



**LONDON BOROUGH OF ENFIELD**

**TIMED AGENDA FOR THE COUNCIL MEETING  
TO BE HELD ON WEDNESDAY, 22ND  
NOVEMBER, 2017 AT 7.00 PM**

**THE WORSHIPFUL THE MAYOR  
AND COUNCILLORS OF THE  
LONDON BOROUGH OF ENFIELD**

**Please  
Reply to:** Penelope Williams

**Phone:** (020) 8379 4098

**Textphone:** (020) 8379 4419

**E-mail:** Penelope.Williams@enfield.gov.uk

**My Ref:** DST/PW

**Date:** 22 November 2017

Dear Councillor,

You are summoned to attend the meeting of the Council of the London Borough of Enfield to be held at the Civic Centre, Silver Street, Enfield on Wednesday, 22nd November, 2017 at 7.00 pm for the purpose of transacting the business set out below.

Yours sincerely

*Jeremy Chambers*

Director Law & Governance

### **Items 1-6 (14 Minutes)**

- 1. ELECTION IF REQUIRED OF THE CHAIR/DEPUTY CHAIR OF THE MEETING**
- 2. THE MAYOR'S CHAPLAIN TO GIVE A BLESSING**
- 3. MAYOR'S ANNOUNCEMENTS IN CONNECTION WITH THE ORDINARY BUSINESS OF THE COUNCIL**
- 4. MINUTES OF THE MEETING HELD ON 19 SEPTEMBER 2017 (Pages 1 - 20)**

To receive and agree the minutes of the meeting held on 19 September 2017.

- 5. APOLOGIES**
- 6. DECLARATION OF INTERESTS**

Members of the Council are invited to identify any disclosable pecuniary, other pecuniary or non pecuniary interests relating to items on the agenda.

## **Item 7 (15 minutes)**

**7. ANNUAL REPORT OF THE CHILD SEXUAL EXPLOITATION AND ASSOCIATED RISK TO YOUNG PEOPLE TASK GROUP (Pages 21 - 34)**

To receive the annual report from the Child Sexual Exploitation and Associated Risk to Young People Task Group. (Report No: 102)

Council is asked to note the report and approve the suggested changes to the task group terms of reference.

## **Item 8 (24 minutes)**

**8. ENFIELD ADULT SAFEGUARDING BOARD ANNUAL REPORT 2016/17 (Pages 35 - 86)**

To receive a report from the Executive Director of Health, Housing and Adult Social Care on the Enfield Adult Safeguarding Board Annual Report 2016-17.  
(Report No: 62A)

Council is asked to note the progress being made in protecting vulnerable adults in the Borough as set out in the annual report of the Safeguarding Adults Board.

Please note that this report has been referred on for information from Cabinet at their meeting on 18 October 2017 and has also been considered at the Health and Wellbeing Board.

## **Items 9 – 12 (30 minutes)**

**9. REFERENCE FROM MEMBER AND DEMOCRATIC SERVICES GROUP - REVISED PETITIONS SCHEME (Pages 87 - 96)**

To receive a report from the Chief Executive recommending changes to the Council Petitions Scheme. (Report No: 103)

Council is asked to approve the revised scheme.

The report has been recommended to Council by the Member and Democratic Services Group.

**10. REFERENCE FROM COUNCILLOR CONDUCT COMMITTEE - CHANGES TO PROCEDURES FOR HANDLING COMPLAINTS AGAINST COUNCILLORS AND CO-OPTED MEMBERS (Pages 97 - 112)**

To receive a report including references from the Councillor Conduct Committee on changes to the procedure for handling complaints against

councillors and co-opted members. (Report No: 100)

Council is asked to agree to the changes put forward in the report.

**11. REFERENCE FROM AUDIT AND RISK MANAGEMENT COMMITTEE - REVISED CONTRACT PROCEDURE RULES** (Pages 113 - 150)

To receive a report from the Executive Director Finance, Resources and Customer Services proposing revisions to the Council's Contract Procedure Rules. (Report No: 101)

Council is asked to agree the revised procedure rules as recommended by the Audit and Risk Management Committee on 1 November 2017.

**12. BUSINESS RATES** (Pages 151 - 162)

To receive a report from the Executive Director of Finance, Resources and Customer Services. (Report No: 90A)

(Key Decision: KD: 4605)

Cabinet is due to consider the report on 15 November 2017. If agreed, Cabinet will recommend that Council agree in principle to participation in the business rate pool and subsequent delegation.

**Item 13 (85 minutes)**

**13. MOTIONS** (Pages 163 - 168)

**13.1 Motion in the name of Councillor Ayfer Orhan**

"Having been hugely disappointed with Government's failure to listen to our call for a fairer funding for Enfield Schools, Enfield Council looks forward to seeing increased funding for schools in the next budget."

**13.2 Motion in the name of Councillor Achilleas Georgiou**

"This Council welcomes the saving of £2.5m to the Council's budget by the purchase of properties through Housing Gateway since it was established in 2014.

Given this is a net contribution, it is hard to see how any Councillor could consider it anything other than good economics."

**13.3 Motion in the name of Councillor Doug Taylor**

"Enfield Council notes the letters received by the Leader of the Council from the Minister and from officials about Universal Credit. (Letters Attached)

We note the comments made but reiterate our significant concerns about the

risk to vulnerable people arising from this policy and instruct the Leader of the Council to reply to the Minister reflecting the Council's view."

### **13.4 Motion in the name of Councillor Ahmet Oyken**

"Following the tragedy at Grenfell Tower Enfield Council took the decision to retro fit sprinklers in all our tower blocks. This will improve safety for our residents.

The cost of the work will be at least £8 million, and should be funded by the Government as they indicated that they would. Not to do so would be a betrayal of our tenants and leaseholders.

### **13.5 Motion in the name of Councillor Doug Taylor**

"Enfield Council notes the Government's budget and its impact on Enfield."

### **13.6 Motion in the name of Councillor Vicki Pite**

"The Mayor of London launched The London Borough of Culture competition at the start of September 2017. The process of submitting an application will bring together Enfield's Cultural organisations and build on the good work done through Enfield Festivals and Events. There is so much to celebrate about Culture in Enfield including Europe's most inclusive theatre at Chickenshed, accessibility and participation at Millfield, rich heritage and award winning organic farming at Forty Hall and community led Festivals and Events in parks across the borough. Along with our Museums, Theatres, Community Cinema, Community Arts Organisations, Jazz and Blues Clubs, Choirs, Orchestras and Enfield Music Service we have what it takes to make us London's Borough of Culture. This Council unanimously supports the bid."

### **13.7 Motion in the name of Councillor Edward Smith**

"The Conservative Opposition is deeply dismayed that Barratts, the Council's principal development partner, has recently withdrawn from the Meridian Water Scheme. This could have enormous financial repercussions for the Council and will seriously delay the provision of desperately needed affordable housing in the borough.

The Council agrees to set out its proposals for enhancing its project management capability of large schemes, its plans to overcome the major financial and other outstanding risks at Meridian Water, and a revised timetable for the delivery of new housing and employment at Meridian Water."

### **13.8 Motion in the name of Councillor Joanne Laban**

"Enfield Council believes that air quality is an important issue in our borough. However, the Mayor of London's proposal to extend the Ultra-Low Emission Zone to the North Circular is not the solution that Enfield requires. Enfield

Council agrees to seek alternative measures that will make a real difference to Enfield residents and then write jointly to the Mayor to express our concerns about this proposal.”

### **13.9 Motion in the name of Councillor Edward Smith**

“Since the four new repairs and maintenance contractors were appointed in May 2015, their performance has been poor in the vital role of delivering repairs and planned maintenance to 13,000 council homes. Enfield Council agrees that the procurement process and subsequent management of these contracts has been seriously flawed causing great inconvenience to residents.”

### **13.10 Motion in the name of Councillor Terry Neville**

“Following the recent sentencing of cyclist Charlie Alliston who was convicted of “wanton and furious driving” following the death of Mrs Kim Briggs in Old Street in London, and the more recent conviction of a second cyclist of “causing injury by wilful misconduct”, both ancient offences used by prosecutors to deal with these cases because of a lack of modern cycling law, the Council calls on the government to thoroughly review the laws relating to cycling to bring them into line with those applicable to motorists, so that the public are properly protected against both the irresponsible and dangerous acts of a minority of cyclists, and from accidental damage injury when it occurs. Council instructs the Director of Law and Governance to forward this motion to the Secretary of State for Transport.”

## **Item 14 (25 minutes)**

### **14. COUNCILLOR QUESTION TIME (Pages 169 - 192)**

#### **14.1 Urgent Questions (Part 4 - Paragraph 9.2.(b) of Constitution – Page 4-9)**

With the permission of the Mayor, questions on urgent issues may be tabled with the proviso of a subsequent written response if the issue requires research or is considered by the Mayor to be minor.

Please note that the Mayor will decide whether a question is urgent or not.

The definition of an urgent question is “An issue which could not reasonably have been foreseen or anticipated prior to the deadline for the submission of questions and which needs to be considered before the next meeting of the Council.”

Submission of urgent questions to Council requires the Member when submitting the question to specify why the issue could not have been reasonably foreseen prior to the deadline and why it has to be considered before the next meeting.

14.2 Councillors' Questions (Part 4 – Paragraph 9.2(a) of Constitution – Page 4 - 8)

Please note that the list of questions and their written responses will be published on Tuesday 21 November 2017.

## **Items 15 – 19 (2 minutes)**

### **15. COMMITTEE MEMBERSHIP**

To confirm the following changes to Committee memberships:

- Audit and Risk Management Committee – Councillor Hurer to replace Councillor Milne.

Please note that any further changes received once the agenda has been published will be tabled on the Council update sheet at the meeting.

### **16. NOMINATIONS TO OUTSIDE BODIES**

To confirm any changes to the nominations to outside bodies. No changes have been notified to date.

Please note that any changes notified after the agenda has been published will be reported to Council on the update sheet tabled at the meeting.

### **17. CALLED IN DECISIONS**

None received.

### **18. DATE OF NEXT MEETING**

To note the date agreed for the next Council meeting:

- Wednesday 31 January 2017 at 7pm at Enfield Civic Centre.

### **19. EXCLUSION OF PRESS AND PUBLIC**

To pass a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting for any items of business moved to part 2 on the grounds that it involves the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006) as listed on the agenda.

(There is no part two agenda)

This page is intentionally left blank

## COUNCIL - 19.9.2017

**MINUTES OF THE MEETING OF THE COUNCIL  
HELD ON TUESDAY, 19 SEPTEMBER 2017**

**COUNCILLORS****PRESENT**

Christine Hamilton (Mayor), Doris Jagge (Deputy Mayor), Abdul Abdullahi, Daniel Anderson, Chris Bond, Yasemin Brett, Alev Cazimoglu, Nesil Cazimoglu, Erin Celebi, Bambos Charalambous, Jason Charalambous, Katherine Chibah, Dogan Delman, Nick Dines, Guney Dogan, Sarah Doyle, Christiana During, Patricia Ekechi, Nesimi Erbil, Turgut Esendagli, Peter Fallart, Krystle Fonyonga, Achilleas Georgiou, Alessandro Georgiou, Ahmet Hasan, Elaine Hayward, Robert Hayward, Ertan Hurer, Suna Hurman, Jansev Jemal, Eric Jukes, Nneka Keazor, Adeline Kepez, Joanne Laban, Bernadette Lappage, Derek Levy, Mary Maguire, Andy Milne, Terence Neville OBE JP, Ayfer Orhan, Ahmet Oykenner, Anne-Marie Pearce, Daniel Pearce, Vicki Pite, Michael Rye OBE, George Savva MBE, Alan Sitkin, Edward Smith, Andrew Stafford, Jim Steven, Claire Stewart, Doug Taylor (Leader of the Council) and Glynis Vince

**ABSENT**

Ali Bakir, Dinah Barry, Lee Chamberlain, Lee David-Sanders, Michael Lavender, Dino Lemonides, Donald McGowan, Toby Simon and Haydar Ulus

**1****ELECTION IF REQUIRED OF THE CHAIR/DEPUTY CHAIR OF THE MEETING**

Not required.

**2****THE MAYOR'S CHAPLAIN TO GIVE A BLESSING**

The Mayor's Chaplain, Martin Legg, an Independent Lay Preacher gave the blessing.

**3****MAYOR'S ANNOUNCEMENTS IN CONNECTION WITH THE ORDINARY BUSINESS OF THE COUNCIL**

The Mayor welcomed everyone to the meeting and hoped that they had enjoyed the summer.

**1. Engagements since the last Council meeting**

Since the last meeting the Mayor and Deputy Mayor had attended five citizenship ceremonies. The Mayor said that she had been pleased to see so

**COUNCIL - 19.9.2017**

many people being made citizens of the borough, arriving with a sense of pride, in their finery.

Other engagements included:

- Events at Forty Hall including Love Forty Hall Park Day, Reggae on the Lawn and Spirit of Ukraine. There was a great turn out from all over Enfield.
- 11th Annual Chariot Festival
- Opening of the Marketplace Summer Fun Fair
- Mayor's Fun Run 17 September 2017 where hundreds of residents, including many of the Mayor's own family had taken part. The Mayor said that she was pleased to see how much support the Mayor had and that she had already put herself down to take part next year - in the 3K not the 10K.
- Livestock Music Festival on 29 July 2017 – a great success.
- Launch of the Camden Brewery in Enfield
- Bangla Mela – an exciting event
- Enfield Town Football Club – The Mayor said that she was a keen supporter of the club and tried to get to as many home games as possible. That night Enfield Town had been playing against Hanwell Town in an FA Cup game. The Mayor regretted that she was not able to attend.
- Inauguration of the Defibrillator Kiosk in the Enfield Town Marketplace.
- Masta Plasta Event – presenting the Queen's Award for Enterprise at Broomfield Park. The Mayor expressed delight that such excellent work was being produced in the borough.
- Canning Square Fun Day – a great morning out with residents celebrating their community

The Deputy Mayor had attended:

- The Enfield Carnival in August 2017 where she had a thoroughly great time
- The Arts and Photography Exhibition organised by Park Avenue Physical Disability Resource Centre – where she had been amazed at the work that had been produced.
- The Toddler, Baby and Bump Show at the Dugdale Centre – another exceptional event.

In September the Mayor also visited Gladbeck, Enfield's twin town in Germany, with Councillor Eric Jukes and Paul Everitt, Arts and Culture Manager. The Mayor said that it was an interesting experience and she was hopeful that some mutual joint working could be achieved for the future.

## **2. Mayor's Charity**

The Mayor said that her charity was now gathering speed and there were some exciting events due to take place in the coming months.

**COUNCIL - 19.9.2017**

Over £1,000 had been raised at the Quiz Night on the 28 July 2017. For which the Mayor thanked everyone who had attended.

A MacMillan Coffee Morning to be held in the Mayor's Parlour, was being organised for the 29 September 2017, to which she urged as many as possible to attend.

The Mayor was also planning a Charity Blues Night with the Chickenshed Theatre on 22 October 2017. This was in addition to several other fundraisers to be held at the Millfields Arts Centre, the Dugdale Centre and Forty Hall, due to be advertised shortly.

**4**

**MINUTES OF THE MEETING HELD ON 19 JULY 2017**

The minutes of the meeting held on 19 July 2017 were confirmed as a correct record.

**5**

**APOLOGIES**

Apologies for absence were received from Councillors Barry, Chamberlain, David-Sanders, Lavender, Lemonides, McGowan, Simon, and for lateness from Councillor Levy.

**6**

**DECLARATION OF INTERESTS**

Councillor Oyken declared a disclosable pecuniary interest in Motion 10.4 in the name of Councillor Alev Cazimoglu on the crisis in social care and Councillor Alessandro Geogiou declared a disclosable pecuniary interest in Item 13.1 Motion in the name of Councillor Laban on the extension of the Mayor of London's Ultra Low Emission Zone as he worked for a company which had a client who was involved in the industry.

**7**

**CHANGE IN ORDER OF BUSINESS**

Councillor Stewart moved and Councillor Taylor seconded a proposal under paragraph 2.2(B) of the Council procedure rules to change the order of items on the agenda and to take Motion 10.5 in the name of Councillor Orhan as the next item of business.

The change in the order was agreed, after a vote with the following result:

For: 34

Against: 19

Abstentions: 0

**COUNCIL - 19.9.2017**

The minutes reflect the order of the meeting.

**8  
MOTIONS**

**Motion 10.5**

Councillor Orhan moved and Councillor Fonyonga seconded the following motion:

“We on this side are very proud, that despite the huge cuts from central government we, in Enfield, have been able to keep all 17 libraries within the Borough of Enfield open, whilst other London Authorities have had to cut their Library services. We are spending over 9 million modernising and working with partners to bring our libraries into the 21<sup>st</sup> Century.

The Council agrees that libraries today in the modern age should not just be places where residents read or borrow books but be a place for the wider community to use and interact with the Council.

This Council agrees with the present strategy and with working with partners and the local community to deliver on the aspirations of the strategy. We further agree that the elected members could be actively engaging with the local community groups to seek volunteers and support our Library staff.

Council agrees to promote its Library Service to local residents.”

Following a debate the motion was approved after a vote with the following result:

For: 33  
Against: 19  
Abstentions: 1

**9  
OPPOSITION BUSINESS: LIBRARY SERVICE PROVISION IN ENFIELD HIGHWAY**

Councillor Laban introduced the issues paper, prepared by the Opposition Group.

1. Issues highlighted by Councillor Laban were as follows:
  - That the Enfield Highway Carnegie Library, built in 1909, was one of the few old buildings in Eastern Enfield. It was the Opposition’s view that it should be preserved and should continue to be used as a library.
  - That answers were needed as to why the proposals involving the Sexual Health Clinic had not worked out and what could be done to find another partner which would enable the library to continue as a library.

**COUNCIL - 19.9.2017**

- Why it had happened that both Edmonton Green and Enfield Highway libraries had been put under refurbishment at the same time, in one of the most deprived parts of the borough.
  - Why the library had been closed, stripped of fixtures and fittings and the books put into storage so prematurely and why the books could not have been made available to other libraries.
  - Concern at the lack of communication with the public about the library closure.
  - The view that first floor office accommodation in a nearby business centre was not an appropriate library replacement.
  - That for a similar cost to that of providing the inadequate temporary library - a bus with two computers and a shelf of best sellers - the original library could have been kept open.
  - Concern that the Council had only managed to recruit 50 of the required 200 volunteers to help run the libraries.
  - That the public deserved an apology from the Cabinet member for the way that this matter had been handled.
2. Councillor Orhan, Cabinet Member for Education, Children's Services and Protection, responded on behalf of the Majority Group highlighting:
- That it had been a clear manifesto commitment to keep the boroughs' libraries open and this had been adhered to. Councillor Orhan was proud of the library offer and proud that Enfield had the highest number of libraries in London. All in the context of huge reductions in Government grants and a 48% reduction in revenue.
  - The new proposals for Enfield Highway Library were in her view the best option. The library would be in a new improved location, it was a large airy open space fit for the 21<sup>st</sup> Century, accessible and modern. A cost effective way of delivering on the library strategy enabling the Council to retain a much used facility. With excellent internet connectivity, public access to council services and including a specialist resource for local businesses and new start-ups.
  - Councillor Orhan invited members to visit the new building.
  - A temporary mobile library had been provided during the closure to give residents access to library services. Residents were also able to visit the borough's other libraries.
  - Plans for the old library building included options for community use.

**COUNCIL - 19.9.2017**

3. Other issues highlighted during the debate were as follows:
  - a. The need highlighted by the members of the Opposition Group:
    - To acknowledge the concern about the failure of the Cabinet members involved to ensure that projects were run in a timely and cost effective manner.
    - To conserve the listed façade of the old library, a local landmark, which had been built, using donations from Andrew Carnegie, who had intended it to be used to give poorer communities access to books and to improve social mobility.
    - To recognise that Enfield Highway had been a well-used local library - among the top 10 in the borough.
    - To acknowledge the concern to know about the reasons as to why the library was closed, before alternative uses could be found.
    - To have a response to the questions raised about the processes that had led to the collapse of the previous proposals, and the need to investigate what had led to the current situation.
    - To support the view that the library should not be sold for housing.
    - To accept concern about the significant funds that had been spent on the failed project.
  - b. The need highlighted by members of the Majority Group:
    - To acknowledge that the new library was being re-provided in a location just across the road from the old library, unlike Weir Hall Library, which had had to be re-located over 3 miles away in a different area.
    - To recognise that the Labour administration had been able to preserve all the borough's libraries, despite huge Government cuts, and carry out major improvements to them: including the refurbishment of the flagship Edmonton Green Library.
    - To accept that discussions were continuing about how the façade of the old building could be preserved and with local GPs and the local health authorities about the possibility of creating a new community health centre in the old building.
    - Support for the new sexual health centre, a world class facility, which everyone should use and which was being provided in the place where it was most needed.

**COUNCIL - 19.9.2017**

4. At the end of the debate Councillor Laban summed up on behalf of the Opposition Group as follows:

Councillor Laban felt that the administration owed the people of Enfield Highway an apology and an open and honest explanation as to what had gone wrong; to know what had led to the library being closed prematurely and to the inadequate temporary arrangements. The Opposition wanted the Carnegie library to remain open as a library, the use for which it was intended

5. Councillor Taylor then summed up on behalf of the majority group:

Councillor Taylor said that he felt that the reasons for the delay had been explained during the debate, but would happily consider all options for future use of the building. He thought that this should be acceptable to the Opposition as it related to recommendation one in the Opposition Priority Business Paper. The administration did want to retain the building for public use, but not necessarily as a library, which might not be the most appropriate use for the future.

He would ensure that the community would be consulted on the future use and that residents would have a say in the future of the building.

Councillor Laban thanked Councillor Taylor for his response.

**10  
OVERVIEW AND SCRUTINY ANNUAL WORK PROGRAMME AND  
WORKSTREAMS 2017/18**

Councillor Levy proposed and Councillor Smith seconded the report of the Overview and Scrutiny Committee setting out the Scrutiny Work programme and work streams identified for 2017/18. (Report No: 49)

**NOTED**

1. That Cabinet had considered the Overview and Scrutiny Annual Work programme 2017/18 at their meeting on 13 September 2017 and recommended approval to Council.
2. Councillor Levy's speech in support of the work he had done as the Chair of the Overview and Scrutiny Committee over the past 3 years and more including
  - His dedication to the work of the Council not only on Scrutiny, but also on the quasi-judicial licensing and planning committees, and the local pension board, as well as for his constituents in Southbury Ward.

**COUNCIL - 19.9.2017**

- His pledge to continue with his work until the end of his term of office.
  - His comments about the behaviour of his fellow councillors on both sides of the chamber and the hope that members would in future reflect on what he had said and respect for others, standards of behaviour, and debate would improve.
  - That the work programme had been carefully put together, fully discussed, and agreed by all members of Overview and Scrutiny. It had an inbuilt flexibility to enable discussion of other topical or urgent items which might occur.
  - This year there would be more single item agendas, larger local projects requiring more in depth analysis and more joint meetings with other committees where it was felt that the subject matter warranted it.
  - Another work stream, which had yet to be scoped, would be added to the programme, on the topic of loneliness and isolation.
3. The comments of Councillor Smith for the Opposition:
- The work programme covered a wide range of topics although there were subjects which had not been included.
  - His view that the scrutiny function served a useful purpose which was better than nothing. Call in was an important tool a chance to analyse key decisions in detail although there were some concerns about the lack of frank exchange and discussion.
  - As Chair of the Crime Standing Work Stream he would be looking at the possible merger of police services in both Enfield and Haringey and knife crime.
  - His support for the other work streams planned.
  - Concern about the lack of sufficient commitment to scrutiny on the part of back bench members.
4. The response of Councillor Levy including:
- His thanks for the tributes and respect he had been shown.
  - His apologies to Councillor Laban and Councillor Rye for past behaviour.

**COUNCIL - 19.9.2017**

- The arguments for more research support for scrutiny, which he had expressed at Cabinet, the preceding week, which would give more validity to the work streams.
- The introduction of call-ins of a different kind whereby Cabinet Members were invited to attend meetings to discuss issues in advance to avoid call ins being necessary.
- That many more members should be prepared to do some work and take a greater role in the scrutiny function.

