



Executive Cabinet

Agenda and Reports

For consideration on

**Thursday, 13th September
2012**

In the Council Chamber, Town Hall, Chorley

At 6.00 pm

PROCEDURE FOR PUBLIC QUESTIONS/SPEAKING AT EXECUTIVE CABINET MEETINGS

- Questions should be submitted to the Democratic Services Section by midday, two working days prior to each Executive Cabinet meeting to allow time to prepare appropriate responses and investigate the issue if necessary.
- A maximum period of 3 minutes will be allowed for a question from a member of the public on an item on the agenda. A maximum period of 30 minutes to be allocated for public questions if necessary at each meeting.
- The question to be answered by the Executive Member with responsibility for the service area or whoever is most appropriate.
- On receiving a reply the member of the public will be allowed to ask one supplementary question.
- Members of the public will be able to stay for the rest of the meeting should they so wish but will not be able to speak on any other agenda item upon using their allocated 3 minutes.

PROCEDURE FOR 'CALL-IN' OF EXECUTIVE DECISIONS

- Each of the executive decisions taken at the Executive Cabinet meeting are subject to the adopted 'call-in' procedure within 10 working days of the Executive Cabinet meeting at which the decision is made, unless the decision has been implemented as a matter of urgency.
- Guidance on the 'call-in' procedure can be accessed through the following internet link:
<http://www.chorley.gov.uk/index.aspx?articleid=1426>
- If you require clarification of the 'call-in' procedure or further information, please contact either:
Ruth Rimmington (Tel: 01257 515118; E-Mail: ruth.rimmington@chorley.gov.uk) or
Carol Russell (Tel: 01257 515196, E-Mail: carol.russell@chorley.gov.uk)
in the Democratic Services Section.

06 September 2012

Dear Councillor

EXECUTIVE CABINET - THURSDAY, 13TH SEPTEMBER 2012

You are invited to attend a meeting of the Executive Cabinet to be held in the Council Chamber, Town Hall, Chorley on Thursday, 13th September 2012 at 6.00 pm.

AGENDA

1. **Apologies for absence**

2. **Minutes (Pages 1 - 4)**

To confirm as a correct record the minutes of the meeting of the Executive Cabinet held on 16 August 2012 (enclosed).

3. **Declarations of Any Interests**

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

If you have a pecuniary interest you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

4. **Public Questions**

Members of the public who have requested the opportunity to ask a question(s) on an item(s) on the agenda will be asked to put their question(s) to the respective Executive Member(s). Each member of the public will be allowed to ask one supplementary question within his/her allocated 3 minutes.

ITEM OF DEPUTY EXECUTIVE LEADER AND EXECUTIVE MEMBER (RESOURCES, POLICY AND PERFORMANCE) (INTRODUCED COUNCILLOR PETER WILSON)

5. **Localisation of Council Tax support 2013/14 (Pages 5 - 18)**

To receive and consider the report of the Chief Executive (enclosed).

ITEM OF EXECUTIVE MEMBER (PEOPLE) (INTRODUCED BY COUNCILLOR BEV MURRAY)

6. **Safeguarding Adults - Policy and Procedure** (Pages 19 - 34)

To receive and consider the report of the Director of People and Places (enclosed).

ITEM OF EXECUTIVE MEMBER (HOMES AND BUSINESS) (INTRODUCED BY COUNCILLOR ADRIAN LOWE)

7. **Selectmove Evaluation** (Pages 35 - 40)

To receive and consider the report of the Director of Partnerships, Planning and Policy (enclosed).

8. **Exclusion of the Public and Press**

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

ITEM OF DEPUTY EXECUTIVE LEADER AND EXECUTIVE MEMBER (RESOURCES, POLICY AND PERFORMANCE) (INTRODUCED COUNCILLOR PETER WILSON)

9. **Shared Financial Services - Budget Review 2012/13** (Pages 41 - 66)

To receive and consider the report of the Chief Executive (enclosed).

ITEM OF EXECUTIVE MEMBER (PEOPLE) (INTRODUCED BY COUNCILLOR BEV MURRAY)

10. **Streetscene Review**

To receive and consider the report of the Director of People and Places (to be tabled at the meeting).

11. **Any other item(s) that the Chair decides is/are urgent**

Yours sincerely



Gary Hall
Chief Executive

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Distribution

1. Agenda and reports to all Members of the Executive Cabinet, Lead Members and Directors Team for attendance.

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આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

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Executive Cabinet

Minutes of meeting held on Thursday, 16 August 2012

Present: Councillor Alistair Bradley (Executive Leader in the Chair), Councillor Peter Wilson (Deputy Leader of the Council) and Councillors Beverley Murray, Dennis Edgerley and Adrian Lowe

Also in attendance:

Lead Members: Councillors Marion Lowe, Matthew Crow and Julia Berry

Other Members: Councillors Eric Bell, Henry Counce, David Dickinson, Graham Dunn, Anthony Gee, Keith Iddon, Kevin Joyce, Paul Leadbetter, June Molyneaux and Mick Muncaster

12.EC.126 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Terry Brown (Executive Member Places).

12.EC.127 MINUTES

RESOLVED - The minutes of the meeting of the Executive Cabinet held on 21 June 2012 be confirmed as a correct record and signed by the Executive Leader.

12.EC.128 DECLARATIONS OF ANY INTERESTS

No Members declared an interest in respect of items on the agenda.

12.EC.129 PUBLIC QUESTIONS

The Executive Leader reported that there had been no requests from members of the public to speak on any of the meeting's agenda items.

12.EC.130 EXECUTIVE RESPONSE TO OVERVIEW AND SCRUTINY INQUIRY ON TOURISM AND PROMOTING CHORLEY

The Deputy Executive Leader and Executive Member (Resources, Policy and Performance) presenting a report which responded to the findings and recommendations of the Overview and Scrutiny Task and Finish Group on Tourism and Promoting Chorley.

Members discussed the recommendations and a suggestion was made in relation to running a television advertising campaign for the Markets. It was noted that planning had already started for Christmas events.

Coach trips would be actively encouraged and plans were in place to achieve this.

The parking at the recent Big Drum Day event was discussed. There had been a period of 20 minutes where the provision had not been adequate, but lessons needed to be learnt for future events with the provision of additional hard standing if possible.

Decision made

Approval to implement the recommendations made by the task and finish group, and the additional work to be undertaken over the coming year as outlined in the report.

Reason(s) for decision

The implementation of these recommendations will support the borough's economy and town centre.

Alternative option(s) considered and rejected

To not implement the recommendations made by the Overview and Scrutiny task and finish group. This was rejected as the recommendations were based on evidence collected from partners and stakeholders.

12.EC.131 FIRST QUARTER PERFORMANCE REPORT 2012/13

The Deputy Executive Leader and Executive Member (Resources, Policy and Performance) advised that the report set out the performance against the delivery of the Corporate Strategy and key performance indicators during the first quarter, 1 April to 30 June 2012.

It was clarified that the bus shelter improvement plan did not include the provision of additional shelters.

The Sharepoint Electronic Document Management System project was discussed. It was clarified that the new supplier, Northgate, was a large software provider and the system in question (Information@Work) was a mature one. The Council had previously withdrawn from a joint project with Lancashire County Council and other Lancashire Authorities with Northgate to deliver a Customer Relationship Management system. The system in that case had not been a mature one. The project was rated amber as it was expected that the project would soon be back on track.

Members considered the refresh of the Council's website and that this project now had a status of green (progressing according to timetable and plan). Officers were working hard to deliver this project.

The Council was leading discussions with a number of partners and providing they commit to the project the aim is to have a new contract for the accommodation for 16 and 17 year olds in place by 1 April 2013.

Members noted that 9 new businesses had started in Chorley (up to 31 July) since May when the new Business Start Up post was established and filled.

Decision made

The report be noted.

Reason(s) for decision

To facilitate the ongoing analysis and management of the Council's performance in delivering the Corporate Strategy.

Alternative option(s) considered and rejected

None.

12.EC.132 FIRST QUARTER CHORLEY PARTNERSHIP PERFORMANCE REPORT 2012/13

The Deputy Executive Leader and Executive Member (Resources, Policy and Performance) presented the report which updated on the performance of the Chorley Partnership during the first quarter, from 1 April to 30 June 2012.

Although crime overall had increased by 3.9% in quarter one compared to the same period of last year, there had been significant decreases in alcohol related violence and anti-social behaviour.

The partnerships project to increase opportunities for NEET young people in Chorley now had a green rating.

Members discussed policing numbers and the impact on crime. The Executive Leader advised that the Chief Constable had given assurances that, there had been no impact on the levels of crime arising from cuts to funding, as savings had been made from back office areas. However, the Leader was meeting informally with the Chief Inspector next week and he would raise Members concerns. The Executive Leader would also write to the Chief Constable seeking his views on the latest position and report back to Members. The Executive Leader also stated that there was a need to analyse the quarter two figures to identify any issues and keep the figures under review.

Decision made

The report be noted.

Reason(s) for decision

To facilitate the ongoing analysis and management of the Chorley Partnership's performance and delivery of funded projects.

Alternative option(s) considered and rejected

None.

12.EC.133 REVENUE BUDGET MONITORING 2012-13 REPORT 1 (END OF JUNE 2012)

The Deputy Executive Leader and Executive Member (Resources, Policy and Performance) advised that the report set out the current financial position of the Council as compared against the budgets and efficiency savings targets it set itself for the financial year 2012/13.

Members noted that £282,700 had been approved, as part of the 2012/13 budget, for investment in the Business Start-Up Scheme, the extension of business rate subsidy and shop floor refurbishment grants, the provision of council apprenticeships (NEET's), debt advice funding and revenue costs of town centre land acquisition.

The changes to car parking charges were considered. Members noted that the detail of the report had been superseded by a recent Executive Member Decision. It was difficult to foresee the impact, but this would be monitored and reported back.

