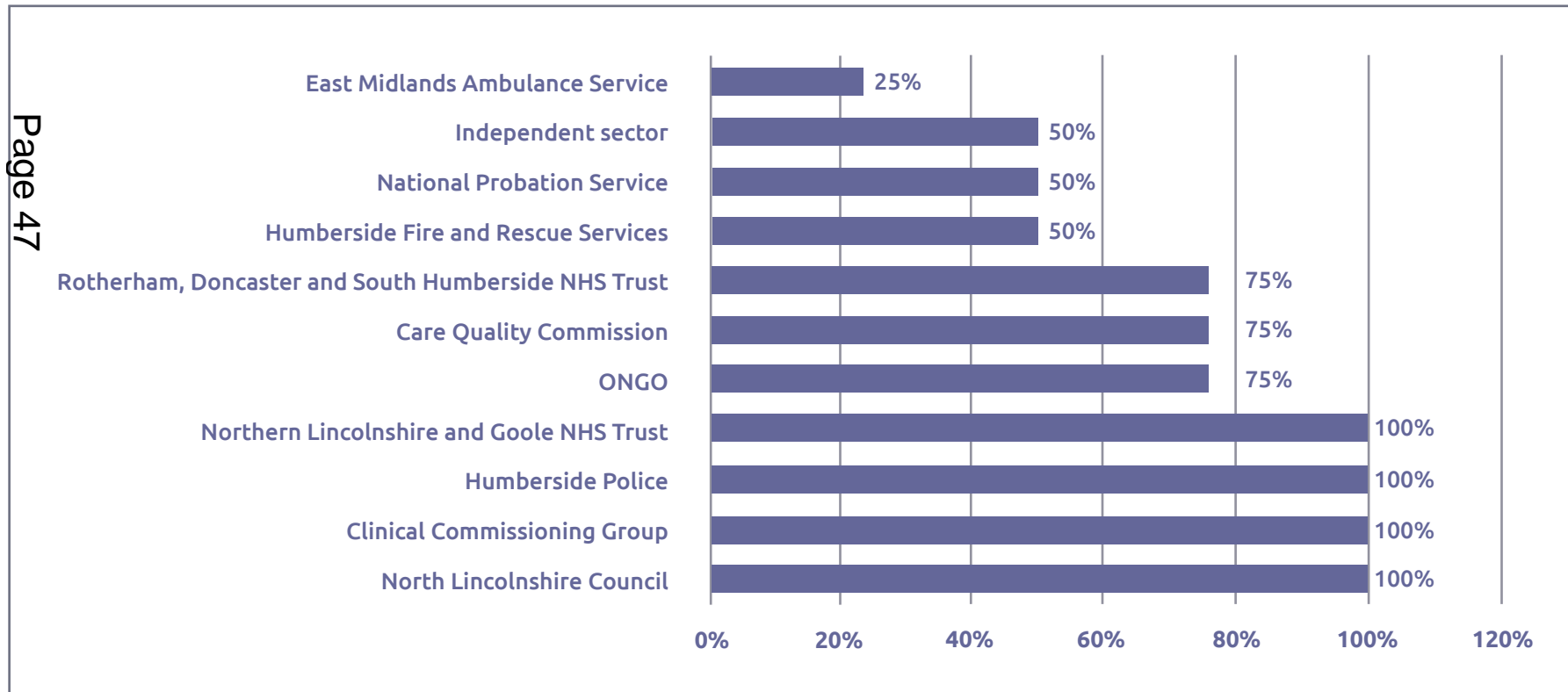
Executive Group



North Lincolnshire Safeguarding Adults Board

The NLSAB continues to demonstrate a sustained level of attendance and participation from members. There is a clear commitment to safeguard adults across the area, through representation by senior managers of all partner agencies that have an investment in good safeguarding practice.

Mechanisms are in place to ensure partners unable to attend meetings due to operational and logistical reasons can - and do contribute to delivering the board's objectives. Partnership contributions to the work of the board are also monitored via the agency self-assessments and one-to-one meetings with the Independent Chair.



Actions completed by the subgroups to meet board objectives - Partnership & Empowerment subgroup

The Partnership and Empowerment subgroup consists of adults with a lived experience, partners from Humberside Police, Humberside Fire and Rescue, Healthwatch, North Lincolnshire Clinical Commissioning Group, North Lincolnshire Council, Ongo, and Cloverleaf Advocacy Services. The group is chaired by Jason Frary, Humberside Fire and Rescue Services. Because of the pandemic many of the planned meetings took place virtually - despite the challenges, engagement and commitment remained strong throughout.

The group understand the value of working together with partner agencies and other professionals to get the best result for adults with care and support needs who are at risk of abuse and neglect. The group also recognise the importance of ensuring that the voice of adults who have a lived experience is heard, listened to, and that this directly informs the work of the partnership.

The group meet quarterly, its aims are –

- To continue to promote awareness and understanding of safeguarding adults within the local community and with partner agencies.
- To make sure that safeguarding information is available to adults in an easily accessible format, jargon free and easy to understand.
- To support adults and their families / carers to be empowered and feel involved in their safeguarding journey, making sure their views and wishes directly inform what happens.
- To co-produce key strategies, information and leaflets with adults who have a lived experience, carers and other partner agencies.



Partnership & Empowerment subgroup

During the last year the group have worked with adults who have a lived experience, and their families to help them recognise the signs of abuse, know how to report concerns and seek help to keep themselves and others safe.

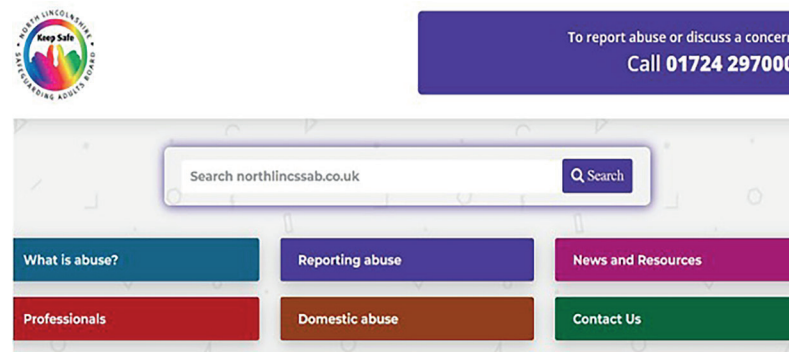
Following feedback from adults who have experienced the safeguarding journey, a number of easy read documents detailing categories of abuse have been developed. The documents have been designed by people with a lived experience, they combine short, jargon free sentences with simple and clear images to help explain the content.

The group recognise the importance of adults with care and support needs being provided with clear information to help them understand what safeguarding is, and what happens after abuse and neglect is reported – and as a result the group have developed the ‘your safeguarding leaflet’. The leaflet explains what abuse and neglect is, how safeguarding works and what a safeguarding enquiry is. The documents have been disseminated widely amongst partner agencies and have been published on the NLSAB website.

The group have worked in partnership with adults who have a lived experience and experts by experience to review and update the NLSAB website. Accessibility has been strengthened and a number of key areas have been added and enhanced such as –

- Information and guidance in relation to suicide prevention services.
- Additional information relating to the mental health support.
- Guidance on keeping safe online and information relating to e-safety.
- Information on Lasting Power of Attorney.
- Information on appropriate advocacy and links to local and national services.
- Information, advice and guidance in relation to domestic abuse has been added, and following feedback a ‘fast exit’ feature which allows the user to exit the website quickly if needed has been added.

The group will continue to ensure relevant information is shared, and the NLSAB website is regularly updated and continues to be a valuable source of information and guidance for partner agencies and people within the community.



Prevention & Proportionality subgroup

The subgroup understands it is important that a proportionate response is given to any safeguarding situation, and that partner agencies work in the best interests of adults who have care and support needs within North Lincolnshire.

The subgroup consists of representatives from North Lincolnshire Council, Ongo, Cloverleaf Advocacy Services, Humberside Police, independent provider sector, Northern Lincolnshire & Goole Hospitals NHS Trust, North Lincolnshire Council and is chaired by Charlotte Morton, North Lincolnshire Clinical Commissioning Group.

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Mental Capacity Act 2005 – 5 principles

1. **A presumption of capacity**
 - Start by thinking I can make a decision
2. **Individuals supported to make their own decisions**
 - Do all you can to help me make a decision
3. **Unwise decisions**
 - You must not say I lack capacity just because my decision seems unwise
4. **Best interests**
 - Use a best interest checklist for me if I can't make a decision
5. **Less restrictive option**
 - Check the decision made does not stop my freedom more than needed



The subgroup have been working with partner agencies to promote and enhance the understanding of the Mental Capacity Act 2005 and ensure the five key principles underpin all actions and decisions.

A mental capacity prompt been developed by the group, aimed at practitioners and provides a quick guide to undertaking capacity assessments.

Following the completion of a number of safeguarding audits, the group have also developed a short prompt in relation to Mental Capacity Act 2005 and Mental Health Act 1983, to highlight the differences in the two pieces of legislation.

Prevention & Proportionality subgroup

The subgroup seeks to support partner agencies in keeping up to date with their safeguarding knowledge and skills, the information published on the NLSAB website is regularly reviewed and refreshed and includes a range of training and education tools such as –

- Safeguarding Adults Awareness Raising
- People in a Position of Trust (PiPoT)
- Honour Based Abuse
- Forced Marriage
- PREVENT Counter Terrorism Awareness
- Fraud Awareness
- Homelessness and Trauma Informed Approaches

The board has been assured by its partners that their workforce in North Lincolnshire have sufficient training at the right level to discharge its safeguarding responsibilities.

The following training courses were available to the workforce through partner agencies during the year:

- Safeguarding Adults Tier 1 (eLearning) – providing an overview of what is meant by abuse and neglect, the duty to safeguard adults with care and support needs, ensuring immediate safety, and how to report concerns.

- Safeguarding Children Tier 1 (eLearning) – providing an overview of what is meant by safeguarding children, the duty to protect children and how to report concerns.
- Safeguarding Adults Tier 2 – aimed at frontline practitioners. Providing an overview of safeguarding concerns and enquiries, making safeguarding personal, decision making in relation to safeguarding concerns and ensuring that staff can apply their own organisational procedures and processes for reporting and documenting safeguarding adult concerns.
- Safeguarding Adults Tier 3 – aimed at frontline practitioners and managers. Staff are trained in how to undertake effective safeguarding enquiries, ensuring that enquiries are person centred, and outcome focussed, in line with the Care Act 2014 and best practice.
- Mental Capacity Act & DOLs in Practice - Levels 1 and 2 – Staff are trained in the application of the Mental Capacity 2005 and have an understanding of the Deprivation of Liberty Safeguards.

Prevention & Proportionality subgroup

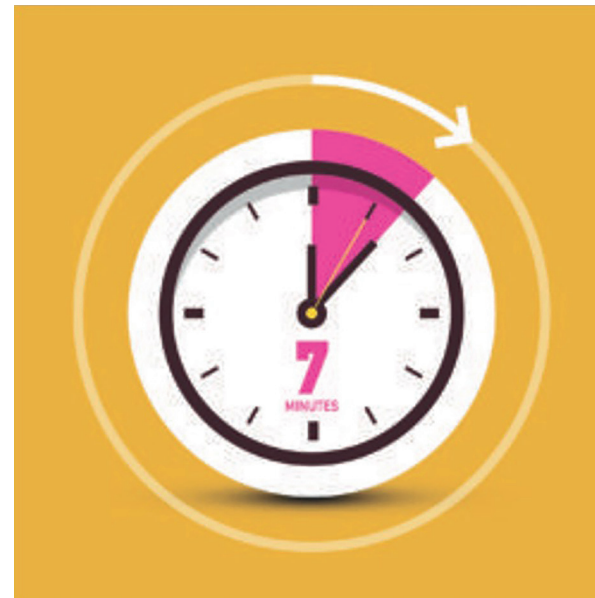
The group regularly review key messages from published regional and national reviews and investigations such as - Safeguarding Adult Reviews (SARs), Serious Case Reviews (SCRs) and Domestic Homicide Reviews (DHRs) ensuring that any learning relevant to North Lincolnshire is appropriately shared and implemented.

Focussed development sessions have taken place with board partners to share learning resulting from the Safeguarding Adult Review 'Joanna, Jon and Ben', information from 'local LeDeR reviews' and learning identified within Professor Michael Preston-Shoot's research - 'Embedding knowledge and learning into practice'.

The group have created several seven-minute briefings – these briefings are based on research, which suggests that seven minutes is an ideal time span to concentrate and learn. The briefings have been designed as learning aids which can be used within team meetings, supervisions or as simple reminders of the key issues around key safeguarding themes and current issues including –

- Tackling domestic abuse
- Professional curiosity
- Safeguarding enquiries
- Advocacy

There continues to be close links across all the NLSAB subgroups, and other partnership boards (Community Safety Partnership, Children's Multi-agency Resilience and Safeguarding) ensuring that any relevant information and cross-cutting learning from practice is shared with all partners, enabling them to make changes or improvements that will keep adults with care and support needs in North Lincolnshire safer in the future.



Protection & Accountability subgroup

The board is committed to ensuring that safeguarding arrangements, and partner agencies of the board act to help and protect adults who may be at risk in North Lincolnshire.

The Protection & Accountability subgroup consists of representatives from Humberside Police, North Lincolnshire Clinical Commissioning Group, Northern Lincolnshire & Goole NHS Trust, Humberside Fire & Rescue, independent provider sector, Rotherham, Doncaster and South Humber Mental Health Trust, Healthwatch, Ongo and is chaired by Victoria Lawrence, Head of Social Work and Assurance for North Lincolnshire Council.

The subgroup have developed, and are implementing a new framework to enhance and strengthen safeguarding scrutiny and assurance. The framework has been approved by the Executive Group on behalf of the NLSAB.

Within the framework a number of mechanisms have been introduced which give opportunities to work in partnership to learn and to improve practice across the multi-agency safeguarding system.

The Scrutiny & Assurance Framework enables partners to –

- Talk with, and receive direct feedback from adults at risk, adults with lived experience and their families.
- Have assurance of whether partner agencies are fulfilling their responsibilities to safeguarding adults who are at risk of abuse or neglect.
- Have assurance of whether partner agencies are joined up and working together to safeguard and promote the wellbeing of adults at risk across the safeguarding system.
- Have a direct line of sight to frontline practice.
- Have live conversations with frontline practitioners.

Protection & Accountability subgroup

The subgroup have undertaken two Line of Sight to Practice panel events in relation to the theme of self-neglect. The event was led and chaired by a nominated member of the subgroup who was independent. Panel members included representatives from SAB partner agencies as well as frontline practitioners and managers from agencies who worked with the people. The event enabled panel members to discuss how we supported two people in depth, engage in active challenge and identify a number of learning points from areas which worked well, and those which could be further developed.

The experiences and views of the people involved were central to the event.

Good practice –

- Person-centered practice was evident and the views and wishes of the people were taken into consideration throughout the safeguarding enquiry.
- Strengths-based practice was evident, the positive aspects of the people's circumstances and networks were recognised, and these were used in the development of care and support plans.
- Collaborative working was evident which led to the reduction of risk and positive outcomes for the people.

- Timely and appropriate information sharing took place between agencies.
- Decisions, where appropriate were made in Best Interests and recording / rationale was robust.
- Complexities of the situations were recognised, and periods of transition were put in place between agencies and teams.

Top actions -

- Continuing to ensure the voice of the person with a lived experience is embedded in the design of policies & procedures, training and in the delivery of future services.
- Developing multi-agency guidance, and tools and raise awareness to support partner agencies and frontline practitioners in relation to self-neglect.
- Continuing to develop the tools and guidance available to partner agencies and practitioners in relation to safeguarding adults' legal literacy.

The group have developed a seven-minute briefing outlining the identified learning points and to sharing effective approaches to working with adults who self-neglect.

Protection & Accountability subgroup

The Protection and Accountability Group act as a reference group and utilises the specialist knowledge of all partners to support with the updating of policies, procedures and guidance.

The group have developed and implemented a Vulnerable Adult Risk Management (VARM) Policy. The VARM process provides a framework for professionals to facilitate effective multi-agency working with adults at risk (adults with care and support needs, whether these are being met or not) 18 years or over, who are deemed to have mental capacity to make decisions and who are at risk of serious harm or risk of death through self-neglect, refusal of services and/or high levels of risk-taking activity.

The process and guidance can be used to discuss, identify, assess, plan, and review the management of risks, with a range of partner agencies and wherever possible in partnership with the adult at risk. The guidance is used flexibly and in a way that achieves best outcomes for adults at risk promoting a person-centred approach.

The NLSAB have received an initial evaluation report which gave assurance on the implementation of the VARM policy.

The group have refreshed and updated the NLSAB Organisational Abuse Policy.

The policy and procedures detail the response required to safeguarding concerns across health and social care whole services or provider organisations.

A whole service enquiry is a formal Care Act 2014 Section 42 enquiry, which forms part of the continuum of the multi-agency responses to allegations of abuse and/or neglect. It is intended to be used in the most serious of circumstances where there is a high level of risk of or actual harm to a number of individuals.

Partner agencies were requested to review their own internal safeguarding policies and practice guidance documents and were able to provide assurance that they were consistent with those of the NLSAB.

Protection & Accountability subgroup

The NLSAB and its partners have continued to work together to prevent and reduce the risk of harm to people with care and support needs.

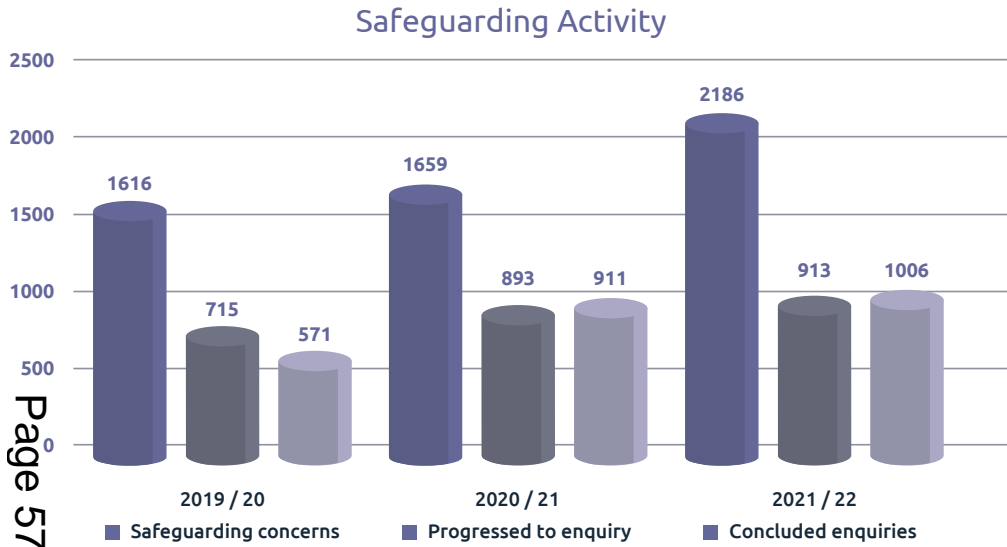
The subgroup continue to analyse and monitor the effectiveness of safeguarding activity, at each meeting they review and scrutinise available data and intelligence to identify themes and trends, informing areas for development, innovation and improvement.