**AGREED** to approve the scrutiny work programme and work streams for 2017-18.

**11**

**RIPA (REGULATION OF INVESTIGATORY POWERS ACT) - CHANGES TO POLICY**

Councillor Maguire proposed and Councillor Guney seconded the report of the Monitoring Officer setting out a review of the Council's Regulation of Investigatory Powers Act (RIPA) policy. (Report No: 37A)

**NOTED**

1. That the Council was being asked to approve the updated procedure which included the removal of the requirement for the Audit and Risk Management Committee to receive quarterly reports if RIPA powers were not used within the preceding quarter.
2. RIPA powers existed to aid the prevention and detection of crime. There were strict guidelines on their use and the Audit and Risk Management Committee had the responsibility to monitor this and to ensure that the law is complied with on behalf of the Council.
3. Councillor Neville agreed with the updated procedure, saying that RIPA powers were serious and should only be used sparingly. The powers were invaluable, but it was essential to balance the rights of the majority against those on the other side.

**AGREED** to approve the new version of the Council's RIPA (Regulation of Investigatory Powers Act) Policy and Procedure document and to note the removal of the requirement for the Audit and Risk Management Committee to receive quarterly reports if RIPA powers are not used within the preceding quarter.

**COUNCIL - 19.9.2017**

**12**

**CHANGE IN THE ORDER OF BUSINESS**

Councillor Stewart moved and Councillor Taylor seconded a proposal under paragraph 2.2(B) of the Council procedure rules to change the order of items on the agenda and to take the following items in the following order:

- 10.6 Motion in the name of Councillor Brett
- 10.4 Motion in the name of Councillor A Cazimoglu
- 10.3 Motion in the name of Councillor Pite

The change in the order was agreed, after a vote with the following result:

For: 32  
Against: 13  
Abstentions: 0

The minutes reflect the order of the meeting.

**13**

**MOTIONS**

**10.6 Motion in the name of Councillor Yasemin Brett**

Councillor Brett proposed and Councillor Oykenner seconded the following motion:

“Enfield Council requests the Department for Work and Pensions and the Conservative government to reconsider rolling out Universal Credit in Enfield from November 2017.

The start of the rollout in November means that families claiming Universal Credit for the first time will be left without benefit payments in the run up to Christmas.

Those switching over to Universal Credit from other existing benefits, will also risk a significant disruption to benefit income at a challenging time of year for low income households.

The DWP and government must be aware that many statutory and voluntary services are closed or operating at a reduced level over the Christmas period and assistance for local families who are in practical and financial difficulty will be exacerbated.

We call on the Leader to write to the Secretary of State to express the opinion of the Council.”

Following the debate the motion was agreed unanimously.

**10.4 Motion in the name of Councillor Alev Cazimoglu**

**COUNCIL - 19.9.2017**

Councillor Alev Cazimoglu moved and Councillor Taylor seconded the following motion:

“Social Care is in crisis, and it is decisions made in Downing Street that have brought us to this point. The Prime Minister, Theresa May, must stop turning a blind eye to the problems in social care and address the funding crisis urgently. Cuts to NHS services are compounding the problem.

Since 2010 local authorities social care budgets have been cut by £4.6 billion. In Enfield we have seen our council budget cut by 40%.

Labour has warned time and again of the growing crisis in social Care. The competing pressures of an ageing population and chronic underfunding cannot go on.

This Council should write to Theresa May demanding that she must act now to make sure that councils like Enfield have the money to provide quality social care for all who need it.”

Following the debate the motion was put to the vote and agreed with the following result.

For: 32  
Against: 0  
Abstentions: 19

Councillor Oykenner declared a disclosable pecuniary interest in this motion. He left the meeting while it was being debated and did not vote on it.

**Duration of the time allowed for motions.**

The Mayor advised, at this stage of the meeting, that the time available for motions had now elapsed so Council Procedure Rule 9 would apply.

Motions 10.1, 10.2, 10.3, 10.7, 10.8 and 10.9 lapsed under the guillotine arrangements.

**14  
COUNCILLOR QUESTION TIME**

**1. Urgent Questions**

There were no urgent questions.

**2. Questions by Councillors**

NOTED

**COUNCIL - 19.9.2017**

1. The forty questions on the Council agenda and the written responses provided by the relevant Cabinet Members.
2. The following supplementary questions and responses received for the questions listed below:

**Question 1 (Edmonton Green Library Refurbishment) from Councillor Abdulahi to Councillor Orhan, Cabinet Member for Education, Children's Services and Protection**

Councillor Abdullahi asked whether the Cabinet Member would be inviting all councillors from both sides to the re-opening of Edmonton Green Library.

**Reply from Councillor Orhan**

Councillor Orhan replied that all councillors from both sides would be invited and she would be honoured if the entire council would attend the re-opening of the refurbished Library.

**Question 3 (Boyfriend Material Campaign) from Councillor Doyle to Councillor Fonyonga, Cabinet Member for Community Safety and Public Health**

What warning signs do you flag to young women in the campaigns?

**Reply from Councillor Fonyonga**

"The common warning signs include jealous and possessive behaviour, if he knows different ways to hit you that won't show, if the problem isolates you from family and friends".

**Question 4 (Mayor of London's Plans for Police Front Counters) from Councillor Laban to Councillor Fonyonga, Cabinet Member for Community Safety and Public Health**

Councillor Laban asked why will not Councillor Fonyonga join me in condemning the Mayor of London's plans to leave just one police front counter in Enfield. Policing in London is the responsibility of the Mayor, not the Government. How can it be fair that Enfield has the same number of police counters as Islington?"

**Reply from Councillor Fonyonga**

Councillor Fonyonga said that you can talk about how the Mayor chooses to slice the cake but when the Government refuses to give enough cake, that is to provide sufficient funding for the Metropolitan Police Service, then you are talking about a share of nothing.

Since 2010, because of lack of funding from Central Government, the Metropolitan Police has had to make cuts of £600m, with a further £400m

**COUNCIL - 19.9.2017**

demanded by 2020. There is not enough money to allow the Metropolitan Police to provide all services. The priority therefore has to be providing enough police officers to protect our streets.

**Question 6 (Disposal of Enfield Town and Southgate Police Stations) from Councillor Laban to Councillor Taylor, Leader of the Council**

Councillor Laban asked what has the Mayor done for Enfield, since being elected, that makes it impossible for Leader of the Council to join her in writing a letter in response to the Mayor's MOPAC (Mayor's Office for Policing and Crime) Consultation? She felt that the Mayor had a choice about how many police counters he had in each borough and asked why he had chosen to give Enfield the same number as Islington?

**Reply from Councillor Taylor:**

Councillor Taylor referred Councillor Laban to the response to Question 2. He said that there was a debate to be had on the adequacy of funding provided for the Metropolitan Police. He felt that it was a national shame that, at a time of increased terrorism, the Government would not provide the funding that was required to protect the safety and security of the capital.

He felt that Number 10 and the Secretary of State for the Home Office were responsible for funding. Previously the Administration had asked the party opposite to write to ask for more funding and the Opposition had refused. He was willing to write and would be happy to ask Councillor Laban to join him in a joint letter to ask for more funding.

**Question 7 (Paintings on Park Railings) from Councillor Stewart to Councillor Brett, Cabinet Member for Community, Arts and Culture**

Councillor Stewart thanked Councillor Brett for her response highlighting the great partnership which had brought arts out into the open in Southgate Green Ward. She then asked if Councillor Brett would share the information with other friends of park groups including perhaps Ponders End Recreation Ground Group.

**Reply from Councillor Brett**

Councillor Brett said that she would be happy to share the idea with other friends of park groups in both Enfield and Edmonton.

**Question 8 (Pressure on Secondary School Places) from Councillor Rye to Councillor Orhan, Cabinet Member for Education, Children's Services and Protection**

Councillor Rye thanked Councillor Orhan for her response and asked if she could tell him in writing the number of forms of entry for Year 7 that would be required in Enfield in 2019 and 2020.

**COUNCIL - 19.9.2017**

**Reply from Councillor Orhan**

Councillor Orhan agreed to provide a written response.

**Question 10 (Sufficiency on Secondary School Places) from Councillor Rye to Councillor Orhan, Cabinet Member for Education, Children's Services and Protection**

Councillor Rye asked what contingency plans had been put in place for 2019 and 2020 to make sure that there were enough secondary school places.

**Reply from Councillor Orhan**

Councillor Orhan said that she had already given a full response. It was well documented that the new academy that was to have been built for 2018 would have provided many of the new places required. However as this had now been postponed, officers had been working with secondary school heads, on contingency plans, to ensure that there were enough places. It fell to Government and its agencies to make sure that when they made a commitment they honoured it. She asked the Opposition to support the administration in their strategies and to help them make sure that the Government delivered on their promises.

**Question 11 (Public Spaces Protection Orders) from Councillor Pite to Councillor Anderson**

Councillor Pite thanked Councillor Anderson for his full and comprehensive answer. The residents and the CAPE had welcomed the consultation. But she raised the question as to whether the PCSOs were really needed and whether the police and the Council did not already have enough powers to tackle anti-social behaviours.

**Reply from Councillor Anderson**

Councillor Anderson replied that public consultation had taken place last year and some concerns had been expressed. The majority were in favour of the provision, but the public's views had taken on board and in response the range of powers had been narrowed. Those behaviours left were of concern and there was evidence that they had an impact on the community. There was existing legal provision to deal with some of these issues, but this does not allow for issuing of Fixed Penalty Notices, only prosecution. The use of FPN was a timely and effective means of enforcement for those antisocial behaviours for which there was no other means of redress.

**Question 12 (Foxmead Close and Slades Hill derelict site) from Councillor Smith to Councillor Oyken, Cabinet Member for Housing and Housing Regeneration.**

Councillor Smith thanked Councillor Oyken for his response and asked if he could tell him who owned the site.

**COUNCIL - 19.9.2017**

**Reply from Councillor Oykener**

Councillor Oykener said that the site had been sold in 2007 and he personally did not know currently who owned it. He had asked officers to find out who did and what their plans were. In 2009 the owner had applied for planning permission to turn place into a health centre. However the place was still empty which was not acceptable. If there was no response the Council could consider Compulsory Purchase Order (CPO) powers but these were limited if the owner was attempting to turn the site into something useful and stronger powers were needed.

**Question 13 (Removal of Copper Beech Tree at Chase Green Gardens) from Councillor N Cazimoglu to Councillor Anderson**

Are there any plans for replacing the beech tree?

**Reply from Councillor Anderson**

Councillor Anderson said he was not an agriculturalist and so not familiar with the reasons why it has to come down but understood that the pathogens of the fungai will remain in this area for a few years and therefore it would not be ideal to place another specimen in the same area. And so they were looking at the entirety of the area and would be planting new trees to increase the crown canopy following the loss of the tree.

**Question 14 (Cycle Enfield Delays) from Councillor Neville to Councillor Anderson**

Councillor Neville thanked Councillor Anderson for his reply but would like to know when the 6 month time estimate was given to Cabinet and if it was linked into the £8.5m cost of the scheme. He felt that the doubling and more of the estimated length of time for the project must have had an effect on the cost and so he asked what the current cost was.

**Reply from Councillor Anderson**

Councillor Anderson said that he would be happy to respond in due course, if Councillor Neville wanted him to, with details broken down as appropriate. The whole programme was budgeted and contractors were obliged to meet the demands of the contract. Therefore he had complete assurance that they would meet the terms and any extra costs would not be coming from Enfield's funding.

**Question 16 (Contractor Delays to A105 works) from Councillor Neville to Councillor Anderson**

Councillor Neville asked why Councillor Anderson saw tendering for specific works, which Cycle Enfield was in the context of the A105, as being a duplication of a tender at least 3 years old at the time of entering into

**COUNCIL - 19.9.2017**

agreement with Ringway Jacobs and which was in fact originally for a much wider highways maintenance contract, linked but different.

**Reply from Councillor Anderson**

Councillor Anderson responded that he did not agree with the premise of the question. The works had gone through a full procurement process and were always to have been tendered in that way. The contractor had met the demands of the process using LoHAC. This had enabled the Council to better manage the phasing of the work programme, to fit in with available funding and to respond to unforeseen challenges such as the need to move utility connections. A LoHac contract was easier to budget for. A standard contract would have required extensive procurement and tendering as well as requiring the Council to take faith on staged payments. He felt that this was the better way to proceed.

**Question 18 (Accident Data for A105) from Councillor Neville to Councillor Anderson**

Councillor Neville said that from the answer to this question and the previous one to his question in June he had wanted to know how many accidents there had been on the A105, but his questions had been met with obfuscation.

Freedom of information requests had revealed the number of accidents which had resulted in personal injury up until May this year to be 16. He wanted to know what the number, of accidents, was, involving personal injury, to date.

**Reply from Councillor Anderson**

Councillor Anderson replied that he thought that Councillor Neville was trying to suggest that the Cycle Enfield scheme was less safe than previous arrangements. But there was no evidence to support this. In 3 years to September 2016 there were 91 collision reports on A105 between Palmerston Crescent and Palace Exchange Car Park Exit (1 fatality and 5 serious injuries). Only of these 16 involved cyclists, none of which involved serious injury.

Stage 1 and 2 road safety audits had taken place and a stage 3 audit commissioned for when the scheme was complete. As with any major scheme he said we will be keeping the number and type of collisions under review but there were a multitude of reasons as to why collisions occurred. As well as improving conditions for cyclists, the Cycle Enfield scheme is designed to reduce speed along the A105 and should ensure that the number and severity of collisions were reduced.

**Question 19 (Activities and Events planned to mark World Mental Health Day) from Councillor Kepez to Councillor A Cazimoglu**

What activities were taking place in Edmonton on World Mental Health Day?

**Reply from Councillor A Cazimoglu**

**COUNCIL - 19.9.2017**

Councillor A Cazimoglu said that she thought that it was important to explain why mental health day should be important to employers. Mental health had both a human and an economic impact. Over 70m working days were lost due to poor mental health. Although the impact of poor mental health on individual employers can have severe repercussions, most companies don't have confidence to communicate about or to handle these issues in the work place. Employers were not spotting the signs that something might be wrong or putting the right support and resources in place to support those suffering from mental ill health.

**Question 21 (Safeguarding processes) from Councillor Keazor to Councillor A Cazimoglu**

What should someone do if they had concerns about vulnerable adults?

**Reply from Councillor A Cazimoglu**

Anyone who had concerns about an adult in Enfield should report it to the MASH (Multi Agency Safeguarding Hub) - contact details on the Council website. The hub would then be able to decide what the most appropriate actions to take were and the agencies would be able to act quickly in a co-ordinated and consistent way to ensure that adults at risk were protected.

**Question 23 (Domestic Violence - Impact on Young Women) from Councillor Lappage to Councillor Fonyonga**

Councillor Lappage thanked Councillor A Cazimoglu for her comprehensive response, but asked why the campaign was focussing on young women in particular.

**Reply from Councillor Fonyonga**

Councillor Fonyonga responded that the latest evidence showed that young women were a key group that was likely to face the risk of becoming a victim of domestic abuse. The exceptional communications team had put together an effective campaign to raise awareness about what constituted domestic violence and where the young women could go to find help.

**Question 25 (Reducing Smoking Rates) from Councillor E Erbil to Councillor Fonyonga, Cabinet Member for Community Safety and Public Health**

How was Enfield doing at reducing smoking rates amongst young people?

**Reply from Councillor Fonyonga**

Enfield was doing exceptionally well. It now had the third lowest prevalence of smoking amongst 15 year olds across London. We had come a long way, following an extensive campaign involving the public health team working with

**COUNCIL - 19.9.2017**

the communications team to target specific groups. Given that smoking continues to be one of the main preventable causes of premature death and diseases, this is a worthwhile cause. We will continue to work towards reducing it further.

**Question 26 (Business Profits and Cycle Enfield) from Councillor Celebi to Councillor Anderson, Cabinet Member for Environment**

Does the Cabinet Member seriously believe that there is direct link between the economic down turn in Palmers Green and Winchmore Hill as a result of the UK preparing to leave the European Union rather than Cycle Enfield?

**Reply from Councillor Anderson:**

Yes

**Question 28 (Bid for London Borough of Culture Funding) from Councillor Delman to Councillor Brett, Cabinet Member for Community, Arts and Culture**

Councillor Delman thanked Councillor Brett for her answer and asked her if she would consider setting up a panel or working party to assist in submitting the bid to the Mayor of London.

**Reply from Councillor Brett**

Councillor Brett said that they were actively considering setting up a working group but were waiting on news from GLA, which they hoped to receive on the following day, that they had secured funds to work up the bid. If funds were secured discussions about setting up a working group would take place.

**Question 29 (Combatting Anti-Social Behaviour in South East Enfield) from Councillor Savva to Councillor Fonyonga, Cabinet Member for Community Safety and Public Health**

How has the Council funded police team helped to combat anti-social behaviour?

**Reply from Councillor Fonyonga**

The police team has been extremely helpful in tackling crime in Eastern Enfield. This year 285 arrests had been made on council estates as well over 173 arrests in Eastern Enfield with the help of a dedicated problem solving team. Due to these targeted interventions there has been a 32% reduction in violence against the persons across 5 Enfield estates. This is testament to the good work of a Labour administration, prioritising the safety of local residents.

**Question 32 (Sale of Holly Hill Farm) from Councillor Dines to Councillor Lemonides, Cabinet Member for Finance and Efficiency**

**COUNCIL - 19.9.2017**

Councillor Dines asked for confirmation that the sale of the property to Halo Dogs had now been cancelled.

**Response from Councillor Taylor in Councillor Lemonides absence**

Councillor Taylor said that he understood that the sale had been cancelled, but he would provide confirmation in writing.

**15**

**COMMITTEE MEMBERSHIP**

There were no changes to committee memberships.

**16**

**NOMINATIONS TO OUTSIDE BODIES**

Council agreed to confirm the following change to the nominations on outside bodies:

- Enfield Norse: Councillor Nesil Cazimoglu to replace Councillor Lemonides.

**17**

**CALLED IN DECISIONS**

None received.

**18**

**DATE OF NEXT MEETING**

NOTED that the next ordinary Council meeting would take place on Wednesday 22 November 2017 at 7pm.

This page is intentionally left blank

**MUNICIPAL YEAR 2017/2018 - REPORT NO. 102**

**MEETING TITLE AND DATE**

**Council – 22 November 2017**

**REPORT OF CHILD SEXUAL EXPLOITATION TASK GROUP:**

Contact officer and telephone number:  
020 8379 8337  
Grant Landon  
Service Manager – Practice & Partnerships  
E mail: grant.landon@enfield.gov.uk

<b>Agenda - Part: 1</b>	<b>Item: 7</b>
<b>Subject: Annual Report of Child Sexual Exploitation Task Group</b>	
<b>Wards: All</b>	
<b>Cabinet Member consulted: Cllr Ayfer Orhan</b>	

**1. EXECUTIVE SUMMARY**

- 1.1 The Child Sexual Exploitation (CSE) and Associated Risks to Children and Young People Task Group was established in June 2015 and has now met on eight occasions. The group establishes its work programme at the start of each year and again in the last year there have been a number of opportunities for members to attend local events relating to CSE and connected issues, including attending a powerful CSE-related play which was performed in secondary schools across Enfield.
- 1.2 Child sexual exploitation is a complicated safeguarding concern with clear links to other risks/vulnerabilities such as trafficking, missing from home, care or education, offending, gangs, drugs and alcohol. There is a recognised correlation between children who go missing and increased risk to those children of being sexually exploited.
- 1.3 In London and in Enfield, peer-on-peer sexual exploitation remains more prevalent than outside of London. The Enfield CSE profile reflects the London profile in that most reports to the MPS (Metropolitan Police Service) relate to peer-on-peer abuse. Enfield has not identified any organised groups of adult male perpetrators such as those that have been identified and prosecuted in high profile cases in other parts of the country.
- 1.4 Enfield's dedicated Child Sexual Exploitation Prevention (CSEP) Team was established in July 2015. It is made up of Social Workers, Police officers and youth workers. The team leads on and/ or provides support for all Social Work cases where CSE is identified as an issue. All new cases coming in the Single

Point of Entry (SPOE) where CSE is identified as the primary issue and social work involvement is required are passed to the CSEP Team. The Team is currently part of the Youth and Family Support Service (YFSS) but it has been agreed that it will move into the Looked after Children (LAC) Services in May 2017 as a core Social Work Team.

- 1.5 Enfield's Multi-Agency Sexual Exploitation (MASE) meetings have been in operation since 2013. The meetings are police led and are co-chaired by the Detective Inspector responsible for Public Protection and Enfield's Service Manager – Practice & partnerships. Meetings are convened monthly. They are attended by the strategic CSE lead for each agency. The meetings are designed to provide a forum in which to share information and intelligence to help develop an understanding of CSE across the borough. A key recent development has been a shift in focus toward a more strategic approach in line with London-wide policy. The meeting now focuses predominantly on locations, themes, trends and cross-border issues with discussion about individual cases covering only essential actions. Discussions about individual cases take place in strategy and professionals meetings.
- 1.6 The MASE and CSEP team collate all information on young people experiencing CSE and cross reference it with data relating to a range of other services / vulnerabilities to provide a better understanding of the needs of the individual young people and also to provide a wider understanding of the issues and the inter-connectedness. The most recent data is for March 2017. There was a total of 56 young people on the CSE list. Of these 21 were discussed at MASE that month. The MASE also now collates data on 'Persons of concern' This data includes information about alleged victims and locations and is helping to broaden and deepen our understanding of CSE across the borough. On average across the year there were 65 active CSE cases per month of which 30 were discussed at MASE. It is not possible to make a direct comparison with the previous year as monthly data was not collected. However, overall it is clear that numbers have begun to decline as evidenced by referrals to the CSEP team detailed below.
- 1.7 In 2016/17 73 new referrals were made to the CSEP Team. This is a decrease from the 132 referrals that were made in the previous year. This would appear to be a reflection of the fact that understanding of CSE has developed and improved across the borough and only those referrals where CSE is a clearly identified issue are referred to the team. Of these 73 cases 67 were girls and 6 were boys. In the given time period, 24 of those were closed. Enfield Safeguarding Children Board (ESCB) audits of CSE cases undertaken in 2016 and 2017 showed strong evidence of effective interventions and positive outcomes for young people who had been supported by the team.
- 1.8 The CSE Member's Task Group oversaw a number of initiatives and projects

during the course of the year including a borough-wide CSE Awareness campaign which was officially launched in March 18th which is national CSE awareness day. The campaign was organised in line with the CSE National Working Group campaign and with colleagues in the Metropolitan Police. Local versions of the Met Police's Operation Makesafe CSE posters, leaflets and other materials were developed and cascaded across the borough, including in all secondary schools and libraries and other council buildings throughout the Spring.

- 1.9 It is the conclusion of the CSE member's task group that the London Borough of Enfield and partner agencies have again made positive strides over the last twelve months with some key developments being implemented. There is an effective multi-agency protocol in place which was refreshed in March 2017 and a strategy and action plan to address the issue of CSE in the local area.
- 1.10 There remains clear leadership at political, strategic and operational levels across different agencies with good links between the various initiatives aimed at management of risk to children and young people who may be vulnerable to CSE. This covers children and young people missing from home and/or education, those involved with gangs and those who are looked after by both Enfield and those placed within the borough by other authorities.
- 1.11 There is a strong commitment to information sharing across key agencies both within the borough and with other local authorities. Mapping exercises are being undertaken to identify hotspots and track activities within Enfield and across border boundaries. This is in addition to the discussion of individual cases of young people at risk, persons of concern, and places of concern and disruption action which takes place at the monthly MASE meetings.
- 1.12 The group acknowledges that much progress has been made in tackling CSE in Enfield and has agreed that the growing understanding nationally and locally of the complex, often intertwined issues that young people face and how they can impact on a young person's life means that a wider focus on these issues would now be helpful. The group recognises the changes to the Enfield Safeguarding Children Board (ESCB)'s Trafficking, Sexual Exploitation and Missing (TSEM) subcommittee to become the Vulnerable Young People's (VYP) subcommittee and is proposing that similar changes should be made to the Members Task Group to provide member scrutiny and oversight of activity in Enfield to tackle the range of vulnerabilities and challenges young people face.

## **2. RECOMMENDATIONS**

- 2.1 Council asks all members to increase their awareness of CSE and related issues and attend safeguarding training sessions that are

available specifically for members.

- 2.2 The CSE task group acknowledges the progress made in understanding offenders / persons of concern but also recognises the need to continue to improve profiling on a local and Pan-London basis establishing consistency of approach across police services. Council recommends Borough police and MPS continue to work with Enfield partners to complete the persons of concern local profile that has recently been developed.
- 2.3 The CSE Task Group will be proposing a change to its Terms of Reference to include a focus on a range of other inter-related vulnerabilities. It is recommended that this change is acknowledged and supported thereby improving oversight and scrutiny of these important areas.
- 2.4 Council recommends continued development of an integrated preventative approach across Departments to focus upon hotspots and places of concern where CSE and related issues can occur.