Decision made

- 1. Approval to transfer the sum of £300,000 from General Balances to a specific earmarked Town Centre Reserve.**
- 2. Approval to the use of underspends on existing staffing budgets to fund the creation of a permanent Business Advisor post to provide a specific advisory service for existing local businesses who have been trading for over three years.**

Reason(s) for decision

To ensure the Council's budgetary targets are achieved.

Alternative option(s) considered and rejected

None.

12.EC.134 CAPITAL PROGRAMME MONITORING 2012/13 - 2014/15

The Deputy Executive Leader and Executive Member (Resources, Policy and Performance) presented the report which updated the Capital Programmes for

financial years 2012/13 to 2014/15 to take account of rephasing of expenditure and other budget changes.

The report outlined the budgeted receipt and use of contributions from developers for the period 2012/13 to 2014/15.

Decision made

1. Council be recommended to approve the rephasing of capital budgets between 2012/13 and 2013/14 – 2014/15, as presented in columns (2), (6) and (10) of Appendix 1.
2. Council be recommended to approve the other amendments to the Capital Programmes for 2012/13, 2013/14 and 2014/15, as presented in columns (3), (7) and (11) of Appendix 1.

Reason(s) for decision

The 2012/13 to 2014/15 Capital Programme should be updated to take account of the rephasing of budgets, changes to resources available to finance projects, and the proposed use of uncommitted budgets.

Alternative option(s) considered and rejected

None.

12.EC.135 COUNCILLOR COMMUNITY GRANTS FUND

The Executive Member (People) presented the report which outlined the proposal for the creation of a trial Councillor Community Grants Fund.

Members discussed the methodology to measure the success of applications. This Community Grants Fund project was a pilot and would be used to inform future schemes and was aimed at supporting volunteers.

Decision made

Approval to use the remainder of the Core Funding budget for 2012/13 to deliver the Councillor Community Grants Fund.

Reason(s) for decision

To facilitate increased opportunities for member/resident engagement and make small amounts of funding more accessible.

Alternative option(s) considered and rejected

1. To allocate the remaining core funding budget via the completion of small grants funding application process. This option was rejected on the basis that community groups who only want very small amounts of funding are less willing to complete a lengthy application process.
2. To allocate a fixed amount to each member although this option was rejected due to concerns around effectiveness and efficiency.

Executive Leader



Report of	Meeting	Date
Chief Executive (Introduced by the Executive Leader)	Executive Cabinet	13 September 2012

LOCALISATION OF COUNCIL TAX SUPPORT 2013/14

PURPOSE OF REPORT

1. To present the options for the development of a draft council tax support scheme to be put in place from April 2013, and seek approval for a proposed scheme to be presented for consideration by full Council on 25 September. In addition, to outline and seek approval for an approach to consultation to be undertaken.

RECOMMENDATION(S)

2. That Executive Cabinet consider the options and information available and approve a draft scheme to be presented for consideration taken to full Council on the 25 September. That the approach to consultation be approved.

EXECUTIVE SUMMARY OF REPORT

3. The Government have determined that Council Tax benefit will be abolished from April 2013 and the Council as the billing authority must design a new localised scheme of support for Council Tax. In addition, the grant currently received to fund council tax benefit will be reduced by 10%.
4. This will create an estimated shortfall of £826,000 in 2013/14, shared across all precepting authorities.
5. This report considers the options available and proposes an option of retaining the existing scheme as the new local scheme and making up the savings by using additional powers to reduce the level of exemptions. It also seeks approval of a proposed approach to consultation on the new draft scheme.
6. The proposed approach is to amend the current council tax support scheme to introduce a graduated reduction in support for claimant groups not statutorily protected. In 2013/14, this reduction would be 7.5%. This reduction will not fully cover the reduction in funding, so the remainder will be achieved by changing Chorley's council tax exemption scheme.
7. This approach is proposed because the timescales involved in changing the scheme for 2013/14 do not allow for a response to be developed and implemented that incentivises work and is properly targeted at the relevant claimant groups. Implementing larger reductions for claimants who are not protected statutorily but are on a low income may have unforeseen and adverse consequences which cannot be properly understood in the time available.

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
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Reason Please bold as appropriate	1, a change in service provision that impacts upon the service revenue budget by £100,000 or more	2, a contract worth £100,000 or more
	3, a new or unprogrammed capital scheme of £100,000 or more	4, Significant impact in environmental, social or physical terms in two or more wards

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

- 8. In accordance with the legislation and guidance, the council must approve and then consult on a draft scheme prior to taking a final decision. The approval for the new scheme of local council tax support must be given before the end of January 2013.
- 9. All approaches have advantages and disadvantages. However, the proposed approach has a lower risk in terms of collection, meets the design criteria and has the ability to fully offset the funding reduction, having the minimum impact on vulnerable groups.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 10. Different options for the new scheme of support for 2013/14 have been considered and are outlined in the report.

CORPORATE PRIORITIES

- 11. This report relates to the following Strategic Objectives:

Strong Family Support	X	Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	X
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy	X	Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Excellent Value for Money		Top Performing Organisation and Delivers	X

BACKGROUND

- 12. From the 1st April 2013, Council Tax Benefit in its current form will be abolished and the council must design a new localised scheme of support for Council Tax. The Government will provide a fixed sum to operate this new scheme which will not be ring-fenced and will not vary according to demand. This change is the Government’s attempt to drive down the cost of welfare and free councils to incentivise people into employment.

13. As the change forms part of the Government's austerity measures, a saving is factored into the Government's proposals. This means that funding to the Council for council tax support will be at least 10% less than the Council's estimated 2013/14 spend on council tax benefit. However, the real terms reduction may be greater due to the growing demand for benefits payments from an increasing number of claimants.
14. Our estimated subsidy claim for Council Tax Benefit in 2012/13 is currently £8,090,173. This is an increase of 2.1% on the previous year. To provide some contingency, it has been assumed that this upward trend will continue as the Council develop the new scheme. This will create an estimated projected shortfall of £826,000 in 2013/14. Chorley Council's element of this equates to £90,860. The estimated financial impact on all parties is detailed below. However, it is possible that there could be a greater increase in claimants and more financial impact.

Funding reduction across	Chorley Council @11%	LCC @75%	Police @10%	Fire & Rescue @ 4%
£826,000	£90,860	£619,500	£82,600	£33,040

15. A draft scheme needs to be approved by Council on the 25 September to allow a full, extensive consultation period with the public before a final scheme is approved at Council on the 8 January 2012.
16. If the Council do not approve a scheme by 31 January, a default scheme (the existing one) will be imposed by the Government and the Council will lose the ability to design the scheme to finance the 10% reduction. The new local scheme must be operational from April 2013. Once adopted, it must operate for a full year before it can be altered.
17. As the billing authority, Chorley Council must design and implement the new scheme in consultation with the precepting authorities, who share the financial pressures and risk. However, the final say on the scheme is with Chorley Council. The only firm guidelines on design are:
 - Pensioners must be fully protected (support will remain at existing levels with existing rules)
 - Vulnerable groups should be protected as far as possible, as determined locally (the Government will not prescribe which groups should be counted as 'vulnerable', but the Council will need to consider the risk of legal challenge, in relation to equality, child poverty and homelessness legislation)
 - Work incentives should be enhanced. This is not a statutory requirement of the new support schemes. It should be noted that this is a complex requirement, and would be difficult to achieve in the current timescales to implement for 2013/14
18. All precepting authorities have are being formally consulted on a range of options prior to the development a draft scheme. Their comments will be presented to Council prior to any to decision being taken on the final scheme.

CHORLEY'S COUNCIL TAX BENEFIT CASELOAD

19. The current profile of Chorley's council tax benefit caseload is detailed below.

Council Tax Benefit Claimant type	No. claimants
Elderly - Passported	2587
Elderly - Non Passported	1350
Working Age - Passported - Severe Disability	239
Working Age - Passported - Disability	270
Working Age - Passported - Lone Parent Child Under 5	369
Working Age - Passported - Child Under 5	136
Working Age - Passported - Family Premium	550
Working Age - Passported - Working	2
Working Age - Passported - Other	1103
Working Age - Non-Passported - Severe Disability	36
Working Age - Non-Passported - Disability	285
Working Age - Non-Passported - Lone Parent Child Under 5	140
Working Age - Non-Passported - Child Under 5	182
Working Age - Non-Passported - Family Premium	463
Working Age - Non-Passported - Working	222
Working Age - Non-Passported - Other	247
Grand Total	8181

20. The Council Tax Benefit claimants above fall into two key types:

- **Passported claimants** are assessed as living below their breadline. Based on their needs, their income is topped up to the minimum allowance based on their need by the DWP - no income information is collected by the council for these claimants. They are automatically entitled to maximum council tax benefit as they are passported by DWP to the Council as being entitled to full benefit.
- **Non-passported claimants** do not receive council tax benefit automatically. The benefit is provided based on the scheme and the information about their circumstances and incomes collected by the Council.

THE DESIGN OF THE NEW LOCAL SCHEME

21. In designing a new local scheme on a reduced fixed sum Councils can either pass on the cut to claimants or pick up the cost through an increase in council tax, fees and charges, or cuts in services and efficiencies. Across the UK, it appears that most Councils are choosing to pass on the cut in benefit support to claimants rather than fund the reduction locally; given the range of other budget reductions, spending cuts and increases in demand.

22. It should be noted that as 3937 (48.1%) of council tax benefit claimants are pensioners who will be statutorily protected, any reduction in support can only apply to (51.9%) 4,244 working age recipients of the benefit so the reduction for those of working age affected will be well in excess of 10%.

23. The key approaches which could be taken are detailed below:

Approach 1 - Change the existing scheme to reduce the benefit bill by reducing payments to working age residents. Variations on this option include:

A) Maintaining the current scheme, but introducing further means testing. This approach could ensure that the support scheme incentivises employment but does not adversely impact on vulnerable people, or put unrealistic pressure on the income of other benefit

recipients. However this would require additional information to be collected from around 4,244 claimants and will be too complex to implement within the timescales involved in developing a scheme for 2013/14.