The available intelligence includes:

- NLSAB data dashboard
- CQC report information including analysis of the four domain levels.
- Information from reviews such as Safeguarding Adult Reviews (SARs), Learning Disability (LeDeR) Reviews, Domestic Homicide Reviews (DHRs)
- Relevant datasets from other agencies / organisations.
- Learning from mechanisms within the Scrutiny & Assurance Framework.



Safeguarding adults data in 2021 / 22



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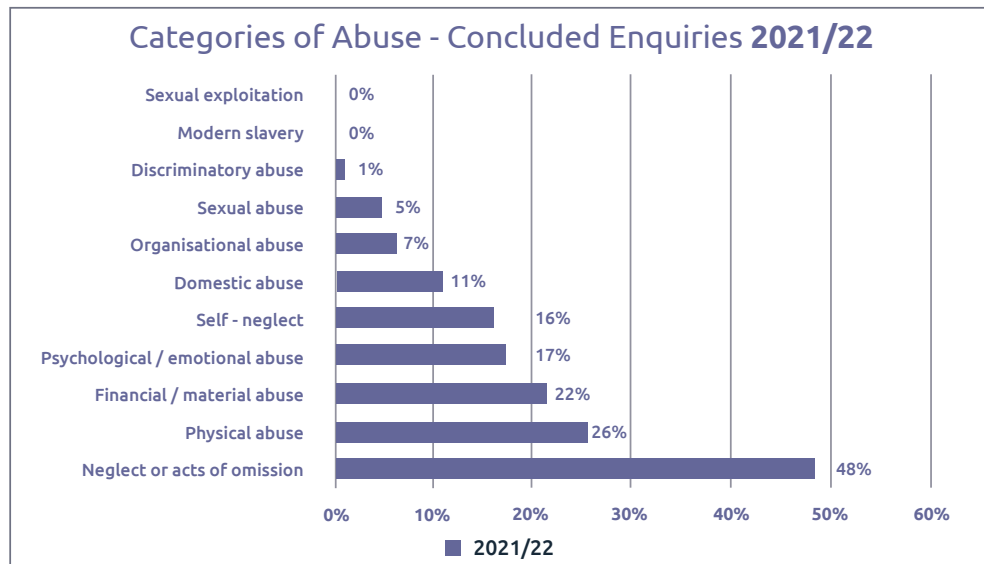
Consistent with both regional and national trends over the last four years North Lincolnshire has continued to see an increase in both the number of safeguarding concerns and safeguarding enquiries. Further analysis of the data shows that increases for this period are partly due to lockdown restrictions easing, meaning more opportunities to interact with people, as well as an increase in knowledge and understanding of what constitutes a safeguarding concern, and greater awareness of how to report safeguarding issues to the council.

During 2021/22 a total 2,186 safeguarding concerns were received, which is an increase of 31% in comparison to the previous year.

Of those 2,186 safeguarding concerns, 913 became safeguarding enquiries and a total of 1006 safeguarding enquiries were completed during the year.

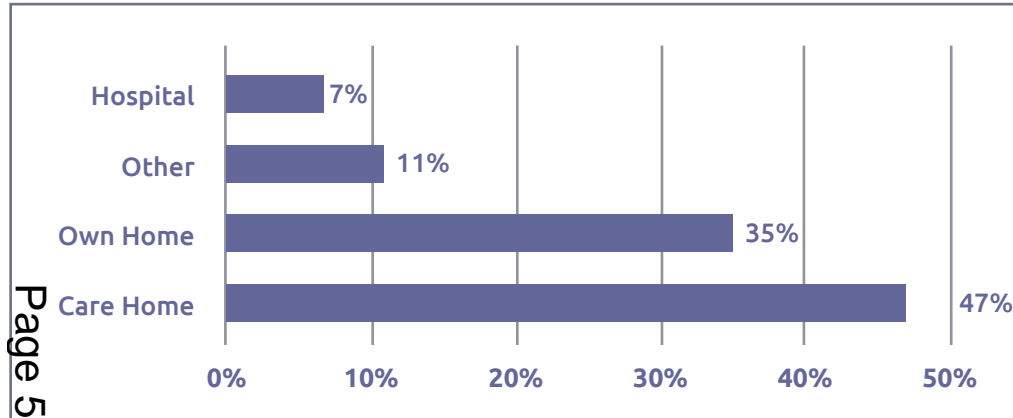
On occasions when a safeguarding enquiry was not required, other forms of support, advice and guidance, or other services will have been provided, dependent on the adults views, wishes and needs.

Neglect & acts of omission, financial and physical abuse continue to be the highest categories of abuse. It is important to note, however that a person may experience more than one type of abuse.



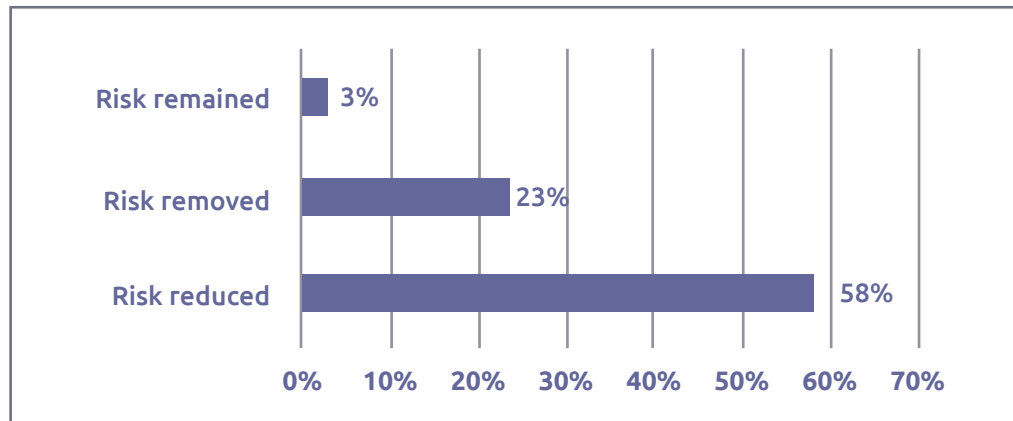
Safeguarding adults data in 2021 / 22

Location - concluded enquiries



Many of the safeguarding concerns received are from care homes, which is consistent with previous years dashboards, and also the data in relation to the location of concluded enquires. This is seen as a positive indicator of the high quality care sector within North Lincolnshire, and of providers' understanding of their safeguarding responsibilities.

Concluded enquiries - risk outcome



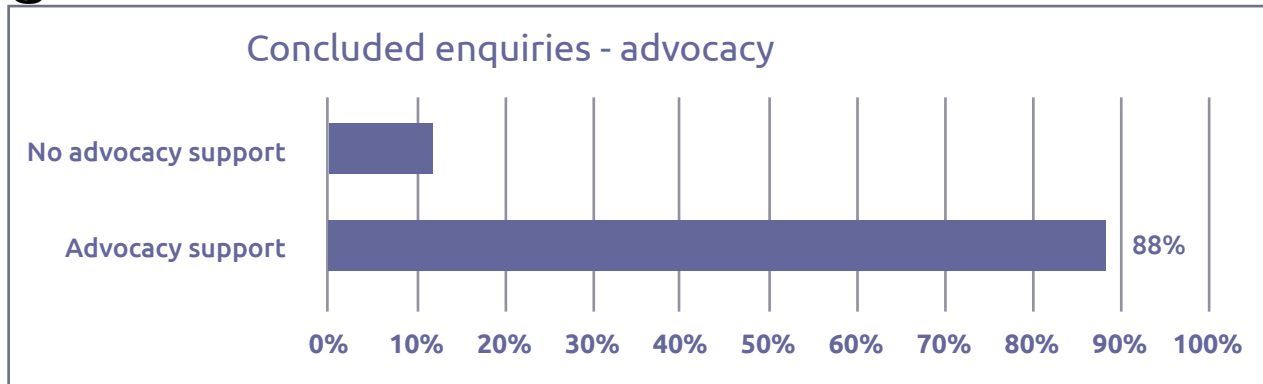
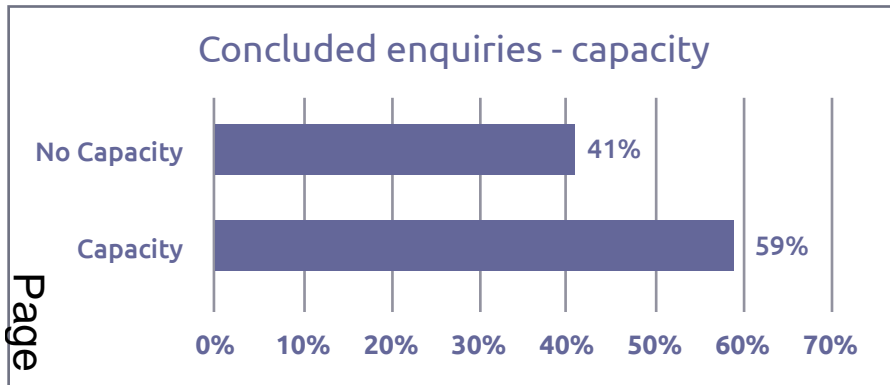
At 81% risk identified and action taken remains the highest outcome of concluded S42 enquiries, indicating that a correct threshold for S42 enquiries is in place.

In 97% of enquiries identified risks were either removed or reduced.

It is important to recognise, that sometimes people may choose to live with risk, or it may remain with safeguarding plans and strategies in place.

Safeguarding adults data in 2021 / 22

Mental capacity and advocacy - concluded enquiries



The number of individuals who lacked capacity in relation to the safeguarding concern was 41%.

88% of adults were supported by an advocate.

Safeguarding adults data in 2021 / 22

Making Safeguarding Personal (MSP)

MSP is about having conversations with people about how to respond in safeguarding situations in a way that enhances involvement, choice and control as well as improving quality of life, well-being, and safety.

The Care Act 2014 advocates a person-centred, rather than a process driven approach. MSP questions comply with the standards set by NHS digital, ensuring they are comparable with other authorities across England.

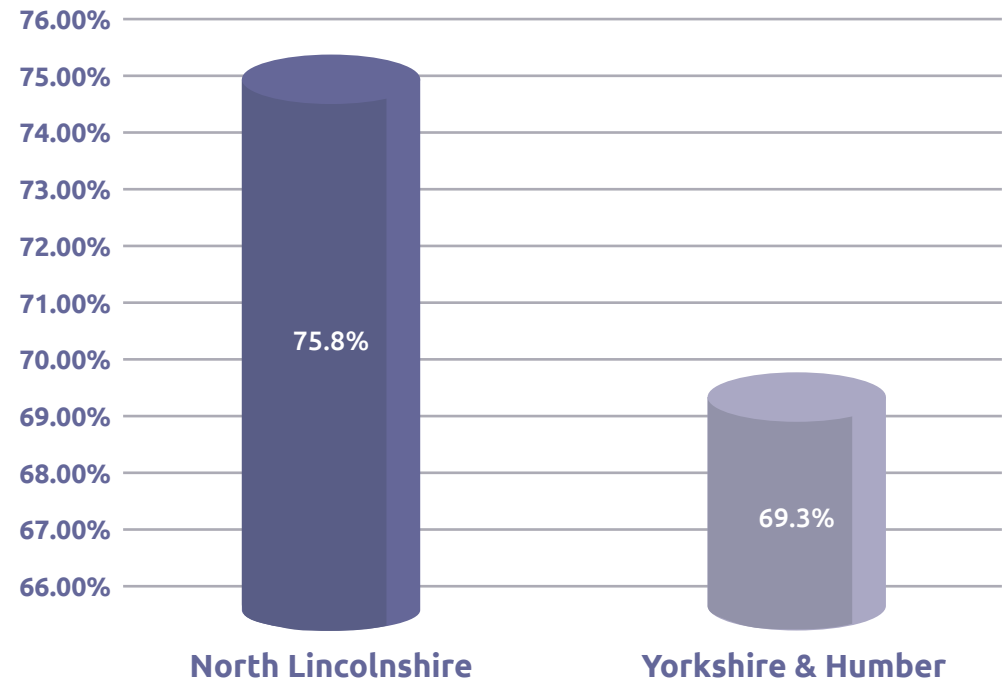
80%

of individuals and / or their representatives were asked their views and wishes in relation to the S42 enquiry

95%

of individuals and / or their representatives felt their views and wishes had either been partially or fully met.

People Who Use Services Feeling Safe

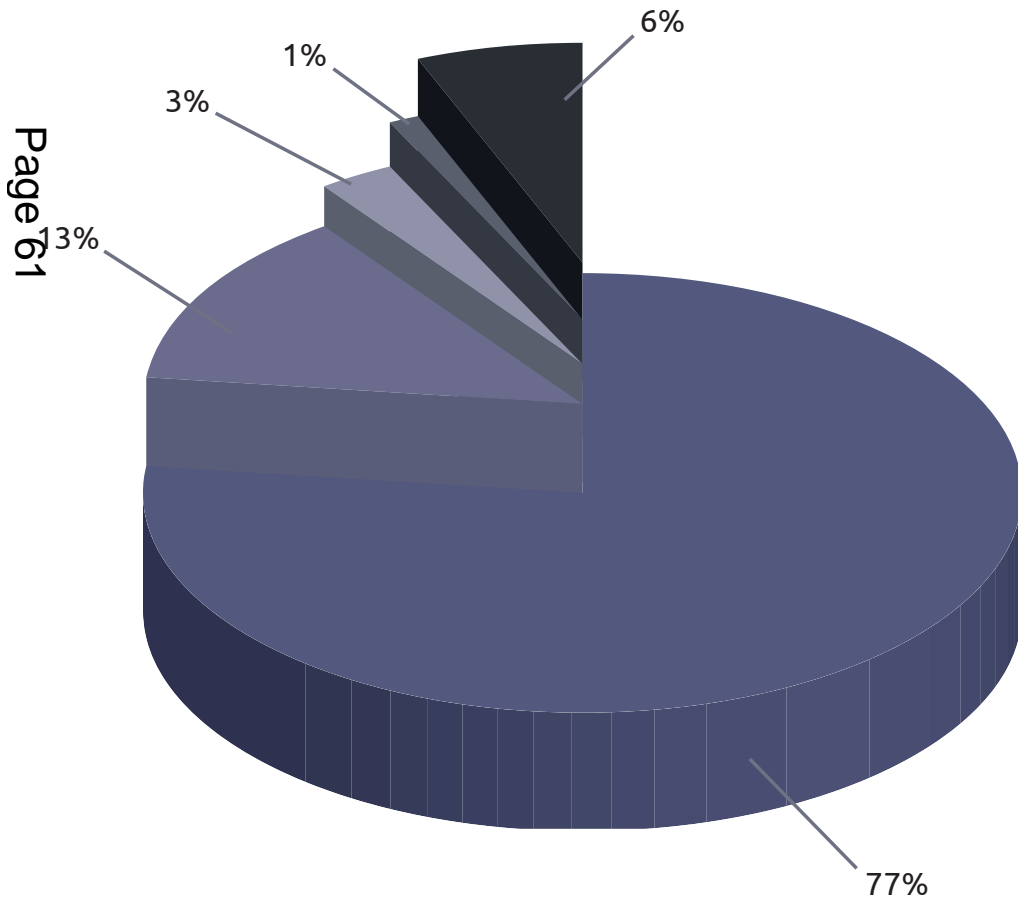


In North Lincolnshire 75.8% of people, using services reported they felt safe, this is 6.5% more than the regional average and a 0.4% increase on the previous year. This data was drawn from section 4A of the Adult Social Care Outcomes Framework (ASCOF) in England for the period 1 April 2021 to 31 March 2022. The data measures how well care and support services achieve the outcomes that matter most to people.

Safeguarding adults data in 2021 / 22

Care Quality Commission ratings North Lincolnshire Care Homes and Home Care

■ Outstanding ■ Good ■ Requires Improvement ■ Inadequate ■ Not Yet Inspected



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This information relates to the quality assurance of providers quality assurance of registered care providers following Care Quality Commission following Care Quality Commission (CQC) inspections, indicating a high-quality care sector with 83% of providers being inspected as either good or outstanding.

Where a provider has been rated as inadequate, or requires improvement board partners work closely together with the provider to offer support and guidance and to seek assurances that people are safe.

Safeguarding Adult Reviews

What is a Safeguarding Adult Review (SAR)?

A SAR takes place when agencies who worked with an adult who suffered abuse or neglect, come together to find out and think about how they could have done things differently.

The aim of a SAR is to promote effective learning and improvement. SARs should be used to explore examples of good practice, as well as those not so good, and should identify learning which can be applied to future cases.

The law says Safeguarding Adults Boards must arrange a SAR when:

There is reasonable cause for concern about how NLSAB, its partners or others worked together to safeguard the adult

AND

The adult died and NLSAB suspects the death resulted from abuse or neglect

OR

The adult is alive and NLSAB suspects the adult has experienced abuse or neglect.

SARs are overseen by NLSAB Executive SAR Group, consisting of representatives from the board's statutory partners (North Lincolnshire Council, North Lincolnshire Clinical Commissioning Group and Humberside Police).

The group has been chaired by Chief Superintendent Darren Wildbore of Humberside Police.

During the year the group received no new SAR referrals, and one review was completed (Adult B).

The subgroup continues to track recommendations identified in previous SARs to ensure learning is embedded.

The subgroups have continued to share good practice and learning identified in regional and national SARS with practitioners and partner agencies.

Seven-minute briefings have been developed to help disseminate key messages from SARs amongst partner agencies.

The NLSAB has maintained links and reporting relationships with the Community Safety Partnership (CSP) who manage Domestic Homicide Reviews (where they involve adults with care and support needs).