### **3. BACKGROUND**

- 3.1 This year has again seen a national and local focus on the issue of child sexual exploitation (CSE). There has again been a number of high profile incidences of widespread CSE in different parts of the country and several of the widely publicised cases from previous years have come to criminal trial, thus again bringing national attention to the issue.
- 3.2 In February 2015 Enfield council demonstrated its clear commitment to tackling CSE by agreeing to establish a specialist dedicated members Task Group with a strong focus on child sexual exploitation and associated risks for children and young people. The terms of reference were agreed. The task group comprises of 6 members split politically 4:2 in terms of membership in accordance with proportionality requirements. The task group has now met on eight occasions.
- 3.3 The key areas of focus for the Task Group were to review and scrutinise all matters relating to child sexual exploitation (CSE) and associated risks for children and young people. This included:
  - Monitoring and evaluating the performance of relevant services and functions in relation to both the prevention of and interventions to address CSE and associated risks for children and young people.

- Reviewing the efficiency of services, functions and outcomes relating to CSE and associated risks for children and young people
- Considering relevant legislation in regard to CSE and the associated risks to young people.
- Taking an independent leadership role in Enfield Council's aim of continuous improvement in the performance of its tasks, functions, policies and resources as they relate to CSE and associated risks to children and young people.
- Publishing an annual report of its work for Council
- Receiving regular updates from appropriate officers and specialists in relation to Child Sexual Exploitation and associated work of the Enfield Safeguarding Children Board, Multi-Agency Sexual Exploitation Group (MASE), Young Runaways and Children Missing from Care, Home and Education.

3.4 The task group met on 4 occasions in 2016/17. Outside of the formal meetings there have again been opportunities to visit services and observe practice in order to gain a full picture of the local scale, prevalence and response to this issue. This includes attendance by several members in November 2016 at a CSE-drama production called Chelsea's Choice. This powerful production was performed in Enfield secondary schools in the spring/summer of 2017

3.5 The members have had further opportunities to understand as far as possible the nature of CSE in Enfield and the links between CSE and other related vulnerabilities, with a view to informing the Council and making recommendations to strengthen the ongoing strategic and operational multi-agency efforts to tackle CSE and associated risks in the borough.

#### 4. **Work accomplished.**

4.1 The task group has had busy agendas for all meetings. During the year the group has;

- Received an update on a national CSE Policy conference from one of its members who attended on behalf of the group.
- Received an update on Serious Case Reviews (SCRs) in Enfield and other areas including high profile Hackney Foster Carer abuse case. A Local Action plan in response to the Hackney case.
- Received an Update on National Department for Education lead Child Abuse Awareness campaign which ran from March to September 2016
- Carried out a Review of CSE Group Work Plan which led to
  - A request for the Young Runaways report on return home interviews
  - An agreement to circulate the procedure for reporting allegations against staff (including historical)
  - An agreement to circulate Operation Yewtree report into historical sexual allegations

- Received the Young Runaways service Annual Report which demonstrated clear links between Missing and CSE and highlighted the strong links between the service and the CSEP Team
- Received a piece of research looking at forecasting Missing episodes based on Young Runaways data in other London boroughs. This predicted an increase in the number of incidents / referrals
- Received regular updates in the Enfield CSE awareness Campaign and provided direction and guidance including ensuring that local contact details were included on all literature
- Received reports from a range of professionals on links between CSE and a number of other issues and the work being undertaken to ensure there is an effective response. These include;
  - Disabled Children and CSE
  - Child and Adolescent Mental Health and CSE
  - Drugs and alcohol and CSE
  - Gangs / County lines and CSE
- Received an update on the local picture including a profile of active cases

4.2 The group has monitored data relating to CSE and the activity of the CSEP Team throughout the year. The MASE and CSEP team collate all information on young people experiencing CSE and cross reference it with data relating to a range of other services / vulnerabilities to provide a better understanding of the needs of the individual young people and also to provide a wider understanding of the issues and the inter-connectedness. The most recent data is for March 2017. There was a total of 56 young people on the CSE list. Of these 21 were discussed at MASE that month. The MASE also now collates data on 'Persons of concern' This data includes information about alleged victims and locations and is helping to broaden and deepen our understanding of CSE across the borough. On average across the year there were 65 active cases per month of which 30 were discussed at MASE. It is not possible to make a direct comparison with the previous year as monthly data was not collected. However, overall it is clear that numbers have begun to decline as evidenced by referrals to the CSEP team detailed below.

In 2016/17 73 referrals were made to the CSEP Team. This is a decrease from the 132 referrals that were made in the previous year. This would appear to be a reflection of the fact that understanding of CSE has developed and improved across the borough. Of these 73 cases, 67 were girls and 6 were boys. In the given time period, 24 of those were closed. Enfield Safeguarding Children Board (ESCB) audits of CSE cases undertaken in 2016 and 2017 showed strong evidence of effective interventions and positive outcomes for young people who had been supported by the team

4.3 In November 2016 members of the group were able to see a performance of Chelsea's Choice at the annual Social Work Conference. Chelsea's Choice is a

powerful and thought-provoking play, focusing on the challenges and dilemmas many young people face. The play is designed to help young people gain a better understanding of the devastating impact that sexual exploitation can have on a young person's life and to provide them with some skills and knowledge to be able to protect themselves from this form of abuse. Members supported the inclusion of Chelsea's Choice as part of the local CSE Awareness campaign. It was performed in secondary schools across Enfield

- 4.4 The Group provided a clear steer for the borough-wide CSE Awareness campaign which was officially launched March 18<sup>th</sup> which is national CSE awareness day. The campaign was organised in line with the CSE National Working Group campaign and with colleagues in the Metropolitan Police. Local versions of the Met Police's Operation Makesafe CSE posters, leaflets and other materials were developed and cascaded across the borough, including in all secondary schools and libraries and other council buildings throughout the Spring. The group offered suggestions and guidance for the campaign including ensuring that local contact details were included on all literature

## **5. Findings of the group:**

- The task group continues to recognise that members have a responsibility as champions in this area to stress the importance of raising awareness, attending briefings and thus increasing scrutiny and challenge with regard to CSE.
- The task group acknowledges the continued good work of the Enfield multi-agency CSEP team which is fully operational with cases being identified through the Single Point of Entry (SPOE) and children and young people being offered intensive intervention. The CSEP team offer advice and guidance to professionals as well as working directly with cases however there was no Enfield local number or team that could respond directly to the public (adults or young people) when they may be concerned about child sexual exploitation.
- Data relating to CSE in Enfield is updated monthly, reviewed 6 monthly and analysed annually to provide greater knowledge about the prevalence of CSE, cultural and community issues and the vulnerabilities and risk factors for young people living in Enfield. The annual review is presented to the ESCB Vulnerable Young People (VYP) subcommittee and influences the core priorities of the CSE action plan. The data helps us to:
  - understand the demographics of those experiencing CSE, and those at risk of and vulnerable to CSE;
  - identify related social and criminal issues that increase the CSE risk to children, such as gangs, running away and going missing, domestic abuse, drug and alcohol abuse, internet safety and poor school attendance;

- build a specific profile of ‘persons of concern’ operating in the Borough in order to understand the techniques they use to gain control of their victims, including identifying community ‘hotspots’, modes of communication, offending networks and protecting individual vulnerable children.
- The group acknowledged that much progress has been made in tackling CSE in Enfield and agreed that the growing understanding nationally and locally of the complex, often intertwined issues that young people face and how they can impact on a young person’s life means that a wider focus on these issues is now required. The group recognised the changes to the Enfield Safeguarding Children Board (ESCB)’s Trafficking, Sexual Exploitation and Missing (TSEM) subcommittee to become the Vulnerable Young People’s (VYP) subcommittee and proposed that similar changes should be made to the Members Task Group to provide member scrutiny and oversight of activity in Enfield to tackle the range of vulnerabilities and challenges young people face

**6. ALTERNATIVE OPTIONS CONSIDERED**

N/A

**7. REASONS FOR RECOMMENDATIONS**

To provide Council with an annual report outlining the findings and recommendations of the CSE members task group. The recommendations will strengthen the local response to CSE.

**8. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

**8.1 Financial Implications**

The direct staffing costs of the CSEP Team (£201k) are contained within the Schools and Children’s Services departmental budgets. There are no additional costs associated with the implementation of the recommendations of this report.

**8.2 Legal Implications**

Section 17(1) of the Children Act 1989 states:

‘It shall be the general duty of every local authority to safeguard and promote the welfare of children within their area who are in need by providing a range and level of services appropriate to those children’s needs.’

Section 15 of the Local Government and Housing Act 1989 requires political representation on committees to reflect the proportions of representation in the council as a whole.

The proposals set out in this report comply with the above legislation.

**9. Property Implications**

N/A

**10. KEY RISKS**

**11. IMPACT ON COUNCIL PRIORITIES**

**Fairness for All; Growth and Sustainability; Strong Communities**

Tackling CSE is an issue affecting some of the most vulnerable members of our communities. It is a complex, ongoing challenge and the Council needs to ensure that its actions are sustainable over time. The CSE Task Group has an important role to play in ensuring the safety of vulnerable children and young people and promoting the issue across their communities.

**12. EQUALITIES IMPACT IMPLICATIONS**

For the purposes of this report corporate advice has been sought in regards to equalities and an agreement has been reached that an equalities impact assessment is neither relevant nor proportionate for the approval of this report.

**13. PERFORMANCE MANAGEMENT IMPLICATIONS**

The work plan developed by the CSE Task Group will form part of the performance management of Enfield's responses to CSE and provide valuable additional scrutiny.

**14. HEALTH AND SAFETY IMPLICATIONS**

N/A

**15. HUMAN RESOURCES IMPLICATIONS**

N/A

**16. PUBLIC HEALTH IMPLICATIONS**

The impact of CSE can be devastating for the physical and mental health of victims. They can suffer one or all of the following: mental health problems (including self-harm and suicide), substance misuse, sexually-transmitted infections and physical injuries. Sometimes young people are vulnerable prior to their victimisation and this contributes to their exploitation whilst others become vulnerable as a result of the exploitation.

In one study of girls that had been sexually abused, 73% suffered post-traumatic stress disorder (PTSD) and amongst the children interviewed for the CSE Children's Commissioner inquiry (<http://www.childrenscommissioner.gov.uk/inquiry-child-sexual-exploitation-gangs-and-groups>) 48% of children had had to visit an emergency department (A&E) as a result of injuries.

These physical and mental health issues prevent children and young people fulfilling their full potential, rendering them at higher risk of poverty and poor health outcomes when compared to the general population. This leads to greater health inequalities and is detrimental to population health.

The health needs of vulnerable children should be taken into account in developing the local Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS) and the JSNA should be used to inform commissioning of services for these children and young people.

# Vulnerable Young People Task Group

## Proposed Terms of Reference

July 2017

### 1. Background

The Child Sexual Exploitation and Associated Risks to Children and Young People Task Group was established in June 2015. Its key function is to review and scrutinise all matters relating to CSE and Associated Risks for Children and Young People in Enfield. The group meets quarterly and offers strong leadership and oversight for the work undertaken to tackle CSE across the borough. It commissions and receives reports on activity relating to CSE and links with other vulnerabilities including Mental Health, Substance Misuse, Missing Youth Offending, Gangs and Disability. The group receives regular updates on the work of the Child Sexual Exploitation Prevention (CSEP) Team and receives and scrutinises data relating to CSE and Missing Young People.

The group also has overseen development and implementation of a CSE awareness raising campaign across Enfield and members of the group have attended a number of meetings and events relating to CSE

### 2. Developments

Given the progress made on tackling CSE and Missing in Enfield and given the growing understanding nationally and locally of the complex, often intertwined issues that young people face and how they can impact on a young person's life it is proposed that the good work of the CSE Task Group is built upon and expanded to include a focus on a number of additional areas. These include:

- Gang activity in relation to young people
- Missing Young People
- A sharpened focus on Trafficking and Modern Slavery
- Radicalisation and the Prevent agenda
- Young People involved in or at risk of Harmful Practices (including Female Genital Mutilation, Forced Marriage and Honour Based Abuse)
- Young people who are at risk of or experiencing Domestic Abuse.

This wider focus will align with the recently established Enfield Safeguarding Children Board (ESCB) subcommittee which has recently broadened its remit to include all of the above areas.

This wider focus will allow the group to provide a similar level of oversight and scrutiny of these linked vulnerabilities as it has hitherto provided specifically for Child Sexual Exploitation

### 3. Key functions of the Vulnerable Young People Task Group

3.1. To review and scrutinise matters relating to vulnerabilities which affect young people including but not necessarily limited to the following areas

- Child Sexual Exploitation (CSE)
- Young People who go missing (from Home Education, Care & Health)
- Modern Slavery (including trafficked children, domestic servitude, and labour exploitation)
- Young People involved in or at risk of Harmful Practices (including Female Genital Mutilation, Forced Marriage and Honour Based Abuse).
- Young People who are involved in with Gangs and related activity including 'county lines'
- Radicalisation (both in terms of general religious, political or ideological extremism and those at risk of being drawn into terrorist activity as described by the PREVENT agenda)
- Private Fostering
- Any other risk groups of vulnerable young people who are identified during the course of the Task Groups work

3.2. The group will:

- Monitor and evaluate the performance of relevant services and functions in relation to both the prevention and the interventions to address these issues and vulnerabilities
- Review the efficiency of services, functions and outcomes relating to these areas and vulnerabilities
- Consider relevant legislation in regard to these issues and vulnerabilities
- Support and promote a coherent and joined-up borough-wide approach to strategy and activity designed to address these issues and vulnerabilities

3.3. The group will receive regular updates from appropriate officers and specialists in relation to the associated work of Enfield Safeguarding Children Board (ESCB) and other related groups.

3.4. The group will make recommendations and report directly to full Council and Cabinet taking an independent leadership role in Enfield Council's aim of continuous improvement in the performance of its tasks, function, policies and resources as they relate to the issues and vulnerabilities listed above.

3.5. To publish an annual report of its work for Council

#### **4. Task Group Composition**

4.1. To be in accordance with political proportionality the group is composed of 6 members, comprising 4 members of the Labour Group and 2 of the Conservative Group to be drawn from the non-executive element of the Council

4.2. The Chair of the CSE Task Group will continue as the Chair of the revised group

4.3. The Executive Director for Children's Services or their representative(s) will be in attendance at all meetings of the Task Group

4.4. The Cabinet member for Education, Children's Services and Protection will be invited to attend all meetings of the Task Group as the relevant lead member and in order to present reports or respond to requests for information

4.5. The group will invite any other councillors, officers, commissioning or delivery partners to attend meetings as required for specific purposes

4.6. Support to the group will be provided by the Democratic Services Team

**5. Quorum**

5.1. The Quorum for the task group is 3 members

**6. Frequency**

7. Task group to meet every 3 months with any additional meetings deemed necessary being arranged on an ad hoc basis as appropriate

**8. Conduct of Meetings**

8.1. All meetings of the Task Group will operate in accordance with the requirements of the Local Government (Access to Information) Act 1985 including provision for the consideration of exempt or confidential information where the principles of the relevant Access to information Act provisions apply

8.2. The Task Group meetings may on occasions consider highly sensitive confidential information. The meetings will be subject to the Data Protection Act 1998 with rules around exempt information as defined by the Local Government Act 1972 excluding press and public from meetings and other legislation as relevant

8.3. Each member of the Group will have one vote and decisions will be made on the basis of a simple majority with the chair having a casting vote (if required)

8.4. The Group will review its purpose and function on an annual basis

This page is intentionally left blank

**MUNICIPAL YEAR 2017/2018 REPORT NO. 62A****MEETING TITLE AND DATE:**

**Council – 22 November  
2017**

**REPORT OF: Ray James**

Executive Director of  
Health, Housing and Adult  
Social Care

<b>Agenda – Part: 1</b>	<b>Item: 8</b>
<b>Subject: Safeguarding Adults Board Annual Report 2016-17 Wards: All Non Key</b>	

Contact officer and telephone number:

Sharon Burgess 0208 379 5629

Email [Sharon.burgess@enfield.gov.uk](mailto:Sharon.burgess@enfield.gov.uk)

**1. EXECUTIVE SUMMARY**

- 1.1 The Safeguarding Adults Board Annual Report 2016-2017 presents the work completed during the second year of statutory responsibility for safeguarding as defined by the Care Act 2014. This was a year in which a new Chair of the board was appointed and in which the board showed a strong commitment to continued partnership working, ensuring that safeguarding is integral to issues such as suicide prevention and modern slavery. The board focussed on how we can collectively prevent abuse from happening, while assuring when harm does occur we support recovery and resilience through the 'Making Safeguarding Personal' agenda.
- 1.2 The Safeguarding Adults Board is a partnership of statutory and non-statutory organisations which seeks to assure itself that local safeguarding arrangements and partners act to help and protect adults in its area. The Safeguarding Adults Strategy 2015-2018 sets out the priorities of partners across Enfield, what we intend to achieve and the actions we will take to get there. This document was developed through consultation with local people, service users, carers and organisations.
- 1.3 The Annual Reports presents the key accomplishments of the Safeguarding Adults Board, both in their strategic and assurance role for safeguarding in Enfield, but also the actions across the partnership which prevent abuse and ensure a robust response when harm does occur. The annual report aims to set out a summary of Board activities and its effectiveness in assessing and driving forward safeguarding practice which keeps adults at risk safe.

**2. RECOMMENDATIONS**

- 2.1 To note the progress being made in protecting vulnerable adults in the Borough as set out in the annual report of the Safeguarding Adults Board.

### **3. BACKGROUND**

- 3.1 The Safeguarding Adults Board meets quarterly and has a number of responsibilities as set out by the Care Act 2014 and statutory guidance. Our annual report sets out how we have met these aims and the significant accomplishments over 2016-2017.
- 3.2 Across the partnership many organisations completed specific pieces of work which will improve the effectiveness of the safeguarding response. We hosted the North Central London Challenge and learning event for five neighbouring safeguarding adult boards. We worked to improve the response to Domestic Violence by including coercive control in training, as well as our partners in health having Domestic Violence Advocates on some hospital sites. Raising awareness is a continued theme and the board commissioned a film on signs of abuse and making safeguarding personal, targeted awareness in response to data and created a factsheet on how technology can be used to help keep people safe. The Board also held a campaign in which we raised awareness through information boards across the borough, in newsletter and posts in public and council buildings.
- 3.3 The Safeguarding Adults Board has a strong assurance role and in holding partners to account. We took part in a North Central London Challenge and Learning event following partner self-assessments. Every year adult social care has external assurance of case practice and we are establishing more diverse ways of how to include service user feedback in this process. Our Quality Checkers are a pivotal part of this, and have completed a number of projects including completion of a piece of work on the experience of Lesbian, Gay, Bisexual and Transgendered individuals in care homes. This work was done in conjunction with the Service Users, Carers and Patient Group and resulted in the completion of a toolkit for care providers.
- 3.4 The Board now has a statutory duty to report on all Safeguarding Adult Reviews (previously known as Serious Case Reviews). During this year four reviews were progressed and it is expected that they will be completed in 2018. Three additional reviews were referred to the Safeguarding Adults Board, who made the decision not to commission, one was related to a single agency and not about how agencies worked together. One did not meet the criteria for a review and the third had already been investigated by an independent investigator.
- 3.5 One safeguarding adults review was concluded and key learning points identified were detailed in a report which can be found under the safeguarding adults board section on the Enfield Council website.
- 3.6 Looking forward we have set ourselves some clear tasks to accomplish, which have been set out by requirements in the Care Act 2014, and our three year action plan:

- Focus on prevention and reaching residents in Enfield so everyone can recognise and report abuse
  - Identify more effective ways to work together to achieve the best outcomes for adults at risk
  - Assure the safety of the provider market with targeted activities that focus on quality and safety
  - Write a joint strategy for modern slavery in Enfield with the Safeguarding Children's Board
  - Strengthened work between the Multi-Agency Safeguarding Hub and the Hate Crime Forum
  - Continue to raise awareness and support for organisations to understand when to report as a concern and when to call the police in emergencies
- 3.7 Every partner on the Board has a strong commitment to safeguarding adults and activities take place within each organisation to contribute towards enabling people to keep themselves safe and respond when harm does occur. Our statement from partners, which includes their planned actions over the coming year, can be found in the final section of the annual report.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The Care Act places a duty on Safeguarding Adults Boards to publish an annual report. Further guidance goes on to state that the SAB must publish a report on:
- what it has done during that year to achieve its objective,
  - what it has done during that year to implement its strategy,
  - what each member has done during that year to implement the strategy,
  - the findings of the reviews arranged by it under section 44 (safeguarding adults reviews) which have concluded in that year (whether or not they began in that year),
  - the reviews arranged by it under that section which are ongoing at the end of that year (whether or not they began in that year),
  - what it has done during that year to implement the findings of reviews arranged by it under that section, and
  - where it decides during that year not to implement a finding of a review arranged by it under that section, the reasons for its decision.

The statutory requirement for an annual report negates any alternative options.

#### **5. REASONS FOR RECOMMENDATIONS**

The report is being presented to Council to bring to attention the progress which has been made to support and enable adults at risk to be safe from harm, abuse and neglect.

## **6. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

### **6.1 Financial Implications**

The Care and Support Statutory Guidance sets out guidance for members on the assistance they may provide to support the Board in its work. As a result of this for 2016-2017 the Board established an allocated budget for the administration and implementation of the Boards work plan. The budget allocated for the Board was £58,500 and was made up of all partner contributions. The contribution from the Local Authority was made up of £43,000 from the Better Care Fund.

The Boards budget was managed by the London Borough of Enfield Strategic Safeguarding Adults Service.

### **6.2 Legal Implications**

Section 43 of the Care Act 2014 imposes a duty on each local authority to establish a Safeguarding Adults Board (SAB) for its area. Schedule 2 of the Care Act 2014 sets out various requirements for SABs, including at paragraph 4 the duty to publish an annual report. Paragraph 4 prescribes the subjects which must be covered in an annual report and the people and bodies to whom the SAB must send copies.

The parts of the Care Act 2014 concerning SABs have been in force since 1 April 2015.

The proposals set out in this report comply with the above legislation.

### **6.3 Property Implications**

None identified.

## **7. KEY RISKS**

Mitigation of risks in relation to vulnerable adults is demonstrated in the Board's annual report. The Board is required to work effectively within partner resources while ensuring it can meet the changing needs and trends emerging in relation to the harm and abuse of adults in its area. Taking into account changes by the Care Act, the Board seeks assurances from partners through quality assurance mechanisms that they are able to keep people safe and manage risks. This is evidenced, by one example, via partner self-assessments and the North Central London Challenge and Learning event.

The Board is continually looking at options to enhance efficiency and joint working that minimises duplication while provide quality and safe services to adults at risk. Needing to deliver in times of austerity, the Board will work in partnership with its statutory partners, namely the Police and Clinical Commissioning Group, alongside existing partnership Boards, to maximise its impact. The Board will continue to work closely with the Safeguarding Children Board and other partnerships to effectively keep people safe.

The community and those whom use services have inputted strongly into the development of the Board strategy action plan, which sets out the work program on an annual basis. The Boards action plan is reviewed at each quarterly meeting and highlights progress against each action.

Co-production and challenge on safeguarding adults is crucial and a clear requirement in the Care Act. This risk has been mitigated by the Service User, Carer and Patient sub group of the Safeguarding Adults Board. In addition, London Borough of Enfield are working on alternative digital and face to face options for adults or their representatives to provide feedback.

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All**

The Board is strongly committed to tackling inequalities, with an emphasis in improving the wellbeing of those at risk of abuse or whom have experienced harm. The Board undertakes this through a range of activities with communities on improving the identification and reporting of abuse, as well as preventative activities as set out in the Boards Prevention Framework 2015-2018.

Accessibility is a key part of ensuring service users, carers and local people understand what abuse is and how to report concerns. The Board has undertaken significant work on addressing these alongside the Service User, Carer and Patient sub-group of the Board, with robust plans during the coming year on diversifying communication methods. This has been set out in the Boards Communication Plan for 2015-2016.

### **8.2 Growth and Sustainability**

The Board's work has not directly impacted on the Council's priority of growth and sustainability.