B) Basing a scheme on the status of the claimant - so a type of income or status (for example unemployment) would generate a standard rate of benefit. This is not a feasible option for 2013/14 due to the complexity of introducing such a scheme by April 2013, lack of support from software suppliers, additional collection requirements (and associated costs); and duplication, as the current calculation scheme will still be required for pensioners.

C) Achieving a saving by maintaining the current scheme but reducing the level of Council Tax support or reducing the amount of Council Tax eligible for support.

24. As already noted, given the timescales involved, it is not possible to gather the information required and then develop a scheme which truly avoids placing undue pressure on vulnerable people for 2013/14.
25. This would only leave Option C '*Achieving a saving by maintaining the current scheme but reducing the level of Council Tax support or reducing the amount of Council Tax eligible for support.*' This could be either through 'equal pain' - by reducing all benefit payments by the same proportion, even those of very poor residents who currently pay nothing; or 'selective pain' - removing support from certain working age groups the Council consider to be 'non vulnerable'. No firm guidance has been provided on protection other than that consideration should be given to: the Equality Act 2010; the Child Poverty Act 2010, which imposes a duty on local authorities and their partners, to reduce and mitigate the effects of child poverty in their local areas; the Disabled Persons (Services, Consultation and Representation) Act 1986, and Chronically Sick and Disabled Persons Act 1970, which include a range of duties relating to the welfare needs of disabled people and the Housing Act 1996, which gives local authorities a duty to prevent homelessness with special regard to vulnerable groups. However, the greater the protections provided, the larger the impact will be on the unprotected groups.
26. Less than 500 of the current claimants do not have a characteristic that could classify them as being vulnerable (e.g. with a disability or having children at increased risk of child poverty). Funding the shortfall through a significant reduction in support only for non-vulnerable groups could be judged to be unreasonable and unfair, particularly as many of these residents do work but are on low wages. Various options have been considered at a Lancashire level, the districts are in the process of setting core principles of a Lancashire-wide approach to schemes.
27. The approach favoured by the County Council and the majority of the other Lancashire district and unitary councils is to apply a percentage reduction to current support. This would result in a basic amendment to the current scheme so benefit is calculated in accordance with current rules but with a percentage reduction in benefit applied at the end of the calculation. This means that a 30% reduction would need to be applied universally as an 'equal pain' approach to all claimants, other than those protected by legislation (such as pensioners), to deliver the required saving, assuming a collection rate of 83% collection rate could be achieved.
28. This is the approach that is being consulted on by most other the other districts with the exception of Ribble Valley Borough Council, who are proposing an approach of a 10% universal cut, along with council tax exemptions being reduced.

Impacts of funding the scheme via a reduction in benefits payments

29. The following table details the average incomes for residents on non-passported payments, based on the data from the Council’s benefits system, the Department of Work and Pensions levels of assessed needs and the level of reduction that would be required to achieve a saving of £826,000 assuming an 83% collection rate.

Group Type	Number of claimants	Median Weekly Gross Incomes (using) (removes very high and low values this is how we measure household income in the borough)	Weekly applicable amount (what DWP assess the claimant as needing to live on).	Average income	Mode / most common income	Average weekly reduction in support to raise £826,000 shortfall (a 30% reduction at an 83% collection rate)
Working Age - Passported - Severe Disability	239	£159.55	£159.55	£182.35	£159.55	–£4.61
Working Age - Passported - Disability	270	£154.70	£154.70	£179.59	£101.35	–£5.64
Working Age - Passported - Lone Parent Child Under 5	369	£218.38	£218.38	£215.75	£153.39	–£4.66
Working Age - Passported - Child Under 5	136	£286.98	£286.98	£299.80	£193.84	–£6.23
Working Age - Passported – Families	550	£218.38	£218.38	£226.18	£153.39	–£5.07
Working Age - Passported - Other (unemployed)	1103	£71.00	£71.00	£83.76	£71.00	–£4.72
Working Age - Non-Passported - Severe Disability	36	£229.32	£166.95	£245.61	£186.07	–£4.31
Working Age - Non-Passported - Disability	285	£187.83	£101.35	£231.35	£105.44	–£4.31
Working Age - Non-Passported - Lone Parent Child Under 5	140	£338.82	£153.39	£ 339.32	£82.13	–£3.32
Working Age - Non-Passported - Child Under 5	182	£368.10	£258.83	£367.08	£272.20	–£4.52
Working Age - Non-Passported - Family Premium	463	£296.32	£218.38	£296.32	£249.47	–£3.64
Working Age - Non-Passported - Working	222	£109.66	£71.00	£ 126.46	£97.28	–£3.17
Working Age - Non-Passported – Other (unemployed)	247	£71.00	£71.00	£79.95	£71.00	–£3.68

30. The gross income totals above include all income apart from housing benefit and council tax benefit. This means the figures include Child Benefit payments, disability payment and earned income. There are major differences between ‘mode/most common payment amount’ and average and medians. This is because under each household group type there are households with differing needs and circumstances based on their make-up. The mode demonstrates the most common payment amount. The Council do not hold any data on the income of people on passported benefits, so their needs amount is used to represent their income as what income they have will be topped up to the applicable amount (their assessed needs level) by DWP.

31. It should be emphasised that, at present the Council does not hold detailed, analysed information to enable it to understand the demographic makeup of the claimant groups to understand adequately whether a change in the benefits scheme will impact adversely on

either those defined as vulnerable in legislation, or people who may not be vulnerable but are on a low income.

Problems with this approach

32. Applying a universal reduction by developing a scheme which reduces the benefit payments to make the scheme self-financing is not proposed for the following reasons:
- The scheme would technically be self-financing. However, collection is likely to be difficult, with the Council having to extract small amounts of money from a large number of households, 63% of whom (2,669) are on passported benefits and currently pay nothing and have a limited ability to pay. Collection will be difficult and costly as it will require additional resources (estimated at up to two additional collection staff).
 - Covering the funding gap via reductions in support could exacerbate the increasing levels of inequality of life chances and deprivation in the borough, particularly given that it risks taking those on low incomes into greater financial hardship.
 - This approach will also require a hardship fund to be set up and administered, incurring additional costs (no prescribed amount has yet been determined).
 - This approach will provide a strong work incentive by reducing support. However, as the same percentage reduction in support would be applied to residents who work on low incomes and those who do not work, it could be seen as a disincentive to employed people on a low income who receive the support.
 - There is a risk of legal challenge from those affected on equality, child poverty or homelessness grounds.

Possible alternative: graduated approach

33. Given the risks and issues discussed in the section above around developing a scheme that truly protects vulnerable people and targets incentivising employment, a possible approach is to implement a graduated approach to reducing council tax support to claimant groups that are not statutorily protected.
34. Modelling has been undertaken to illustrate the average reductions that would be experienced by the different claimant groups at different levels of reduction. This information is included at Appendix A.
35. Using the same information presented at paragraph 29, but with a 7.5% reduction in support the impact would be as follows:

Group Type	Number claimants	Median Weekly Gross Incomes (removes very high and low values - this is how Chorley's overall household income is measured)	Weekly applicable amount (what DWP assess the claimant as needing to live on).	Average income	Mode / most common income	Average weekly reduction with 7.5% reduction in support
Working Age - Passported - Severe Disability	239	£159.55	£159.55	£182.35	£159.55	£-1.15
Working Age - Passported - Disability	270	£154.70	£154.70	£179.59	£101.35	£-1.41
Working Age - Passported - Lone Parent Child Under 5	369	£218.38	£218.38	£215.75	£153.39	£-1.18
Working Age - Passported - Child Under 5	136	£286.98	£286.98	£299.80	£193.84	£-1.56
Working Age - Passported - Families	550	£218.38	£218.38	£226.18	£153.39	£-1.30
Working Age - Passported - Other (unemployed)	1103	£71.00	£71.00	£83.76	£71.00	£-1.20
Working Age - Non-Passported - Severe Disability	36	£229.32	£166.95	£245.61	£186.07	£-1.14
Working Age - Non-Passported - Disability	285	£187.83	£101.35	£231.35	£105.44	£-1.32
Working Age - Non-Passported - Lone Parent Child Under 5	140	£338.82	£153.39	£ 339.32	£82.13	£-1.18
Working Age - Non-Passported - Child Under 5	182	£368.10	£258.83	£367.08	£272.20	£-1.64
Working Age - Non-Passported - Family Premium	463	£296.32	£218.38	£296.32	£249.47	£-1.35
Working Age - Non-Passported - Working	222	£109.66	£71.00	£ 126.46	£97.28	£-1.21
Working Age - Non-Passported - Other (unemployed)	247	£71.00	£71.00	£79.95	£71.00	£-1.02

- 36. In a recent report to the Lancashire Leaders' group, it was estimated that a 50% collection rate should be expected when collecting from first time payers. Based on a 50% collection rate, the overall saving from a 7.5% reduction in the support scheme to these claimant groups would be £139,944.
- 37. This approach brings the benefit of limiting the impact on claimant groups who are likely to struggle to pay because of their low income, but also starting to introduce a reduction in support that can be continued in future years as activities that support people into work are further developed and targeted at key claimant groups.

Approach 2 - Retain the existing scheme funded by generating additional revenue from other means.

- 38. This could be achieved through either increasing the level of council tax, fees and charges or making savings across all precepting authorities. Plugging the £826,000 shortfall would require the equivalent of a 1.6% increase in Council Tax, which would have an impact on all council tax payers.

39. This would essentially be a 'do nothing approach' as the existing scheme would be retained without any reductions. This would have a number of advantages and disadvantages. Benefit claimants would see no change in the amount of council tax they pay and many of the issues above such as legal risks, impact on vulnerable residents would be avoided. However, continuing to fund the existing scheme does not provide a work incentive.
40. While Chorley Council could take this decision it would require all the precepting authorities to follow suit or make the following savings through other means: Lancashire County Council: £619,500, Lancashire Police: £82,600, Lancashire Fire & Rescue: £33,040. As such, it is unlikely to be an acceptable option as it would pass on budget pressure to all other preceptors are likely to object to this option or could even challenge it in court.