Safeguarding Adult Reviews

Adult B SAR

Adult B is a 54-year adult who has a diagnosis of Autism Spectrum Disorder and Asperger's Syndrome. Adult B's needs were complex and there were multiple agencies involved with care and support.

Adult B raised concerns to multiple agencies that they had been neglected by services, feeling that no single organisation had taken a lead in providing care and had been passed between teams and agencies. Adult B felt that there was no consistency, and that practitioners supporting them did not have the required knowledge or skills in supporting adults who had autism.

Although Adult B had not died, and there was no suspicion or knowledge that Adult B had experienced abuse or neglect - there were suggestions that partner organisations could have worked more effectively together, and it was felt potential lessons could be learnt and applied to future cases.

The review was conducted in the form of a Multi-agency Reflective Workshop. The purpose of this type of review is for agencies involved to meet and share their perspectives as a self-assessment of the multi-agency safeguarding arrangements and practice to identify improvements.

The aim of the review was to make a positive impact on frontline practice. The focus of the workshop was to reflect on Adult B's journey and identify any opportunities for improved interface between the agencies.

Safeguarding Adult Reviews

Adult B SAR - Good Practice

- There was evidence of collaborative working between the advocate, practitioners within all agencies, Adult B and family members.
- There was evidence on many occasions as Adult B went into crisis situations, agencies came together and worked collaboratively around personalised care.

There was evidence that Adult B was supported and encouraged to make their own choices regarding how they wanted their care to be delivered.

- Practitioners recognised the risks associated with Adult B's environment and timely referrals to the safeguarding team were made.
- Safeguarding Strategy Meetings were held, and robust Safeguarding Plans were implemented, there is evidence that Adult B was involved, and their views and wishes were listened to.
- There is evidence that practitioners understood the escalating complexities around the case, they articulated their concerns and were supported by senior managers within their organisations.

Multi-agency Recommendations

- When working with adults who have autistic spectrum disorder, practitioners should be provided with training and education to ensure they have the relevant skills and knowledge required to effectively support those individual and their families.
- One identified professional should be the 'lead' in order to coordinate care and support when working with people presenting with complex needs, ensuring consistency and a joined up approach between multi-agencies.
- When a person with complex needs does not meet the threshold for services a multi-disciplinary meeting should be convened to establish which service or services would be the most appropriate service or services to provide support to the person.
- Organisations should ensure that there are processes in place for mechanisms to engage with adults who have Autism and their families in the production of policies and procedures.

Areas of future focus

As evidenced within this Annual Report, the board have made considerable progress this year in relation to delivering the priorities and strategic objectives outlined within the Strategic Plan.

We recognise the importance of ensuring that our focus remains on the issues which are going to make the greatest difference to safeguarding people in North Lincolnshire. The following key themes have been identified by board partners as areas of future focus -

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In 2022 the board will review it's Strategic Plan - the plan will be developed in partnership with adults who have a lived experience, their carers and our partners.

She board will continue to work with partners to prepare for the implementation of the Liberty Protection Safeguards (LPS) and will support partners to keep up to date with the evolving situation regarding the timeline and publication of the statutory guidance.

- The board will enhance engagement with local community groups and the voluntary sector to raise awareness and understanding of safeguarding adults, with a focus on diverse, isolated and under-represented communities.
- The board will continue to promote a positive learning culture where partners continually reflect on practice and learn from local, regional and national reviews and identify ways to prevent and reduce harm.
- The board will continue to analyse all available data and intelligence to help recognise emerging safeguarding themes and trends, including considering hidden harm and ensure action is taken when needed.
- The board will develop training and education particularly around professional curiosity, legal literacy and trauma informed responses.
- The board will continue to ensure that policies, procedures and guidance are effective, flexible and adapt in response to learning.

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North Lincolnshire
Safeguarding Adults Board

Strategic Plan

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2023 - 2025



Foreword

It is a duty of the Board to have a strategic plan. We want this plan to be clear about our intentions and priorities, so that we have the best chance to work well together. In developing our strategic plan for the next three years we have:

- Worked with people with a lived experience, with carers and with our workforce to hear what is important to them, including a development event and surveys.
- Reviewed how we have been able to meet the commitments made in the previous three year strategic plan, looking at what has worked well and what could be better.

We have taken account of the data and information about performance and outcomes in North Lincolnshire, and -

- We have thought about the learning locally and nationally about best practice and areas for improvement.

“Our strategy is intended to ensure the safeguarding principles and making safeguarding personal outcomes can be delivered in North Lincolnshire. Our objectives for the next three years are aligned to the six safeguarding principles. Listening to the voice of people with a lived experience will continue to remain at the heart of our plan - embracing the ethos of **‘Experts Together’.**”

Kamy Clark - **Independent Chair**

What we've achieved so far

The board have made considerable progress in relation to delivering the priorities and strategic objectives outlined within previous Strategic Plans. Below are highlights of some of the key achievements –

- There has been, and continues to be a strong focus on engaging with and listening to adults with a lived experience, and their families to understand their views and experiences - the board have co-produced a number of guidance and easy read documents.

Adults with a lived experience were empowered to share their knowledge and expertise with the local community, partner organisations and frontline practitioners through the 'Listen to me and hear my voice' Safeguarding Conference.

- Communications through the board website have been enhanced.
- To ensure that young people and their families feel supported when transitioning from childhood to adulthood, a joint plan with children's services has been developed.
- Following the publication of Adult A SAR in 2020, in the absence of a forensic service nationally and locally, a pilot scheme has commenced to develop a programme to train health professionals to undertake forensic examinations.

- The board have strengthened the Scrutiny & Assurance Framework and have completed a number of Line of Sight to Practice Reviews.
- A joint self-assessment framework has been developed in partnership with the Children's Multi-agency and Resilience Safeguarding (CMARS) Board.
- The board have completed joint assurance focussed visits with the Children's MARS Board to partner agencies.
- The board continues to demonstrate a sustained level of attendance and participation from members.

Who we are

The Safeguarding Adults Board (SAB) is a multi-agency partnership which has statutory functions under the Care Act 2014. Our main focus is to ensure that safeguarding arrangements in North Lincolnshire work effectively so that adults at risk are able to live their lives free from harm and exploitation.

The partnership is made up of the three statutory agencies - the Local Authority, Integrated Care Board and the Police who work together with other key partners including – Healthwatch, ambulance service, housing, fire service, probation, providers and voluntary groups who represent adults with care and support needs and carers.

Our role

Our main role is to help and protect adults with care and support needs from the risk of, and experience of abuse and neglect by –

- Seeking assurance that local safeguarding arrangements as defined within the Care Act 2014 are in place.
- Working collaboratively with partner agencies to prevent abuse and neglect wherever possible.
- Assuring that safeguarding practice is person-centred, outcome focussed and proportionate to the risk presented.

Safeguarding principles that support and guide our approach

- **Empowerment** - People being supported and encouraged to make their own decisions and informed consent
- **Prevention** - It is better to take action before harm occurs
- **Protection** - Support and representation for those in greatest need
- **Proportionality** - The least intrusive response appropriate to the risk presented
- **Partnership** - Local solutions through services working with communities. Communities have a part to play in preventing, detecting and reporting abuse and neglect
- **Accountability** - High challenge, high support and transparency in delivering safeguarding

Making it personal

I am asked what outcomes I want from the safeguarding process, these directly inform what happens -
Empowerment

I get help and support to report abuse and neglect. I get help so I can take part in the safeguarding process -
Protection

I am confident professionals will work together to get the best result for me -
Partnership

I am sure professionals will work in my best interest, only getting involved as much as needed - **Proportionality**

I receive clear and simple information about what abuse is, how to recognise it and seek help -
Prevention

I understand the role of everyone in my life and so do they - **Accountability**

Our strategy is intended to ensure the safeguarding principles and making safeguarding personal outcomes can be delivered in North Lincolnshire. Our objectives for the next three years are aligned to the six safeguarding principles. Listening to the voice of people with a lived experience will continue to remain at the heart of our plan - embracing the ethos of 'Experts Together'

Empowerment

Our plans will focus on –

Working directly with adults with care and support needs to enhance our communications, policies and procedures so that people are empowered to make their own decisions to live free from harm and abuse.

Strengthening the voice of carers, recognising the importance of their own personal wellbeing and resilience alongside those of the person they care for.

Partnership

Our plans will focus on –

Engaging with local community groups and voluntary sector to raise awareness and understanding of safeguarding adults, with a focus on diverse, isolated and under-represented communities.

Working with other partnership boards in North Lincolnshire and in the region to ensure a collaborative approach is taken to safeguarding.

Prevention

Our plans will focus on -

Continuing to raise awareness of safeguarding adults in a variety of formats to help people understand what abuse is, recognise the signs and know how to seek help.

Continuing to promote a positive learning and improvement culture where we continually reflect on our practice and learn from local, regional and national reviews and identify ways to prevent and reduce harm.

Proportionality

Our plans will focus on -

Delivering multi-agency and bespoke training and education where awareness and understanding needs to be enhanced.

Ensuring people are signposted to independent support, advice and advocacy to reduce risk and build future resilience.

Protection

Our plans will focus on -

Ensuring our policy, procedures and guidance are effective, flexible and adapt in response to learning.

Strengthening practice particularly around professional curiosity, carer awareness, legal literacy and trauma informed responses.

Using all available data and intelligence to help recognise emerging safeguarding themes and trends, including considering hidden harm and ensure action is taken when needed.

Accountability

Our plans will focus on -

Holding partners to account and ensuring effective system oversight of safeguarding adult arrangements, functions and performance.

Ensuring there are effective mechanisms in place to ensure information sharing is not a barrier.

Delivering our Strategic Plan

The board has identified six strategic priorities which are underpinned by thirteen strategic objectives. Our annual business plans will describe the activities and outcomes we will achieve to deliver our objectives.

The business plan is designed to enable implementation and monitoring of actions in a clear and concise way, including clear timescales, measures of success and progress.

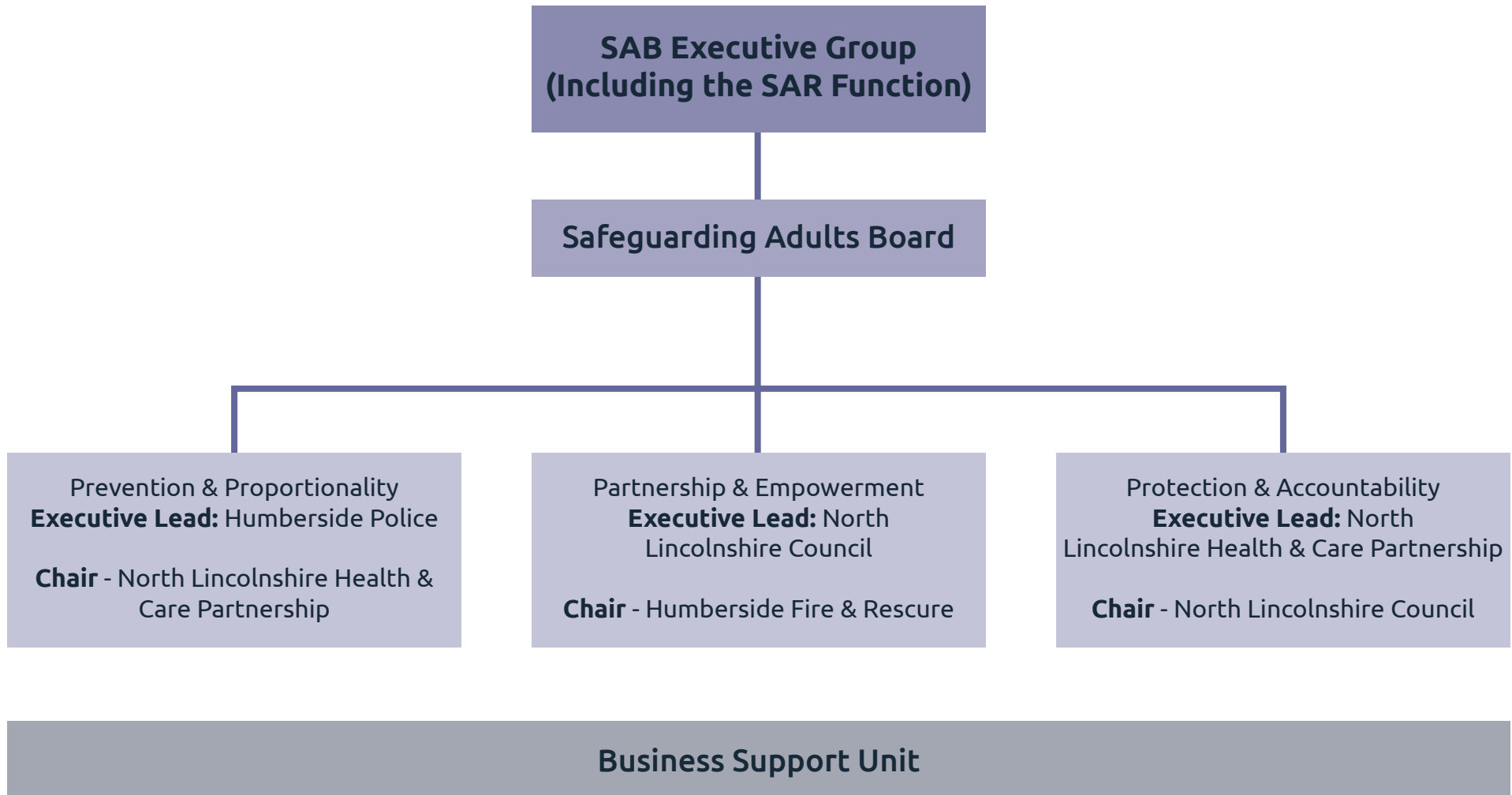
The business plan is monitored and progress will be reviewed by the Executive Group and Board on a regular basis.

The annual report which is published will reflect this and makes the board accountable to the residents of North Lincolnshire. This will support partners to understand the impact their work is having.

Delivering our Strategic Plan

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Subgroups



Moving forward...

As we move forward we will continue to consult with, and engage our local community as well as other local strategic groups, including - Community Safety Partnership, Children's Multi Agency and Resilience Safeguarding Board, Health and Wellbeing Board.

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NORTH LINCOLNSHIRE COUNCIL

CABINET

2021/2022 ANNUAL REPORT OF THE VIRTUAL HEADTEACHER

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To seek Cabinet approval of the Annual Report of the Virtual Headteacher for 2021/2022.

2. BACKGROUND INFORMATION

- 2.1 North Lincolnshire is highly ambitious for all of its children, and especially our children in care and care leavers. As corporate parents, we strive to ensure all our children in care achieve the best they can.
- 2.2 The role of the Virtual School is to promote the educational achievement of children in our care whether educated in North Lincolnshire or placed out of the county. The Virtual School has high aspirations for and strives to close the attainment gap between our children and their peers.
- 2.3 The Virtual School works tirelessly to provide effective support and make a difference to the education outcomes for our children in care and care leavers regardless of when they came into care.
- 2.4 This report reflects the impact and the successes over the past year and has been considered within MALAP (Multi Agency Looked After Partnership) and the Corporate Parenting Board.

3. OPTIONS FOR CONSIDERATION

- 3.1 For Cabinet to approve the 2021/2022 Annual Virtual Headteacher Report.

4. ANALYSIS OF OPTIONS

- 4.1 The 2021/2022 annual Virtual Headteacher Report is published in line with statutory requirements for children in care and covers the work of the Virtual School in raising achievement and attainment for our children in care and care leavers for the previous academic year.

5. **FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)**
 - 5.1 None
6. **OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)**
 - 6.1 N/A
7. **OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**
 - 7.1 N/A
8. **OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**
 - 8.1 N/A
9. **RECOMMENDATIONS**
 - 9.1 For Cabinet to approve the 2021/22 Annual Virtual Headteacher Report.

DIRECTOR OF CHILDREN AND FAMILIES

Church Square House
SCUNTHORPE
North Lincolnshire
DN15 6NL
Author: Darren Chaplin Assistant Director Education
Date: January 2023

Background Papers used in the preparation of this report:

2021/22 Annual Virtual Headteacher Report

Annual Report of the Virtual Headteacher
2021/22

Foreword

The Virtual School in North Lincolnshire is committed to ensuring that we take a One Family Approach for all of our children in care, ensuring that children have a sense of belonging and equality of opportunity, developing on strengths and building resilience so that they can find solutions to overcome problems and live and attend school as part of their community.

We set the highest expectations of schools and settings, of our corporate parents and of our children to ensure they have the opportunities they are entitled to through their education and care. We strive to ensure they develop both academically and socially, discover hidden talents and participate fully in the curriculum and wider opportunities.

This report highlights the achievements of our children this year and showcases the work of the Virtual School in supporting them in these successes. Progressing out of Covid has presented as many challenges as the previous years and we have continued to have a determined focus on ensuring our children have access to the highest standard of care and support through:

- High quality Personal Education Plans (PEPs), with robust quality assurance to promote best practice in ensuring high expectations and aspirations.
- Providing private tuition through the school-led tutoring grant to raise attainment and support.
- Training offer to schools offering whole school trauma and attachment training alongside training to designated teachers, foster carers and professionals supporting our children.
- Development of protocol to reduce suspensions for our children in care.
- Support for previously looked after children, care leavers and post 16 children in care to raise aspirations and promote education, employment and training (EET).
- Extending the remit of the Virtual School to improve support and raise achievement for children with a social worker.

Our young people have again excelled in their educational outcomes this year, despite the challenges, they have achieved some of the highest academic results that we have seen whilst maintaining excellent levels of attendance and behaviour, we could not be more proud of their energy and commitment to their educational improvement. We know that the progress they have made will enable them to have a positive onward journeys as they move into adult life.



Dave Flowitt

Virtual Headteacher

Headlines

- School stability is a priority and is improving year-on-year. In July 2022, 88% of our children in care were being educated in schools judged good or better by Ofsted. Due to Covid-19, there are no validated education outcomes data for 2020 or 2021, however provisional outcomes for 2022 show North Lincolnshire’s children in care achieved above their national peers in:
 - Early Years Foundation Stage
 - Year 1 Phonics
 - Reading and mathematics at Key Stage 1
 - Reading, writing and mathematics at Key Stage 2
- Three North Lincolnshire Education Settings have achieved the GOLD Caring 2 Learn award. The project aims to improve the learning outcomes for our children by upskilling and supporting educators and carers, encouraging participation and improving attendance, promoting good practice to support the wellbeing, emotional and mental health of all vulnerable children at home or in their education setting, reducing the number of fixed-term suspensions and permanent exclusions and having fewer Post 16 Not in Education, Employment or Training (NEET) young people by promoting higher aspirations and self-esteem.
- The overall absence rate of children in care continuously for 12 months or more in North Lincolnshire in 2020/21 was 8.1%, which is better than the national average of 9.1%. The overall absence rate for children in care was ranked 41st out of 149 local authorities. This places the authority in quartile B.
- The percentage of children in care continuously for 12 months or more in North Lincolnshire receiving one or more suspension in 2019/20 was 4.4%, which is better than both national & regional averages. The suspension rate for children in care was ranked 2nd out 141 local authorities.
- Additional/one to one tuition continues to be offered to our children to assist in catch up following the Covid pandemic and missed learning.