### **8.3 Strong Communities**

The Safeguarding Adults Board has strong leadership through an independent chair. In addition, partners on the Board are of appropriate

seniority and commitment to promote the vision that 'safeguarding is everyone's business.' The work of the Boards is responsive to the needs of local people and those who use services; this is achieved through a range of activities, including consultations, events, sub-groups of the Board and quality assurance activities.

Above all, the Boards work in partnership to improve safety of people in Enfield, linking to issues such as hate crime, domestic abuse, and female genital mutilation in partnership with other Boards, such as Safeguarding Children's Board and Safer and Stronger Communities Board.

## **9. EQUALITIES IMPACT IMPLICATIONS**

Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment is neither relevant nor proportionate for the approval of the Safeguarding Adults Board Annual Report. Safeguarding forms part of the Councils programme of retrospective equalities impact assessments (EQIA) and this was completed in June 2016. The retrospective EQIA collates equalities monitoring of service users, and consider how the service impacts on disadvantaged, vulnerable and protected characteristic groups in the community.

Equalities in relation to the performance data for safeguarding are considered at each Safeguarding Adults Board meeting and as part of the Quality, Safety and Performance sub-group. The themes and trends emerging from data help direct the actions of the Board. Equalities Impact assessments will be completed for each of the project streams as appropriate.

## **10. PERFORMANCE MANAGEMENT IMPLICATIONS**

The Safeguarding Adults Board Strategy Action Plan 2015-2018 was developed through strong consultation, including with those whom use services, carers and via Enfield Healthwatch. The performance of the Board is assessed against this action plan and the annual report reflects the achievements and areas which require further work.

## **11. PUBLIC HEALTH IMPLICATIONS**

Safeguarding of adults at risk is recognised as a significant public health issue; preventing abuse and promoting choice will increase wellbeing within these populations. Safeguarding interventions are focused on recovery and resilience from abuse, which has the potential to further improve wellbeing of adults at risk.

Prevention of abuse has focused not solely on individuals, but also on working with services and organisations to provide assurances that care is safe and of significant quality.

The Board is also reviewing the data we collect so that outcomes for service users from safeguarding link to the wellbeing principles, allowing the Board to address the areas of wellbeing most important to adults whom may be at risk of abuse.

**Background Papers**

None.

This page is intentionally left blank

ENFIELD SAFEGUARDING ADULTS BOARD

# ANNUAL REPORT 2016/17





**WORKING IN PARTNERSHIP WITH LOCAL PEOPLE AND**



# CONTENTS

1. INTRODUCTION FROM THE CHAIR	2
2. ABOUT SAFEGUARDING IN ENFIELD	3
3. YEAR IN SUMMARY	5
4. ROLE OF THE BOARD	6
5. WHAT WE HAVE ACCOMPLISHED	10
6. THE DIFFERENCE TO ADULTS AT RISK OF ABUSE	13
7. WORKING WITH CARE AND SUPPORT PROVIDERS	14
8. QUALITY ASSURANCE	16
9. SAFEGUARDING ADULT REVIEWS	19
10. LEARNING DISABILITIES MORTALITY REVIEWS	21
11. WHAT WE WILL DO NEXT YEAR	22
12. ACTION PLAN 2017-2018	23
13. PERFORMANCE REPORT 2016-2017	26
14. PARTNER STATEMENTS	31
BARNET, ENFIELD AND HARINGEY MENTAL HEALTH NHS TRUST	32
ENFIELD CARERS CENTRE	33
ENFIELD BOROUGH POLICE	34
HEALTH, HOUSING AND ADULT SOCIAL CARE, ENFIELD COUNCIL	35
HEALTHWATCH ENFIELD	36
LONDON FIRE BRIGADE – ENFIELD BOROUGH	37
NHS ENFIELD CLINICAL COMMISSIONING GROUP	38
ONE-TO-ONE (ENFIELD)	39
THE ROYAL FREE NHS FOUNDATION TRUST	40

# 1. INTRODUCTION FROM THE CHAIR

I am very pleased to be able to introduce the Enfield Safeguarding Adults Board's (SAB) Annual Report for 2016-2017. I was delighted to have been appointed in December 2016 to take on the role of Independent Chair. I bring professional experience and personal commitment to safeguarding adults, having worked as director of adult social care and remain a registered social worker. I believe passionately in the power of partnerships and took the opportunity to meet with all SAB partners. It is evident that there is a strong commitment and drive to cohesively make Enfield a safer place for adults at risk of abuse and neglect. I would particularly like to recognise the work that Marian Harrington has done in the last three years to place the Board in its excellent position to meet the challenges ahead.

This year 2016/17 has been a productive and successful year for adult safeguarding in Enfield, with a continued drive by the partnership to assure that the experience of adults once in contact with services is one of quality and that helps them to be safe. Embedding the new Care Act requirements especially to Make Safeguarding Personal for everyone has been a key target and success.

The positive feedback from quality assurance activities on practice, joined a successful conference on Making Safeguarding Personal and the development of a safeguarding film, exemplifies a partnership committed to keep adults central to all actions taken.

The Board has been keen to influence and work together with a wide range of partners, such as Public Health and the Community Safety Unit, ensuring safeguarding is integral to issues such as suicide prevention and modern slavery. Our aims are not only to provide a robust response when abuse does occur, but ensure that where we can we prevent abuse from happening in the first place. We also want to build on our links with the Safeguarding Children Board to develop a more integrated Think Family Approach and reach out to frontline workers. We want all those who live and work in Enfield to be able to recognise what abuse is and where they can report it, feeling confident that they will be listened to and their concerns taken seriously.

The number of safeguarding concerns raised in Enfield continues to be significant and I am determined that we continue to work with adults and their carers, so their views and wishes influence the work we undertake.

As a Board we recognise that there is a changing landscape with statutory partners, such as health and the police who will be experiencing transformation in their organisational structure, but will continue to provide support and leadership so that safeguarding remains a local priority and with sufficient resources. Facilitating a more joined up approach across North Central London will be a focus, in recognition of the challenges for partners working across boundaries.

Finally another thank you as the SAB Board manager Georgina Diba is after 8 years moving to an important transformation post in Enfield. The Board has been very appreciative of her drive and passion to ensure a high performance by all partners and the challenge and support to all working strategically to protect adults from abuse. We wish her well.

**Christabel Shawcross**  
Independent Chair  
Enfield Safeguarding Adults Board

## 2. ABOUT SAFEGUARDING IN ENFIELD

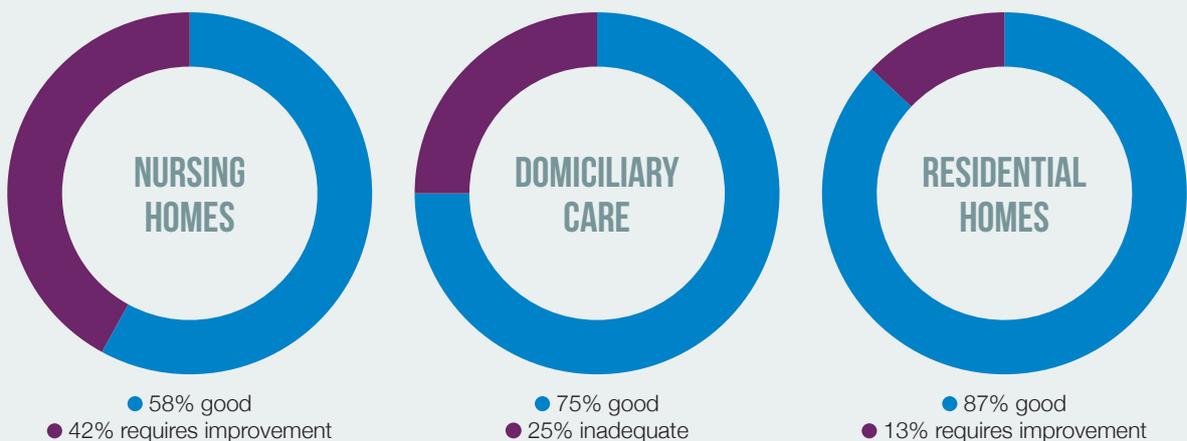
Enfield is one of the northern London boroughs and has some unique demographics which influence how we safeguard adults at risk. The health of local people, as set out in the Joint Strategic Needs Assessments, illustrates an area with contrasting levels of deprivation and affluence.

With the introduction of a Multi-Agency Safeguarding Hub (MASH) in April 2015, our single point of contact to report abuse, we are seeing a significant number of contacts with referrals for adults who have care and support needs. Of these, there were 1,144 number of safeguarding concerns raised to the local authority; more allegations of abuse and neglect are progressing under safeguarding than in previous years.

- **1,147 Applications for Deprivation of Liberty Safeguard**
- **1,144 Safeguarding Concerns Raised**

Enfield has a relatively high proportion of older people living in the Borough, where 12.8% of residents. Around 40,900 people, are aged 65 or over. This figure is the 11th highest in London. Concerns reported to us about adults over the age of 65 years accounted for 49% of all safeguarding raised to the Local Authority. Enfield is also distinguished in having 160 social care providers catering to our residents. This includes nursing, residential and domiciliary care organisations. The Care Quality Commission *State of Care Report, 2015-2016*, notes concern that adult social care sustainability is approaching a tipping point. As such the Board is challenged with the task of collaborating as a partnership to keep adults at risk using services safe from abuse and neglect

### Care Quality Commission (CQC) Adult Social Care Ratings for Enfield



Care Quality Commission, March 2017

There are 27,624 residents in Enfield providing at least one hour of unpaid care a week. In addition, 6,194 people of Enfield's population is providing 50 hours or more of unpaid care per week. Concerns where carers are harming or at risk of harming the person they care for continues to be an area the Board wants to make a difference. In the last year, we joined up with the Enfield Carers Centre to raise awareness. We also included an example of a caring role where abuse has occurred in a new safeguarding film. More on this film in section 5.

Importantly safeguarding is about the recovery and resilience of adults at risk of abuse and neglect, enabling their concept of wellbeing to be realised. Through safeguarding practice, we supported 549 adults at risk to have their outcome met or partially met. Outcomes met or partially met: 97%.

Further data relating to safeguarding activity can be found in section 13.



# 3. YEAR IN SUMMARY

The Safeguarding Adults Board are presenting their Annual Report for 2016-2017. This report sets out what the Board has set out to accomplish over the last year, what it has achieved, and looking forward how we will continue to work together and in partnership with those who use services to enable recovery, resilience and restoration from abuse and neglect.

One year after becoming statutory under the Care Act 2014, the Enfield Safeguarding Adults Board is continuing to demonstrate a desire to improve the wellbeing and safety of those in the borough to be free from abuse and neglect. The Board can evidence it has a strategy and at each Board meeting a review of actions undertaken as part of its business plan. **Making Safeguarding Personal** has been a driver in Enfield for many years, and this year we saw a conference that looked deeper into how methods, such as family group conferencing, can be adapted for use in safeguarding to keep adults experiencing abuse central to all actions taken.

We had several accomplishments this year as a Board. These included assuring that our publicity and communication is fit for purpose, with a **Keep Safe Week** held jointly with safeguarding children and a modern slavery conference. We targeted information, such as on financial abuse and hate crime, to improve reporting in these areas. The Board undertook to assure itself of how individual organisations safeguard, hosting a **North Central London Challenge and Learning** event. Moving forward, the Board will strive for excellence through an audit of its governance and function, using service user and carer oversight for external scrutiny. More information about what we have accomplished can be found in section 5.

The Board aims to influence and contribute to local and national conversations on safeguarding. Locally, the Board welcomes dialogue on issues such as suicide prevention, domestic abuse and learning from our statutory **safeguarding adult reviews**. We are held to account at Board meetings and must demonstrate that any learning has been put in place. Nationally, we took learning from safeguarding adults reviews presented by NHS England and this year we will audit the sustainability of changes we make in response to individual cases. We know that there is more we can do to learn from other areas and await the outcome of a report commissioned by the Association of Directors of Adult Social Services, which draws together reviews nationally. In Enfield, we contribute to national initiatives such as peer reviews, drawing together a revised self-assessment tool for Boards, and sharing our work with other authorities and networks.

Looking forward we have set ourselves some clear priorities for 2017-2018. These priorities have been identified through organisations in Enfield, reviewing themes and trends from data we collect, and from those who use services, carers and patients.

- Focus on prevention and reaching residents in Enfield so everyone can recognise and report abuse
- Identifying more effective ways to work together to achieve the best outcomes for adults at risk
- Assuring the safety of the provider market with targeted activities that focus on quality and safety

The well-established nature of the Enfield Board enables us to reach out and work beyond our boundaries in collaboration with other Boards; learning and sharing ideas which can deliver opportunities for adults at risk in Enfield to live a life free from abuse and where their dignity is respected.

# 4. ROLE OF THE BOARD

## WHO WE ARE

The Safeguarding Adults Board is the partnership of organisations who are responsible for helping adults at risk in Enfield to be supported to live lives free from abuse and neglect. It is about more than being safe and is about a person's wellbeing and their wishes in deciding on any action.

We want to ensure that when abuse occurs an individual is supported to achieve the best outcome for themselves, and importantly we want to work together to prevent abuse from happening in the first place. This report explains how we have done this in the last year and our plans for the future.

## OUR AIMS

We set out our aims over a three-year period, from 2015 to 2018, in the Enfield Safeguarding Adults Strategy. We are clear that during this time we intend to work together to ensure that adults who may be at risk are:

- Safe and able to protect themselves from abuse and neglect;
- Treated fairly and with dignity and respect;
- Protected when they need to be;
- And able to easily get the support, protection and services that they need.

We have an action plan that we review annually and in consultation, ensuring those who use services, carers and local people's views directly influence the work we do.

## WHAT WE DO

Partners who form the Safeguarding Adults Board meet quarterly and help to co-ordinate activities and give assurance that systems are working together and in the best way to prevent and respond to the abuse of adults.

The Care Act 2014 and the statutory guidance alongside this, sets out what the Board needs to do. The three core duties are to have a plan each year and sets out how this will be achieved; to publish its annual report; and to conduct reviews in certain cases to identify lessons to be learnt.

## RESOURCES AND FUNDING FOR THE BOARD

The Board needs both resources and funding to carry out its work. All partners have been able to contribute to the activities which take place, such as giving up staff time to take part in actions, identify leads to attend Board meeting, co-chair groups, and support Safeguarding Adult Reviews. Many partners also take part in events, such as Keep Safe Week where North Middlesex University Hospital held awareness raising stalls with information over three days.

During 2016/2017 the Board had a total budget of £58,500 which some partners contributed to. We overspent on this budget due to many Safeguarding Adult Reviews, which required an independent author. The funds were managed by Enfield Council on behalf of the Board to an agreed plan.

We are looking for ways to manage the budget next year and particularly around the spending we have on the Safeguarding Adult Reviews.

## GROUPS WHICH SUPPORT BOARD WORK

The Board has several groups which help to complete activities and give the Board additional assurance around how partners work together to keep adults safe. In this section, we set out these groups and what they have done in the last year.



### SERVICE USER, CARER AND PATIENT GROUP

There are those in the community, alongside organisations who support adults with care and support needs, who are particularly passionate and dedicated to making Enfield a safe place to live. The Service User, Carer and Patient sub-group of the Board is just that. The group has been running since 2010 and currently meets every two months to provide oversight and challenge to the work undertaken by partners in Enfield to keep people safe. Importantly they have also demonstrated their ability to drive forward and complete projects which are improving outcomes for adults.

In the last year the group has contributed to two significant developments:

- The design and creation of two safeguarding films, which will make understanding the types of abuse and what happens when abuse does occur, more accessible to all communities in Enfield.
- Supported the completion of a piece of work on the experience of Lesbian, Gay, Bisexual and Transgendered individuals in care homes. This work was done in conjunction with the Quality Checkers and resulted in the completion of a toolkit for care providers.

In addition to these key areas, the group continued to give their feedback on how we communicate across Enfield to raise awareness, contributed to discussions on domestic violence and the links with housing, and supported one another to raise issues of safety and wellbeing that have the potential to affect us all.

"the group can help to get different parts of the borough to work together to keep people safe"

"it has been helpful to run cases through the group when there have been safeguarding issues"

"deaf people can be frightened to say when they are worried. This group has been helpful to share information with deaf people"



## QUALITY, SAFETY AND PERFORMANCE GROUP

The Board wants to know that services are enhancing the quality of life and wellbeing for adults with care and support needs in its area, alongside keeping people safe. Activities related to this are done by a group that focuses on quality, safety and how we measure this in organisation’s performance.

Over the last year, the group has challenged and shared learning from safeguarding practice through audits and reviewing data we collect. We also helped drive forward a Challenge and Learning event for North Central London Safeguarding Adults Boards. Each organisation on the Board was asked to complete a self-assessment and there is now an action plan being monitored. Importantly, the event helped identify areas where we can share practice and develop projects in partnership with other local Boards.

The group has a very clear focus in the coming year which includes:

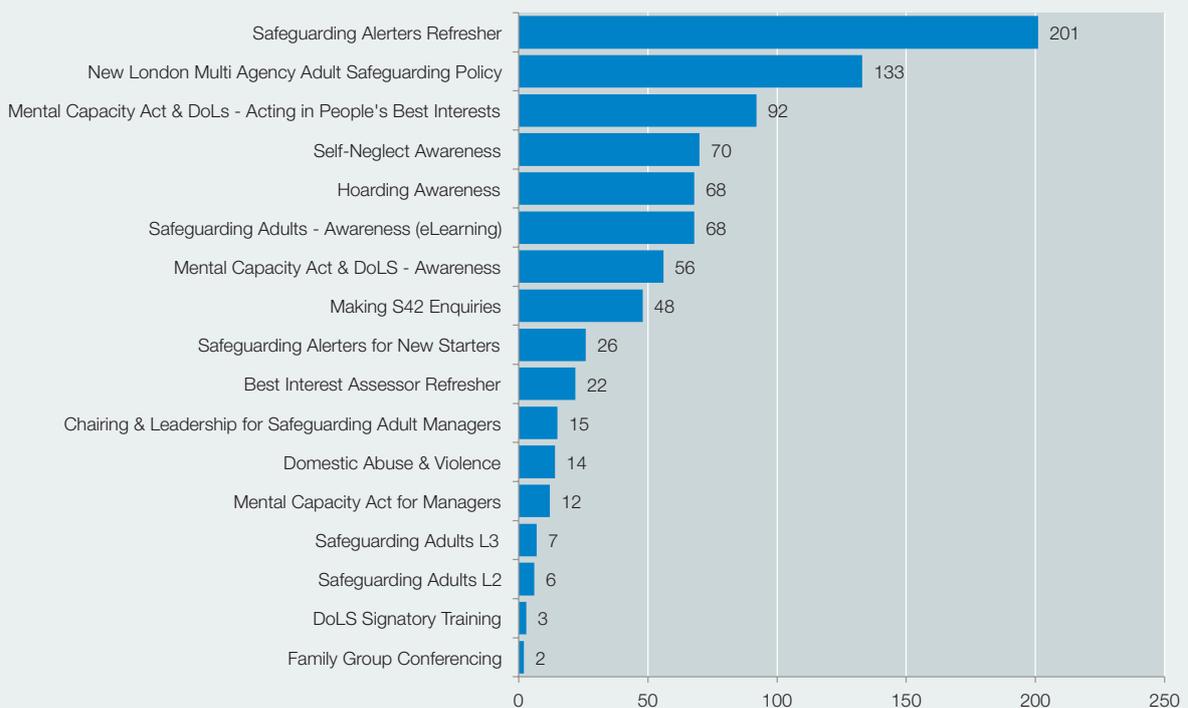
- Developing a way to audit the Board so we can make sure it is effective and efficient
- Review from a system approach how we work together to prevent and detect concerns in our care homes and domiciliary care providers
- Consider how safety for adults can be improved by focusing on holding to account those at risk of abusing

## LEARNING AND DEVELOPMENT GROUP

We believe that individuals working with adults should have the right knowledge, skills and confidence to recognise and respond effectively to adult abuse. To help achieve this a joint group with the Safeguarding Children Board is in place to collectively oversee and create the right learning opportunities for safeguarding in Enfield.

For adults, learning and training opportunities are delivered by the Safeguarding Adults Board through Enfield Council’s Corporate Learning and Development Service. In the last year, the following courses were available and a total of **843** people from across the partnership attended. All training was face-to-face apart from an e-learning awareness course.

Total numbers completed on Safeguarding Training 2016-17



In addition, there were several events linked to the Safeguarding Adults Board. This included a conference on **Modern Slavery** during our Keep Safe Week. In partnership with the Safeguarding Children Board we brought together experts in the field to help seventy-two practitioners, managers and councillors from across Enfield to recognise what modern slavery is, the links to internal trafficking and gangs, as well as the support available and how this links to adult and children safeguarding. As an outcome of this we will:

- Identify single point of contacts in the local authority to champion responses to modern slavery
- Write a joint strategy for modern slavery in Enfield with the Safeguarding Children Board
- Provide more learning opportunities in the future for the partnership

#### Comment from a participant noted it was useful

"being informed about what makes a person more vulnerable to exploitation, and learning how to highlight this and take action".

A second event we held as part of Keep Safe Week was on **Making Safeguarding Personal**. Building on the recognition of Enfield working to gold standard in March 2015, we held a conference to further embed innovative and person centred ways of working. Workshops focused on types of enquiries which can be used, mental capacity and domestic violence, and working with perpetrators. Participants were positive about the conference and it is helping focus our direction in the future. Ongoing training will be offered on self-neglect and working from a person-centred perspective to safeguard in these cases.

#### Comment from participant moving forward that we will

"concentrate more on enquiries rather than investigation and change the language. What does the service user want – not whether it happened or not".

Partners on the Board also promote learning and development in several ways. These include:

- Targeted presentations to community and voluntary sector groups, and some of their service users, to ensure all communities have access to safeguarding. We have found this year that those being referred under safeguarding are more representative of the Enfield population
- Safeguarding awareness sessions to Parent Champions

Based on the training we deliver and feedback from those who attended, we have considered what we need to offer in the coming year. Additional training will be provided on:

- Working with those who have caused harm (perpetrators)
- Building resilience and recovery for adults
- Family Group Conferencing



# 5. WHAT WE HAVE ACCOMPLISHED

The Safeguarding Adults Board has an action plan that it reviews at each quarterly meeting. Together the Board monitors its progress and decides what is needed to move activities along. During 2016/17 our accomplishments included:

- **Hosting North Central London Challenge and Learning event for five neighbouring Safeguarding Adults Boards.** This has led to a more joined up approach with several areas where there will be collaboration across North Central London.
- **Targeted awareness sessions taking place because we felt not everyone was represented in the safeguarding adults data; this has included presentations to Enfield Saheli Women's group and Enfield Racial Equality Council.** Our data this year now shows a closer representation to the communities and it means more adults from Black and Minority Ethnic communities are getting access to safeguarding.
- **We targeted information on financial abuse** and this has helped us to start writing procedures for preventing financial abuse.
- **Our training on domestic abuse is inclusive of coercive control and some courses are now in collaboration with safeguarding children.** We are doing this so that more staff have suite of options to offer to victims to enable their safety.
- **Partners in Hospitals, such as Royal Free London which covers the Chase Farm site, have evidenced extensive work on domestic abuse, female genital mutilation, honour based violence and trafficking.** Not only are Independent Domestic Violence Advocates on hospital sites, but there is focused training, awareness activities and conferences on these areas.
- **Developed dehydration cards to assist staff and family members visiting care homes to understand what dehydration is, how to recognise this and what to do.** These cards are going out and our quality checkers will go back into care homes to assess the difference they have made.
- **We created a factsheet on how technology can be used to help people keep safe.** We did this because several service users, carers and local people asked us to do this as part of our annual consultation: "more use of community alarm" as well as information on "alarms and small hidden camera that people can place".

## **PREVENTION AND QUALITY ASSURANCE**

We promised to report on actions from our Strategy action plan, Prevention Strategy 2015-2018 and Quality Assurance Framework 2015-2018. In addition to the points above, we have set out some more activities below and what we are still working on:

### **We have:**

- Scoped locally how we work with perpetrators and are now developing a plan and seeking funding to implement a local perpetrator programme. We want to hold perpetrators to account and break the cycle of abuse.
- Reviewed information presented at each Board related to safeguarding concerns raised and provided challenge and support to ensure this is accurate and gives us a full picture. Thus, we have performance set out in Section 9 of this report.
- Action plans from Safeguarding Adult Reviews which are monitored at the Board so we can evidence that we listened, took the learning, and made changes to help prevent abuse and improve our work together.
- Expanded our focus to include issues such as suicide prevention and how the Board can support this work.
- Held partners on the Board to account at meetings by having each organisation present how they meet the dignity in care standards and effectively safeguard.