Approach 3 - Proposed approach for scheme – no change to scheme, funding from additional Council Tax income through changes in exemptions

41. An alternative approach may be to retain the existing scheme in 2013/14 but achieve the savings required by increasing the overall council tax take. New powers provided in the Local Government Finance Bill from April 2013 will give the Council the ability to reduce some of the council tax exemptions currently available.
42. The issues discussed earlier in this report, around creating a scheme that protects vulnerable people and incentivises employment in the timescales available, coupled with the major changes to the welfare system planned, mean that retaining the current scheme may be beneficial. It would give an opportunity to develop a scheme that is based on insight about the claimants and enable the council and partners to develop programmes that support people into work as their benefits are reduced. This additional income could enable the existing scheme to operate for the one year, with a view to changes being made to the scheme in 2014/15.
43. Reducing exemptions would also bring Chorley closer into line with other councils. The council already provide comparatively favourable levels of exemptions – taking less than the maximum in several of the categories where they already have powers to levy more council tax. For example, 92% of authorities apply a 10% discount for second homes and Chorley is one of only 6% that apply a 50% reduction.
44. The table below identifies the proposed changes to exemptions, the number of properties impacted and the additional income which could be generated:

Exemption type Description	No. properties currently receiving exemption	Current exemption	New exemption	Additional Income
Class A - vacant dwellings – undergoing major repair works	55	100% for up to 12 months	50% for 12 months	£56,247
Class C - a vacant dwelling (i.e. empty and substantially unfurnished)	612 empty 0-6 months 306 empty 6-24 months 254 empty for the two years.	100% for 6 months then 50% indefinitely as a long term empty property	Phase 1: (0-6 months) 50% discount, Phase 2: (6 – 24 months) 25% discount Phase 3: (From 24 months) a premium of 125% of council Tax will be billed	£562,371
Class L - an unoccupied dwelling which has been taken into possession by a mortgage lender.	20	100%	0% / No exemption	£30,661
Second Homes - A vacant dwelling (furnished)	87	50%	0% / No exemption	£46,367
			Total	£695,646

45. The income identified from exemptions above is based on a collection rate of 90% which is lower than the overall council tax collection rate of 98%. This approach will allow some additional protection against growth in the level of claims for council tax support and for reduced collection rates. All modelling has been based on an projected increase of council tax benefit spending of 2.1% to allow for an increase in claimant numbers, however there is a risk of higher level of growth in demand (although this would impact on the county council significantly more than Chorley Council).

46. The advantages of this approach are as follows:

- Reducing exemptions supports the Council’s aim of reducing the number of empty properties in the borough. These properties can have a negative impact on local communities, in terms of the environment, crime and anti-social behaviour and are a drain of resources for all precepting authorities. For example, empty homes are eight times more likely to suffer arson or may need to be made safe at a cost to the Council. If the scheme financially incentivises a return to use this will also have an impact on local affordability (many are Band A homes) and support the local construction sector.
- Making the majority of the saving via exemptions reduces the key risk to the council and preceptors of failure to collect additional council tax from claimants. A scheme based on a reduction in council tax support would be difficult and costly to operate for as the council will have to extract small amounts of money from a large number claimants, many of whom currently do not pay anything. A recent paper to Lancashire Leaders estimates a collection rate of only 50% from first time payers. Collecting larger sums via exemptions from residents who are likely to have a greater ability to pay and already pay council tax represents a reduced risk.

- It is a fairer approach than simply reducing support. As almost half of council tax benefit claimants are pensioners who must be protected, reductions can only apply to 4,244 working age recipients of the benefit. Less than 500 of these claimants do not have some characteristic that could classify them as being vulnerable (e.g. a disability, or children increasing the risk of child poverty). Funding the shortfall through a reduction in support only for non-vulnerable groups could be seen as being unreasonable and unfair, particularly as many of these residents do work but are very on low wages, they have some of the lowest average weekly incomes of all residents. This means that a 30% reduction would need to be applied universally to all claimants, including the vulnerable, to deliver the required saving.
- The exemptions reduction approach does not require a choice to be made on which groups of 'vulnerable' claimants should be protected over others, which could result in legal challenges.
- It would be simple to operate. No major software changes or additional information collection are required from claimants.
- Taking this approach will allow the impacts of Universal Credit and other welfare reforms to be taken into account in a new scheme from April 2014 onwards rather than producing a council tax Benefit Scheme in isolation and then having to make further changes to the scheme when Universal Credit is introduced.

47. The issues and risks with the proposed approach are as follows:

- The support scheme is not self-financed through a reduction in council tax support payments, but instead makes use of additional income from the exemptions scheme. In other circumstances, this could be spent on other objectives.
- The approach does not meet the design guidance to provide a work incentive to support the Government's policy of reducing dependency on benefits. However, the existing scheme provides some work incentives through earnings disregard and a 'run in period' to prevent a cliff edge effect for those entering work.
- Carries a risk of legal challenge from those with exemptions currently (landlords, second home owners, Registered Social Landlords (around 100 exemptions are RSLs), and banks or building societies and from preceptors, who may want to use the money that could be raised from exemptions for other objectives.
- There is a risk that the Local Government Finance Bill, on which the scheme is dependent, is not passed, although it is in the late stages of approval in Lords Committees and has been promised by the Government.

PROPOSED SCHEMES FOR 2013/2014

48. Given the issues discussed earlier in the report with developing a new scheme, that has been developed to provide support for vulnerable people and incentivise employment, within the timescales available; the proposed approach is to:

- Change the current council tax exemption scheme to cover most of the shortfall.
- Change the current council tax support scheme to introduce a graduated reduction in support for claimant groups who are not statutorily protected, with a 7.5% reduction in 2013/14.

49. This combined approach will protect those who are defined as vulnerable in legislation, and also ensure that other claimant groups who may be on very low incomes do not have a disproportionately large reduction in their average income. Further reductions in the scheme of support can then be made in future years, alongside activity to provide support into employment.

50. This combined approach would achieve the necessary savings, with a small contingency for any additional increases demand above that already accounted for:

Income from reduction in exemptions (based on 90% collection)	£695,646
Savings from 7.5% reduction in claimant groups not defined as statutorily vulnerable (based on 50% collection rate)	£139,944
Total savings	£835,590
Savings required	£826,000

CONSULTATION ON THE DRAFT SCHEME

51. Any policy change which will have a major impact on residents should be consulted upon. The guidance on localisation of council tax is also clear that the public should be consulted upon changes. No set periods have been provided, although best practice is to consult for 12 weeks. The Government have made it clear in their statement of intent that a shorter period is acceptable in order to achieve approval in line with the democratic and budget process and that the level of change should determine consultation length. Nationally, most Councils are consulting for a period of between eight to twelve weeks.

Timing of the consultation

52. In line with the Council’s consultation and participation strategy, the consultation needs to be carried out at a time when the results can be meaningfully fed into the decision making process. As the draft scheme needs to be approved by Council on the 25 September to allow a full, extensive consultation period with the public before a final scheme is approved at Council on the 8 January 2012. The Council will ensure that we consult with the whole community, taking into account the needs of sections of society who find consultation difficult to engage with.

Content and approach to Consultation

53. The consultation will gather views on the full draft scheme (a no change approach) as well as the various alternative options above. The consultation will also cover the use of exemptions. It is proposed that the consultation will last for at least eight weeks, to include:
- A survey sent to a representative sample of the population, of residents in receipt of council tax benefit and of those currently in receipt of exemptions.
 - An online survey available for all residents to have their say hosted prominently on the council’s website.
54. The full consultation results will presented to elected members prior to a decision being made on a final scheme at Council 8 January 2013.

IMPLICATIONS OF REPORT

55. This report has implications in the following areas and the relevant Directors’ comments are included:

Finance	✓	Customer Services	
Human Resources		Equality and Diversity	✓
Legal	✓	Integrated Impact Assessment required?	✓
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

56. The financial consequences of the proposed changes to the Council Tax benefit regime are set out in the report. The proposals as outlined in the report are designed to make the changes cost neutral on all precepting authorities whilst minimising the impact on those not protected statutorily. The changes particularly to the benefits will be initially for one year so the Council can assess the financial impact, the approach seems wholly reasonable and consistent with a prudent approach to managing the risks.

COMMENTS OF THE MONITORING OFFICER

57. Any proposed scheme should always meet the legislative requirements. In this instance the Government has prescribed that pensioners should be protected and the proposed scheme meets that requirement. The Council will also be required to ensure that any proposed scheme is fit for purpose and meets the responsibilities of the Council in respect of equalities, child poverty, the armed forces covenant and the prevention of homelessness. The recommendation is to approve the scheme for consultation and as such, relevant groups will be consulted and a full impact assessment undertaken to include any feedback from consultation.
58. We are also required under the legislation to consult with other precepting authorities. Again, this has been complied with and that feedback will be presented to the Council prior to them making a decision on the proposal outlined in this paper. As with any changes to legislation on this scale there is potentially the risk of challenge, including from the precepting authorities, that the proposed scheme does not meet the legislative requirements and may be subject to legal challenge. The safeguards put in place to date should mitigate that risk.

COMMENTS OF THE HEAD OF POLICY AND COMMUNICATIONS

59. An integrated impact assessment will be undertaken prior to the scheme being finalised and approved. The changes currently proposed aim to limit adverse impact that might be felt by groups with protected characteristics, and the consultation should gather information about potential impacts which can be considered in the impact assessment.