Creating Success for Children in Care Conference

The Virtual School held its second Children in Care Conference in November 2021.

Luke Rodgers delivered a powerful keynote speech "Living a Careless Life" which provided an emotional, thought provoking and in depth understanding of a young person's perspective and journey through care. The keynote focused on the power of relationships, what individuals can do to have a huge impact on the lives of children in the care system. How to see the messages in children's behaviour and spotting triggers that often cause trauma in children.

Rohit Naik, headteacher of a special school for social, emotional and mental health shared his experience of the journey he took to gain a gold award for being an attachment and trauma sensitive school.

Bowmandale School talked about being the 1st North Lincolnshire School to gain the Caring2Learn Gold Award and shared their experiences.

Thrive Approach joined us to promote children's and young people's positive mental health by helping adults know how to be and what to do in response to their differing and sometimes distressed behaviour.

"Very useful and knowledgeable from an Early Years setting. Helpful to know what happens when at school and how children are supported"

"Lovely to be able to speak to so many colleagues. The information from speakers and stalls was invaluable"

"A really well organised event. Powerful and thought provoking speakers"

"Very inspirational and reassuring to hear the voices of experts who have the same ethos and values as those we are developing in our school"

Children in Care/Children with a Social Worker conference is scheduled for 20 January 2023

Partnership and Collaborative Work

In keeping with the One Family Approach, the Virtual School functions within Children and Families care and health. The collaboration and sharing of information, resources and provision works best for our children and we continue to support each other to drive forward outcomes. We are proactive in building relationships with our Designated Teachers in order to improve outcomes for children in care and previously looked after children and champion the Designated Teacher role as set out in the statutory guidance (Feb 2018).

The Virtual School has collaborated with the Independent review team, SEND, social work and school improvement team as part of a task and finish group to reduce suspensions and exclusions for children in care. Together we have agreed a suspension/exclusions flow chart and protocol to encourage schools, carers and social workers to work closely in identifying changes in behaviour, triggers and challenges early to ensure support is in place to help prevent a suspension/exclusion. Where a suspension/exclusion has taken place, this triggers a meeting chaired by the Independent Reviewing Officer in partnership with the Virtual School to challenge the suspension/exclusion, check first day provision and the support in place for the child and to plan future support to prevent any further suspensions/exclusions. The meetings have encouraged reflection and have been positive in promoting collaborative working to reduce suspensions/exclusions in schools.

The Virtual School has provided advice, guidance and additional funding where needed to promote inclusion and reduce suspensions. Examples of support that the Virtual School has offered have included close working with the EHCP co-ordinator where a new provision was named on the EHCP to help better support the child's needs as a managed move and the exclusion rescinded. Additional funding was provided to a school to fund 1:1 support whilst the child was experiencing some trauma triggered behaviour – this enabled her to access work experience that would have been unable to go ahead due to safety concerns without an additional staff member to support. Additional funding has also been offered for therapeutic interventions and advice given to schools to promote trauma informed practice and having a plan in place to prevent further suspension/exclusion where possible.

Child Voice

Education Inclusion Officers, alongside Designated Teachers and Social Workers ensure that children and young people are consulted via the PEP process, regarding their views on their education.

Children are encouraged to attend their termly PEP meeting where possible, but where they do not wish to, the Virtual School requests that their views are still collated prior to the meeting and included on the PEP so that child focused plans can be included with appropriate targets.

The child's views, wishes and feelings are gained and added to a specific tab on the PEP. Different child voice templates are available to use based on the relevant key stage of the child, including a template for non-verbal children's views.

The following are examples of responding to child voice, all evidenced in the PEP with impact measures that are reviewed.

- Setting up and funding private tuition to support with SATs, GCSE, GCSE re-sit and A Level attainment. Children have been keen to access this support and some even requested to continue this throughout the school holiday period giving positive feedback!
- Laptops have been provided where requested to support additional tuition and continued self study. This offer has been extended to our post 16 cohort, where needed, including our unaccompanied asylum seeking children (UASC) who requested online ESOL tuition.
- Pupil premium plus and additional pupil premium plus has been granted to meet child need and to respond to requests for support including therapeutic interventions, quality first teaching, 1:1 academic interventions, small group work, social story and friendship work around culture and religion, forest school to promote leadership skills, fishing 1:1, art materials, family cooking sessions, music tuition, purchase of resources including books and rewards.
- Child voice was an integral part of our last CIC conference where children were consulted on their views of education which was shared on video clips. One of our children in care also presented the caring2learn award to a local school.

Outcomes for Children in Care 2021

The 2020 & 2021 summer exam series, including A levels, GCSEs and other qualifications, and all primary assessments, were cancelled in the fight to stop the spread of coronavirus. The government took the decision not to publish any school or college level educational performance data based on tests, assessments or exams for 2020 or 2021.

In 2021, there were **20** children looked after in the Key Stage 4 cohort in North Lincolnshire.

KS4 attainment in both English and Maths GCSEs

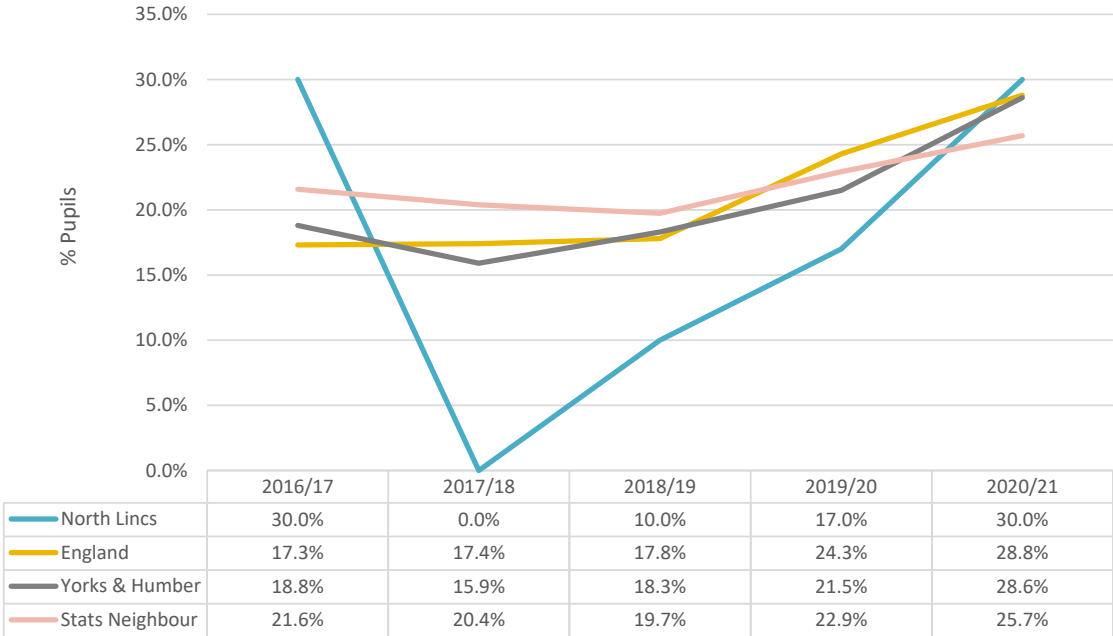
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In 2020/21, 30% of the children looked after continuously for 12 months or more in North Lincolnshire achieved **Grade 4 or above** in both English and Maths GCSEs, an increase of 13 percentage points from the previous year.

The outcome for North Lincolnshire was 1.2 percentage points above the national average of 28.8%

- North Lincolnshire ranked =58th out of 119 local authorities in 2020/21, an improvement of 43 places from the previous year and placed the authority in quartile B.
- 11% of the children looked after continuously for 12 months or more in North Lincolnshire achieved **Grade 5 or above** in both English and Maths GCSEs, equal to the outcome from the previous year.
- The outcome for North Lincolnshire was 1.6 percentage points below the national average of 12.6%

KS4 - % Pupils achieving Grade 4+ in English & Maths GCSE - LAC 12 months + as at 31st March



Outcomes for Children in Care 2021 (continued)

The 2020 & 2021 summer exam series, including A levels, GCSE’s and other qualifications, and all primary assessments, were cancelled in the fight to stop the spread of coronavirus. The government took the decision not to publish any school or college level educational performance data based on tests, assessments or exams for 2020 or 2021.

Indicator	North Lincs 2019/20	North Lincs 2020/21	North Lincs 2021/22 (provisional)	Latest Yorks & Humber average	Latest National Average	Comments
PROVISIONAL – KS4 outcomes						
Children in care, for 1 year or more, achieving Grade 4+ in English & Maths GCSEs (%)	15% (3/20)	30% (6/20)	27% (6/22)	28.6%	28.8%	<p>In 2020/21, 30% of the children looked after continuously for 12 months or more in North Lincolnshire achieved Grade 4 or above in both English and Maths GCSEs, an increase of 15 percentage points from the previous year.</p> <p>The outcome for North Lincolnshire was 1.2 percentage points above the national average of 28.8% and 1.4 percentage points above the Yorkshire and Humber average of 28.6%.</p> <p>North Lincolnshire ranked =58th out of 119 local authorities in 2020/21, an improvement of 43 places from the previous year and placed the authority in quartile B.</p>
Children in care, for 1 year or more, achieving Grade 5+ in English & Maths GCSEs (%)	10% (2/20)	10% (2/20)	23% (5/22)	13.8%	12.6%	<p>In 2021, 10% of the children looked after continuously for 12 months or more in North Lincolnshire achieved Grade 5 or above in both English and Maths GCSEs, equal to the outcome from the previous year.</p> <p>The outcome for North Lincolnshire was 2.6 percentage points below the national average of 12.6% for those children who are looked after continuously for 12 months that achieved Grade 5 or above in both English and Maths GCSEs.</p> <p>North Lincolnshire was 3.8 percentage points below the Yorkshire and Humber average of 13.8%.</p>

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Outcomes for Children in Care 2022 (provisional)

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LAC for 12 months or more as at 31st March										
		2018	2019	2020*	2021*	Provisional 2022	National 2019	Diff	Provisional National 2022	Diff
EYFS	% achieving a Good level of Development	50.0%	62.5%			50.0%	48.0%	2.0%	40.0%	10.0%
KS1	% EXS+ in Reading	80.0%	60.0%			50.0%	52.0%	-2.0%	44.0%	6.0%
	% EXS+ in Writing	80.0%	40.0%			25.0%	43.0%	-18.0%	33.0%	-8.0%
	% EXS+ in Maths	60.0%	60.0%			50.0%	49.0%	1.0%	44.0%	6.0%
KS2	% EXS+ in Reading, Writing & Maths	33.3%	33.3%			50.0%	37.0%	13.0%	32.0%	18.0%
	% EXS+ in Reading	40.0%	66.7%			66.7%	49.0%	17.7%	52.0%	14.7%
	% EXS+ in Writing	46.7%	83.3%			50.0%	50.0%	0.0%	43.0%	7.0%
	% EXS+ in Maths	40.0%	50.0%			83.3%	51.0%	32.3%	45.0%	38.3%
KS4	% Grade 4+ in English & Maths	0.0%	10.0%	17.0%	30.0%	27.0%	17.8%	9.2%	-	-
	% Grade 5+ in English & Maths	0.0%	0.0%	11.0%	11.0%	23.0%	7.2%	15.8%	-	-

Please note:
Caution should be taken when comparing 2022 results to previous years due to GCSEs being teacher assessed in 2020 & 2021.

The last time exams took place was in 2019, therefore the difference to 2019 outcomes is shown as a more representative comparison

- In 2020 & 2021 - assessments in EYFS, KS1 & KS2 did not take place due to the Covid pandemic
- KS4 - Outcomes in 2020 & 2021 were based on teacher assessment grades
- EYFSP - A new framework was introduced in 2022, therefore figures are not comparable to previous years

Attendance and Exclusions - Looked After Children

Indicator	North Lincs 2018/19	North Lincs 2020/21	North Lincs 2021/22 (provisional)	Latest Yorks & Humber average figure	Latest National Average	Comments
Children in Care						
Overall absences from school for children looked after for 1 year or more (%)	4.0%	8.1%	6.9%	8.1% 2020/21	9.1% 2020/21	The overall absence rate of children looked after continuously for 12 months or more in North Lincolnshire in 2020/21 was 8.1%. North Lincolnshire's result was 1 percentage point better than the national average, and equal to the Yorkshire and Humber average. North Lincolnshire's overall absence rate was ranked =41 st out of 149 local authorities, this places the authority in quartile B. Provisional data for 2021/22 shows the overall absence rate of children looked after continuously for 12 months or more in North Lincolnshire was 6.9%.
Children in care who are classed as persistent absentees (%)	8.3% (9/109)	29.5% (33/112)	15.9% (14/88)	26.4% 2020/21	30.4% 2020/21	The overall percentage of children looked after continuously for 12 months or more in North Lincolnshire who were classed as persistent absentees in 2020/21 was 29.5%. North Lincolnshire's result was 0.9 percentage points lower than the National average, and 3.1 percentage points above the Yorkshire and Humber regional average. North Lincolnshire's persistent absence rate was ranked 65 th out of 148 local authorities, this places the authority in quartile B. Provisional data for 2021/22 shows the persistent absence rate of children looked after continuously for 12 months or more in North Lincolnshire was 15.9%.
Children in care, for 1 year or more with at least one or more suspension(%)	15% (18/120)	4.4% (7/111) 2019/20	8.9% (9/101)	9.3% 2019/20	9.4% 2019/20	Provisional figures for 2021/22 indicate the suspension rate in North Lincolnshire for children looked after continuously for 12 months or more is 8.9%, as recorded at the end of July. The suspension rate in North Lincolnshire for children looked after continuously for 12 months or more was 4.4% in 2020. This was 5 percentage points lower than the national average and 4.9 percentage points lower than the Yorkshire and Humber average. The suspension rate for looked after children in North Lincolnshire was ranked 2 nd out of 141 local authorities.

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Outcomes for Children in Need 2021

The 2020 & 2021 summer exam series, including A levels, GCSEs and other qualifications, and all primary assessments, were cancelled in the fight to stop the spread of coronavirus. The government took the decision not to publish any school or college level educational performance data based on tests, assessments or exams for 2020 or 2021.

In 2021, there were **34** children in need in the Key Stage 4 cohort in North Lincolnshire.

KS4 attainment in both English and Maths GCSEs

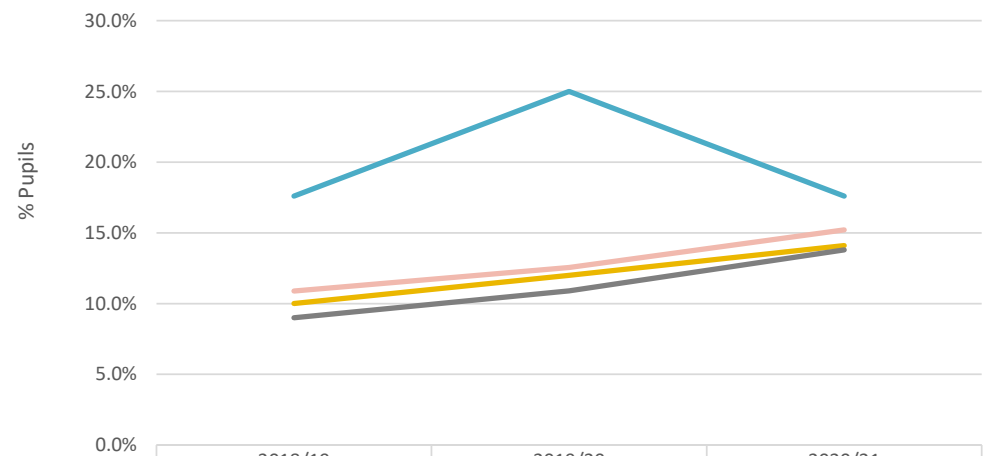
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In 2020/21, 17.6% of children in need in North Lincolnshire achieved **Grade 5 or above** in both English and Maths GCSEs, a decrease of 7.4 percentage points from the previous year.

The outcome for North Lincolnshire was 3.5 percentage points above the national average of 14.1%.