### **We still need to:**

- Receive a review by the Police on safeguarding cases referred to them to understand how adults at risk have access to the justice system.
- Work with young carers so that they can recognise adult abuse and have the support to come forward.
- Improve our coordination with community safety officers on the street and their engagement with supported living accommodation.





## **COMMUNICATION AND AWARENESS**

We believe everyone can recognise abuse and raise a concern. Our role is to support awareness and communication so all communities can help to make the Borough a safer place to live, work and visit.

### **You asked us to:**

- “do more publicity about adult abuse”
- “widespread advertising of contact details of the telephone numbers to report suspicion of adult abuse”
- “a confidential helpline”

### **The Board has met all actions set out in its Communication Plan:**

- Targeted work with adult social care on hate crime and we can now demonstrate there have been 13 reports identified relating to hate crime in this year compared to zero reports in the previous year.
- Held a Keep Safe Week during February 2017 joint with safeguarding children, which targeted information at service users, carers, patients, public and staff.
- Held a safeguarding campaign in which we raised awareness through information boards across the Borough, in newsletters, and posters in public and Council buildings.
- In conjunction with the Service User, Carer and Patient sub-group of the Board the Council developed a film on the types of abuse and what happens when you do report abuse or neglect.

Films can be accessed here: <http://www.enfield.gov.uk/safeguardingadults>

We want to make sure reporting abuse is accessible. In 2010 we set up the Enfield Adult Abuse Line, a single point of contact available 24/7 to report abuse ☎ 020 8379 5212.

We are seeing not only professionals using this number, but self-referrals, and reports by family, friends and neighbours.

# 6. THE DIFFERENCE TO ADULTS AT RISK OF ABUSE

## CASE STUDY A

A woman with learning disabilities living in a care home had an altercation with her mother during a visit. Staff at the care home raised this as safeguarding to the Multi-Agency Safeguarding Hub, who contacted the local authority who placed her in Enfield. A mental capacity assessment was undertaken by her social worker who found she was unable to contribute to the safeguarding process. As a result, a best interest decision was made working together with the local authority who placed her in the Enfield area, and a safeguarding enquiry took place which balanced risk with choice; specifically, this considered how to enable this woman to continue her relationship with her mother but in a way that did not result in physical or emotional harm.

Following the enquiry, the Court of Protection has been approached to ensure safe contact between mother and daughter, respecting their right to family life while minimising the risk of abuse.

## CASE STUDY B

An elderly man was referred to the Multi-Agency Safeguarding Hub as there were concerns about self-neglect and the disrepair and clutter in his home environment. Although there were risks involved in living in the home environment, the Adult was very clear he wished to remain living at home and had capacity to make this decision. The MASH Team had to work with partners to minimise these risks and importantly took the time to build a rapport with him. The allocated Social Worker spent time with the Adult, identified small steps towards managing the cleaning and repairs of his home, and sought his views and consent in deciding actions.

Because of the work done in the MASH the Adult agreed to have a blitz clean and his heating and hot water is being repaired. Importantly, there was strong link with the London Fire Brigade and appropriate equipment is in place to minimise the risk of fire. The Adult has agreed to ongoing support from Adult Social Care to focus on his continued wellbeing.

Following the abuse of patients with learning disabilities at Winterbourne View, there has been a national priority to reduce the use of in patient Assessment and Treatment Units, to reduce length of stays for in patients and to develop the right support locally so that people can receive high quality health and social care services in their local communities. This is a key priority for Enfield and at mid-February 2017, there were 5 people receiving inpatient assessment and treatment with a further 4 people receiving a secure forensic service, commissioned by NHS England. These are the lowest numbers in the North Central London Sector. The service is committed to supporting people to live in community living options through robust integrated health and social care support. As a result, 79% of people with learning disabilities in Enfield live in 'settled accommodation' (in their own property or with family). Again, this figure is amongst the highest in London.

# 7. WORKING WITH CARE AND SUPPORT PROVIDERS

The Board is aware of the number of safeguarding concerns being raised in relation to care and support providers, particularly residential homes, nursing homes and domiciliary care providers. There are several ways the Board works to improve this area and have oversight over the quality of local care and support services.

## **SAFEGUARDING INFORMATION PANEL**

The Safeguarding Information Panel (SIP) is a partnership of organisations (including Care Quality Commission, Police, Clinical Commissioning Group, Immigration Enforcement Agency and Adult Social Care) who share information and early warning signs. This is done so that we can together to identify concerns relating to poor care and safety and work to prevent this through targeted actions. The Panel focuses resources so that we can reduce duplication and importantly keep people who use services safer from abuse and neglect.

Examples of the work we did over the last year:

- Initiated the provider concerns process ten times where safety and quality were in such a poor state that we needed to help keep service users safe
- Had our quality checkers visit ten providers to collect feedback from those who use services
- Our nurse assessor went out on targeted visits to eleven providers to look at areas such as medication and pressure care. We use this as indication of the provider's ability to create a safe environment
- Completed out of hour spot checks unannounced to twenty locations, to see care during nights and weekends
- Asked colleagues in immigration enforcement to conduct checks with four providers, helping to assure those working have the correct documents and clearances
- Three occupational therapy visits focused on safe moving and handling and equipment
- Detailed visits by contract monitoring to eighteen providers.

"The Care Quality Commission (CQC) meets with Enfield Safeguarding Information Panel (SIP) every six weeks. The main purpose of these meetings is to share information about services we have concerns about. Information from these meetings proves very useful to inspectors on an on-going basis. It has helped inform our approach to planning inspections and enabled us to take action when significant concerns are present."

### **CQC Representative on the Safeguarding Information Panel**

Going forward the SIP is looking at additional approaches to integrated quality monitoring which will help triangulate the work being done by partners.

## PROVIDER CONCERNS PROCESS

The Provider Concerns Process is led by Enfield Councils Strategic Safeguarding Adults Service but is only possible with the strong support of organisations such as the Care Quality Commission, Enfield Clinical Commissioning Group and many others. A provider concern is triggered when there is an indication that a service has an area or number of areas working below the standard expected and there is a risk to the health and well-being of residents. The provider concerns process can be instigated to both prevent abuse from occurring and improve standards of care, or where abuse has occurred and actions must be taken to protect residents.

The aims of the provider concerns process are to:

- Ensure the safety, dignity and care to those who use the service of the provider;
- Ensure that the customer is at the heart of the process;
- Share information appropriately to enable effective partnership working;
- Facilitate interventions where appropriate to gain assurances that the quality of care is improved;
- Take robust action in instances where a crime has been committed or to protect the wellbeing of those who use services.

"the work undertaken is strong evidence of agencies co-operating and collaborating to improve outcomes for those who use services"

### Provider Concerns Chair

Working together means recognising that no single agency can alone respond or improve the quality of care within a provider. Each organisation has its own remit, focus and skills, which together, has the potential to contribute to creating the best possible outcomes within a care provision.

During 2016/17 we worked with 17 providers under our provider concerns process. We found that nursing homes disproportionately came under this process as compared to domiciliary care or residential care homes. Engagement with those who use their services, their families and representatives, is essential and runs through the work we do.

## CASE EXAMPLE

Through an internal audit of their services a manager identified concerns about how medication was being provided to individuals, as well as how senior staff check on the quality of care. The manager reported this to Enfield Council and the provider concerns process started. By working together and looking at all parts of the service and how it functions, an improvement plan was developed by the Provider to make the service better. Managers and staff were given the space and time to make these changes. An external auditor was brought in to check that medication was improved and suggested what needs to be in place in the future. The Strategic Safeguarding Adults Service in the Council wrote to all those who used the service for feedback and received positive comments. This identified that the support staff were caring, but the systems and processes needed to be improved. Through the work of the Provider and its staff, these improved significantly and following a Care Quality Commission inspection were rated 'good.'

"I found the process extremely helpful and supportive. The process worked with the team to identify high risk areas, and develop a robust risk assessment to improve standards. Our service was able to obtain commissioned training within short timescale, and high level management support and understanding as a result of the provider concerns process."

### Manager of the Care Provider

## 8. QUALITY ASSURANCE

The Strategic Safeguarding Adults Service in the Council complete practice audits every three months. There are several areas we focus on but how we keep the adult at risk central to decision making and how we support them to achieve their outcomes is always a key area. We also have an external audit every year to give an independent view of our practice.

Our internal audits so far have found:

- Most cases have demonstrated excellent practice, where over 90% of adults in the cases viewed had their outcomes identified at the beginning of the process
- In over three quarters of cases we support the adult to have their outcomes fully met
- We also found that at the end of the safeguarding process people felt safer
- Range of partners now undertaking enquiries, including Health, Providers and the Police.

What we want to focus on going forward:

- That cases do not drift and reasons for delays are recorded
- That for cases which did not progress under safeguarding we still consider how to promote well-being and provide the right information and advice
- That outcomes are reviewed in the middle of the process where possible, as what a person may want can change over time
- About two thirds of people have mental capacity assessments recorded as separate documents and we want to see this number increase.

Our audits make a difference to practice by identifying what areas we need to focus on improving; We share this information with managers and front line staff so together we can find ways to change practice, recording or templates to support the actions we take.

We undertook an additional review of our single point of contact to report abuse, the **Multi-Agency Safeguarding Hub**, in July 2016 this was undertaken by an independent person. The review found in summary:

- The MASH would benefit from renewed and refocused senior strategic interventions, with overview from the Safeguarding Adults Board
- No recommendations about practice; the MASH offered an expert and Care Act compliant triage, information gathering and initial enquiry service to adults at risk
- Recording was of a high standard
- There was significant workload pressure on staff and supervisors trying to maintain excellence with an increasing number of referrals
- Improvements in data collection and management
- Improvements in partnership overall but some work with acute hospitals and mental health partners still needed.



Following several recommendations, the following has been put in place for the service:

- Skill base of staff identified for mental health referrals, with training available and process in place for when we refer on cases
- Identified the support the service needed to manage the concerns coming in
- Training was given to teams which support the MASH
- A clear pathway in place for when we need to escalate concerns within the Police
- Started a review of the resources needed for the service to effectively deliver
- Helped all members of the service access partner system where required
- Have in progress a way to manage issues coming into the MASH which do not indicate abuse or neglect but are about adults who may need additional support or interventions.

Finally during October 2016, the Local Authority commissioned an external audit of 25 cases which progressed under safeguarding, as this independent challenge is welcomed. The auditor will be presenting these findings to adult social care, who will report to the Board on this in the coming year.

## **QUALITY CHECKER PROJECT**

The Quality Checker project recruits, trains and supports a team of service user and carer volunteers to engage with social care clients, to gather meaningful feedback on the quality of the services they receive support from.

Many projects were completed over the year and include:

### **A. REVIEW OF THE ADULT ABUSE LINE**

The Quality Checker volunteers made mystery shopping calls to the dedicated LBE Adult Abuse line. This was done to test the call handler's knowledge and skill in managing allegations of abuse received from members of the public. The calls made covered a wide and varied range of types of abuse and key elements of the call handler's responses were recorded. The findings of all calls were used to develop a comprehensive report highlighting good practices noted and recommendations for improvements as appropriate. The report was shared and welcomed by the Managers of the service. All recommendations for improvement were accepted and implemented. This has directly improved the following;

- Safeguarding information appropriately being escalated to the Multi-Agency Safeguarding Hub
- Improved customer experience for people raising concerns
- Adult Abuse line handlers have refreshed skills to manage incoming calls
- Independent audit of Adult Abuse Line recorded and improvements monitored.

### **B. IMPROVING HYDRATION IN CARE HOMES PROJECT**

The Quality Checker project worked in partnership with a multi-disciplinary working group to support good practices that will improve hydration in care homes. The Quality Checker project volunteers conducted visits to twenty care homes and gathered feedback from residents and staff; this included how they support residents to remain hydrated and offer residents choice and control about their preferred foods and drinks. A report was developed to demonstrate the findings of the visits and from this a 'Hydration Toolkit' was designed to be distributed to all care homes in the borough. A hydration card is wallet sized and offers key information to identify and prevent dehydration. The project has made the following improvements:

- Report developed to highlight practices used to support hydration in care homes and good practices shared
- Hydration toolkit developed to ensure providers have accessible information for all staff to prevent dehydration
- Monitoring in place to measure the impact made by distributing the Hydration Toolkit information.

### **C. THE QUALITY CHECKER PROJECT AND HEALTHWATCH WORKING IN PARTNERSHIP**

The Quality Checker Project and Healthwatch are working cohesively to ensure they can maximise the benefits of each projects resources. Co-produced training, awareness raising and volunteer recruitment events are arranged jointly and appropriate information is shared to support the work of both projects. This helps to ensure the service user and carer voice is heard at strategic forums. In addition, the CEO of Healthwatch is the Independent Chair for the Quality Checkers specialist Dignity in Care Panel, helping to make sure the panel operates effectively and reviews of the Council's services are independently scrutinised. Healthwatch and the Quality Checker project will be conducting peer reviews/audits of each other's organisations processes and ways of working. This will further support service development improvement in line with the dignity standards they work to uphold.

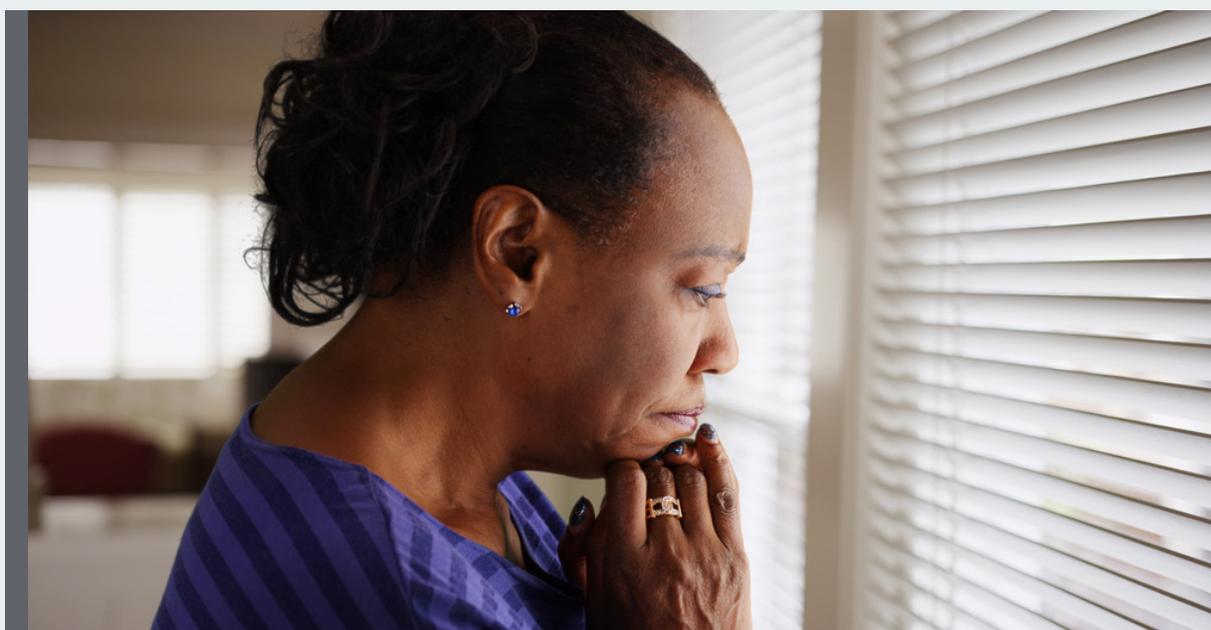
# 9. SAFEGUARDING ADULT REVIEWS

Section 44 of the Care Act 2014 states that a Safeguarding Adults Review (SAR) must be arranged by the Safeguarding Adults Board when an adult in its area dies because of abuse or neglect whether known or suspected, and when there is concern that partner agencies could have worked more effectively to protect the adult. A SAR must also be arranged if an adult has not died but it is known or suspected that the adult has experienced serious abuse or neglect. It may be useful to note that Safeguarding Adult Reviews were previously known as Serious Case Reviews.

The Safeguarding Adults Board had one SAR which concluded during the financial year. This case is set out in more detail below and the learning identified.

In addition to the concluded review, there has also been the following:

- One review was agreed in January 2016 and is a thematic review of domestic abuse and safeguarding. The thematic review started in March 2016 and is being presented in November 2017 to the Safeguarding Adults Board.
- One review was agreed in January 2016 in response to a serious sexual assault. The review is still in progress but actions have already been taken with the provider and several Local Authorities, Clinical Commissioning Groups and other partners to embed changes from immediate lessons learnt.
- One review was agreed in September 2016 in response to how partners provided care and treatment to a man with learning disabilities. This review is in progress and is expected to be reported on in 2017/2018.
- One review was agreed in January 2017 following a fatal fire. This review is in progress and is expected to be reported on in 2017/2018.



There were three additional cases brought to the Safeguarding Adults Board to see if a review should be started. In one case an independent person had already undertaken an enquiry and found lessons to be learnt, so the Panel asked for the recommendations and how they have been put in place to be shared for their overview. In a second case a referral was received which only had identified failings by a single agency and was not about how agencies worked together; this case would continue under a single safeguarding enquiry to assist in coming to a resolution. A third case, regarding a provider, did not meet the criteria for a review but the Board recognised that further investigation would be helpful and requested the Clinical Commissioning Group undertake this.

## **CONCLUDED SAFEGUARDING ADULT REVIEW**

### **FOLLOWING DEATH OF 'MS K' AN ADULT AT RISK**

A multi-agency partnership review was agreed to consider the organisational learning for the agencies involved with Ms K following her death and to undertake this learning on a collaborative basis. Ms K was unknown to any services prior to her death and the reason for this review was to reflect on how as a partnership we could work together to hold person alleged to have caused harm to account once an adult at risk dies.

Five organisations came together and wrote out a chronology on their involvement with Ms K from the day she died and the actions they took together when there were concerns about neglect having contributed to her death. A roundtable event was held and collectively partners agreed what alternative outcomes they wished to achieve and what as single agencies or as a partnership we can do to accomplish these outcomes.

The key learning points are set out below:

- All partners can be empowered to report to the Police where a crime is believed to have been committed.
- Where concerns about abuse or neglect exist the death certificate should be thoughtfully considered before completion. This learning was shared with the General Medical Council as it has national relevance.
- Any partner can escalate concerns to senior managers where they feel an organisation has not taken all actions necessary once a concern is reported.
- Timely sharing of information in safeguarding is key to assessing risk and can assist partners, such as Police or Coroner, to take action against persons alleged to have caused harm.
- Importance of equipping staff with the knowledge to undertake safeguarding in complex cases which may involve a crime. Whether as the referrer, co-ordinator of safeguarding or for Police Officers whom undertake investigations.
- Everyone, including members of the public, need to know how to report concerns about adults at risk.

The Safeguarding Adults Review report is a published document which can be found on the safeguarding adult board pages on [www.enfield.gov.uk](http://www.enfield.gov.uk). The action plan is monitored via the Safeguarding Adults Board.

# 10. LEARNING DISABILITIES MORTALITY REVIEWS

The Integrated Learning Disabilities Service (ILDS) has traditionally reviewed all deaths of adults with learning disabilities in Enfield. This work has been led by our End of Life Steering Group with oversight from the ILDS Governance Meeting. The Steering Group has developed some excellent end of life planning workbooks for both people with learning disabilities and their carers. The Steering Group has also undertaken some innovative work with care providers on supporting staff with loss and bereavement.

In 206/17 there were 8 deaths of people with learning disabilities. Of this number 4 had end of life plans and died at home as set out in their plan. The remaining 4 people died in hospital without end of life plans in place. The Steering Group produces an end of life report, with the report for 2016/17 being available shortly.

In June 2015, NHS England, the Healthcare Quality Improvement Partnership (HQIP) and the University of Bristol announced the world's first national programme to review and ultimately reduce, premature deaths of people with learning disabilities. This project will be the first comprehensive, national review set up to understand why people with learning disabilities typically die much earlier than average, and to inform a strategy to reduce this inequality.

As from the 1st April 2017, all NHS and Local authority bodies are required to notify and review all deaths of children (4-17) and adults (18+) in their area. A local process in Enfield has been established which builds on our previous best practice in mortality reviews. Learning from the reviews will be collated nationally and locally, with local learning being reported to the SAB, the Local Authority and Clinical Commissioning Group in the Annual End of Life Report. Review training is being provided by NHS England and the ILDS will have 10 trained review staff from across the service. Information on the programme is available at [www.bristol.ac.uk/sps/leder/easy-read-information](http://www.bristol.ac.uk/sps/leder/easy-read-information)



# 11. WHAT WE WILL DO NEXT YEAR

The Safeguarding Adults Board have a business plan for each year, which sets out what actions we will take. This can be found in section 11.

While we have a three-year strategy from 2015-2018, we review the specific actions on an annual basis to ensure they remain relevant to any national changes, local themes emerging and importantly from feedback from those who use services, carers and local people. During the review this year the feedback and suggestions provided were:

- To seek assurance that local colleges / universities are supporting adults with care and support needs to report if they have been abused.
- With an increase in reports being recorded as hate crime, for strengthened work between the Multi-Agency Safeguarding Hub and Hate Crime Forum.
- Use the new safeguarding film in training.
- Continue to drive forward publicity and communication for safeguarding, so that everyone in Enfield knows how to recognise and report adult abuse.
- Additional action to be taken to address high reports of concern within care providers.
- Continued focus on raising awareness and for organisations to understand when to report as a concern and when to call Police in emergencies.

In addition to these suggestions we look at the performance information to help identify where we should focus our work. We found this year that there continues to be a high proportion of abuse in care providers and considered this against Care Quality Commission information. As a result, our Quality, Performance and Safety sub group of the Board will do a focused piece of work on what as a partnership we can do to assure ourselves of the safety in the provider market.

We found that some types of abuse are now being recognised more readily than before. This includes hate crime for example, so we will look at individual cases raised to reflect on our response in these cases and identify any organisational learning. Our data presented was also inconsistent and much effort was taken to ensure it presented an accurate reflection of the practice; as a result there will be specific assurance taken in the coming year on consistency of practice and recording across the Local Authority and Mental Health Trust.

Through joint work with the Safeguarding Children Board, Safer Strong Communities Board and partners such as Public Health, the Board is considering a wider scope of issues. This includes modern slavery, preventing suicides and domestic abuse work with perpetrators. We will continue in the coming year to strengthen this joint work and develop a memorandum of understanding, so that we work together in the most efficient way.