GARY HALL
CHIEF EXECUTIVE

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
David Wilkinson	5248	05/09/12	***

Average reduction in income

Claimant Group	5% reduction		7% reduction		7.5% reduction		8% reduction		9% reduction	
	Weekly	Annual	Weekly	Annual	Weekly	Annual	Weekly	Annual	Weekly	Annual
Working Age - Passported - Severe Disability	£0.77	£40.04	£1.07	£56.05	£1.15	£60.06	£1.23	£64.06	£1.38	£72.07
Working Age - Passported - Disability	£0.94	£49.05	£1.32	£68.68	£1.41	£73.58	£1.51	£78.49	£1.69	£88.30
Working Age - Passported - Lone Parent Child Under 5	£0.79	£41.03	£1.10	£57.44	£1.18	£61.54	£1.26	£65.64	£1.42	£73.85
Working Age - Passported - Child Under 5	£1.04	£54.17	£1.45	£75.83	£1.56	£81.25	£1.66	£86.67	£1.87	£97.50
Working Age - Passported - Family Premium	£0.87	£45.34	£1.22	£63.48	£1.30	£68.01	£1.39	£72.55	£1.57	£81.62
Working Age - Passported - Working	£0.73	£38.14	£1.02	£53.40	£1.10	£57.21	£1.17	£61.03	£1.32	£68.66
Working Age - Passported - Other	£0.80	£41.65	£1.12	£58.31	£1.20	£62.48	£1.28	£66.64	£1.44	£74.97
Working Age - Non-Passported - Severe Disability	£0.76	£39.58	£1.06	£55.41	£1.14	£59.37	£1.21	£63.33	£1.37	£71.25
Working Age - Non-Passported - Disability	£0.88	£45.79	£1.23	£64.10	£1.32	£68.68	£1.41	£73.26	£1.58	£82.42
Working Age - Non-Passported - Lone Parent Child Under 5	£0.79	£41.15	£1.10	£57.61	£1.18	£61.73	£1.26	£65.84	£1.42	£74.07
Working Age - Non-Passported - Child Under 5	£1.09	£56.88	£1.53	£79.64	£1.64	£85.33	£1.75	£91.01	£1.96	£102.39
Working Age - Non-Passported - Family Premium	£0.90	£46.76	£1.26	£65.46	£1.35	£70.14	£1.43	£74.81	£1.61	£84.17
Working Age - Non-Passported - Working	£0.81	£42.05	£1.13	£58.87	£1.21	£63.08	£1.29	£67.28	£1.45	£75.69
Working Age - Non-Passported - Other	£0.68	£35.39	£0.95	£49.55	£1.02	£53.08	£1.09	£56.62	£1.22	£63.70
Potential saving – at 50% collection rate	£93,296		£130,614		£139,944		£149,274		£167,933	



Report of	Meeting	Date
Director of People and Places (Introduced by the Executive Member for People)	Executive Cabinet	13 September 2012

SAFEGUARDING ADULTS – POLICY AND PROCEDURE

PURPOSE OF REPORT

1. To seek Member approval for adoption of a policy and procedure relating to dealing with adult safeguarding issues that representatives of Chorley Council may encounter

RECOMMENDATION(S)

2. Executive Members are asked to approve the policy and procedure for ensuring concerns raised by Council representatives in relation to adult safeguarding are properly dealt with.

EXECUTIVE SUMMARY OF REPORT

3. The Council's current adult safeguarding arrangements and documentation is limited to activities and services provided at Cotswold House. A recent external audit of the Council's provisions has identified a gap in policy and procedures across the rest of the Council where officers and Members may come across adult safeguarding issues or receive disclosures of abuse from adult victims.
4. A small team of officers has developed the policy and procedure at Appendix A which follows the format and reporting mechanisms adopted by Members in October 2011 for children a young people safeguarding purposes.
5. The approval of the policy and procedure will result in the need for some briefings for officers and Councillors to ensure they are fully aware of their responsibilities and the reporting mechanisms in place.
6. Once approved the policy will be subject to an integrated impact assessment and reviewed in line with review date for the Children and Young Person Safeguarding Policy.

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
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REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

7. To ensure there is a coherent policy and documented procedure for dealing with concerns relating to adult safeguarding

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

8. None

CORPORATE PRIORITIES

9. This report relates to the following Strategic Objectives:

Strong Family Support	✓	Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities	✓	Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			✓

IMPLICATIONS OF REPORT

10. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	✓
Legal		Integrated Impact Assessment required?	✓
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

11. This report contains a policy proposal only and does not have any financial impact for the Council's budget.

COMMENTS OF THE MONITORING OFFICER

12. A policy addressing the council's approach to safeguarding vulnerable adults is desirable and will provide essential guidance to staff and Councillors.

COMMENTS OF THE HEAD OF POLICY AND COMMUNICATIONS

13. This policy will relate to people with protected characteristics under the Equality Act, particularly disabled people and older people. The policy is designed to safeguard them from harm, and an integrated impact assessment will be undertaken to ensure that consideration is made in the policy's implementation to equality and diversity.

JAMIE CARSON
DIRECTOR OF PEOPLE AND PLACES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Simon Clark	5732	22 August 2012	adultsafeguard

Adult Safeguarding Policy

Protection of Vulnerable Adults
Guidance for Councillors and Staff



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- 2. Background**
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- 4. Responsibilities**
- 5. Definitions**
- 6. Preventative Strategies**
- 7. What to Do**
- 8. Who is Responsible**

Appendix 1 - Action Flowchart

Appendix 2 – Reporting Form

Appendix 3 – Useful Contacts

1. PURPOSE

The purpose of this policy and procedure sets out the Council's commitment to addressing adult safeguarding issues and ensuring that the appropriate agencies are engaging in providing a response to any concerns raised. It outlines what should be the response of a council representative if they encounter an adult safeguarding issue. Council representatives include Councillors, officers and contractors.

This policy applies to all adults in need of safeguarding that come to the attention of Chorley Council officers and representatives as they undertake their roles and responsibilities for the Council.

2. BACKGROUND

In 2000 the Department of Health published "No Secrets" which provided guidance to local agencies who have a responsibility to investigate and take action when a vulnerable adult is believed to be suffering abuse.

The term "vulnerable adults" became "adults in need of safeguarding" to recognise a shift in service philosophy and practice since the publication of "No Secrets" in 2000.

The term 'Safeguarding Adults' reinforces that all adults have the right to live free from abuse and degrading treatment, but that some people may have that right compromised.

It is recognized that particular sections of our community such as those that access social care; the elderly and those with learning difficulties may be at greater risk from abuse than others.

3. SCOPE

The policy and procedure applies to all representatives of Chorley Council whilst in the performance of their duties, roles and responsibilities. This includes Councillors, officers and contractors.

The procedure provides a framework for raising concerns about an adult safeguarding issue and a process by which those concerns can be escalated or referred to the most appropriate agency for further action.

The Chorley Council Child & Young Person Protection Policy details the responsible officers, reporting procedures and relevant documentation which can also be used to address any concerns that staff may have with regard to potential vulnerable adult abuse.

Related documents include:

- "No Secrets" – Dept of Health 2000
- Child & Young Person Protection Policy – Chorley Council 2011

4. RESPONSIBILITIES

Designated Safeguarding Officer (DSO):

- Will provide a point of contact for staff who wish to test concerns about safeguarding and act appropriately, either seeking advice from, or making a formal referral to, statutory agencies regarding a safeguarding disclosure, report or concern.

- Will provide a point of contact with the County Council Adult Services Duty Officer and hold an up-to-date list of contact details for statutory adult safeguarding agencies
- Chorley Council has three nominated DSO's as follows:
Head of Health Environment and Neighbourhoods – Simon Clark
Head of Housing – Zoe Whiteside
Senior HR&OD Consultant – Graeme Walmsley

It is not the role or responsibility of any representative of the Council to decide whether abuse is taking place. DSO's should take advice from a relevant statutory agency before deciding to refer reports, concerns or disclosure formally.

Lead Safeguarding Officer – Head of Health Environment and Neighbourhoods

- Holds all of the responsibilities of a Designated Safeguarding Officer but in addition:
- Will act as the lead officer for the Council with responsibility for safeguarding procedures.
- Will liaise with the statutory adult safeguarding agencies as appropriate.

Directors and Managers:

- Are responsible for making sure that all of their staff are aware of, and understand the importance of this policy and related guidance.
- Will arrange for appropriate training for their staff and maintain a log of this training.
- Must make sure that any contractors, agents or other representatives who they have engaged to undertake duties on behalf of the Council involving contact with vulnerable adults understand and comply with this policy.

Monitoring Officer – Head of Governance

Has responsibility for receiving safeguarding concerns and allegations made against elected Members. The monitoring officer in liaison with the Lead Safeguarding Officer and Chief Executive Officer will determine the most appropriate course of action.

All Staff and Councillors

- Should be aware of this policy and should commit themselves to safeguarding vulnerable adults.
- Are expected to act on any suspected or potential case of vulnerable adult abuse. In line with the existing 'Whistle Blowing' Policy, Chorley Council will support anyone who, in good faith, reports his or her concerns even if those concerns prove to be unfounded.
- Should challenge poor practice as appropriate.

5. DEFINITIONS

The definition of a vulnerable adult is:

“ a person who is or may be in need of community care services by reason of mental or other disability, age or illness: and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation”

This could include people with learning disabilities, mental health problems, older people and people with a physical disability or impairment. Their need for additional support to protect themselves may be increased when complicated by additional factors, such as physical frailty or chronic illness, sensory impairment, challenging behaviour, drug or alcohol problems, social or emotional problems, poverty or homelessness.

The definition of abuse is:

“Abuse is a violation of an individual’s human and civil rights by any other person or persons”.

Abuse of a vulnerable adult may consist of a single act or repeated acts. It may occur as a result of a failure to undertake action or appropriate care tasks. It may be an act of neglect or an omission to act, or it may occur where a vulnerable person is persuaded to enter a financial or sexual transaction to which they have not, or cannot, consent. Abuse can occur in any relationship and may result in significant harm to, exploitation of the individual.

Multiple Forms of Abuse

This may occur in an on-going relationship or an abusive service setting to one person or to more than one person at a time, making it important to look beyond single incidents or breaches in standards, to underlying dynamics and patterns of harm. Any or all of these types of abuse may be perpetrated as the result of deliberate intent and targeting of vulnerable people, negligence or ignorance.