- North Lincolnshire ranked =32nd out of 111 local authorities in 2020/21, a fall of 28 places from the previous year and placed the authority in quartile B.
- 20.6% of children in need in North Lincolnshire achieved **Grade 4 or above** in both English and Maths GCSEs, a decrease of 20.3 percentage points from the previous year.
- The outcome for North Lincolnshire was 6.6 percentage points below the national average of 27.2%

KS4 - % Pupils achieving Grade 5+ in English & Maths GCSEs – CIN as at 31st March 2022

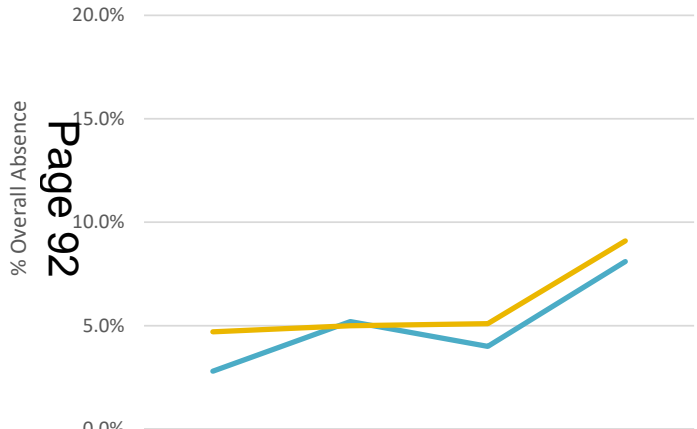


	2018/19	2019/20	2020/21
North Lincs	17.6%	25.0%	17.6%
England	10.0%	12.0%	14.1%
Yorks & Humber	9.0%	10.9%	13.8%
Stats Neighbour	10.9%	12.6%	15.2%

Overall Absence

Children in Care

% Overall Absence – Children Looked After 12 months + as at 31st March



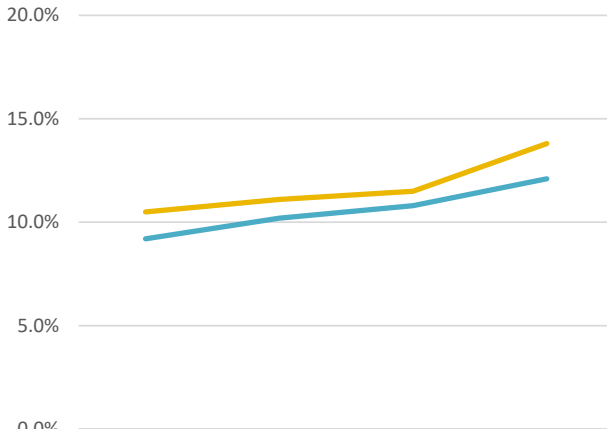
	2016/17	2017/18	2018/19	2020/21
North Lincs	2.8%	5.2%	4.0%	8.1%
England	4.7%	5.0%	5.1%	9.1%

The overall absence rate for children looked after continuously for 12 months or more in 2020/21 was 8.1%,

The outcome for North Lincolnshire was 1 percentage point lower than the national average of 9.1%

Children in Need

% Overall Absence Children in Need as at 31st March 2022



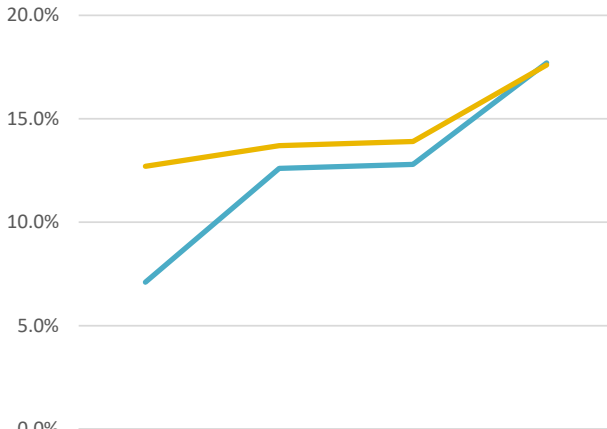
	2016/17	2017/18	2018/19	2020/21
North Lincs	9.2%	10.2%	10.8%	12.1%
England	10.5%	11.1%	11.5%	13.8%

The overall absence rate for in need in 2020/21 was 12.1%.

The outcome for North Lincolnshire was 1.7 percentage points lower than the national average of 13.8%

Child Protection Plan

% Overall Absence - Child Protection Plan as at 31st March



	2016/17	2017/18	2018/19	2020/21
North Lincs	7.1%	12.6%	12.8%	17.7%
England	12.7%	13.7%	13.9%	17.6%

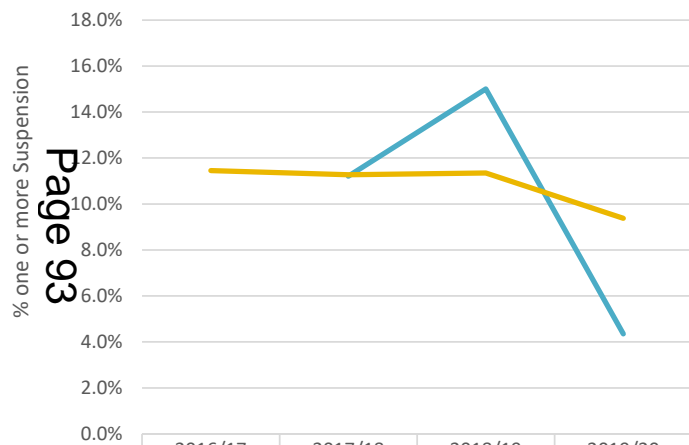
The overall absence rate for children on a child protection plan in 2020/21 was 17.7%.

The outcome for North Lincolnshire was 0.1 percentage points higher than the national average of 17.6%

Suspensions

Children in Care

% Pupils with one or more Suspension – Children Looked After 12 months + as at 31st March

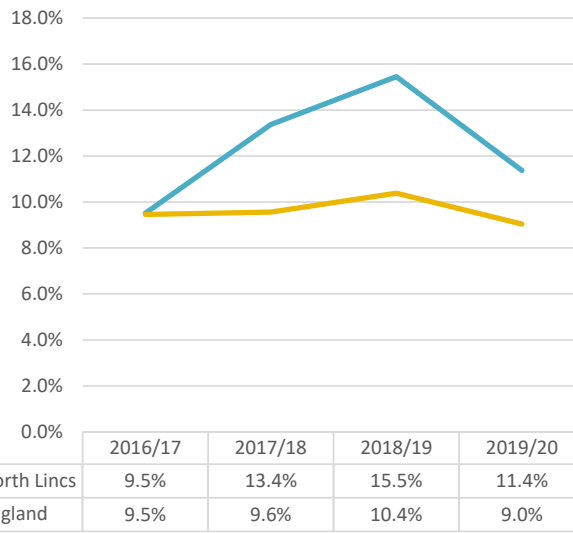


The percentage of children looked after continuously for 12 months with one or more suspension in 2019/20 was 4.4%.

The outcome for North Lincolnshire was 5 percentage points lower than the national average of 4.4%

Children in Need

% Pupils with one or more Suspension – Children in Need as at 31st March 2022

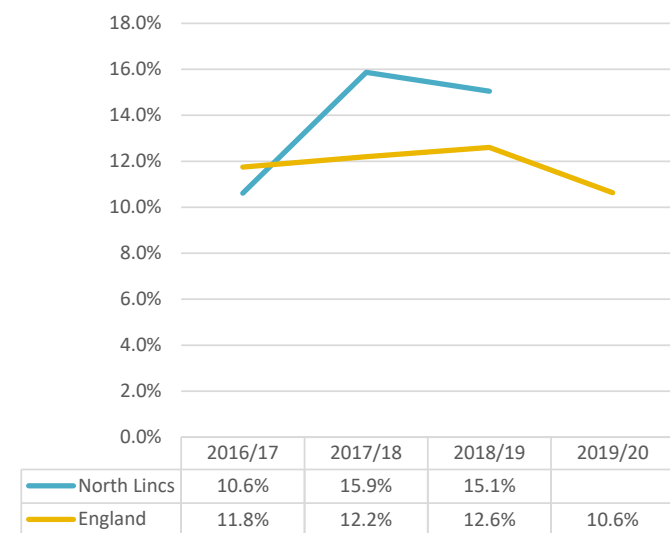


The percentage of children in need with one or more suspension in 2019/20 was 11.4%.

The outcome for North Lincolnshire was 2.4 percentage points higher than the national average of 9.0%.

Child Protection Plan

% Pupils with one or more Suspension - Child Protection Plan as at 31st March



In 2019/20, the percentage of children on a child protection plan with one or more suspension in North Lincolnshire was suppressed due to confidentiality.

Nationally, the percentage of children on a child protection plan with one or more suspension in was 10.6%.

Pupil Premium Spend

Through the PEP Review process, the Virtual School monitors how Pupil Premium is used to ensure that children in care benefit from this additional resource in relation to making good progress in schools. The Virtual Headteacher is responsible for managing the allocation of the funding to schools and academies each term.

The annual pupil premium payment made available to schools to request using the personal education plan is £2000 per child. The spend of pupil premium is encouraged and discussed within the PEP meetings and scrutinised throughout quality assurance processes. We continue to work with schools to identify opportunities to support our children and young people within this spend to ensure best outcomes and to support their emotional health and wellbeing. Additional payments over and above the £2000 rate is made following individual requests from schools and in agreement with the Virtual School. There are a number of children who have benefitted from this additional funding following exceptional requests for support where additional need has been highlighted. The LA continues to hold a small budget from pupil premium for such need.

This collaborative approach between schools demonstrates commitment to ensuring all looked after children have the best opportunities to progress in learning.

Any increase in pupil premium funding is considered within School Forum as and when required.

Funding is distributed termly and quality assured via the PEP. Challenge remains in place with schools where PEP quality may require some improvement or pupil premium spend is not clarified to benefit that particular child or young person.

It remains that the full pupil premium grant is utilised each financial year. Schools also have additional support opportunities through commissioned placements at other settings which support small group and/or therapeutic settings. Children from reception to NCY 7 are sent a total of 7 parcels per year through 'Letter Box' with reading books, activities and games to enhance their reading skills. All of our children in care up to the age of five years receive a monthly reading book through North Lincolnshire's Imagination Library.

Electronic PEPs (EPEPs) and Welfare Call

The Virtual School works directly with children, carers, designated teachers, and social workers to ensure that the electronic PEPs are consultative and responsive to the child's needs as well as recording their educational journey from the point they become looked after.

The Virtual School ensures that the PEP review process is undertaken within appropriate timescales and has aspirational targets, whilst addressing social and emotional needs.

PEPs use SMART targets and provide a pathway to achieve successful outcomes and regularly reviews the PEP to ensure it is aspirational and demonstrates how the pupil premium enhances the child's attainment.

Welfare Call collects the daily attendance for all our children in care. An analytics tool has been developed which provides us with statistical data that can be utilised during meetings and included in reports.

Additional quality assurance meetings are held termly and more recently to monthly to focus on Fisher Family Trust (FFT) estimates. Senior leads, multi-agency partners and the Virtual Headteacher attend this meeting and key year groups are allocated a focus at specific meetings to support best outcomes, challenge to schools and transition arrangements for that group.

The Virtual School is directly responsible for:

- Quality assuring the documents and RAG rating accordingly
- Holding to account those with responsibility for ensuring that the agreed objectives, actions and support are delivered
- Monitoring the use of pupil premium spend and child progress
- Ensuring a termly quality assurance meeting is held and supported by social care, education and schools randomly selecting a number of EPEPs for Quality Assurance.
- Monthly audits of looked after children takes place
- Challenge to schools where there is evidence that an Education, Health and Care Plan application should be made

Supporting High Quality PEPs

Measuring Virtual School Impact

- A consistently high completion rate of Initial PEPs within 10 school days, and PEP reviews within timescales
- Clear evidence that Pupil Premium + is used effectively through monitoring of individual PEP targets.
- Targets have clearly identified outcome/improvements and are RAG rated before new targets are set
- PEPs are submitted for sign off at the meeting as a result of good preparation
- A child's views are clearly recorded on the PEP and targets are child focused to meet identified need.
- There is a clear progression pathway identified, taking account of the young person's ability, hopes and aspirations in all PEPs
- Agreed actions are clearly followed up and reviewed at subsequent PEP meetings
- All PEPs are quality assured and a new PEP QA tab has been added to the PEP to provide feedback and where necessary appropriate challenge and/or action is taken.
- All PEPs have all appropriate sections completed before sign-off.
- Monthly PEP QA meetings are in place to assess the quality of PEPs and provide feedback to schools to ensure PEPs are of a high quality.

School Led Tutoring Grant

The School Led Tutoring Grant for children in care has been used to support catch up learning by providing additional tuition for our children. This has been accessed by a number of children in care, who are finding the support very useful in increasing attainment. Tuition has included mainly Maths and English but also Science, Biology, RE, Physics and History. Private tutors with DBS clearance have been funded as well as specific tuition packages delivered by schools to raise attainment. The Virtual School has extended this offer to our cohort where English is a second language and provided on line ESOL courses to our unaccompanied asylum seeking children (UASC) and recent UASC care leavers. Tuition support has been offered to all our children in care through education, social care and direct with foster carers, with particular emphasis on current year 11's with GCSE support and year 6's with support in SATs. We have also offered additional tuition for GCSE re-sit's and support with A level examinations. The additional tuition has proved to be popular with some great feedback from children and tutors. Exam results demonstrate the impact of the funding.

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" In his science assessment on 10th June 2022, he scored 7%and in the August 2022 assessment he scored 40% "

He tackled several 4 and 6 mark questions which he would previously leave blank as he 'cant do 6 markers'"

" He took over an hour to complete the test (last time he 'finished' in 25 minutes) and scored 74 out of 100 – initially he scored 36 so there has been a vast improvement.

"Starting point in Maths GCSE mock exam Feb 22 grade 2 – achieved grade 4 in GCSE Maths in August 2022"

"was not doing well in maths and was going to be well below 100 before we intervened. He achieved above 100 scaled score and carer was ecstatic about where he is placed in his maths sets for y7!

Staffing of the Virtual School

The Virtual School continues to hold a staffing structure which includes a team of Education Inclusion Officers, Senior Education Inclusion Officer, Lead Officer and the Virtual Headteacher. Every child in care has an allocated officer who oversees their education provision. Expertise and knowledge around the needs of children in care continues to grow with an emphasis on ensuring that the emotional health and wellbeing of our children is best supported. Staff attend regular training to support their roles and are more confident in providing support and positive challenge to schools where benchmark attainment targets are not in line with FFT20.

The Education Inclusion Service's core contribution to improving education outcomes for children in care is by working with schools and other professionals to make sure that the conditions for learning are right. Achieving stability is key so that each child's journey through the education system and into education, employment or training is as smooth as it can be.

A Children in Care Education Officer (1 full time equivalent) continues to develop the practice of the Virtual School by undertaking quality assurance to identify areas for development. The role has provided training and support to Designated Teachers to enable them to champion for the children in their setting, raise aspirations and support positive outcomes.

A Careleaver Education Officer was appointed in January 2021 focusing on supporting previously looked after children and care leavers to ensure that this cohort has support in raising aspirations, access to education, employment and training and preventing NEET.

A Deputy Virtual Headteacher to support the additional duties placed on the Virtual School. From September 2022 a temporary education officer has been appointed to monitor those children supported by a Social Worker CIN/CP.



Training

Training continues to be provided by the Virtual School and a selection of courses are offered to Education Settings, Inclusion Officers, Social Workers, Adopters, SGO's and Foster Carers. Education Settings have been offered the opportunity to undertake whole school Trauma Informed Practice Training. 24 schools have completed this training and a number still undertaking the training as per scheduled dates.

On Line training:

These courses can be accessed and completed in own time: the role of the Designated Teacher, supporting children with unmet attachment needs, understanding trauma and the impact on young people, and raising attainment.

Virtual Training:

Interactive Workshops for North Lincolnshire Education Settings include Kids Skills, Creating Calm for children and adults, Understanding Compassion Fatigue and the Importance of Self Care, A relationship based approach to inclusion and Supporting Grief and Loss.

Other Tools/Resources

Guidance leaflets have been issued to Designated Teachers around SMART target setting, how to complete the attainment section of the PEP at each key stage and self evaluation for Designated Teachers.

On line learning provided

- Whole School Trauma & Attachment training.
- Promoting the achievement of looked after children
- Positive Parenting
- Healing Environments
- The Role of the Designated Teacher
- Adoption, post permanence and the school role
- Understanding trauma and the impact on Young People
- Attention deficit hyperactivity disorder (ADHD)
- Emotion Coaching
- Supporting pupils with unmet attachment needs
- Supporting young people leaving care

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Caring 2 Learn

Caring2learn will be relaunched at our next CIC Conference in January 2023 with a new streamlined self-evaluation framework that will give schools the ability to audit their trauma informed practice, provision and policies to ensure there is support in place for our most vulnerable children to achieve their full potential and families and schools to work together effectively.

The project aims to improve the learning outcomes for our children by ensuring learning communities in which our children and young people feel safe and believe they belong by:

- upskilling and supporting our educators and carers
- encouraging participation and improved attendance
- promoting good practice to support the wellbeing, emotional and mental health of all vulnerable children at home or in their education setting
- reducing the number of fixed-term suspensions and permanent exclusions
- having fewer post-16 NEET young people by promoting higher aspiration and self esteem.
- hosting Caring Schools Awards
- providing on-line training

In addition to the award a full training offer is available for schools, professionals and carers to access free of charge to support trauma informed practice.

Child in Care Education Officer (Previously Looked After/Care Leavers)

Commencing in January 2021 the role was created to support care leavers that were Not in Education Employment or Training (NEET) into Education, Employment & Training (EET) this includes working in partnership with the Department of Work and Pensions, Probation, Personal Advisers (PAs) and Life Skills Officers (LSOs). Support was also offered to previously looked after young people in school with any educational issues, which includes an emphasis on supporting into EET if NEET post 16. Support is already underway with the current year 11 cohort of children in care. This includes:

- Support given to the Education Inclusion Officers to improve support for potential NEETs who remain in care.
- Direct support given to current Y11 cohort of children in care. This forms the discussions around what is available post 16, support with applications and transitions into post 16 provision. Support has also been given with individuals to visit training providers and colleges.
- Working alongside colleges and training providers to identify appropriate provision for individual young people.
- Working alongside the Education & Health Care Plan (EHCP) coordinators to support with post 16 applications and transitions for young people with EHCPs.

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Wider support to care leavers NEETs was offered in a number of ways including:

- Intensive support face to face (home visits) or by phone if the young person preferred this
- Support to enable routes to employment including CVs, regular job searches ,encouragement given to apply for suitable posts, applications, interview techniques/preparation training, registering to recruitment agencies, transport to and from interviews and support with meetings with other professionals
- Referral to other supporting agencies for example Ongo or the Action Station
- Support to enable access to college including applications and follow up, mediate on behalf of young people to enable them to access college places
- Referral to provision and training providers for example YMCA, National Apprenticeships
- Contact made with employers to increase employment or work experience opportunities.

Support to previously looked after young people was offered in a number of ways including:

- The support that was offered to care leaver NEETs was also offered to previously looked after NEET young people to support them moving into EET
- The Children in Care Education Officer attends an education drop in along with the adoption service manager every month to offer support to parents of previously looked after students
- Home visits are offered and carried out to speak to parents and children face to face
- If requested by parents, the Education Officer can attend all meetings, for example Early Help Assessment (EHA) reviews that are held in school or virtually in regards of the issues the young person and parents are experiencing
- Point of contact to offer support to schools with queries re previously looked after issues/concerns
- Part of a team that created the 'Education Passport' for all previously looked after students. The Education Passport will support parents and staff within school in providing the best education experience for students, this has now been rolled out to all schools with encouragement given to use and support offered if required to complete.

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Examples of our young people's successes:

- Two care leavers commenced full time positions with one of our partner employers – Lebus.
- One care leaver accessed Proud to Care training and secured a full-time post as domiciliary care worker.
- One young person secured a full-time post with the Local Authority (LA) she has since passed her 6-month probation period and now has a permanent position with the LA.
- Apprenticeship opportunities.
- A child in care achieved his Health & Safety Passport which was funded by the virtual school in order for him to secure a full-time post.
- One of our current Y11 cohort was supported with visiting a local college and making an application. He has since sat his GCSEs and has secured a place on an A level course.