# 12. ACTION PLAN

## 2017-2018

Objectives set out by the Safeguarding Adults Board are set out below. The actions to achieve these and responsible individuals can be found on the full documents reported at each quarterly Board meeting. These can be accessed on the Safeguarding Adults Board pages at [www.enfield.gov.uk](http://www.enfield.gov.uk)

### KEY PRIORITY 1: EMPOWERMENT

OUTCOMES	INDICATORS	LEAD/SUB-GROUP
Guidance available to support staff to deal with specific safeguarding issues.	The SAB is assured that guidance is available for staff which reflects the wide spectrum of types of abuse which can be experienced.	Quality, Safety and Performance
Continued improvement in data which identified that adults at risk have appropriate access to advocacy.	Board has assurance that individuals experiencing safeguarding have access to the appropriate advocacy service. Project within London Borough of Enfield Health, Housing and Adult Social Care on advocacy development.	LBE HHASC Service Development
Supporting young carers to understand safeguarding and how to report.	Known young carers are engaged and gaps in services to enable them to report abuse are identified.	LBE HHASC Service Development
Partners working to the ethos of Making Safeguarding Personal.	The SAB is assured partners have active plans to embed Making Safeguarding Personal which take into account regional 'temperature checks' and best practice.	SAB Partners

### KEY PRIORITY 2: PROTECTION

OUTCOMES	INDICATORS	LEAD/SUB-GROUP
Adults at risk are supported by the partnership to report abuse and neglect to the extent that they want.	Feedback from adults at risk through face to face interviews or online mechanisms used to give assurance to the SAB.	LBE HHASC Strategic Safeguarding
People at risk of abusing have access to support to prevent abuse or reduce risk of repeat abuse.	The SAB will aim to enable protection of adults at risk through addressing perpetrators of abuse in a clearer and more consistent approach.	LBE HHASC Strategic Safeguarding Adults

### KEY PRIORITY 3: PREVENTION

OUTCOMES	INDICATORS	LEAD/SUB-GROUP
Quality and safety in care providers addressed through multi-agency efforts to reduce safeguarding provider concerns.	The SAB is assured that partnership response with providers provides early identification and reduces need for safeguarding interventions.	Quality, Performance and Safety sub-group
Board meeting have partnership data which helps to find themes and trends to enable the Board to take action.	All partners contribute validated data to the Board for quarterly meetings.	SAB Partners Quality, Safety and Performance sub-group
Communities as a whole play their part in identifying abuse and we can evidence calls being made to report it by local people and service users.	The SAB reviews the effectiveness of the communication through performance and data trends and considers new ways to communicate to raise awareness.	Service User, Carer and Patient sub-group

### KEY PRIORITY 4: PARTNERSHIP

OUTCOMES	INDICATORS	LEAD/SUB-GROUP
Evidence of service user, carer and patient engagement in Board and partner organisations development.	SAB is assured that adults at risk have a voice in how services are developed and both the Board and partners can evidence this in self-assessments.	Quality, Safety and Performance sub-group Service User, Carer and Patient sub-group
Colleges are confident in raising concerns and we can see this being done through data.	Colleges are able to access appropriate safeguarding training so that they can support adults to raise concerns appropriately.	Learning and Development sub-group
Continued progress with number of hate crimes being recorded under safeguarding.	The Multi-Agency Safeguarding Hub and Hate Crime Forum to strengthen links so that cases referred under safeguarding can be supported by the forum.	(HASC) MASH and Community Safety Unit

## KEY PRIORITY 5: ACCOUNTABILITY

OUTCOMES	INDICATORS	LEAD/SUB-GROUP
Board has evidence of how it has been audited against statutory requirements and action plans in place to address gaps.	The SAB will be assured that there are adequate quality assurance processes in place for organisations.	Quality, Safety and Performance sub-group
Learning outcomes from Safeguarding Adults Reviews are sustained within organisations.	The SAB is assured that learning identified in statutory Safeguarding Adults Reviews are followed through, that actions are complete with evidence provided, and that these are sustained.	SAB Officer
We can evidence the number of cases which went to prosecution and access to the justice system for adults at risk.	Board will assure itself via Police colleagues that the decision to proceed under safeguarding and leading to prosecution is transparent.	Enfield Police
Language of professionals to be simplified so that there is an improved access to services (as recommended by Making Safeguarding Personal).	Partners on Board to identify service users to be able to 'mystery shop' their services to audit language.	All SAB Partners

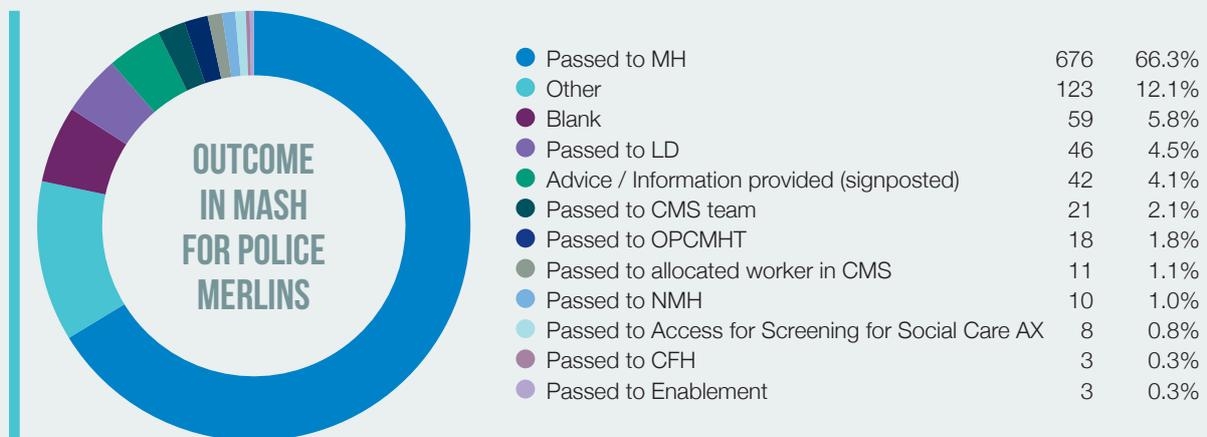
## KEY PRIORITY 6: PROPORTIONALITY

OUTCOMES	INDICATORS	LEAD/SUB-GROUP
People at risk of abusing others access support to prevent abuse or reduce repeat victimisation.	Board will facilitate a pathway programme in place for people at risk of harming others.	LBE HHASC Strategic Safeguarding
Feedback from adults at risk confirm that they feel safe and have a positive experience of care and support.	The SAB will seek assurances that safeguarding interventions are appropriate and we embed learning direct from those who have been harmed.	LBE HASC Safeguarding with support BEH MHT for mental health cases under safeguarding

# 13. PERFORMANCE REPORT 2016-2017

## POLICE MERLINS

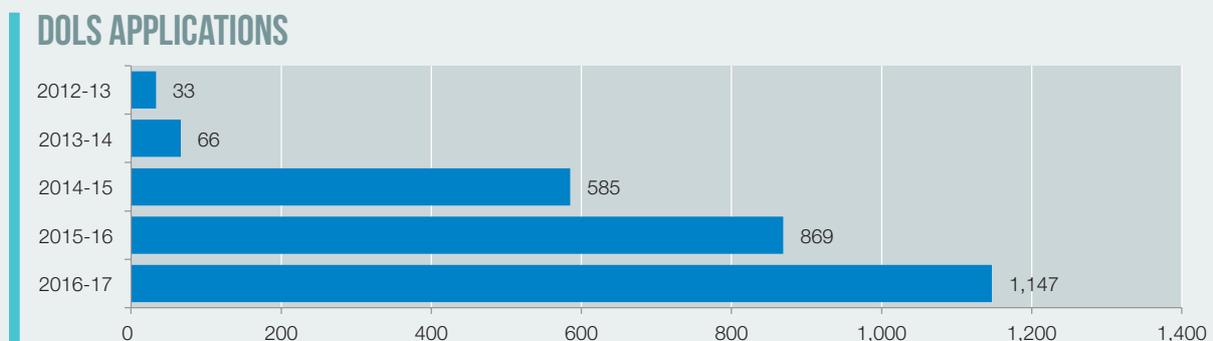
There were 1,020 Police Merlins recorded with MASH during 2016-17 (1,602 in 2015-16). Of these, approximately two thirds (66.3%) are passed to mental health, which is a rise on last year (56.3%).



A Merlin is not always safeguarding; The Merlin Database is the recording system the Metropolitan Police utilise to record missing people, and children and adults coming to police notice. This system is used to record contact and what, if any action has taken place. Officers and police staff are trained to identify vulnerability through the use of the MPS Vulnerability Assessment Framework.

## DEPRIVATION OF LIBERTY SAFEGUARDS (DOLS)

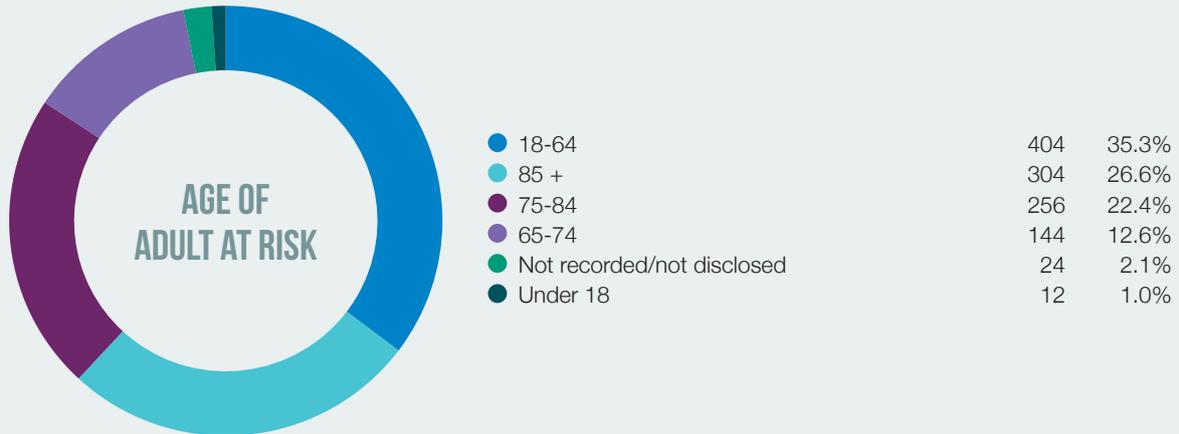
According to our Covalent system, there were 1,147 DoLS cases in 2016-17, of which 1,061 (92.5%) have been completed. This reflects a growing trend in DoLS cases as can be seen below.



## SAFEGUARDING CASES

There were 1,144 total safeguarding concerns raised to Council: a slight fall on 2015-16 (1,244). Of these:

- **652** were female
- **12** were under 18 years of age, although 304 were aged 85+
- **281** safeguarding cases did not meet Section 42 criteria
- **78** cases required further information gathering
- **2** cases were passed to mental health colleagues
- **771** cases met the section 42 criteria

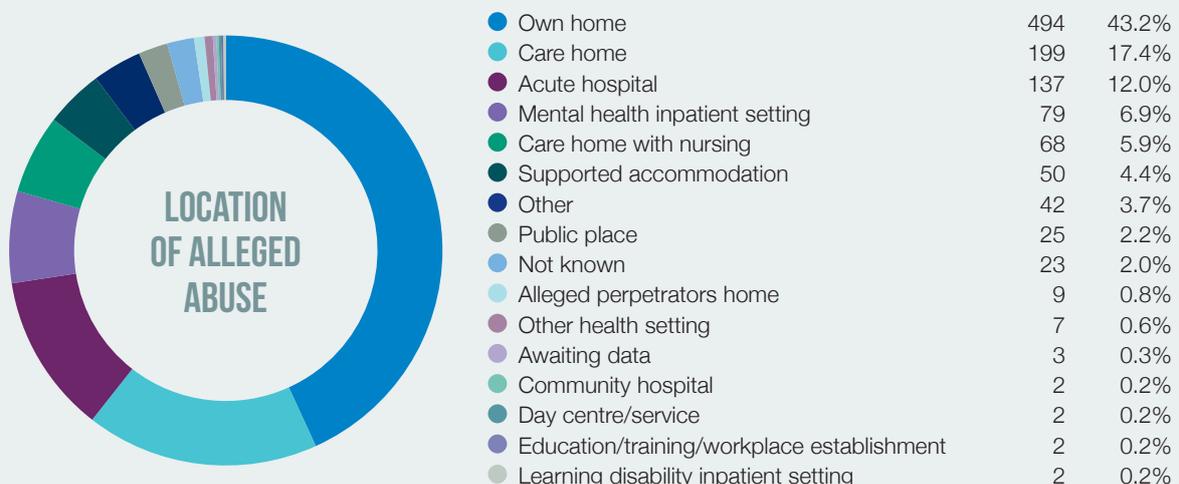


There are a significant number of groups and persons who have raised concerns, with the three organisations or persons who raised the most safeguarding concerns being:

- Hospitals: **259**
- Residential care homes: **116**
- Social care staff: **100**

## LOCATION OF ALLEGED ABUSE

The most common location for the alleged abuse to occur is in the home (494). This is more than the next three highest categories combined – care homes (267), acute hospital (137) and mental health inpatient setting (79) and also represents an increased proportion of cases when compared to last year (43% this year against 37% in 2015-16).



## TYPE OF ABUSE

Neglect and acts of omission is by far the most common form of alleged abuse (557 allegations), more than double the next category (Physical abuse – 262). In fact, over 75% of all allegations relate to just four categories (Neglect and acts of omission; Physical; Emotion/psychological and Financial/material).



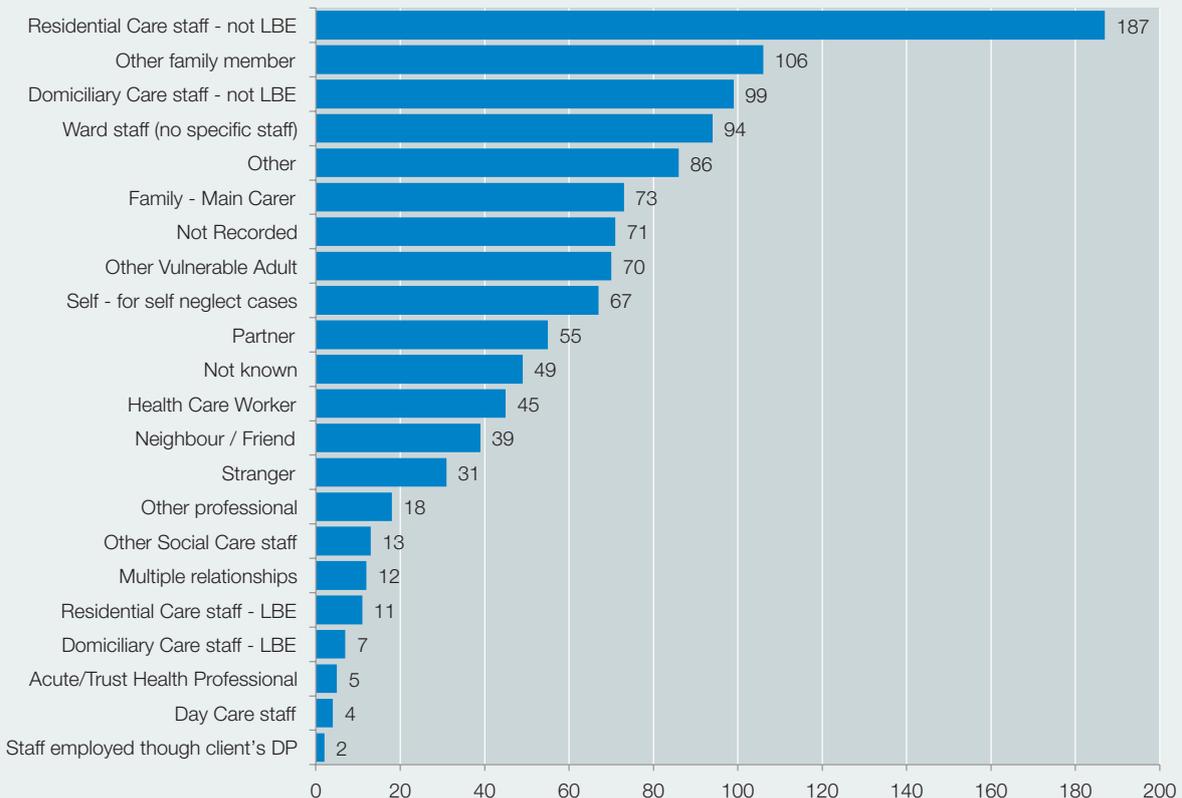
\*There can be more than one form of abuse so numbers do not add up to all 1,144 cases.

## RELATIONSHIP TO ADULT AT RISK

When looking at the alleged perpetrator and their relationship to the vulnerable adult, there are a wide number of possible relationships. The three most common, which together represent over one in three of all alleged perpetrators, are:

- Residential Care staff – not LBE: **187 cases**
- Domiciliary Care staff – not LBE: **106 cases**
- Other family member (not main carer): **106 cases**

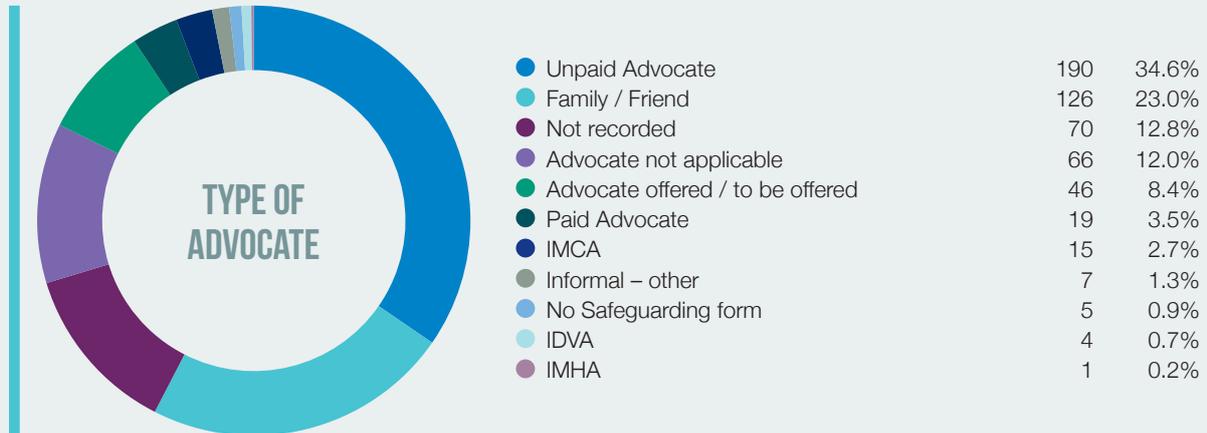
## RELATIONSHIP TO ADULT AT RISK



## OUTCOMES FOR S42 CRITERIA MET AND COMPLETE CASES: 549 RECORDS

Of the 1,144 safeguarding concerns raised, 549 have both met the S42 criteria and been completed. These cases are analysed below.

Of these 549 cases, 190 (34.6%) had an unpaid advocate and a further 123 (23%), Family/Friend was the advocate. Together with those cases where the type of advocate was not recorded (12.8%) or not applicable (12%), these represent over 80% of all the types of advocate.



## OUTCOME FOR PATCH

The three most common outcomes for the PATCH (Person Alleged To have Caused Harm) are:

- Continued monitoring: **161 cases**
- No further action: **127 cases**
- Not known: **82 cases**

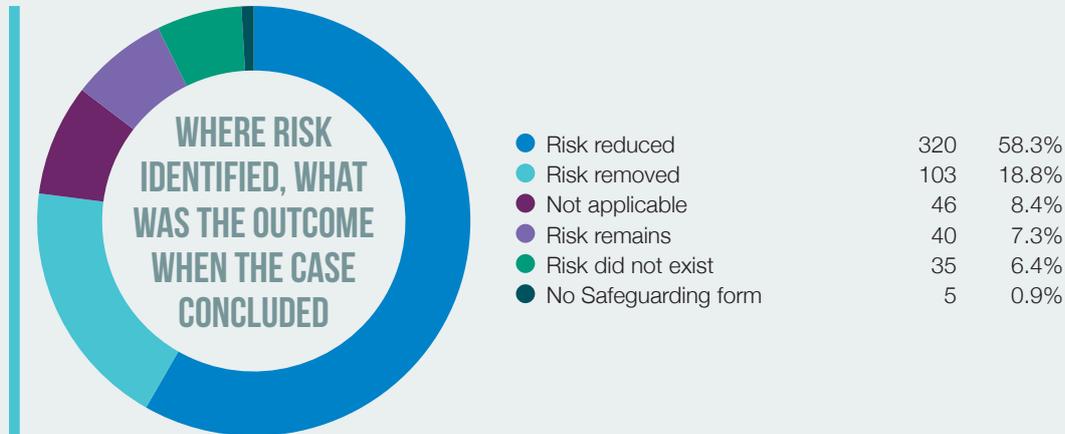
Together these represent over two thirds (67.3%) of all outcomes for the alleged perpetrator.



## RISK OUTCOMES

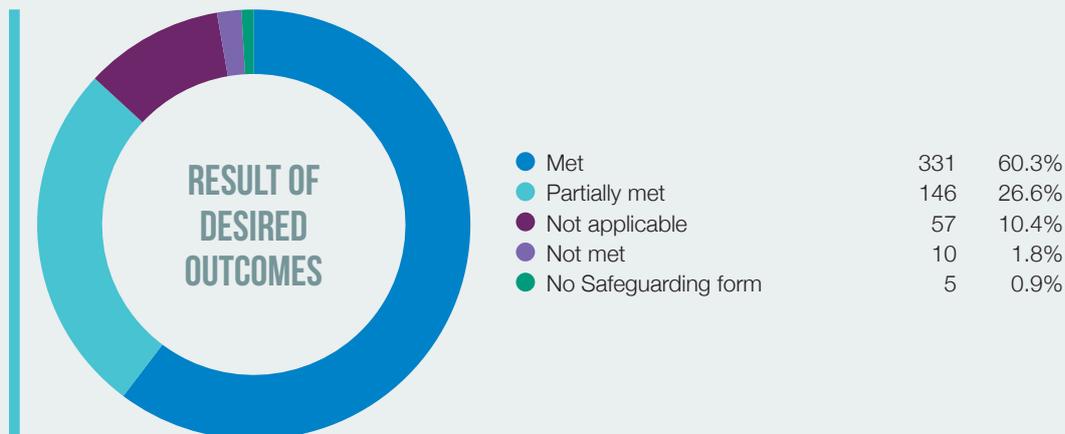
When looking at where a risk was identified, what was the outcome when the case concluded; it is clear that we are successfully reducing risk.

Where applicable, and where a risk existed, over 9 in 10 cases (90.4%) saw the risk reduced (68.4%) or removed (22%).



## EVALUATION BY ADULT AT RISK — WERE THE DESIRED OUTCOMES MET?

Where applicable, 97% of adults at risk said their desired outcomes had been met (67.3%) or partially met (29.7%), which is an extremely positive result.

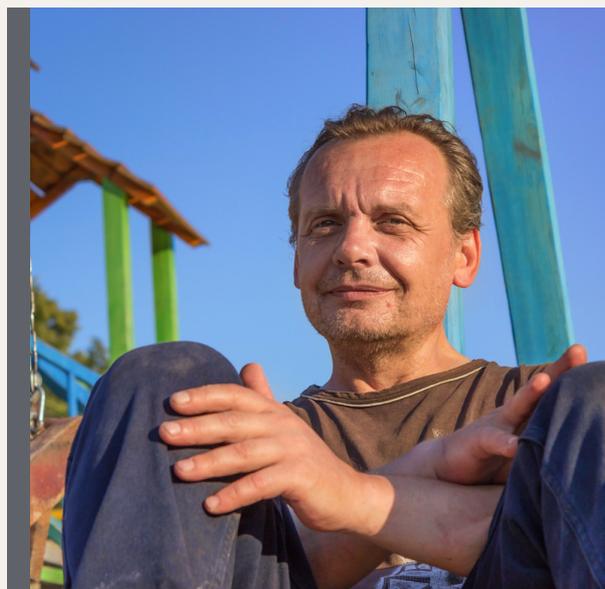


# 14. PARTNER STATEMENTS

# BARNET, ENFIELD AND HARINGEY MENTAL HEALTH NHS TRUST

## OVERVIEW 2016-17

Barnet, Enfield and Haringey Mental Health NHS Trust remains committed to safeguarding all our service users, their families and carers. Our Safeguarding Strategy and associated three year work plan reflects our commitment and drive to ensure effective safeguarding is a shared responsibility both at a local level and with partner agencies. We strive to continually improve systems and processes; and to develop a clear strategic approach to safeguarding across all our services. Our commitment to safeguarding is reflected at Executive Board Level and the Executive Director of Nursing, Quality and Governance is Chair of our Integrated Safeguarding Committee.



The London Multi-Agency Safeguarding Adults Policy and Procedure has been substantially revised and was launched in February 2016. It has been adopted across London and our Trust Safeguarding Adults at Risk Policy has been updated in line with the procedures, ensuring the Care Act 2014 principles and Making Safeguarding Personal (MSP) approach is reflected. We have worked hard to raise awareness of safeguarding, particularly in regard to new categories of abuse such as self-neglect, hoarding and modern slavery.

The London Multi-Agency Safeguarding Adults Policy and Procedure has been substantially revised and was launched in February 2016. It has been adopted across London and our Trust Safeguarding Adults at Risk Policy has been updated in line with the procedures, ensuring the Care Act 2014 principles and Making Safeguarding Personal (MSP) approach is reflected. We have worked hard to raise awareness of safeguarding, particularly in regard to new categories of abuse such as self-neglect, hoarding and modern slavery.