Criminal Acts

Some instances of abuse will constitute a criminal offence. This may lead to criminal proceedings and intervention must take this into account. Vulnerable adults are entitled to the protection of the Law in the same way as any other members of the public. Alleged criminal offences differ from all other non-criminal forms of abuse in that the responsibility for initiating action invariably rests with the State in the form of the police and the Crown Prosecution Service.

Therefore, whenever complaints about alleged abuse suggest that a criminal offence may have been committed, it is imperative that reference is made to the police as a matter of urgency. Criminal investigation by the police takes priority over all other lines of enquiry. Ensuring the safety of victims however must be assured.

Definitions of Abuse

Note of Caution:

When a number of the abuses listed below are present, this should alert practitioners to consider that abuse may have occurred. However, the presence of one or more does not confirm abuse/mistreatment. A cluster of several signs and indicators may indicate a potential for abuse/mistreatment and the need for further assessment.

Physical Abuse – Mistreatment

Definition – The infliction of pain or physical injury, which is either caused deliberately, or through lack of care. This can include:

- Hitting
- Slapping
- Pushing
- Kicking
- Punching
- Forcing - including force feeding

- Inappropriate use of restraints
- The use of incorrect moving and handling techniques that are potentially dangerous and are known to cause distress
- The misuse of medication

Sexual Abuse

Definition: The involvement of a person in sexual activities to which he or she has not consented or does not truly comprehend or where the other party is on a position of trust power or authority. Sexual abuse includes:

- Touching
- Fondling
- Sexual intercourse
- Attempted sexual intercourse
- Offensive or inappropriate language
- Indecent exposure
- Sexual teasing
- Looking
- Inflicting pornography on an individual

N.B: Sexual abuse is usually thought of as the involvement of a person in a sexual activity which they have not consented or which they do not truly comprehend. However, it must be remembered that to prevent a person from expressing their chosen sexuality may also threaten their human rights and may be considered to be a form of abuse.

Psychological Abuse

Definition: Acts or behaviour that cause mental distress or anguish to the victims or which negate the wishes of the vulnerable adult. These can include:

- Threats of harm or abandonment
- Intimidation
- Scolding or treating like a child
- Making a person feel ashamed of involuntary behaviour
- Blaming someone for attitudes or actions or events beyond their control
- The use of silence
- Effects of other forms of abuse (e.g.; financial when family member is perpetrator)
- Humiliation
- Controlling or creating over dependence
- Lack of privacy/dignity
- Deprivation of social contact
- Deliberate isolation/denial of access to visitors
- Threats to withdraw help/support
- Denial of spiritual/cultural needs
- Denial of choice
- Failure to respond adequately to emotional needs
- Failure to protect from the emotional abuse of others
- Threatening medical or legal consequences if the individual does not comply with the desired behaviour

Financial or Material Abuse

Definition: The inappropriate use of the money, property or possessions of a vulnerable adult by another, including:

- Misuse of a person's money, property or possessions
- Refusing access to the person's money, property or possessions
- Extortion of money, property or possessions through theft
- Failing to account satisfactorily for the use of a person's money, property or possessions
- Pressure in connection with wills, property, inheritance etc
- Misuse or misappropriation of property, possessions or benefits
- Denying the right of someone who may be competent to handle his or her own financial affairs.

Neglect of Acts of Omission

Definition; A vulnerable person may be suffering from neglect when their general well-being or development is impaired, include:

- Lack of adequate food or fluids
- Lack of adequate heating/lighting
- Lack of appropriate medical care
- Poor hygiene/cleanliness

Discriminatory Abuse

Definition: The inappropriate treatment of a vulnerable adult because of their race colour, sex (or sexuality), disability etc.

6. PREVENTATIVE STRATEGIES

Consideration of the following factors could assist in the preventing or minimising the risks of abuse occurring.

Helping Vulnerable Adults to Protect Themselves from Abuse

- The awareness of vulnerable adults can be raised by providing advice or education about what constitutes abuse.
- User groups should be supported to enable vulnerable adults to talk about issues which concern them.
- Self-Advocacy is available to support vulnerable adults to disclose abuse and to talk about other issues, which concern them.
- Counselling and Advocacy services are available to speak up or to take action on behalf of vulnerable adults when necessary
- Information should be made available, accessible and understandable to vulnerable adults
- Wherever possible, vulnerable adults should share in any decisions, which affect their lives.

Staff can Minimise Risk by:

- Developing an understanding of the issues, which constitute abuse
- Having open and honest discussions about support issues and concerns
- Raising awareness of the issues of vulnerability
- Investing in training and skill development
- Supporting a learning culture by giving feedback within the staff team
- Being prepared to question support practices which could be abusive

The Service or Setting can Minimise Risk by:

- Having a Whistle Blowing policy (available on the loop)
- Effective employment and recruitment practices (CRB checks)

- Ensuring that staffing levels and competence can meet the needs of the service users
- Encouraging good communication between staff and line managers
- Encouraging good communication between staff, service users and external agencies
- Recording complaints and responding to them in a positive manner
- Encouraging staff or volunteers to understand what constitutes abuse.
- Encourage training initiatives about all areas of support
- Introducing clear and easily accessible policies which promote good practice
- Making appropriate links with other agencies
- Being prepared to listen and to respond to staff and users when procedures and practices are questioned
- Welcoming visitors and ensuring service users are able to access community facilities.

7. WHAT TO DO IF YOU ARE AWARE OF OR SUSPECT ABUSE

It is important to note that just because a situation may lead you to think that abuse may have taken place, it must never be automatically assumed that it has. If there are physical or other signs present, this still does not mean that abuse has taken place.

There should be a thorough consideration of each case on an individual basis, and where necessary by referring to and consulting colleagues, before reaching any conclusions.

Although staff and Councillors are encouraged to be alert to the signs and signals which may indicate that someone is being abused, many incidents will only come to light because the person disclosed this themselves.

The role of the person of whom an allegation of abuse is disclosed is to respond sensitively to the person making the disclosure and then pass on the information to DSO.

If someone discloses abuse:

Do:

- Stay calm and try not to show shock or disbelief
- Listen carefully to what they are saying
- Be sympathetic (*'I am really sorry this has happened to you'*)
- Be aware of the possibility that medical evidence may be needed.
- Tell the person that:
- They did the right thing
- You are treating the information seriously
- It was not their fault
- You are going to inform the appropriate person
- You/the organisation will take steps to protect and support them
- Report to your line manager/chief executive or the police
- Write down what was said by the person disclosing as soon as possible

and do not:

- Press the person for more details
- Stop someone from freely recalling significant events (for example: don't say *'Hold on we'll come back to that later'* as they might not tell you again)
- Promise to keep secrets you cannot keep this kind of information confidential
- Make promises you cannot keep (such as *'This will never happen to you again'*)
- Contact the abuser
- Be judgemental (for example *'why didn't you just run away?'*)

- Pass on information to anyone other than those with legitimate 'need to know', such as your line manager or other appropriate person.

At the first opportunity make a note of the disclosure and date and sign your record.

You should aim to:

- Note what the person actually said, using their own words and phrases
- Describe the circumstances in which the disclosure came about
- Note the setting and anyone else who was there at the time
- Separate out factual information from your own opinions
- Use a pen or biro with black ink, so that the report can be photocopied
- Be aware that your report may be required later as part of a legal action or disciplinary procedure

Perpetrators

It is of particular concern that abuse is not only perpetrated by family members but also by people in positions of trust, power or authority who use their position to the detriment of the health, safety and welfare of the people in their care.

Agencies have a responsibility to the vulnerable adult who has been abused. However, they may also have responsibilities in relation to the perpetrator. The roles, powers and duties of the various agencies in relation to the perpetrator will vary depending on whether the abuser is:

- A member of staff, proprietor or manager
- A member of a recognised professional group
- A volunteer or member of a community group such as place of worship or a social club
- Another service user
- A spouse, relative or member of the person's social network
- A neighbour, member of the public or stranger
- A person who deliberately targets vulnerable people in order to exploit them

8. WHO IS RESPONSIBLE FOR REPORTING CONCERNS AND DISCLOSURES?

All members of staff and Councillors have a role in identifying abusive situation and reporting these to the responsible authority.

This includes abuse by another service user. Sometimes staff do not identify such behaviour as abusive particularly when the service user exhibits challenging behaviour. The focus must be on the abusive act itself and not the degree of responsibility or intent of the person carrying out that act.

Chorley Council will ensure that appropriate action is taken in accordance with this policy.

Such action may include:

- The instigation or referral for criminal proceedings to take place
- Disciplinary action against the member(s) of staff

What are my responsibilities, as a member of staff, if I believe a vulnerable adult is being abused?

The following points may be helpful in assisting individuals to decide what action to take:

- Everyone has a duty to report any allegations or suspicions of abuse or potential abuse of a vulnerable adult wither to their immediate line manager or to the police.
- This includes not only abuse identified as endemic within a service but also abuse carried out by someone else with whom the vulnerable adult has a personal or professional relationship.
- Any member of staff with reason to believe their line manager is colluding in the abuse should follow the whistle blowing procedures (see Whistle Blowing Policy, available on the loop).
- If the vulnerable adult is thought to be in immediate danger, urgent action needs to be taken to ensure their safety including calling the appropriate emergency services.
- If the alleged abuser is also a service user, then action needs to be taken to ensure that they do not pose a risk to other vulnerable adults.
- If there is a reason to believe a crime has been committed, then the police should be contacted immediately. In cases involving suspected physical or sexual abuse, particular care must be taken to preserve evidence.
- No individual should alert or confront the alleged abuser. Staff need to be mindful of their own safety, the safety of other staff, the safety of other service users and the safety of the vulnerable person.
- The appropriate line manager should then decide whether the allegation appears to constitute abuse and therefore needs further investigation or whether the matter does not constitute abuse and so would be more appropriately dealt with internally.
- If the alleged abuser is a member of staff or a volunteer, consideration must immediately given to protecting the vulnerable adult(s) from the possibility of further abuse until the issues have been investigated. Staff will refer to the internal staff disciplinary procedures.
- There is an expectation that line managers and staff providing services to vulnerable adults will co-operate fully in any investigation, whether it is carried out internally or by the police.
- Further advice is contained within the Child & Young Person Protection Policy, and either of the Designated Safeguarding Officers can be contacted where the person who suspects there may be potential abuse or the line manager, to discuss the matter further.