Outcomes

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Outcomes since the role of the Careleaver Education Officer commenced:

Number of young people making applications for EET since January 2021 – 98

Number of young people moved into EET since January 2021 - 63

Governance and Accountability

The Virtual School and the Virtual Headteacher are accountable to the **Corporate Parenting Board** through quarterly reporting to the **Multi Agency Looked After Partnership (MALAP)** through to the Board.

The Virtual Headteacher is a member of the Corporate Parenting Board. The Children in Care Education and Employability Group (CICEEG), which meets monthly, feeds into this framework via progress reports to the MALAP group and the Education Inclusion Partnership.

The CICEEG meeting is chaired either by the **Lead Officer for Education Inclusion or the Virtual Headteacher**. Its membership includes representatives from social care, education, post 16, health and early years. The meeting is held monthly to monitor the progress, attendance and needs of looked after children and to celebrate areas of success for our children who are looked after. The meeting includes challenge and feedback on specific actions and quality assurance checks. Data is scrutinised and actions arising from this scrutiny are monitored. All potential school moves must have discussion at this meeting to ensure stability of placement and education is paramount. Our ambition is to ensure best outcomes for our looked after children, in order to ensure attainment is high and our children have the support they need to gain qualifications that will enable them into college and university. The Virtual School supports our children through to adulthood to ensure they have the opportunities for their chosen career paths and to become independent and successful adults.

The Virtual School continues to champion the needs of looked after children on behalf of North Lincolnshire Council and works with schools and other education providers to ensure support and resources for looked after children are used effectively and efficiently in line with their Personal Education Plan.

Our plans for the next 12 months

We will:

- Continue to roll out ‘Caring 2 Learn’ to our schools and to encourage all our schools to become Whole School Trauma Informed Practice trained and to follow this up with Whole School Emotion Coaching training
- Ensure that all children in care’s individual needs in education are reviewed to ensure they remain on track to achieve their outcomes
- Further improve the quality of children’s education plans through
 - target setting through the use of SMART targets and national (FFT20) benchmarks to improve children’s outcomes at Key Stage 2 and Key Stage 4
 - Ensuring PEPs are completed and signed off by the Designated Teacher and Social Worker at least 4 weeks prior to the end of term
 - Improving the consistency of access to high quality of education by ensuring positive transitions at all stages in a child’s education journey, improving attendance and further reducing persistent absence; continuing to challenge fixed term suspensions and permanent exclusions
 - Continuing to increase proportion of looked after children in mainstream education
 - Continuing to identify and assess SEND needs at the earliest point so that all looked after children have a learning offer that meets their needs
 - Continue to offer schools additional tuition opportunities for our children in care in year 11 and year 6 to help support their GCSE exams in 2022 and end of Key Stage tests and assessments in May 2022, and roll out to year 10 and year 5 later in the year
 - Continue to provide the Letter Box reading book scheme to children from NCY0 to NCY7.
- Continue to work to develop our data analytics to ensure timely data, learning and planning
- Develop further access to employers and bespoke apprenticeships and raise incentives and support to encourage young people to engage with and remain in education, employment or training
- Develop the additional duties placed on the Virtual Headteacher and Virtual School in respect of those children in receipt of social worker support.

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North Lincolnshire Council



Report of the Director:
Children and Families

Agenda Item: 6
Meeting: 6 February 2023

NORTH LINCOLNSHIRE COUNCIL

CABINET

FOSTER CARERS SUPPORT – COUNCIL TAX

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To seek approval for expansion to the current recruitment, retention and support offer to foster carers for North Lincolnshire through a Council Tax reduction scheme.

2. BACKGROUND INFORMATION

- 2.1 North Lincolnshire Council foster carers continue to benefit from being part of our close community with strong support and a responsive team.
- 2.2 We are ambitious for the future and for our children and young people, we have high expectations and continued improvement is reflected in the progress made, this includes:
 - A continuing improving picture of stability for children in care.
 - Low numbers of children in agency placements. There are currently 3 children living in agency foster care – reduced from 9 over the last 2 years.
 - Children in care are able to be part of their communities - in North Lincolnshire only 3% are placed more than 20 miles from their home compared to the National figure of 23%
- 2.3 Carers voice their commitment to remaining with the Council based on our values, the support they receive and our strong fostering family. Carers are, however, feeding back that they are feeling the impact of increasing costs on their families. Some are expressing that this is meaning they are reluctantly exploring private fostering agencies who pay more.
- 2.4 Independent Fostering Agency (known as IFA) placements are not always in the child's best interest as they are often placed a significant distance away from their families, schools and communities and lead to the child or young person potentially losing their sense of identity.

Current National information shows:

- Nationally, in 2021-22, 78% of initial enquiries went to Independent Fostering Agencies
- since 2017-18, IFAs have increased capacity by 440 households
 - since 2021-22, Local Authorities have decreased capacity by 1,770 households
- in 2017-18, 60% of fostering placements were with LAs, 40% with IFAs
 - in 2021-22, 55% were with LAs, 45% with IFAs (note - in North Lincolnshire this is less than 2%)

2.5 Council Tax deduction schemes have been implemented within a number of Councils, including neighbouring authorities. Council Tax discounts are now considered as an attractive aspect of a financial support package to foster carers.

3. OPTIONS FOR CONSIDERATION

3.1 Option 1

Introduction of a full council tax exemption scheme for all approved North Lincolnshire foster carers and supported lodging providers.

This will be subject to the following criteria:

- Approved North Lincs foster carer/ staying put providers AND
- Are liable for some council tax on their property AND
- Claim all relevant benefits and discounts to which you would usually be entitled AND
- Claim this exemption only on the one property in which you live AND
- Agree to receiving this council tax relief, keeping council tax up to date with changes AND
- Has a child in full time, consistently for no less than 3 weeks (excluding holidays) in the month and are available for matches when no child is placed OR
- Where approval is for short-breaks - is matched to and offer a child/ren short-breaks no less than fortnightly OR
- Has a young person residing with them under Staying Put

The reduction in Council tax will be calculated and paid in arrears.

Carers will not be eligible if:

- They resign as foster carers - and will resume paying council tax from the date of written resignation received or the date the child in their care leaves
- They intend to take a break from fostering
- The LA do not consider them available for reasons of concern, health and safety, safeguarding or other relevant factors
- A young person has not been in their care as detailed in the criteria above.

This will be for an initial period of 1 year and be reviewed at this point.

3.2 **Option 2**

Introduction of a 50% council tax reduction scheme for all approved North Lincolnshire foster carers and supported lodging providers.

This will also be subject to the above criteria and for an initial period of 1 year.

3.3 **Option 3**

No change to the current arrangements.

4. **ANALYSIS OF OPTIONS**

4.1 **Option 1**

Recruitment and retention of foster carers is a key priority in ensuring there are sufficient, high quality, stable and loving placements for the children in our care. Having sufficiency, flexibility and choice of carers enables our ambition for children to be in their families, schools and communities. It helps children in our care achieve the best outcomes and provides value for money for the people of North Lincolnshire.

The recruitment and retention of carers takes place within an increasingly competitive arena with an increasing challenge from Independent Fostering Agencies (IFAs). If carers choose to move to IFAs it means significant additional costs, children potentially placed at some distance from their homes and communities and poorer outcomes.

Currently North Lincolnshire Council Provides Council Tax relief for the following groups:

Those who are disregarded from paying Council tax:

- Apprentices when employed to learn a trade, business, profession, vocation or office of employment and salary is no more than £195 per week.
- Young persons in training if under 25 receiving approved training funded by the Learning and Skills council.
- Full time students including student nurses
- School or college leavers under the age of 20 years.
- Aged 18 to 20 and in full time education undertaking a course of further education.
- Residents in hospital or care homes
- Carers who meet the requirements
- Person's who are 'severely mentally impaired' and entitled to one of a number of qualifying benefits.

- Other's include visiting armed forces, those with diplomatic privilege, people staying in hostels, members of religious communities and persons in detention.

Other Council Tax reduction also includes:

- Single person discount - reduces the bill by 25 per cent.
- Non-British spouses of students are eligible for discount
- Disabled person - reducing the Council Tax band of the property.

Introduction of the council tax exemption scheme alongside the reductions above would enhance our offer to fostering families both financially and through feeling valued. The scheme would ensure that carers felt the support of corporate parents and were financially supported in their role as foster carers and providers.

4.2 **Option 2**

This will provide an increased incentive to apply as carers for North Lincolnshire Fostering and to remain with North Lincolnshire than the existing arrangements. It will also enable the scheme to have a 'testing out' period followed by further review.

However at the reduced level it is less likely to have a significant impact on the decisions carers will make. Therefore impact on the recruitment and retention of carers is likely to be substantially less than Option 1.

4.3 **Option 3**

As detailed above there is increased challenge nationally, across the region and locally in recruiting and retaining foster carers with increased numbers choosing IFAs over Local Authorities. No change to the current arrangements means that there is increased risk that carers will choose IFAs over the North Lincolnshire Fostering offer. This would mean potentially poorer outcomes for children in our care and significant increased costs.

5. **FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)**

- 5.1 Section 13A of the Local Government Finance Act 1992 gives the Council the discretionary power to reduce liability for council tax in relation to particular cases or by determining a class of cases that it may determine and where national discounts and exemptions cannot be applied.
- 5.2 Financial: the ongoing investment in fostering has achieved significant savings through reduced external placements over the last 3 years. As detailed above, these proposals are in the context of reducing the risk of carers choosing to leave to go to independent agencies and the potential

significant costs should this occur. The average cost, should a child be placed in an external residential placement, is now over £230,000 per annum and in an IFA is over £55,000 (feedback across the region is that in many cases these costs can be substantially higher).

- 5.3 The cost to the Council of the full Council tax reduction (Option 1) is estimated to be approximately up to a maximum £180k per year. As detailed above, the reduction will only apply to carers with children in their care. For those who provide short breaks, the reduction will be proportionate to the number of days provided. For connected person's (family and friends carers), the reduction will also be means tested. These parameters are likely to reduce the impact on Council tax income and therefore the cost to the Council. This amount will vary each year and is expected to increase in line with any Council tax increases. The cost of Option 2 would be approximately 50% of this.

This policy represents a new investment to be considered as part of the Medium Term Financial Plan and Budget Setting for 2023-24.

The reduction in Council tax will be calculated and paid in arrears.

Carers will continue to be liable if there is any existing Council Tax debt prior to eligibility for the scheme.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

- 6.1 The proposal will contribute towards achieving the statutory Children in Care Sufficiency requirements as detailed in the North Lincolnshire Children in Care and Care Leavers Sufficiency Strategy 2022 - 2024.
- 6.2 It will also contribute to the Council priorities of keeping people safe and well and providing value for money for local taxpayers.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 7.3 N/A

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

- 8.1 Carers are consulted regularly and also provide formal feedback through the North Lincolnshire Foster Care Association chair at the Bi-monthly Fostering Meetings with Senior Managers
- 8.2 Through this, carers have voiced that they are facing greater financial challenges and identified further support that could help them through

expanding the existing support offer. These include a Council Tax deduction scheme.

8.3 There are no known conflicts of interest.

9. **RECOMMENDATIONS**

9.1 It is recommended that Option 1 is approved.

DIRECTOR OF CHILDREN AND FAMILIES

Church Square House
30-40 High Street
SCUNTHORPE
North Lincolnshire
DN15 6NL

Author: Paul Cowling, Assistant Director, Children's Standards and Regulation]

Date: 13th January 2023

Background Papers used in the preparation of this report: N/A

Report of the Director:
Economy and Environment

Agenda Item: 7
Meeting: 6 February 2023

NORTH LINCOLNSHIRE COUNCIL

CABINET

UK SHARED PROSPERITY FUND UPDATE – JANUARY 2023

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To update Cabinet on the UK Shared Prosperity Fund Programme and to note key milestones.

2. BACKGROUND INFORMATION

- 2.1 The UK Shared Prosperity Fund (UKSPF) is part of the suite of funds available through the government's £2.6bn Levelling Up agenda. It empowers each place to identify and build on their own strengths and needs at a local level.
- 2.2 There are 3 investment priorities within the fund which will increase pride of place and life chances:
- Community and Place
 - Supporting Local Business
 - People and Skills
- 2.3 North Lincolnshire's allocation of the fund is £5,466,833 for the financial years 2022/23, 2023/24 and 2024/25. An investment plan was submitted to secure the funds.
- 2.4 The Towns Fund Board will provide the governance and assurance for the programme and North Lincolnshire Council will act as the accountable body and ensure compliance.
- 2.5 The Investment Plan sets out at a high-level what North Lincolnshire wants to achieve through this fund. It provides details of the proposed expenditure, outputs and outcomes to be achieved.
- 2.6 An initial call for projects in summer 2022 identified a high demand for the fund and a clear rationale for the proposed strands. The Towns Fund Board agreed the following strands for the Investment Plan:

2.7 The Investment Plan was approved by the Department of Levelling Up, Housing and Communities in December 2022. A Memorandum of Understanding was signed by both parties on 21 December 2022.

2.8 The table below sets out the key milestones for the programme.

Date:	Action:
January 2023	2022/23 – Call for Projects Launched
27/01/2023	2022/23 – Call for Projects - Deadline for applications
February 2023	2022/23 – Decision Making Panel and Project Offers made
February/March 2023	2023/24 – Call for Projects Launched
March 2023	2023/24 – Decision Making Panel and Project Offers made
December 2023	2024/25 – Call for Projects Launched
January/February 2024	2024/25 – Decision Making Panel and Project Offers made

3. **OPTIONS FOR CONSIDERATION**

3.1 Option 1 – to note the background, progress and key milestones.

4. **ANALYSIS OF OPTIONS**

4.1 Option 1 – to note progress.

5. **FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)**

5.1 The funds allow for a 4% management fee to be provided to the accountable body to cover the cost of administering the funds.

6. **OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)**

6.1 The programme will ensure that any legal duties in relation to crime and disorder will be considered if relevant.

6.2 The programme will ensure that any funded project considers Equality and Diversity and that they will have a relevant plan in place to demonstrate their commitment and adherence to the Equalities Act 2010.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 7.1 An Integrated Impact Assessment has been undertaken as projects that are implemented through the programme funding will create a positive impact on the community.
- 7.2 There will be projects that positively affect individuals and communities through improving health and wellbeing and provision of community facilities. Equality and diversity and assurance will be built into the project assessment and at the centre of the decision making process to ensure that the impact is clear and positive.
- 7.3 Calls for projects will be open to all and there will be a transparent and documented procurement process to secure projects that are approved through the programme.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

- 8.1 An initial consultation took place in June 2022 when a webinar was held to provide information on the UKSPF opportunities for North Lincolnshire and to identify potential interest.
- 8.2 The findings of the initial register of interests was used to identify the strands of the Investment Plan to ensure it reflected local need.

9. RECOMMENDATIONS

- 9.1 That cabinet welcome the UK Shared Prosperity Funding and note the timeline and milestones for the 2022/23 grant.

DIRECTOR: ECONOMY AND ENVIRONMENT

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SCUNTHORPE
North Lincolnshire
Post Code: DN16 1AB
Author: JC/LPotts
Date: 25th January 2023

Background Papers used in the preparation of this report – Nil

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Report of the Director:
Economy and Environment

Agenda Item: 8
Meeting: 6 February 2023

NORTH LINCOLNSHIRE COUNCIL

CABINET

LEVELLING UP FUND -BARTON REGENERATION

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To update Cabinet on our successful bid to Regenerate Barton upon Humber.

2. BACKGROUND INFORMATION

2.1 North Lincolnshire Council applied to the Department of Levelling Up in July 2022 to enable and progress the Regeneration of Barton Upon Humber. The bid included:

- Barton Link Road – providing both the link road and improvements to the A1077
- Barton Interchange – providing improved railway station including covered cycle parking, EV charging points, improved public realm, and real-time passenger information.
- Barton Active Travel – providing a number of new cycle and pedestrian routes across the town of Barton

The value of the bid is £20.2m.

2.2 On 19 January 2023, the Department for Levelling up confirmed that North Lincolnshire Council application for Levelling Up Funding for Barton Regeneration had been successful, with the full amount being granted to deliver the programme.

The programme will run from April 2023 with practical completion by March 2025.

2.3 We are expecting our grant offer letter in the next few weeks outlining the conditions of the grant.

3. OPTIONS FOR CONSIDERATION

3.1 This report is for information.

4. ANALYSIS OF OPTIONS

4.1 This report is for information.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 The Barton Regeneration Levelling up programme is made up of £19.7m Levelling up Funding, £125k public sector match and £350k private sector match.

5.2 The authority to receive grants is already delegated in the constitution to the Director Governance and Communities.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 The Barton upon Humber Regeneration Programme supports the priorities of the Council Plan. Barton upon Humber is proposed as a principal town in North Lincolnshire's emerging local plan, the proposed will support the growth ambition for Barton upon Humber.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 An integrated impact assessment was completed as part of our submission to the Department of Levelling up.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 This report is for information, stakeholder engagement and consultation were undertaken and this is documented as part of the submission to the Department of Levelling up.

9. RECOMMENDATIONS

9.1 That Cabinet welcome the success of the bid for Levelling up Funding to support the Regeneration of Barton upon Humber.

DIRECTOR: ECONOMY AND ENVIRONMENT

Church Square House

SCUNTHORPE
North Lincolnshire
Author: LPotts
Date: 25 January 2023

Background Papers used in the preparation of this report – Nil

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Report of the Director:
Economy and Environment

Agenda Item: 9
Meeting: 6 February 2023

NORTH LINCOLNSHIRE COUNCIL

CABINET

North Lincolnshire Community Energy – Towns Fund Project Enabling a Future for Clean Growth

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To update Cabinet on the progress of the Towns Fund Enabling a Future for Clean Growth Project known as North Lincolnshire Community Energy.