## SAFEGUARDING ADULTS WORK UNDERTAKEN AND KEY ACHIEVEMENTS IN 2016-17

- We have been successful in securing funding from NHS England to pilot a domestic abuse project which aims to demonstrate the need for Independent Domestic Violence Advisors in mental health settings.
- Domestic Violence and abuse training is provided for all staff at Corporate Induction and this is reflected in our referrals to domestic abuse agencies which continue to rise.
- We have improved oversight of data relating to safeguarding activity across the Trust enabling greater oversight and shared learning.
- We have updated and refreshed our safeguarding patient information leaflet using an easy read format.
- We have developed a supportive safeguarding information packs for staff.
- We have worked closely with the patient safety team and patient experience to ensure a triangulated approach to safeguarding.
- We have raised the profile of PREVENT across the organisation and Healthwrap3 training is included for all staff at their Corporate Induction.
- We have worked closely with the local Channel Panels to ensure information regarding concerns relating to potential radicalisation are shared effectively.
- We have mapped our level 3 safeguarding adult training requirement against the Intercollegiate Document for Safeguarding Adults 2016 and offered to all mental health teams.
- Level 1 and 2 safeguarding adult training of 85% or above consistently achieved.
- Effective partnership working across the three boroughs of Barnet, Enfield and Haringey has continued.

## KEY CHALLENGES

The difficulties of collecting accurate meaningful data are recognised and we continue to work with partner agencies to overcome these challenges.

### STATEMENT WRITTEN BY:

Ruth Vines, Head of Safeguarding on behalf of Mary Sexton, Executive Director of Nursing, Quality and Governance

## ENFIELD CARERS CENTRE

ECC supports all carers, wherever they are on their caring journey. We provide a safe, confidential space for carers to help them deal with whatever they're going through. We also offer a holistic range of services such as: peer support groups, counselling, training and information workshops, carers social and leisure breaks.

Family and unpaid carers provide a vital role that is often unrecognised and unappreciated. It was recently estimated that carers save the UK economy over £132billion (Carers UK Valuing Carers Report 2016). Enfield Carers Centre (ECC) believes that carers have a right to enjoy a life outside caring and be well supported while they care for their loved one(s). We also understand that carers don't necessarily choose their caring role and sometimes caring responsibilities bring with them unwanted emotions and unexpected stress that can negatively impact on a carer's life. We recognise that carers can sometimes be victims of difficult and challenging behaviour from their loved one and conversely, sadly pushed to the end of their tether when insufficient support is available to them or their cared for person.

## ACHIEVEMENTS DURING 2016-17

- Active member of Enfield Safeguarding Board
- Reviewed and updated ECC Safeguarding Policy
- Circulation of Carers Keep Safe Guide
- Carer-specific event during Keep Safe Week in February 2017
- Completion of self-assessment of safeguarding
- Attendance at North Central London Challenge and Learning Event
- All Staff attended a safeguarding training session
- Raised safeguarding concerns as appropriate/brought to our attention by or on behalf of carers

## ACTIVITIES PLANNED DURING 2017-18

- Embedding of carer related safeguarding training videos onto ECC website
- Refresher safeguarding training for all ECC staff
- Ongoing commitment to continue raising awareness of safeguarding issues among carers
- Carers' Safeguarding Event during Keep Safe Week 2018

### STATEMENT WRITTEN BY:

Pamela Burke, Chief Executive, Enfield Carers Centre

## ENFIELD BOROUGH POLICE

Enfield Borough Police is committed to making Enfield a safer place to live, work and visit. As a statutory partner on the Enfield Safeguarding Adults Board we continue to work together with partners, communities and local people to prevent harm, abuse and neglect to those at risk. We continue to work in partnership with organisations to prevent offences that target the most vulnerable such as artifice burglary and financial crime.

Senior Police continue to attend the Safeguarding Adult Board on a regular basis and co-chair the Quality, Safety and Performance sub-group. We look forward to continuing this partnership and contributing effectively to ensure that organisations are safeguarding effectively.

### **ACHIEVEMENTS OVER 2016/17**

Enfield Borough Police remain proud to be a partner on the Multi-Agency Safeguarding Hub where we continue to develop our processes to gain greater focus and research into reported adult safeguarding matters. Ethical and proportionate information sharing ensures a partnership led approach to problem-solving, maximising adult safety and the prevention of crime and abuse.

- Focus continues for our front line staff to identify and record safeguarding matters on the MPS Merlin system which is the primary notification channel to strategic partners of risk identified.
- Enhanced ties between police safeguarding units and other crime units such as the Gangs and the Major Crime Unit has been developed.
- Safeguarding training continues to be mandatory for all officers to assist with the identification of safeguarding matters and recording procedures.
- Where cases have been referred for consideration as Safeguarding Adults Reviews, Enfield Police have supported and contributed openly and transparently with all such enquiries in the objective of ensuring best practise identified and areas of development recognised and improved.

### **ACTIVITIES PLANNED FOR 2017/18**

Enfield Borough Police will continue to have safeguarding as a priority across all of the policing activities that we undertake. This be led by Detective Superintendent Tony Kelly who has recently joined Enfield Police and comes with an extensive background of Safeguarding and Public Protection.

- Police will participate at DI and DS level in awareness training on the Mental Capacity Act and Safeguarding with the Local Authority.
- We will continue to develop and contribute to the Multi Agency Safeguarding Hub, with the aim being to capture as many safeguarding adult concerns and referring to appropriate services as possible.
- We will strive to engage with all communities across the Borough to build trust and confidence in the services provided, whilst highlighting the importance of victim care and crime prevention.

#### **STATEMENT WRITTEN BY:**

Alison Cole, Detective Chief Inspector, Enfield Police

## HEALTH, HOUSING AND ADULT SOCIAL CARE, ENFIELD COUNCIL

Every community has a part to play in recognising and reporting adult abuse. Enfield Council as lead for adult safeguarding is working in partnership to help secure freedom from abuse and neglect for those in the Borough. In collaboration with service users, carer, residents and our partner organisations, we want to stop abuse from happening in the first place.

Enfield Council has lead under the Care Act 2014 for making enquiries or causing others to do so when it believes an adult is experiencing, or at risk of, abuse or neglect. This means that when we are aware of a concern we make contact with the person being abused to establish together what action should be take and by who. Our audits have confirmed that we have sound safeguarding practice, with points of learning to ensure we never remain complacent. “Despite pressure in adult social care with an increasing number of concerns progressing under safeguarding, I can see front line staff and managers continuing to strive for excellence. They are a testament to a profession who want to enable people to achieve the best possible outcomes and wellbeing.” Head of Safeguarding Adults and Quality.

In addition to managing single concerns about individuals, we take the lead on Provider Concerns. This is a process to manage serious safety and care issues in organisations through an enabling approach, while holding providers to account to improve. During the year we worked with seventeen providers and with the support from partners feel confident we are helping those who use services to be safe from abuse and neglect.

First and foremost we aim to work in co-production with those who use services and carers. We demonstrated this through our commitments and ongoing support to the Quality Checker project. Through the dedicated service user and carer volunteers we facilitated checks on services and helped to monitor the changes were put in place.

Some of our accomplishments this year included:

- Joint work with the Clinical Commissioning Group to launch the Deprivation of Liberty Safeguards and Mental Capacity Act Policy with care providers
- Leading the Making Safeguarding Personal conference so that we can continue to provide a person centred approach with innovative approaches to enquiries
- A commitment to Safeguarding Adult Reviews and embedding the learning, which we evidence to the Board
- Improved data collection which focuses on wellbeing, meeting outcomes and whether the person feels safer as a result.

We believe strongly in integration, not only as it can create a more efficient partnership, but above all it is about improving the care and support services an adult at risk experiences. Our focus going forward is on the recovery and resilience of adults at risk of or experiencing abuse and the partnership approach to enable this.

### STATEMENT WRITTEN BY:

Bindi Nagra, Assistant Director, Health, Housing and Adult Social Care

## HEALTHWATCH ENFIELD

Healthwatch Enfield was established in 2013 to act as the statutory, independent consumer champion for health and social care services in the borough to:

- provide information and signposting to help the local population to navigate the complex systems of health and social care
- develop a local evidence base of public opinion on health and social care
- seek opportunities for local voices of seldom heard communities to be heard at strategic fora and seek improvements to service delivery.

Our role is to amplify the voice of local people on issues that affect those who use health and care services. We actively seek views from all sections of local communities and try to ensure that our priorities take account of the issues raised with us. We believe that patients and local residents:

- should be a key aspect of any approach to quality
- should be listened to and heard
- need information and increased awareness of safeguarding issues.

We are pleased to see that Safeguarding Adults Board have been placed on a statutory footing and that Healthwatch is a member of the Board; this allows us to provide challenge and inject the issues raised by local people into how safeguarding is developed.

Healthwatch Enfield directly contributed to the development of the Safeguarding Adult Board's three-year strategy 2015-2018 as well as the 2017/18 SAB Action Plan. We welcomed the focus on advocacy and asked for additional clarity on performance indicators.

### **OUR CONTRIBUTION TO SAFEGUARDING 2016/2017**

In terms of safeguarding, Healthwatch has:

- supported the work of the Safeguarding Adults Board, to ensure that the patient's/ local people's voice is central to service planning and any case reviews
- had representation on the SAB's Quality Performance and Safety (QPS) group
- ensured that our Board, staff and volunteers are trained to understand and follow up any safeguarding concerns identified by us or raised with us in our work locally
- supported awareness-raising about safeguarding issues amongst our community partners and communities as part of other engagement activities.

A Healthwatch representative also attended the North Central London Challenge and Learning event for Safeguarding Adults Boards. This enabled us to provide positive support for the voice of patients and local peoples to be raised amongst senior members across partner organisations.

Going forward, Healthwatch Enfield intends to continue to support the Board and contribute towards this important area of protecting some of the most vulnerable people from abuse and harm.

#### **STATEMENT WRITTEN BY:**

Parin Bahl, Volunteer

## LONDON FIRE BRIGADE – ENFIELD BOROUGH

We believe that all residents have the right to be treated fairly, with dignity and respect, and to feel safe from abuse. Through our strong commitment to safeguarding and a keen desire to work in partnership, the London Fire Brigade is acting to ensure abuse and neglect are identified and reported, while preventing harm and minimising the risk.

Our primary aim is to reduce the risk of harm from fire to those most vulnerable within the community. We do this not only be home fire safety visits, but working with partners on the Safeguarding Adults Board to identify those at highest risk and provide the advice and support to improve safety.

Our safeguarding responsibilities include regular attendance at the Safeguarding Adults Board, to provide support and challenge to the partnership so that we can be assured we are effectively responding to the abuse and neglect of adults at risk. The Borough Commander for the Enfield Borough LFB currently sits on the Board, as well as having lead officers contribute to the sub-groups which enable the Board to carry out its duties. We have maintained an active participation in the Safeguarding Adults Board and are proud to be part of a strong partnership that collaborates to improve outcomes for those most vulnerable.

### KEY ACHIEVEMENTS 2016-2017

- Attending safeguarding meetings to contribute to the safety planning with partners and adults at risk
- Completing home fire safety visits for those undergoing a section 42 enquiry, so that we can work together to find ways to minimise the risk of fire
- Exceeding our home fire safety assessment target, so that we know that more people in the community have fire safety advice and working fire alarms
- Presenting at the Quality, Safety and Performance sub group of the Board, to help highlight and develop the partnership approach

### THE DIFFERENCE WE HAVE MADE TO AN ADULT AT RISK

The London Fire Brigade worked with an gentleman who was bed bound but smoked, placing him at risk of fire. Fire retardant bedding was provided and when this was not being appropriately used and safeguarding partners were in touch, the LFB did another home visit. Additional guidance was provided to the client and new fire retardant bedding, alongside several recommendations to the partnership to help safeguard this client. This included for example a fire suppression system and balancing the rights of the individual with this need to prevent harm.

### PRIORITIES 2017-2018

We will continue to prioritise the fire prevention and safety across all areas of Enfield. This includes awareness to local partners and organisations on the risk of fire due to hoarding and the partnership response needed to work with adults in this area. We have a strong commitment to Making Safeguarding Personal, and will continue to provide an individualised response in safeguarding cases to enable adults to achieve their outcomes.

#### STATEMENT WRITTEN BY:

Steve West, Borough Commander for Enfield

# NHS ENFIELD CLINICAL COMMISSIONING GROUP

## **INTRODUCTION: WHAT TYPE OF BODY IS NHS ENFIELD CCG?**

NHS Enfield CCG is a clinically-led statutory NHS body which is responsible for planning and commissioning health care services for the Enfield area.

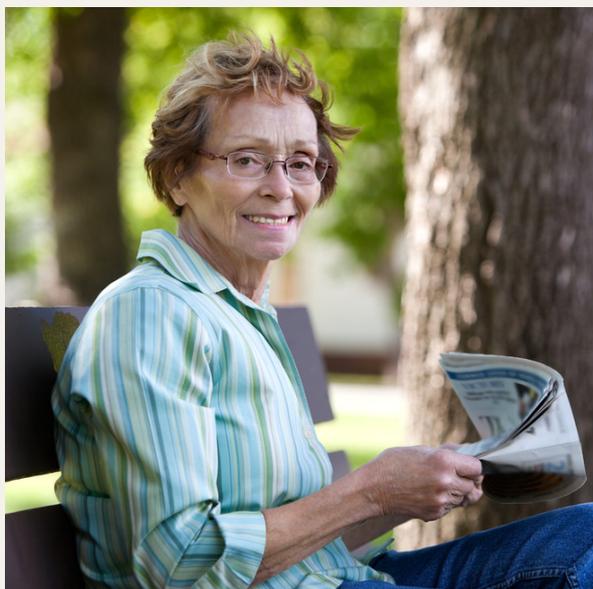
NHS Enfield CCG is supported by NHSE England London region which has three roles in relation to the CCG. The first is assurance: NHS England has a responsibility to assure themselves that the CCG is fit for purpose, and is improving health outcomes. Secondly, NHS England supports the development of the CCG. Finally, NHS England is a direct and supporting commissioner, responsible for specialised services and primary care.

NHS Enfield CCG has key responsibilities towards safeguarding which are set out in the NHS Safeguarding Assurance and Accountability Framework (2015) to ensure that the services they commission have safeguarding systems and processes in place to safeguard and promote the welfare of adults and to protect those at risk from abuse.

## **HOW HAS NHS ENFIELD FULFILLED ITS SAFEGUARDING RESPONSIBILITIES THIS YEAR?**

Safeguarding adults has remained a very high priority for both commissioners and providers of NHS services during 2016/17. NHS Enfield (the CCG) operates within the NHS Standard Contract. The wording in the Contract regarding safeguarding arrangements was strengthened in 2015/16. Specific requirements were included to comply with relevant law and updated guidance, along with clearer provisions on staff training and audit. The CCG has worked to develop and review Provider contracts with the CCG so that they include all necessary safeguarding elements as per the NHS Standard Contract section 32. Work has also been completed to update the policies for safe recruitment and on managing allegations against people who work with the adult public following the Myles Bradbury case in Cambridge University Hospitals.

The CCG's safeguarding leads are up to date with their safeguarding training and have access to appropriate supervision. They provide supervision for named safeguarding staff in provider organisations. Safeguarding adults' training forms part of the mandatory training programme for all staff employed by the CCG. Additionally, the CCG has established a GP Forum on safeguarding which has helped to implement recommendations from Domestic Homicide reviews and safeguarding adults' reviews.



A Primary Care Safeguarding Conference was held in 2016 in order to engage GPs and Primary Care Staff to enable them to embed their knowledge in safeguarding matters. We are delighted to say we have a Named GP for safeguarding Adults who is working in the MASH and providing advice and clinical guidance in order to facilitate adult safeguarding referrals. We have a Nurse assessor in our Nursing Homes who is able to investigate provider concerns quickly and ensure that the Nursing Homes are safe for us to commission.

The CCG has developed a Mental Capacity Act and Deprivations of Liberty Policy jointly with Enfield Local Authority for all Nursing homes in Enfield.

The safeguarding team at the CCG has endeavoured to ensure that the CCG and the health economy learns from Safeguarding Adults Reviews (SARs) and Domestic Homicide Reviews . The CCG has engaged in a SAR and 5 Domestic Homicide Reviews over the past year; The Named GP for Adults at risk completed an Independent Management Report for primary care services provided in Enfield. The CCG Adult Safeguarding Lead has acted as Safeguarding Adult Review and Domestic Homicide Review panel members. This representation has enabled the CCG to support the Board in its statutory duties and help the CCG to address the challenge of enabling SAR learning to be embedded across the health economy.

The CCG has received regular monitoring reports from providers on adult safeguarding within their services including evidence of training compliance.

## WHAT PLANS DOES ENFIELD CCG HAVE TO IMPROVE SAFEGUARDING PRACTICE FURTHER?

- The CCG has engaged a clinical expert from Buckinghamshire New University to work with the Safeguarding team both in the CCG and with the Local Authority in developing a pressure ulcer protocol. This will be rolled out in collaboration with the Nursing Homes in Enfield.
- A conference to enhance safeguarding knowledge amongst stakeholders is planned for July 2017.
- We will continue to use the GP Forum to discuss safeguarding updates and to prioritise the dissemination of learning from SARs and DHRs.
- We will establish the use of the Pressure Ulcer Policy in Nursing Homes.
- We are developing the learning from disability deaths review protocols in the CCG and staff will access appropriate training in order to be able to comment authoritatively on reviews in line with the new LeDer Statutory Responsibilities.

### STATEMENT WRITTEN BY:

Julie Dalphinis, Adult Safeguarding Lead, NHS Enfield Clinical Commissioning Group

## ONE-TO-ONE (ENFIELD)

One-to-One (Enfield) is very committed to protecting our members' physical and psychological well-being and safeguarding them from all forms of abuse. We recognise that safeguarding is a responsibility for everyone, and therefore seek to ensure that safeguarding is a priority throughout the organisation.

We have a project to raise awareness and understanding of Hate Crime, and hold regular workshops for staff, carers and people with learning difficulties. We have launched a DVD and booklets to raise awareness on Hate Crime so people can recognise and report it.

To ensure our members are safeguarded against any abuse, we work with the Integrated Learning Disabilities Team.

One-to-One (Enfield) has a positive relationship between members, staff, volunteers and other partner organisations that encourages people to be open about concerns and helps people to learn from each other. There are continuous training and development opportunities for staff and volunteers.

### STATEMENT WRITTEN BY:

Nusrath Jaku, Volunteer Co-ordinator

# THE ROYAL FREE NHS FOUNDATION TRUST

The Royal Free NHS Foundation Trust (RFL) has continued to build on the strong foundations of safeguarding that were already in place. Our safeguarding strategy sets out how we plan to drive forward our safeguarding activities and our reputation over the next 3 years. It acknowledges the requirements to ensure there is board level focus on the needs of patient safety and that safeguarding is an integral part of the governance framework.

In August 2016, NHS Improvement accredited the RFL to lead groups or chains of NHS providers, to be a Vanguard Trust, one of four acute trusts chosen in the UK. Discussions are currently in progress between the RFL and North Middlesex University Hospital NHS Trust (NMUH) to identify how the two organisations can work together for the benefit of their patients and the local communities.

## SAFEGUARDING ADULTS WORK UNDERTAKEN AND KEY ACHIEVEMENTS IN 2015/16

We have consolidated our team with the appointment of two Adult Safeguarding Advisors and the successful applicants have now started their roles, one in Barnet and Chase Farm and one in the Royal Free Hampstead.

We developed an electronic flagging system for the nursing handover sheet at each site to increase awareness. These symbols will remain on the system if patients are re-admitted again. The symbols for someone coming into the organisation with a Learning Disability, DoLS or a Safeguarding Concern will look like this.



Referral rates have increased from April 2016 and March 2017 by another 9% for 2016 – 2017:

- **470** Safeguarding alerts raised at the Royal Free Hospital
- **483** Alerts for Barnet Hospital and Chase Farm Hospital (increase of 25 %)

We believe the increase in referrals can be attributed to the permanent appointment of the Barnet and Chase Farm Adult Safeguarding Advisor.

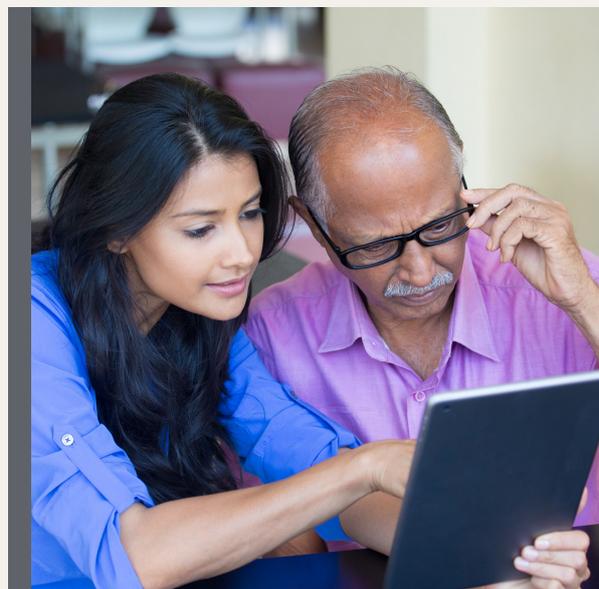
We have also increased the number of DoLS applications across all sites in the past year.

There were **168** applications across the trust in 2015/ 2016, this has increased by 58% to 265 for 2016/2017.

In terms of training, our figures are consistently in the 80% range for delivering MCA/DoLS and Safeguarding adults. We have developed a level 3 training schedule to comply with the “Safeguarding Adults: Roles and Competence for health care staff – Intercollegiate Document” which is expected in 2017.

We held a very successful conference called ‘Tackling Domestic Abuse’ which was attended by 153 candidates many from our local partners organisations.

The Royal Free London NHS Foundation Trust initially signed up to be a pilot site for The Learning Disability Mortality review programme.



Our two liaison nurses are reviewers for the programme and are members of the Pan London Steering Group.

We have published a newsletter from the integrated safeguarding team, this will be available every six months and we use it to introduce the team, educate and promote on any key themes and to update on local and national developments in safeguarding.

We have supported Enfield with a Domestic Homicide Review and continue to be active partners in the Board and Sub Groups.

## **KEY CHALLENGES AND PRIORITY FOR 2017/18**

- Deliver the PREVENT agenda across the Trust
- Develop and deliver safeguarding adult supervision
- Develop a supervision policy
- Develop a Restraint policy
- Develop and deliver level 3 safeguarding adult training

### **STATEMENT WRITTEN BY:**

Dee Blaikie, Adult Safeguarding Lead

This report is designed by Enfield Council Design & Print Service. Please call 020 8379 5283 for information on how they can help you with your design and print requirements.

**Strategic Safeguarding Adults Service  
Health, Housing and Adult Social Care**

July 2017



**MUNICIPAL YEAR 2017/18 REPORT NO: 103**

**MEETING TITLE AND DATE:**  
Council – 22 November 2017

**REPORT OF:**  
Chief Executive

Contact officer and telephone number:  
Governance & Scrutiny Manager  
Claire Johnson 0208 379 4239

<b>Agenda - Part:</b> 1	<b>Item:</b> 9
<b>Subject:</b> Petition Scheme Review	
<b>Wards: All</b>	

## 1. EXECUTIVE SUMMARY

- 1.1 The Council's petition scheme was last reviewed in September 2012 when the Localism Act 2011 removed the duty on the Council to maintain a statutory scheme.
- 1.2 The Council still has a duty to promote local democracy and therefore the petition scheme is retained, however, it is now timely to undertake a further review to ensure the scheme is clear and effective.

## 2. RECOMMENDATIONS

- 2.1 To approve the proposed changes to the scheme shown in appendix A.

## 3. BACKGROUND

### 3.1 The Current Petition Scheme

- 3.2 The Council has a well used Petition Scheme, with over 280 petitions submitted since it began in 2010.
- 3.3 Under the Council's petition scheme, the Council is currently required to respond to all compliant petitions and set thresholds for taking certain steps in response to a petition where practicable.
- 3.4 Petitions with 3,124 signatures must trigger a debate of full Council which would be concluded with a decision being taken by the Council in respect of the petition and 1,562 must trigger a debate at the Overview & Scrutiny Committee.

3.5 For those petitions with less than either of the specified number of signatures, one of the following steps must be taken;

- Taking the action asked for
- Taking action that is different but achieves the same desired results
- Writing to explain why we will not take the action
- Organising a public meeting or a meeting with the petitioners
- Considering the petition as part of a wider consultation, for example consultations on planning and licensing applications
- conduct further research or consult with others
- We may call a referendum
- We may approach another organisation on your behalf to ask them to respond to the petition.

#### **4.0 Review of the scheme**

##### **4.1 Valid signatures**

4.2 The current petition scheme does not stipulate that someone signing a petition must either live work or study in the Borough, this is different from most other authorities.

4.3 A desktop exercise looking at the London Boroughs showed that 27 out of the 33 required anyone signing a petition to provide an address within the Borough, this could be home, work or study.

4.4 Further analysis of the petitions received shows that of the petitions that have triggered a Full Council debate over 10% and up to 60% of signatures have been from outside of the borough.