'Whistleblowing' is the term commonly applied to in a situation where a member of staff or a volunteer reports concern about something taking place in the work environment. Reference should be made to the Councils 'Whistleblowing' Policy if colleagues have any concerns about the implications of raising issues which might be described as 'whistleblowing'

This could be with regard to fraud, health and safety issues, abuse or the standard of support provided to a vulnerable adult.

The important issue is to ensure your concerns are reported to a person who has the responsibility and authority to act i.e. a Designated Safeguarding Officer (DSO).

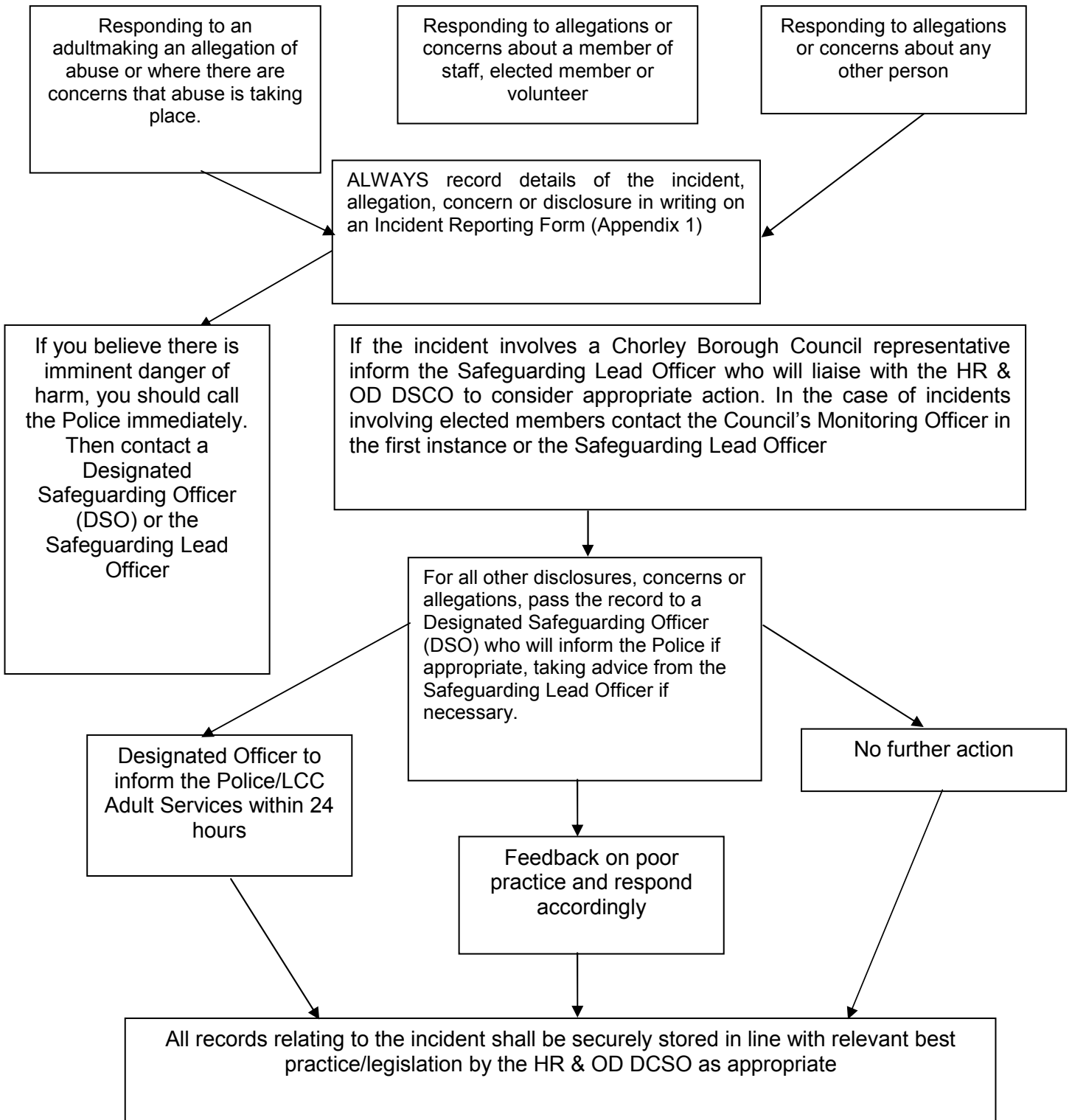
The Public Disclosure Act 1998 sets out a requirement for organisations to have procedures under which staff can raise, in confidence, any serious concerns that they may have and do not feel that they can raise in any other way.

These can include situations when an employee believes that:

- A criminal offence has been committed
- Someone has failed to comply with legal obligation
- A miscarriage of justice has occurred
- The health and safety of an individual has been endangered
- There are or may be financial irregularities

Appendix 1

How to respond to allegations, concerns and disclosure



**Remember your role is not to investigate but to gather, collate and report relevant information about safeguarding concerns, disclosures or allegations of abuse.
 If you are not sure what to do contact a Designated Safeguarding Officer for advice.
 If there is imminent danger of harm, you should call the Police immediately and try to maintain surveillance.**



Appendix 2: Safeguarding Incident Reporting Form

Safeguarding Incident Reporting Form

Please give as much information as possible, using extra sheets if necessary. All information will be treated in strict confidence.

Date: _____ Time: _____ Venue: _____
 Name of Adult: _____ DOB: _____ Age: _____ Ethnicity: _____
 Address: _____
 Postcode: _____ Telephone Number: _____
 Are you reporting your own concerns or passing on those of someone else? _____ Own/Other _____

Give details:

Brief description of what has prompted the concerns: include dates, times, locations etc of any specific incidents. Please write only facts and avoid interpretation.

Any physical signs? Behavioural signs? Indirect signs?

Have you spoken to the adult? Yes/No (if so what was said?)

Has anybody been alleged to be the abuser? Yes/No (if so give details)

Have you consulted anybody? Yes/No

If so, give details of Police or Adult Services contact ie Police Officer Name, Badge No, Social Worker details, give dates.

Does the adult have a disability Yes/No

Your Name: _____ Position: _____

To Whom reported: _____ Position: _____

Date of reporting:

Signature: _____ Date: _____ Time: _____

This form **must** now be given to a Designated Safeguarding Officer by hand in a sealed envelope marked 'confidential'.

REMEMBER TO MAINTAIN CONFIDENTIALITY. DO NOT DISCUSS THE MATTER WITH ANYONE OTHER THAN THOSE THAT NEED TO KNOW.

Appendix 3 Useful Contacts

Safeguarding Role	Officer Designation	Contact
Corporate Safeguarding Lead and DSO	Head of Health Environment and Neighbourhoods	01257 51573 07949 164717
DSO: Human Resources (Contact for issues relating to allegations against Chorley representatives)	Senior HR and OD Advisor	01257 515186
Monitoring Officer and DSO: (Contact for issues relating to Members only)	Head of Governance	01257 515102
DSO : People and Places	Head of Health Environment and Neighbourhoods	01257 51573 07949 164717
DSO: Partnerships Planning and Policy	Head of Housing	01257 515711
Lancashire County Council Adult Services	Initial Assessment Team	0845 053 0000
Police	Non Emergency Contact Emergency Contact (if an adult is in danger)	0845 125 3545 999

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Report of	Meeting	Date
Director of Partnerships, Planning and Policy (Introduced by the Executive Member for Homes and Business)	Executive Cabinet	13 September 2012

SELECTMOVE EVALUATION

PURPOSE OF REPORT

1. To make Executive Cabinet aware of information regarding lettings of properties through the sub-regional Choice Based Lettings system, Selectmove, through which the majority of social housing in Chorley has been allocated since 27th March 2011.

RECOMMENDATION(S)

2. The Executive Cabinet is made aware of the findings of this report and the future actions.

BACKGROUND

3. In 2005 the Government of the Office of the Deputy Prime Minister published a national housing strategy, *Sustainable Communities: Homes for All*, and this document set the Choice Based Lettings policy objectives for the Government of the time. One of these key objectives was

“to develop choice based lettings schemes on a regional and/or sub-regional basis, recognising that housing markets do not follow local authority boundaries”