2. BACKGROUND INFORMATION

- 2.1 North Lincolnshire Community Energy (NLCE) is a community benefit society, set up in 2022 with £1.4m Towns Fund grant received by North Lincolnshire Council.
- 2.2 NLCE has been created to bring people together to create an affordable, zero-carbon energy system in North Lincolnshire. It will help reduce energy costs for local community organisations, whilst educate residents and businesses in the region. Solar panels are being installed on roof spaces, offering a clean and green energy source and, in turn, enabling everyone to better understand and benefit from renewable energy. It is run by local people, and those who invest will help to provide a greener future for the whole of North Lincolnshire.
 - [Government cash delivers major green boost for schools as solar panel rollout set to slash energy bills - North Lincolnshire Council \(northlincs.gov.uk\)](https://www.northlincs.gov.uk/news/government-cash-delivers-major-green-boost-for-schools-as-solar-panel-rollout-set-to-slash-energy-bills-north-lincolnshire-council)
 - A website for NLCE was launched in September 2022 which holds all the relevant information. [Investing In A Greener Future - North Lincolnshire Community Energy \(northlincs.gov.uk\)](https://www.northlincs.gov.uk/news/investing-in-a-greener-future-north-lincolnshire-community-energy)
- 2.3 The Towns Fund targets agreed with the Department for Levelling Up, Housing and Communities for NLCE are the following.
 - To provide onsite renewable energy to **at least 30** schools and community organisations in Scunthorpe.

- Reducing **481 tonnes** of CO2e per annum in Scunthorpe.
- Saving a minimum 25% on energy bills (*based on 20/21 tariff prices, now forecasting a saving of 60%+)

- 2.4 The total project cost for the delivery of the Towns Fund outputs is £2.78m and is being funded by £1.4m of the Towns Fund grant and £1.38m of community shares.
- 2.5 The first share offer will be launched in March 2023 to raise the first £700k. An additional share offer will be launched later in the delivery of the project.
- 2.6 The focus of the share offer is to maximise membership rather than investment size, therefore the minimum investment of any local resident or business will start at £100, with a return of 4%. It will be promoted nationally, and local residents will get priority first.
- 2.7 **Progress to date**

2.7.1 In total 6 schools in the first phase of the project have received solar panels, see Table 1. It is forecast based on the current price of 0.30p kWh that the PV installation will collectively save £97,880 per annum and a significant amount of CO2.

School/Site	System Size (KW)	Completion Date	Forecast cost saving per annum
Holme Valley Primary School	33.21	December 2022	£6,549
Bottesford Junior School	85.05	December 2022	£6,902
St Hugh's School	116.65	January 2023	£21,896
Fred Gough Secondary School	211	January 2023	£41,268
Berkeley Primary School	84.24	January 2023	£14,889
Priory Lane Primary School	31.59	February 2023	£6,376
Total			£97,880

Table 1 – Phase 1 Schools

2.7.2 Phase 2 schools have an anticipated delivery timeframe of Spring - Summer 2023. This is subject to detailed structural surveys, asbestos surveys and DfE approvals. See below a list of sites in Phase 2 in Table 2.

School/Site	DfE Approval
St Lawrence Academy	Pending - Academy Trust must submit own application
Oakfield Primary School	Approved
Lincoln Gardens Primary School	Approved
The Grange Primary	Approved
St Luke's Primary School	Approved
St Bede's Secondary School	Pending - Academy Trust must submit own application
St Bernadette's Catholic School	Pending - Academy Trust must submit own application
John Leggott College	Not applicable
Crosby Primary School	Pending
Bottesford Infant School	Pending

Table 2 – Phase 2 Schools

2.7.3 Phase 3 sites will be determined in March 2023. It is expected that Outwood Academies, additional Primary Schools and some NLC owned community buildings will be included within this final phase.

2.8 In addition, to ensure leave a legacy and have a lasting impact a school solar roadshow has been organised for Wednesday 8th February which will see 5 schools take part in a workshop on climate change, how solar panels work and other green energy initiatives and careers within the sector. These workshops are being delivered by Joju Solar who is the delivery partner for NLCE in the first phase of schools.

2.9 Images of all the installation can be seen in the paper attached.

3. OPTIONS FOR CONSIDERATION

3.1 This report is for information only and there are no options for consideration.

4. ANALYSIS OF OPTIONS

4.1 This report is for information only and there is no analysis of options.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 Financial – Timely marketing of the share offer is required to ensure that NLCE can generate the required £1.38m to support the installation of phase 2 and 3 sites. Energy 4 All who are managing NLCE have a wealth of experience in generating share offers and have been hugely successful in previous community benefit societies they have worked with.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 There are no implications on Crime and Disorder.

6.2 There are no implications on the Equalities Act 2010.

6.3 There are numerous positive environmental implications.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 Not applicable as this report is for information only.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 There are no further declared conflicts of interest at this stage.

9. RECOMMENDATIONS

9.1 That Cabinet note the excellent progress and impact North Lincolnshire Community Energy is having on Schools in Scunthorpe.

DIRECTOR: ECONOMY AND ENVIRONMENT

Church Square House
SCUNTHORPE
North Lincolnshire
Author: BA/NM/LPotts
Date: 25/01/2023

Background Papers –

- Images of Phase 1 Installation
- Berkeley Primary School Eco Newsletter



Installation Images ofscience-newsletter-de
Phase 1 Schools.pdf c-2022.pdf

Installation Images of Phase 1 Schools – TF003 Clean Growth

Bottesford Junior School



St Hugh's School



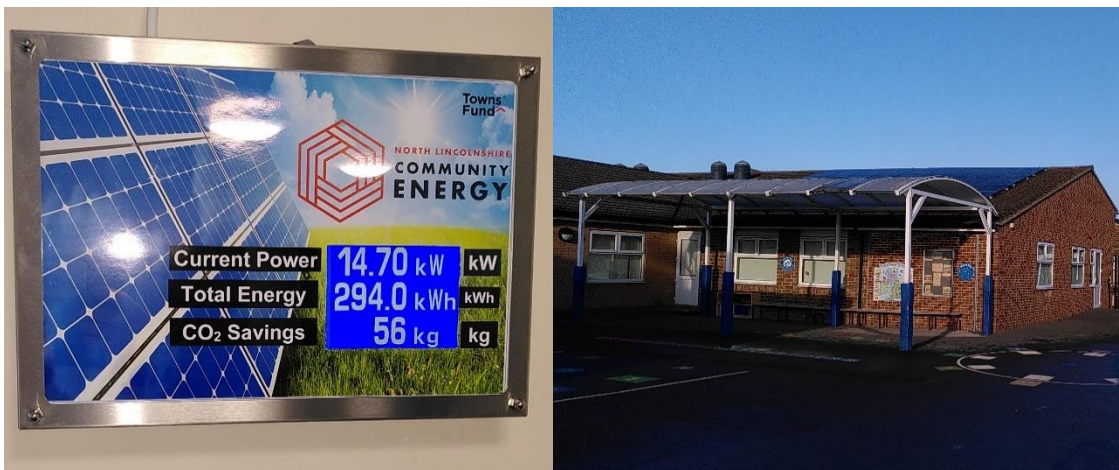
Berkeley Primary School



Frederick Gough Secondary School



Holme Valley Primary School



Report of the Director:
Economy and Environment

Agenda Item: 10
Meeting: 6 February 2023

NORTH LINCOLNSHIRE COUNCIL

CABINET

HUMBER FREEPORT

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To recommend that the Deputy Chief Executive, on behalf of North Lincolnshire Council, is nominated as a Director for the Humber Freeport Company Limited, and that the Leader of the Council be appointed as a member of Public Funds Committee.
- 1.2 These recommendations are in accordance with the recommendations of the Humber Leadership Board.

2. BACKGROUND INFORMATION

- 2.1 The Humber Freeport was announced as successful (subject to business case) in March 2021 Budget. Since this time work has progressed on the business case and plans for the formal establishment of the Freeport.
- 2.2 A Cabinet report was taken in July 2021 providing an update on progress with the Humber Freeport and to seek the necessary approvals and delegations to enable North Lincolnshire Council to support the submission to Government of the Outline Business Case for the Humber Freeport.

The following was resolved at the Cabinet meeting

Resolved – (a) That the development of the Humber Freeport be supported and approved; (b) that Cabinet commits to the Freeport Memorandum of Understanding; (c) that the Deputy Chief Executive in consultation with the appropriate Cabinet Member, be authorised to develop and agree detailed documentation to enable the next stage of the Freeport to take place, and (d) that the recommendation of the Humber Leadership Board that North East Lincolnshire Council be appointed as the Accountable Body for the Humber Freeport be approved.

- 2.2. The Humber Freeport Company Limited (HFCL) will be the governing body of the Humber Freeport. A representative from North Lincolnshire Council will sit on the Board as a director of the Company.
- 2.3 In addition to the Board, a Public Funds Committee will be established sitting under the Humber Leadership Board. The Terms of Reference for the Public Funds Committee has yet to be finalised, however, the focus of the Committee is likely to be centred around the review of pipeline projects and initiatives utilising public funds generated because of the Freeport initiative.
- 2.4 At its meeting on 8 December 2022, the Humber Leadership Board considered a recommendation that the Leaders of the Local Authorities should limit their involvement to stewardship and control of public funds rather than the day-to-day operational aspects of the company. As such, the Leaders would sit on the Public Funds Committee and each local authority would nominate an appropriate officer to sit on the board of the HFCL. For North Lincolnshire Council, it is recommended that the Deputy Chief Executive is nominated to become a director of the HFCL.

3. OPTIONS FOR CONSIDERATION

- 3.1 Option 1 – Follow the recommendation of the Humber Leadership Board and the Leader of the Council participates on the Public Funds Committee and the Deputy Chief Executive sits on the board of HFCL.
- 3.2 Option 2 – Do not follow the recommendations of the Humber Leadership Board and recommend an alternative.

4. ANALYSIS OF OPTIONS

- 4.1 Option 1 – North East Lincolnshire Council in their role as Accountable Body for the Humber Freeport has considered the merits of local authority Leaders sitting on the board of the HFCL and this has also been discussed with legal officers from the four Humber authorities. They concluded it is more appropriate for democratically elected members (Leaders) to be part of the Public Funds Committee related to stewardship and control of public funds rather than the day-to-day operational aspects of the company. This is primarily due to the conflict of interests between the statutory and fiduciary duty to always act in the best interests of the company being at odds with the democratic expectation of community and place leadership.

As an executive level is required to sit on the Board of the HFCL, it is recommended that this position is filled by the Deputy Chief Executive.

4.2 Option 2 – The options for representation on both the HFCL Board and the Public Funds Committee have been appropriately reviewed and considered factoring in the functions of the democratically elected members. It is therefore recommended that these considerations be taken into account in selecting the best representation for North Lincolnshire on the Freeport governance structures.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 The Humber Leadership Board established as an Executive board of member councils requires its recommendation to be approved by the Executives of its member councils.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 The Humber Freeport assists the council in achieving the ambitions set out in the North Lincolnshire Council plan: Priority 3 – Enabling economic growth and renewal and Idea 1 in the North Lincolnshire Economic Growth Plan - Free Trade Zone and Port Development.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 N/A

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 Engagement and consultation has taken place between the four Humber authorities.

9. RECOMMENDATIONS

9.1 Option 1 is approved - Follow the recommendation of the Humber Leadership Board that the Leader of the Council is appointed to the Public Funds Committee and the Deputy Chief Executive is appointed the board of HFCL.

DIRECTOR OF ECONOMY AND ENVIORNMENT

Church Square House
SCUNTHORPE
North Lincolnshire
DN15 6NL

Author: *Kate Robinson*

Date: 5 January 2023

Background Papers used in the preparation of this report

- Humber Freeport paper, Humber Leadership Board, 8th December 2022

NORTH LINCOLNSHIRE COUNCIL

CABINET

HOUSEHOLD SUPPORT FUND

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 This report sets out an update arising from the continuation of the Household Support Fund Scheme (originally Winter 2021/22) in North Lincolnshire.

2. BACKGROUND INFORMATION

- 2.1 In October 2021 the government announced the launch of a £421 million Household Support Fund (HSF) to support those most in need over the winter during the economic recovery, covering the period 6 October to 31 March 2022. Councils were given discretion to use the funding flexibly, with the expectation that it is primarily used to support households in the most immediate need with food, energy, water and other essential household bills.
- 2.2 The local delivery model for the fund was approved by cabinet members and launched in North Lincolnshire on 29 November 2021. The model comprised the three core elements of welfare assistance, food vouchers and housing related support costs.
- 2.3 There have been two further allocations of Household Support Fund in 2022/23 each for a six-month period (HSF2 and HSF3) and with guidance that it should primarily be used to support households in the most need particularly those including children and pensioners who would otherwise struggle with energy bills, food and water bills.
- 2.4 The delivery model was updated to add an energy payment for pensioner households in receipt of full or partial council tax support in addition to the elements outlined in 2.3 above.
- a) **Welfare Assistance:** A third sector organisation was commissioned to deliver a welfare assistance grant scheme, open to all North Lincolnshire households who meet the eligibility criteria to apply directly for support including a small proportion for specific housing related support in compliance with the national guidance.

- b) **Food Voucher Scheme:** An element of the grant was allocated to the direct provision of food vouchers. Data has been used to identify eligible families, and the local approach has also scoped in families with children outside of the free school meals cohort and also care leavers with immediate support needs.
- c) **Energy payment:** Data from the first allocation of HSF indicated a low rate of applications from pensioners despite the understood need so a proportion of the second and third allocations was allocated to c.5,000 financially vulnerable pensioner households. In total £1m of the £2.6m allocation has been distributed through issue of Post Office payout vouchers.

- 2.5 The delivery plan for HSF3, September 2022 to March 2023 is to support:
- 3,400 households through welfare assistance (targeted application administered by Citizen Advice)
 - 7,500 households through the food voucher scheme (£30 vouchers issued December 2022); and
 - 5,000 pensioner households through the energy payment (£100 post office pay out issued January 2023).

- 2.6 The funding for Household Support Fund was extended in the Autumn Statement. The guidance and allocations for schemes April 2023 are yet to be published therefore a further report and proposals will be brought to cabinet for consideration once the scheme guidance and North Lincolnshire allocation are available.

3. OPTIONS FOR CONSIDERATION

- 3.1 Option 1: Note the update of the 2022/23 Household Support Fund scheme in North Lincolnshire.

4. ANALYSIS OF OPTIONS

- 4.1 Report for noting.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1 The total funding allocation for North Lincolnshire for 2022/2023 was £2,647,786. Budgets were allocated and reprofiled in period 8 as follows:

	HSF2 April-Sept	HSF3 Oct-March	Total Allocation
Welfare Assistance:	£350,000	£555,000	£905,000
Food Vouchers:	£442,000	£268,000	£710,000
Energy Payment:	£500,000	£500,000	£1,000,000
Contingency	£31,893	£893	£32,786
Totals:	£1,323,893	£1,323,893	£2,647,786

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 The design of the scheme aligns local delivery with the principles and priorities set out in the Council Plan. They are aimed at the most vulnerable and enable and promote equality of opportunity and self-responsibility.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 No adverse impacts have been identified.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 None

9. RECOMMENDATIONS

9.1 Cabinet members are invited to note the update and ongoing outcomes arising from the Household Support Fund Scheme in North Lincolnshire.

DIRECTOR GOVERNANCE AND COMMUNITIES

Church Square House
SCUNTHORPE
North Lincolnshire
DN15 6NL

Authors: Nina Torr, Assistant Director Resources and Performance

Date: 25 January 2023

Background Papers used in the preparation of this report

Cabinet Member Report – Household Support Fund 26 November 2021

Cabinet Member Report – Household Support Fund 17 May 2022

DWP Grant Letter and supporting National Guidance

Local Delivery Framework

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Report of the Director:
Governance and Communities

Agenda Item: 12
Meeting: 6 February 2023

NORTH LINCOLNSHIRE COUNCIL

CABINET

REGULATION OF INVESTIGATORY POWERS 2000 (RIPA) UPDATE

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform Members of the Council's activity relating to surveillance matters under the RIPA regime for the period 1st January 2022 to 31st December 2022

2. BACKGROUND INFORMATION

- 2.1 RIPA provides a legislative framework which details a system of authorisation which exists to secure the lawfulness of surveillance activities and ensure that they are consistent with obligations under the Human Rights Act 1998.
- 2.2 The different types of authorisation include covert surveillance directed at a person(s); the use of a "covert human intelligence source" (CHIS) which involves the establishing of a relationship for the covert purpose of obtaining information and access to communications data such as telephone subscriber details and itemised phone logs.
- 2.3 Between 1st January 2022 and 31st December 2022, the Council presented 3 RIPA applications to the Authorising Officer which were authorised and approved by the Magistrates Court in accordance with the Council's RIPA Policy. This surveillance has assisted in the discovery of a large quantity of illicit tobacco and in addition uncovered the underage sales of Vapes. A successful prosecution has resulted relating to the underage sale of Vapes in which the defendant was ordered to pay £1233.33 in fines and costs. Other investigations are ongoing in relation to the surveillance obtained.
- 2.4 The Investigatory Powers Commissioner's Office advises that as a good practice measure officers who regularly use RIPA should receive refresher training. Training was provided by an external provider and took place in April 2022. Officers attended from various council departments including officers from Children's Services and the Adult Social Care Service.

2.5 As a result of staffing changes within the organisation, the Assistant Director Public Protection and the Assistant Director Resources and Performance have been designated as Authorising Officers and they received training provided by the RIPA Coordinator in October 2022. The Council's existing RIPA Policy has been amended to reflect these changes (Page 14).

2.6 In August 2022 the RIPA Coordinator provided a briefing session to the Chief Executive in relation to RIPA roles and responsibilities.

3. OPTIONS FOR CONSIDERATION

3.1 To note the contents of this Report and approve the existing RIPA Policy amending the Authorising Officer details to reflect organisational changes.

4. ANALYSIS OF OPTIONS

4.1 Guidance indicates that Members should be made aware of RIPA usage within the Council.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 The RIPA provisions are already in place within existing resources.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 The application of the RIPA provisions will ensure the Council is "safe" and "well" as covert surveillance will only be conducted in accordance with the legislative framework and guidance.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 Not applicable

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 The provisions are either statutory or good practice which the Investigatory Powers Commissioner will expect to be followed.

9. RECOMMENDATIONS

9.1 That the content of this Report is noted and the amendment to the existing RIPA Policy regarding Authorising Officers is approved.