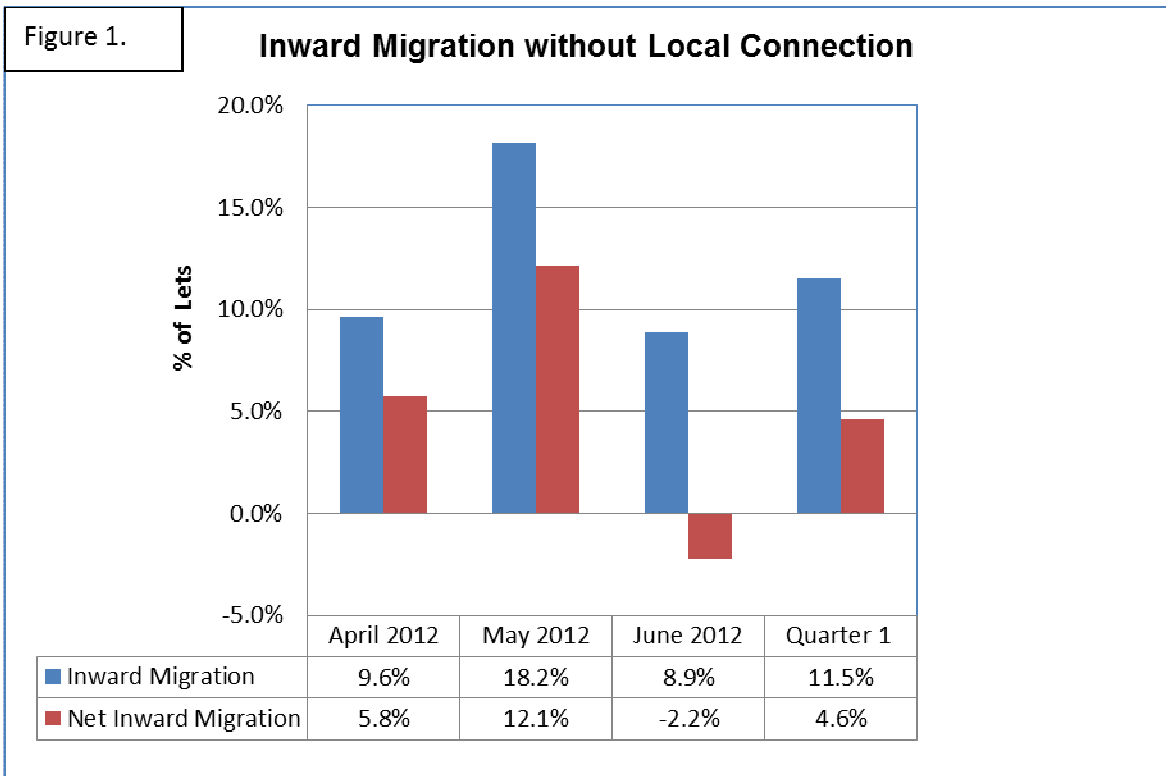
4. Choice Based Letting systems are designed to allow the applicant to have more choice over where they live by proactively bidding on properties they want to live in rather than waiting to be allocated a property on a traditional waiting list. Allowing choice is designed to create more sustainable communities in which people have chosen to live, and also is designed to be a more effective use of very limited social housing stock.
5. In March 2011 Chorley Council joined the two other main councils in the Central Lancashire Housing Market Area, Preston City Council and South Ribble Borough Council, in the sub-regional Choice Based Lettings partnership called Selectmove. South Ribble and Preston City Council had been jointly operating a choice based lettings system since 2007. In March 2011 CCH also joined the partnership.
6. At the time of making the decision the Council recognised the benefits of giving people in the area more choice, however, it was considered important that people with a local connection to Chorley accessed a significant number of the Chorley properties and net migration to a maximum of 10% was considered acceptable. However, due to concerns this policy is being reviewed in respect of the gross inward migration.

MIGRATION ANALYSIS

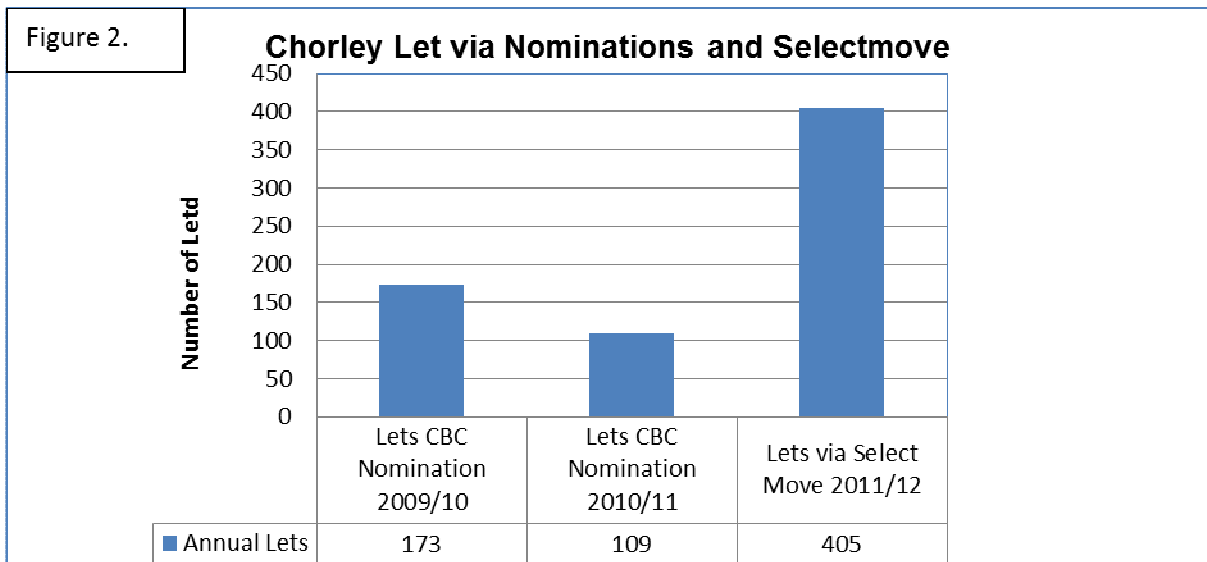
7. Following the first year of implementation from 1st April 2011 to 31st March 2012 we have undertaken analysis to identify the level of migration. Throughout the last financial year

there were 405 lets in Chorley and 80.2% of the lets were to households living in Chorley or with a Chorley connection (e.g. employment, previously lived in the area, or to give or receive support). Therefore inward migration from other council areas with no local connection was 19.8%, however when the households in Chorley who chose to move to Preston or South Ribble the net inward migration is 10.4%. It was also found that just over 20% of inwardly migrating households without a local connection were housed in the low demand/high turnover Martindales flat complex in Clayton Green, which may have been otherwise hard to let.

8. The level of inward migration is likely to be due in part to the attractiveness of Chorley’s housing offer, but it is also probable that it is affected by Chorley being the last council of the three to become a partner with Preston and South Ribble using Selectmove since 2005 and 2007 respectively. Whilst the number of Chorley Households on Selectmove is similar to South Ribble’s, a similar size authority, the number of bids placed by Chorley residents was less than half that of the number placed by South Ribble residents in 2011/12.
9. The move from an inactive waiting list to a proactive bidding system is a significant one, and the residents of the other two local authorities have had several years to become familiar with the bidding process. Therefore it is likely that the level of net inward migration maybe due in part, to customers with a local connection to Chorley not being familiar with Selectmove, and whilst this is expected to improve over time, there is more that can be done to promote Selectmove and educate Chorley applicants on the need to regularly bid in order to successfully obtain properties of their choice.
10. In the first quarter of this financial year 2012/13, the number of Chorley properties let to people with a local connection seems to be increasing, and this could be due to Chorley applicants becoming more familiar with the system. As seen in figure 1 below net inward migration was only 4.6% for the first quarter with a negative figure in June. The -2.2% net migration in June illustrates that more people moved from Chorley to the other two council areas through Selectmove than moved into Chorley without a local connection.



11. Prior to the introduction of Selectmove the Council would have been allocated a number of the Registered Providers' properties into which the Council could nominate people from the Council's waiting list using the Council's Allocation Policy. Under Selectmove we have a common allocations policy that all partners work to and the Registered Providers who joined the scheme have agreed to put a 100% of their lets into the Selectmove system.
12. As a consequence of this change, with 405 lets through Selectmove in 2011/12 the number of properties in the borough that are let according to the council's allocation policy has drastically increased and Figure 2. Illustrates a dramatic increase from the number of nominations received in the previous two years before Selectmove when compared to lets through Selectmove in the last year.
13. The 405 lets would have been made anyway but we would only be aware of many of them when they are reported at the end of the year. Now through Select Move, the Council can monitor lettings on a weekly or even daily basis if need be, allowing far more accountability.



CONCLUSION AND FUTURE ACTIONS

14. Since the introduction of Select Move, inward migration has been higher than anticipated just exceeding the maximum 10% threshold. However there are early signs of this decreasing in Q1 of this year. As net inward migration was negative in June 2012 it shows that Chorley residents are also exercising choice to move to other areas.
15. In order to increase the supply of social housing to households with a local connection and ensure that the 10% threshold is not exceeded going forward. A review of the current policy options is being undertaken working with partners in the Select Move scheme as a matter of urgency. In the interim a number of actions will be undertaken and these are outlined below:
 - Pro-active promotion of Select Move to Chorley residents is currently being worked on and will start in September including a press release, posters and a new quick reference guide which will also inform applicants who need assistance how Chorley Council can help them bid for properties;
 - Close monitoring of migration on a monthly basis so early interventions can take place, and a breakdown of lets is also being requested off Registered Providers;

- A new Selectmove application form will make it easier to monitor and report on local connection, in conjunction with changes to the online forms;
 - All future s.106 agreements to continue to have robust local lettings criteria;
 - Lettings of s.106 properties (plus other council or developer contribution properties) to be closely scrutinised at first and subsequent lets;
 - All new build and newly acquired social housing to be covered by a new Local Connection Policy
 - Cross-directorate training on Selectmove so more staff are able to assist applicants where help is needed
16. Choice of housing and area is key to low turnover in social housing, and is conducive to building sustainable communities, and through Selectmove choice is possible. With the above measures it is anticipated that more properties located in Chorley will be let to households with a Chorley connection in the borough and who can also exercise their choice to live in them.
17. It is important that Executive Cabinet is aware on the migration situation in the first 5 quarters for which Selectmove has been operating.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

18. None.

CORPORATE PRIORITIES

19. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	X
Safe Respectful Communities	X	Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

BACKGROUND

20. Since the introduction in off Selectmove the issue of migration has been one of interest to members and this report summarises the first 15 months.

IMPLICATIONS OF REPORT

21. This report has implications in the following areas and the relevant Directors' comments are included:

Finance	X	Customer Services	
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

22. There are no financial implications in the report at this stage.

COMMENTS OF THE MONITORING OFFICER

23. No comments

LESLEY-ANN FENTON
 DIRECTOR OF PARTNERSHIPS, PLANNING AND POLICY

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Mick Coogan	5552	23 rd August 2012	***

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