DIRECTOR OF GOVERNANCE AND COMMUNITIES

Church Square House
SCUNTHORPE
North Lincolnshire
Author: Lisa Langdon
Date 17.1.2023

**Background Papers used in the preparation of this report – North Lincolnshire
Council RIPA Policy**

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North Lincolnshire Council

Policy and Procedures Document

on

The Regulation of Investigatory Powers Act 2000

(RIPA)

January 2023

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Appendix A : Home Office Code of Practice: Covert Surveillance

Appendix B: Flow chart detailing internal procedure for Authorisations

Appendix C: Home Office Code of Practice: CHIS

Appendix D: Guidance from the Office of Surveillance Commissioners

Appendix E: Flowchart detailing Magistrates Court procedure

Appendix F: Magistrates Court paperwork to be completed

NORTH LINCOLNSHIRE COUNCIL RIPA POLICY

1. Introduction

The Regulation of Investigatory Powers Act 2000 (RIPA) came into force on 25 September 2000. The Act introduced a system of authorisation which will serve to secure the lawfulness of surveillance activities and ensure they are consistent with the Council's obligations under the Human Rights Act 1998.

As well as the Act itself, several sets of Regulations have been produced along with two Home Office Codes of Practice.

1.1 Human Rights Act 1998

Section 6 of the Human Rights Act makes it unlawful for the Council to act in any way that is incompatible with the European Convention for the Protection of Human Rights (ECHR).

Article 8 of the ECHR provides:

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is:
 - i) in accordance with the law; and
 - ii) is necessary in a democratic society in the interests of public safety, prevention of disorder or crime, protection of health or morals and protection of the rights and freedoms of others.

Therefore, surveillance will breach a person's human rights unless it is authorised under RIPA. RIPA provides the legal framework for lawful interference.

1.2 Ensuring compliance with RIPA

The rights of its citizens are paramount to North Lincolnshire Council. In order to protect these rights whilst exercising its powers under RIPA, the Council has recognised that it is vital for effective procedures to be put in place and for them to be continuously monitored and reviewed. These procedures will ensure good practice is used throughout the Council and that a balance is struck between the administration of justice and the rights of the public.

The Council has prioritised the following objectives in its aim to carry out full implementation of its statutory duties:

- To ensure an awareness of RIPA amongst Council staff
- To ensure Council staff appreciate how RIPA may affect their work practices
- To establish a forum for the dissemination of information to employees and the public using the Council's website
- To ensure that appropriate training is received by its employees in order that staff are fully able to comply with the law.

1.3 The scope of this policy document

This document explains:

- The Council's statutory responsibility to comply with RIPA when undertaking covert surveillance, using a covert human intelligence source (a CHIS) and accessing communications data.
- What "covert surveillance" and "covert human intelligence source" mean.
- What is meant by communications data and how it can be accessed
- Issues which Council employees must consider under RIPA
- The procedure Council employees need to follow when applying for RIPA authorisations.

1.4 North Lincolnshire Council's statutory responsibility

The Council has a statutory responsibility to comply with the Human Rights Act 1998 and the ECHR as discussed above.

Any monitoring, observing, or listening to individuals or accessing their communications data will infringe their rights. Officers of North Lincolnshire Council can only interfere if such interference is in accordance with the law, is necessary and is proportionate. Obtaining a RIPA authorisation ensures that an officer has properly considered the private information that may be obtained, the necessity and proportionality of the surveillance, and whether it complies with the subject's human rights. A RIPA authorisation can only be granted for the purpose of preventing and/or detecting crime or disorder. There are no other grounds under which a council may grant a RIPA authorisation.

Officers should note that RIPA authorisations are only required in respect of covert surveillance. Overt surveillance falls outside the RIPA regime. Overt surveillance is that which is open and not secret or concealed. If the required result can be achieved by overt surveillance, this option should be considered.

2. Covert Surveillance

Surveillance is monitoring, observing, or listening to persons, their movements, conversations or other activities or communications, or recording any of the above activities. If you are conducting surveillance in a way calculated to ensure that the person is unaware of your actions, this is covert surveillance (as opposed to overt surveillance to which RIPA doesn't apply).

There are two types of surveillance:

- **Directed Surveillance** – This is surveillance undertaken for the purpose of a specific operation and in a manner which is likely to result in the obtaining of private information about a person (whether or not

that person is the target of the investigation or operation); and is carried out in a planned manner and not by way of an immediate response.

- **Intrusive Surveillance** – This is surveillance that takes place on residential premises or any private vehicle and involves the presence of an individual on the premises or in the car, or by the use of a surveillance device that although not in the car/premises, provides data as though it was.

In no circumstances does RIPA authorise the carrying out of any form of intrusive surveillance by local authorities.

Examples:

- An observation post using binoculars outside premises which provides a limited view and no sound of what is happening inside the premises would not be intrusive surveillance, but would be directed surveillance and require a RIPA authorisation because the surveillance would be targeted at an individual.
- You think a milkman is employing a 12yr old delivery boy in the early morning and want to follow the milk van to establish this. This would be directed surveillance and you will need a RIPA authorisation to do this.
- You have reason to believe a single person who is claiming housing and Council tax benefit is living with an undeclared partner. You need to watch the house to see if the partner is residing there, this will be directed surveillance and will require a RIPA authorisation.

Reference should be made to the Home Office Code of Practice when considering Directed Surveillance (Appendix A)

2.1 Applying for a Directed Surveillance RIPA authorisation

If you believe that your intended actions fall under the definition of directed covert surveillance, you will need to apply for a RIPA authorisation. You will need to make an application on the relevant form which should be downloaded from the Home Office website, www.homeoffice.gov.uk/counter-terrorism/regulation-investigatory-powers

Application forms for directed surveillance will need to contain the following information:

- The action that needs to be authorised
- An explanation of why the surveillance is necessary, *which includes reference to the criminal offences which are being investigated and whether these offences carry a sentence of 6 months imprisonment or more*
- If known, the identities of the people who are going to be the subject of the directed surveillance
- An account of the investigation
- An explanation of the techniques that you intend to use
- Confirmation that the action proposed is intended to prevent crime or detect crime and/or disorder
- An explanation of why the directed surveillance is considered to be proportionate to the outcome it seeks to achieve
- An explanation of the information which is hoped to be obtained
- An assessment of the potential for collateral intrusion (i.e, what interference will there be with the privacy of persons other than the subjects of the surveillance)
- Whether any confidential information will be acquired

Note: Standard wording should not be used when completing authorisations. The explanation and information provided on the authorisation should relate to the individual facts of the case and state clearly the objectives of the surveillance.

The 3 key elements of any RIPA authorisation are **necessity, proportionality** and whether there is any risk of **collateral intrusion**. Before the Authorising Officer authorises the RIPA application, he will need to be sure that the authorisation is necessary for the purpose of preventing or detecting crime or preventing disorder, that the surveillance is proportionate to the outcome sought, and that any risk of collateral intrusion has been identified and minimised. *The necessity element of the application should embrace a consideration of why the use of the covert surveillance is actually necessary to the investigation.*

The surveillance activity will not be proportionate if it is excessive in the circumstances of the case or if the information could be reasonably obtained by other less intrusive means. In the “Proportionality” section of the application, the officer should include a consideration of the following three elements, a) that the proposed covert surveillance is proportionate to the mischief under investigation; b) that it is proportionate to the degree of anticipated intrusion on the target and others; and c) it is the only option, other overt means having been tried or considered and discounted. The Officer submitting the application will need to detail the problem that the surveillance is seeking to solve and the extent of any intrusion that may occur.

As stated above, officers will need to state on the application form the nature of the activities to be undertaken. **If during the course of the operation those activities change, a new authorisation will need to be applied for.** A flowchart detailing the Council’s internal procedure can be found at **Appendix B**.

3. Covert Human Intelligence Source (CHIS)

A CHIS is another way of obtaining information and requires a RIPA authorisation.

A CHIS is any person who establishes or maintains a personal or other

relationship with a person for the covert purpose of using such a relationship either to obtain information or provide access to information about another person.

A relationship is covert if it is conducted in a manner to ensure that one party is unaware of its purpose.

A typical test purchase exercise, which does not go beyond what would be considered to be a normal transaction, would not need to be authorised as a CHIS activity.

A CHIS situation would arise where a person makes a number of contacts with the target of the investigation in order to build up a relationship of trust or familiarity before making a purchase or asking for an action to be done. A CHIS authorisation would also be required if the activity suggested was beyond the usual activity that would be carried out by any normal consumer in a shop, such as asking non routine questions to the target in an attempt to find out more information about them or the alleged crime.

There is no use of a CHIS merely because a person offers information to the local authority that may be material to the investigation of an offence.

3.1 Applying for a CHIS authorisation under RIPA

Applications for authorisations to use a CHIS must be made on the relevant Home Office form found at www.homeoffice.gov.uk/counter-terrorism/regulation-investigatory-powers and include the following:

- Details about the purpose for which the CHIS will be used
- The identity, where known, to be used by the CHIS
- Details of what the CHIS will be asked to do
- Details of the investigation
- Why the use of a CHIS is considered to be proportionate
- Explanation of the information it is hoped will be obtained

- The potential for collateral intrusion (i.e, interference with the privacy of people who aren't subjects in the investigation).
- Likelihood of acquiring any confidential information

Officers making a CHIS application and Authorising Officers should be aware of and have regard to the relevant Home Office Code of Practice. (Appendix C)

Note: As with directed surveillance application forms, standard wording should not be used when completing authorisations.

Before granting an authorisation, the Authorising Officer must be satisfied that the authorisation is necessary for the purpose of preventing and detecting crime, or preventing disorder, and also that it is necessary to use a CHIS in this investigation. The Officer must also believe that using a CHIS is proportionate to the outcome sought and that there are adequate procedures in place for maintaining records of the operation. Collateral Intrusion will also need to be considered.

When using a CHIS, the Authorising Officer and the officer who made the application must have regard to section 29(5) of RIPA and also to The Regulation of Investigatory Powers (Source Records) Regulations 2000.

These provisions provide (amongst other things) the following:

- There will at all times be an officer within the Council who will have day to day responsibility for the CHIS
- There will be another officer within the Council who is responsible for record keeping regarding the CHIS
- There will be another officer within the Council who will have general oversight over the use made of the CHIS
- That records will document significant information connected with the security and welfare of the CHIS
- That the tasks given to the CHIS and the uses made of the CHIS are recorded.

- The identity of the CHIS and the identity that is used by the CHIS
- That records are kept of all contacts and communications between the CHIS and the Council/ relevant officer at the Council.

Due to the statutory requirements that need to be adhered to when using a CHIS, it is unlikely that an investigation could involve the use of a CHIS without a lot of prior planning. Assistance may be sought from the Police.

3.2 Juvenile CHIS

Special safeguards apply to the granting of authorisations where the CHIS would be a juvenile (under 18 years of age). Authorisations cannot be granted unless the provisions within The Regulation of Investigatory Powers (Juveniles) Order 2000 are satisfied.

Only the Head of Paid Service can authorise the use of a juvenile CHIS, a vulnerable CHIS and/or the acquisition of confidential information.

If any Council officer intends to use a juvenile CHIS, a vulnerable CHIS or acquire confidential information, advice and guidance should be sought from legal services before any steps are taken.

4. Communications Data

Communications data includes information relating to the use of a postal service/ telecommunications system. It does not include the contents of the communication itself. Examples of communications data include equipment and location details, telephone subscriber details, and itemised telephone bill logs.

A Single Point of Contact (SPOC) is needed to access communications data. The Council does not itself have a SPOC, although the Council is able to access the services of a SPOC. *The Council currently uses the National Anti-Fraud Network for SPOC services.* As with the other RIPA authorisations discussed above, applications will need to consider necessity, proportionality and unwanted collateral intrusion.

If you wish to access communications data, you should contact Legal Services for further information.

If there is an alternative legal power which enables a Council department to acquire communications data, this should be considered. For example, Housing Benefit Officers may wish to use the Social Security Fraud Act.

5. The lifecycle of any authorisation

Once an authorisation has been granted, the officer will need to consider the duration of the authorisation, renewal of the authorisation and cancellation of the authorisation. All authorisations are kept on a central register in Legal Services.

Duration

Communications Data authorisations cease to have effect 1 month from the date of approval, Directed Surveillance authorisations 3 months from the date of approval, and CHIS authorisations 12 months from the date of approval. The duration of a juvenile CHIS authorisation is 1 month.

Renewals

The Authorising Officer can renew an authorisation before it expires if it is necessary for the authorisation to continue for the purpose it was originally given.

An application for renewal must not be made more than 7 working days before the authorisation is due to expire. This is to ensure that the renewal is necessary.

Authorisations may be renewed more than once provided they continue to meet the criteria.

Applications for renewals must be made on another form which again should be downloaded from the Home Office website.

Reviews

When the authorisation is granted, the Authorising Officer will determine how often reviews should take place. Reviews will consider whether the authorisation is still needed, i.e whether the surveillance should continue. Review forms can be found on the Home Office website.

Cancellations

Authorisations will be cancelled when the Authorising Officer is satisfied the criteria for authorisation is no longer met. To cancel the authorisation, the officer in charge of the investigation should complete a cancellation form (found on the Home Office website). This form should then be checked by the officer's manager, and it should then be sent to the Authorising Officer.

Officers should keep copies of all applications and authorisations, original authorisations should be sent to Legal Services. Although the central register will be monitored by Legal Services, it is ultimately the Authorising Officer's responsibility to ensure renewals and cancellations are up to date.

6. The Role of the Magistrates Court

The Protection of Freedoms Act 2012 has amended the existing RIPA legislation. The amendment provides that Magistrates will have to approve RIPA authorisations before the Council can start conducting covert surveillance.

The internal process for authorisation that is detailed within this Policy remains the same, however, before any surveillance can begin, approval of Magistrates is required. Legal Services will assist with this process *and officers should refer to Appendix E and Appendix F of this Policy.*

7. The Function of the Central Register

The Central Register of all authorisations will be regularly reviewed and updated whenever an authorisation is granted, renewed or cancelled. This record should be made available to the relevant Commissioner or Inspector from the Office of Surveillance Commissioners upon request

The records should contain the following information:

- The type of authorisation
- The date the authorisation was given
- Name and rank of Authorising Officer
- The Unique Reference Number of the investigation
- The title of the investigation, including a brief description and names of subjects
- If the authorisation is renewed, when it was renewed, and who authorised the renewal
- The date the authorisation was cancelled

All investigating officers should keep a copy of the authorisation within their own department.

The Central Register will be held within the Legal Department and records will be kept for 5 years from the ending of the authorisation.

8. Exception to the need for a RIPA Authorisation

There is a limited ability in section 26(2) (c) for officers to carry out surveillance without an authorisation. If the surveillance is “an immediate response to events or circumstances”, which are unforeseen and mean that there is not sufficient time to obtain an authorisation, some degree of surveillance can be done. This may happen, for example, where the subject of an investigation is suddenly and unexpectedly observed (not during the course of surveillance) and the officer

feels vital evidence would be gained by surveilling them. This ability is restricted however, and surveillance cannot be carried on for a prolonged period of time when it would be reasonable to expect an authorisation to be sought.

9. CCTV Procedure

Use of Council owned or operated CCTV cameras to target a specific individual, individual's property or building would be directed surveillance and before such surveillance could be undertaken, a RIPA authorisation is required. When any such directed surveillance is required by a Council employee or other individual undertaking work controlled by, or on behalf of, the Council then RIPA authorisation should be pursued following the procedure detailed in paragraph 2.1 of this document. The only exception would be where an emergency situation existed and there were good reasons why an emergency RIPA application could not be made. The reasons for the operation and its emergency nature should be noted by the CCTV operator and a RIPA application made as soon as is practical.

Where the use of Council owned or operated CCTV cameras to target a specific individual, individual's property or building is requested by an external agency or organisation, it is for that agency or organisation to obtain their own RIPA authorisation. A copy of this RIPA authorisation must be passed to the appropriate responsible Council officer before any such targeted surveillance could be undertaken. If in the judgement of the CCTV operator the request is urgent, i.e. any delay would jeopardise the operation, they can authorise the use of the relevant Council's CCTV cameras but only upon receiving a written assurance from an officer of the agency or organisation that authorisation has or will be obtained. Details of the request should then be recorded by the operative and a copy of the authorisation sought as soon as is reasonably practicable. Copies of RIPA authorisations received from external agencies or organisations must be retained by the Council department which has ownership of the CCTV Camera.

10.The role of the Senior Responsible Officer, the RIPA Co-ordinator, Authorising Officers and Elected Members

The Home Office Codes of Practice say councils should appoint a Senior Responsible Officer. This person is responsible for the integrity of the surveillance process, ensuring the Council complies with RIPA and relevant legislation, and also engaging with the Inspectors when they conduct their inspections.

North Lincolnshire Council's Senior Responsible Officer is Becky McIntyre, Director of Governance and Partnerships. The responsibilities of this role are to oversee the integrity of the RIPA process, exercise oversight of the authorisations, ensure Authorising Officers are properly trained, meet with officers from the Office of Surveillance Commissioners, and implement recommendations from Inspection Reports.

North Lincolnshire Council's RIPA Co-ordinator is Lisa Langdon, Group Manager, Contentious Legal Practice. The responsibilities of this role are to keep the Central Record, exercise oversight on authorisations, organise and conduct training, and raise awareness within the Council. A proportionate and pragmatic approach will be taken to training requirements.

The Authorising Officers within the Council are Lisa Swainston Assistant Director Public Protection, and Nina Torr Assistant Director Resources and Performance. The role of the Authorising Officer is to ensure authorisations meet the requirements provided for in the legislation. The Authorising Officer's approval is the final stage within the Council's internal process. The application will then proceed to the Magistrates Court.

The Codes of Practice also say elected members should review the Council's use of RIPA and set the policy once a year. In addition to this, internal reports

on the use of RIPA should be considered to ensure RIPA is being used consistently and in accordance with the Policy. These reports are submitted to the Cabinet Member for Corporate Services and also to Lead Members.

11.Social Media

Reviewing open source sites (sites that are publicly available) does not require authorisation unless the review is carried out with some regularity, usually when creating a profile. Should a Council Officer view a site regularly or create a profile, then a directed surveillance authorisation will be required. If it becomes necessary to breach privacy and become, for example, a “friend” on the Facebook site, with the investigating officer using a false account which conceals his/her identity as a Council Officer for the purposes of obtaining intelligence, this is a covert operation and should be authorised. At the minimum, this should be authorised with a Directed Surveillance authorisation. If the investigator engages in any form of relationship with the account operator, then s/he becomes a CHIS requiring authorisation as such, and will need managing by a Controller and Handler. A record will need to be kept and a risk assessment created.

12. The role of the Investigatory Powers Commissioner’s Office (IPCO)

The IPCO acts as the regulatory body in respect of RIPA. It is this office that conducts inspections of local authorities to ensure they are compliant with RIPA.

The current procedures and guidance document is **Appendix D**. This document is available from Legal Services.

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