4.5 for example :

‘Keep our local advice centre’ had 3,382 signatures, 2939 had an Enfield address, 442 were outside the borough, and 1 was outside the UK.

‘Save the Green Dragon Pub’ had 4107 signatures. 3,367 had an Enfield address, 740 were out of borough signatures

‘Save Trent Park’ had 3731 signatures, of these 2316 had an Enfield address, 1285 were outside of the borough, and 130 were outside the UK.

‘Protection of Green Belt Land and Wildlife at Enfield Road’ had 3,462 signatures of these 1424 had an Enfield address, 1708 were out of borough and 330 were outside the UK.

4.6 The views of those that live, work and study in Enfield are important to the Council, and a change to the scheme to accept that a valid signature is an

address within the Borough of Enfield, and can be home, work or study, or an address in an Enfield-owned Council estate outside of the borough (in Potters Bar and Cheshunt) would show this commitment. It would also be consistent with other Boroughs.

## **5.0 Complaints route**

- 5.1 Currently, if the petition organiser is not happy with the way the petition was dealt with, the scheme allows the petition organiser to request a review by the Councils Overview & Scrutiny Committee of the steps taken.
- 5.2 The proposed change to this is if the petition was considered and a response given by Officers then concerns can be raised through the Council's complaints system.
- 5.3 If the petition was considered and debated at either an Overview & Scrutiny meeting, or Full Council, then concerns will be raised with the Chair of OSC who will consider how best to respond, depending on the nature of the concerns.

## **6.0 Exempt petitions**

- 6.1 The list of exempt items that can't be dealt with through the petition scheme needs clarification. Again, a desktop exercise looking at other authorities' schemes has provided some good examples.
- 6.2 Additional items have been added to the paragraph "petitions which we cannot accept" please see the attached document.

## **7. ALTERNATIVE OPTIONS CONSIDERED**

There is no statutory requirement to have a petition scheme, however, it remains good practice to have one.

## **8 REASONS FOR RECOMMENDATIONS**

The proposed changes will provide clarification to the process.

## **9 COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

### **9.1 Financial Implications**

The scheme is supported within existing resources.

### **9.2 Legal Implications**

The recommendations set out in this report are within the Council's powers and duties.

The statutory duty to have a petition scheme was repealed under the Localism Act 2011. Upon abolition of this duty the Council resolved to retain its petitions scheme in the interests of promoting democracy.

The Council has power under section 1(1) of the Localism Act 2011 to do anything that individuals generally may do, provided it is not prohibited by legislation and subject to Public Law principles. There is no express prohibition, restriction or limitation contained in a statute against use of the power in this way. In addition, section 111 of the Local Government Act 1972 gives a local authority power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

The Council has statutory duties regarding the collecting, processing and storage of personal data and a privacy information notice is contained in the Council's Petitions Scheme.

### **9.3 Property Implications**

None

## **10 KEY RISKS**

None

## **11 IMPACT ON COUNCIL PRIORITIES**

### **11.2 Fairness for All**

Maintaining the current scheme ensures that all residents have the opportunity to petition the Council on matters of concern

### **11.3 Growth and Sustainability**

None

### **11.4 Strong Communities**

This allows communities to come together for a common cause

## **12 EQUALITIES IMPACT IMPLICATIONS**

## **13 PERFORMANCE MANAGEMENT IMPLICATIONS**

## **14 HR IMPLICATIONS**

None

## **15 PUBLIC HEALTH IMPLICATIONS**

None

## APPENDIX A

# Petitions Scheme for the London Borough of Enfield

Reviewed October 2017

## 1. Petitions

The Council will consider all petitions that fall within the scope of this scheme. A petition template and signature sheet is attached as Appendix 1. This sets out the information we need to consider your petition:

If you need any advice, please contact the Governance & Scrutiny Team on 020 8 379 6151 or by email at [Democracy@enfield.gov.uk](mailto:Democracy@enfield.gov.uk)

We accept both paper and e-petitions. The requirements of the Councils petition scheme apply to both paper and e-petitions. E-Petitions can either use the Councils system which can be found on the Council's website, or one of the many national websites available, however please check that these meet the requirements of the Councils petition scheme before using them.

Paper petitions can be sent to:  
**The Governance & Scrutiny Team**  
Chief Executive's Department  
London Borough of Enfield  
Civic Centre  
Silver Street  
Enfield  
Middlesex  
EN1 3XF  
Tel: 020 8379 6151

### **e-petitions:**

To submit an e-petition you will need to register on the Council's petition page. Registration is simple requiring a few details in case we need to contact you.

On the e-petition page, select 'submit a new petition' and follow the prompts from there. Your online form will be submitted to the Governance & Scrutiny Team.

You must let us know when you would like your e-Petition to go live on the website, and a date for when your e-petition will stop collecting signatures.

The Council accepts no liability for the petitions on these web pages. The views expressed in the petitions do not necessarily reflect those of the Council.

When the e-petition reaches its' closing date, you will no longer be able to sign it online. The petition will then be dealt with in line with the scheme.

## APPENDIX A

The Council will acknowledge receipt of a petition within ten working days. In all cases **the relevant Cabinet member** and senior officer (**at Assistant Director level**) will be informed, if the petition relates to a particular part of the Borough, then we will also notify the local ward councillors.

### 2. Who can submit a petition?

Any person who lives, works or studies in Enfield **or is resident in a Enfield-owned Council estate outside of the borough (in Potters Bar and Cheshunt)** can organise a petition, including those under the age of 18. The address provided must be an address within the borough of Enfield **or an out-borough estate**: it may be the home, work or study address.

### 3. Who can sign a petition?

Any individual can sign a petition and may be any age and should provide an address which shows that they live, work or study in Enfield **or lives on an Enfield-owned out-borough estate or in temporary accommodation provided by the borough**. You can only sign a petition once.

### 4. What are the guidelines for submitting a petition?

Petitions submitted to the council must:

- Contain the name, a valid address with postcode, and the signature of any person supporting the petition. A valid address is within the Borough of Enfield and can be a home, work or study address **and includes Enfield-owned out-borough estates or temporary accommodation provided by the borough**.
- Include a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take
- have the petition organisers contact address This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the website.
- relate to a matter for which the authority has responsibility and which affects the authority or its area

### 5. Are there petitions the Council cannot accept ?

The majority of petitions we receive will be accepted but there are some circumstances where we will not be able to deal with your petition under this scheme. In order to avoid contempt of court or prejudice to the Council's position, and duplicating procedures where established processes already exist, some matters are excluded from this scheme:

- petitions which in the opinion of the Monitoring Officer are considered vexatious, defamatory, offensive, **frivolous** or

## APPENDIX A

abusive ~~or otherwise inappropriate~~ will not be accepted.

- **any matter that does not engage the council's responsibilities including, matters which relate to the proceedings of a political party, and matters that are the subject of electoral law.**
- petitions which relate to any matter that is, **or is likely to be, the subject of legal proceedings. This includes petitions which the Monitoring Officer considers would put the Council at risk of constituting a contempt of court, or any petition which is asking the Council to do anything unlawful.**
- in the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply
- if a petition does not follow the guidelines set out above, the council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.
- any matter where there is already an existing way of making representation and a process for right of appeal **such as Planning, Licensing, council tax banding and non-domestic rates, where the existing procedures will be used.**
- **requesting a statutory petition (for example requesting a referendum on having an elected mayor)**
- names or clearly identifies an employee of the authority or any matter relating to an individual
- petitions which are substantially the same as a petition which has been considered under the petition scheme within the last 12 months as agreed by the Monitoring Officer.
- **involve the disclosure of confidential or exempt information as defined under Schedule 12A to the Local Government Act 1972 (as amended by the Local Authorities (Access to information)(Exempt Information)(England) order 2006)**

### **6. What will the Council do when it receives my petition?**

An acknowledgement will be sent to the petition organiser within ten working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website, except in cases where it would be inappropriate to do so.

## APPENDIX A

If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed.

**Where the subject matter of the petition relates to a matter which is, or will shortly be the subject of statutory or non-statutory consultation by the authority, the Monitoring Officer may elect to include the petition in the consultation process. You will be informed if this is the route that has been taken.**

If the petition has enough signatures to trigger a debate at Council or at Overview & Scrutiny then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

The Council reserves the right to verify signatures as required. Please ensure each signatory has given a valid address and postcode. These signatures will be taken into account when identifying if a debate at Overview & Scrutiny, or Full Council has been triggered. Any signature without a valid address, or duplicates will be discounted.

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- a) taking the action requested in the petition
- b) considering the petition at a council meeting
- c) holding an inquiry into the matter
- d) undertaking research into the matter
- e) holding a public meeting
- f) holding a consultation
- g) holding a meeting with petitioners
- h) referring the petition for consideration by the Council's Overview and Scrutiny Committee
- i) writing to the petition organiser setting out our views about the request in the petition
- j) referring the petition for consideration to the Councillor Conduct Committee**

If your petition is about something that a different authority is responsible for, for example a local railway or hospital, we will consider the best method for responding; this may consist of simply forwarding your petition to that body, or the council may consider making representations on behalf of the community to the relevant body. This may depend on whether the petition conflicts with Council policy. In any event, we will always inform you of the action taken.

### 7. Full Council debates

If the petition contains at least 1% of the assessed population figure from the 2011 Census (3,124) as published by the Office of National Statistics it will be debated by the full Council unless it is a petition asking for a senior council officer to give evidence at a public meeting.

## **APPENDIX A**

This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting.

The petition organiser will be advised of the date for full Council and the time allowed for presentation of the petition. The petition organiser will be contacted by the Governance & Scrutiny Manager to clarify what remedy is being sought and to advise of the option of having their Councillor present their petition. The Governance & Scrutiny Manager will prepare a report detailing the subject of the petition and what action the Council and/or partners is being asked to take and arrange for this issue to be placed on the appropriate Council agenda to suit all parties.

The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of fifteen minutes.

The council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee.

Where the issue is one on which the council executive are required to make the final decision, the council will decide whether to make recommendations to inform that decision.

The petition organiser will receive written confirmation of the Council's decision. This confirmation will also be published on our website.

### **8. Officer evidence**

Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

If the petition contains at least 0.5% of the assessed population figure from the 2011 Census (1,562) as published by the Office of National Statistics the relevant senior officer will give evidence at a public meeting of the council's Overview and Scrutiny Committee. The petition organiser will be contacted by the Governance & Scrutiny Manager to clarify what remedy is being sought and to advise of the option of having their Councillor present their petition. The Governance & Scrutiny Manager will prepare a report detailing the subject of the petition and what action the Council and/or partners is being asked to take and arrange for this issue to be placed on the appropriate Overview and Scrutiny Committee agenda to suit all parties.

### **9. What can I do if I feel my petition has not been dealt with properly?**

## APPENDIX A

**If you feel that we have not dealt with your petition properly, the petition organiser has the right to request a review of the steps that the Council has taken in response to your petition.**

**If your petition was considered and a response given by Officers then please send your concerns to the Council via the Council's complaints system which can be accessed via the Council's website. If you remain dis-satisfied you can submit a complaint to the Local Government and Social Care Ombudsman.**

**If your petition was considered and debated at either an Overview & Scrutiny meeting, or Full Council, then please request a referral to the Chair of OSC who will consider how best to respond, depending on the nature of the concerns, please email [democracy@enfield.gov.uk](mailto:democracy@enfield.gov.uk).**

### **10. Privacy policy**

The details you give us are needed to validate your support and your details will not be published on the website. This is generally the same information required for a paper petition. The Council may contact you in relation to any petitions you have signed, unless you have requested not to be contacted when signing the e-Petition.

London Borough of Enfield is the data controller for personal information collected in respect of both the Council's E-petition facility and for paper petitions.

Personal details will automatically be removed 4 years after the closing date of the petition. However, should you wish your name to be removed before this time please contact the Governance & Scrutiny Team via [Democracy@enfield.gov.uk](mailto:Democracy@enfield.gov.uk).

**MUNICIPAL YEAR 2017/2018 - REPORT NO.****100****MEETING TITLE AND DATE****Council**

22 November 2017

**REPORT OF:**Jayne Middleton-Albooye – Head of  
Legal Services

Contact officer and telephone number:

Jayne Middleton-Albooye

E mail: [Jayne.Middleton-Albooye@enfield.gov.uk](mailto:Jayne.Middleton-Albooye@enfield.gov.uk)

Tel: 0208 379 6438

<b>Agenda - Part: 1</b>	<b>Item: 10</b>
<b>Subject:</b> Review of Councillor Code of Conduct Procedures for Handling and Hearing Complaints against Elected and Co-Opted Members	
<b>Wards: Not Ward Specific</b>	
<b>Key Decision No: N/A</b>	
<b>Cabinet Member consulted:</b>	
Not Applicable	

**1. EXECUTIVE SUMMARY**

The report is to seek Council's approval for changes to the Councillor Code of Conduct procedures for handling and hearing Complaints against Councillors and Co-opted members.

On 5 October 2017 the Councillor Conduct Committee agreed to recommend changes to the procedure for handling complaints against elected and co-opted members which are put forward in this report.

The changes concern the ability of the Monitoring Officer to pursue complaints, even when they have been withdrawn by the complainant and to include the procedure for hearing complaints in the Council Constitution.

**2. RECOMMENDATIONS**

That Council approve:

- 2.1 A change to the Councillor Code of Conduct procedures for handling complaints against elected and co-opted members to enable the Monitoring Officer to pursue complaints if she/he thinks that these warrant further investigation even if they have been withdrawn. The full text of the change is included in para 3.5 of the report.

2.2 To include the procedure for hearing complaints (as attached as appendix 2 to this report) as an appendix to the Councillor Code of Conduct in the Council Constitution.

### 3. BACKGROUND

- 3.1 The Procedure for Handling Complaints against Councillors and Co-opted Members, attached as Appendix 1, was adopted by Council on 4 July 2012 and previously amended by the Councillor Conduct Committee on 22 October 2013. Given that the last review was over 3 years ago, at its meeting on 10 October 2016, the Committee asked the Monitoring Officer to carry out a review of the procedure and report back to the Councillor Conduct Committee with recommendations for any changes.
- 3.2 The recommendations were considered and agreed for recommendation to Council by the Committee on 6 October 2017 and are now being put forward to Council for agreement. The changes are also supported by the Council's two Independent Persons.
- 3.3 The procedure sets out the current process for dealing with complaints.
- 3.4 It currently has no provision to allow the Committee or the Council Monitoring Officer in consultation with the Independent Person(s) the flexibility to consider complaints which have either been withdrawn or have been resolved in another way, This provision could be required where a serious breach has occurred or where it is in the public interest for it to be considered by the committee.
- 3.5 As part of the review the Monitoring Officer looked at inserting an additional paragraph into the Procedure for Handling Complaints against Councillors and Co-opted Members under Paragraph 5, Consideration of Complaints by Monitoring Officer, which would give the Monitoring Officer in consultation with an Independent Person(s) the authority to pursue further a potential breach of the code even if it had been withdrawn:-

“Where a registered complaint is subsequently withdrawn or resolved outside the Procedure, the Monitoring Officer in consultation with Independent Persons(s) has the discretion to decide if the matter has been adequately and/or proportionately resolved or whether, given the substance of the original complaint, it should be escalated to the Committee for further consideration/resolution”.

- 3.6 The procedure for hearing complaints was first agreed by Council in ??? (appendix 2). It was not included in the Council Constitution with the Code of Conduct and the Procedure for Handling Complaints. The Councillor Conduct Committee agreed that this was an omission and that it made

sense for it to be included so that all the necessary complaints information can be found in one place.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

To leave the complaints process unchanged but this would mean that there would continue to be no provision to enable the Monitoring Officer to continue with a complaint where he/she feels it is necessary.

#### **5. REASONS FOR RECOMMENDATIONS**

As set out in the report

#### **6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

##### **6.1 Financial Implications**

There are no financial implications. Any changes will be covered within existing resources.

##### **6.2 Legal Implications**

The Localism Act 2011 (“the Act”) sets out the requirements for local authority to secure a code of conduct and to ensure arrangements are in place to investigate allegations of misconduct of Councillors. The report complies with the Act.

##### **6.3 Property Implications**

There are no property implications

#### **7. KEY RISKS**

None identified

#### **8. IMPACT ON COUNCIL PRIORITIES**

##### **8.1 Fairness for All , Growth and Sustainability and Strong Communities**

The proposals in the report meet the council priorities.

#### **9. EQUALITIES IMPACT IMPLICATIONS**

An equality impact assessment was not necessary for this decision.

**10. PERFORMANCE MANAGEMENT IMPLICATIONS**

There are no performance management implications.

**11. PUBLIC HEALTH IMPLICATIONS**

There are no public health implications.

**Background Papers – None**

Appendix 1: Procedure for Handling Complaints against Councillors and Co-opted Members.

Appendix 2: Procedure for Hearing Complaints against Councillors and Co-opted Members.

# London Borough of Enfield

## Procedure for Handling Complaints against Councillors and Co-opted Members

### 1. Introduction

- 1.1 The Council has established a Councillor Conduct Committee to implement the relevant requirements of Section 28 of the Localism Act 2011. These include arrangements for dealing with allegations that a councillor or co-opted member has failed to comply with the Authority's Code of Conduct.
- 1.2 The Councillor Conduct Committee comprises 4 members of the Council and deals with policy, complaints against councillors and issues concerning the members' Code of Conduct. The Localism Act also set up a role of Independent Person who will be consulted in respect of complaints received and before findings and sanctions are agreed. The Independent Person will not be a councillor and will be drawn from the local community. The Council has agreed to appoint two Independent Persons who will be recruited through public advertisement and a competitive interview process. Further information on the role of the Committee and the Independent Persons can be found at (insert hyper link)
- 1.3 Further reference to 'councillor' or 'member' in this document also refers to co-opted members of the Authority.

### 2. Key principles

The procedure for dealing with complaints should:

- 2.1 Be relevant to the Council's Code of Conduct
- 2.2 Have the confidence of the public, Council members and council staff.
- 2.3 Be as simple and economical as possible
- 2.4 Be speedy and fair to all parties
- 2.5 Be decisive
- 2.6 Provide oversight and support to the Monitoring Officer
- 2.7 Be proportionate and comply with the principles of natural justice

### **3. Criteria for eligibility of complaints**

- 3.1 Complaints must be received by the Council's Monitoring Officer in writing within three months of the alleged matter, stating why it is felt the councillor concerned has breached the Code of Conduct. It will be considered solely on the evidence presented. The Council encourages complainants to provide their name and contact details. If the complainant asks for their identity to be protected, the Council will not disclose such details without their consent. The Council will not accept anonymous complaints. The Monitoring Officer will consult the Councillor Conduct Committee or relevant Independent Person as appropriate throughout the process – subject to neither being at risk of being compromised in the event of them being involved at some future point.
- 3.2 Complaints will not be accepted where:
- (a) They are considered to be malicious, vexatious or frivolous
  - (b) The subject matter has already been considered by the Council - except where new evidence has become available which could not previously have been produced
  - (c) It would be more appropriate for the complaint to be dealt with by a court or under another complaints or arbitration procedure
  - (d) One of the parties had registered their intention to take legal action on all or some of the matters complained about
  - (e) Legal action is under way
  - (f) Some or all of the matters complained about have been resolved through litigation.
  - (g) The complaint is being/has been dealt with by another independent complaints process.
  - (h) The complainant seeks to overturn decisions made by the Council.
- 3.3 If a complaint is rejected on the basis of 3.2 above, there is no right of appeal.

### **4. Process**

- 4.1 All complaints must be made using the Councillor Conduct Complaint Form attached as Appendix 1.
- 4.2 The Council will use its best endeavours to determine a complaint within 3 months of receipt. It will acknowledge the complaint within 5 working days, giving the complainant a contact name and details. The complainant will be kept informed of progress throughout. The process may include:
- (a) Requests for further information/evidence
  - (b) Informal resolution to the satisfaction of all parties

- (c) Mediation
  - (d) Investigation and/or
  - (e) Referral to the Councillor Conduct Committee where the Monitoring Officer feels it would not be appropriate for him/her to take a decision
- 4.3 The Monitoring Officer, based primarily on the criteria set out in paragraph 3.2 above, will consider the complaint received and, in consultation with an Independent Person, will determine whether it warrants further action.
- 4.4 If it is decided that the complaint does not warrant further action as it falls within the criteria in 3.2, the Monitoring Officer will advise the complainant accordingly with reasons.
- 4.5 If the complaint is referred for further action, the Monitoring Officer will determine, in consultation with the Independent Person, the most appropriate way of dealing with the complaint. The Monitoring Officer can either decide to determine the matter her/himself or refer it to the Councillor Conduct Committee.

## **5. Consideration of Complaints by Monitoring Officer**

- 5.1 The Monitoring Officer may decide to undertake any investigation and other actions him/herself or appoint another person to act as investigating officer on his/her behalf. Whichever option is chosen, the outcome will be the responsibility (and in the name) of the Monitoring Officer.
- 5.2 Following an investigation which may involve requests for further information and advice, the Monitoring Officer or his/her representative will seek to resolve the matter to the satisfaction of all parties or carry out mediation.
- (a) If the complaint is resolved, there will be no further action.
  - (b) If this is not possible the Monitoring Officer will either determine the matter her/himself or refer it to the Councillor Conduct Committee at this stage.
- 5.3 The Monitoring Officer will report quarterly to the Councillor Conduct Committee on:
- (a) The number and nature of complaints received
  - (b) Those rejected with reasons
  - (c) Those resolved through informal resolution and other methods (eg mediation)
  - (d) The number investigated,
  - (e) Outcome/progress of investigations and action taken.

## **6. Appeals against Monitoring Officer decisions**

- 6.1 In cases where the Monitoring Officer has either found no breach of the code or has determined the matter him/herself the complainant will have a right of appeal against this decision.

A councillor will also have a similar right of appeal against a Monitoring Officer decision.

- 6.2 Such appeals must be submitted on the template attached as Appendix 2 within 10 working days of the receipt of the decision.
- 6.4 Appeals under 6.1 above will be considered by the Councillor Conduct Committee, with advice from an Independent Person not previously involved, if available.
- 6.5 When considering the appeal the Councillor Conduct Committee will follow the procedure for appeal hearings (to be reviewed).
- 6.6 The attendance of the appellants will not be required unless the committee decides otherwise
- 6.7 If the Councillor Conduct Committee do uphold the appeal, and consider that there has been a breach of the code, they will have the option of considering further action, imposing sanctions or adjourning to seek further information.
- 6.8 There is no further right of appeal to the Council against the decision of the Councillor Conduct Committee. The decision made will be final and binding.
- 6.9 If the complainant feels that the Council has failed to deal with a complaint properly, and that this failure has caused injustice, a complaint can be taken to the Local Government Ombudsman.

## **7. Consideration of complaints by Councillor Conduct Committee**

- 7.1 If appropriate, the Monitoring Officer (in consultation with the Independent Person) may refer the outcome of an investigation to the Councillor Conduct Committee.
- 7.2 The Committee will consider the Monitoring Officer/Investigating Officer's report which should include evidence and representations from both parties associated with the complaint. The attendance of the complainant(s) and the member(s) against whom the allegations were made will not be required, unless the Committee decides otherwise.
- 7.3 The Committee will follow the procedure for Councillor Conduct Committee hearings. (to be reviewed)
- 7.4 The Committee after considering the investigating officer's report will decide either that:

- (a) The member concerned has breached the Code of Conduct; or
- (b) There has been no breach

7.5 In the event of a finding of a breach of the Code, the Committee will have the option of recommending a sanction against the member concerned. This can include:

- (a) Reporting the findings to full Council
- (b) Recommending to the relevant Group Leader that the councillor be removed from relevant meetings of the Authority of which they are a member
- (c) Recommending to the Leader of the Council that the member be removed from the Cabinet or from particular portfolio responsibilities
- (d) Withdrawing facilities provided to the member by the Council – such as computer access and/or e mail or internet access
- (e) Excluding the member from the Council's offices or other premises for a defined period of time – with the exception of meeting rooms as necessary for the purpose of attending meetings of the Authority of which they are a member
- (f) Publishing the findings in the local media.

7.6 The decision will be communicated to all parties with reasons

7.7 Where there is a finding of no breach, the Committee will communicate the decision to all parties together with reasons.

**8. Appeals against decisions of the Councillor Conduct Committee** (in relation to 7 above).

The decision of the Councillor Conduct Committee will be final and binding with no further right of appeal to the Council. If the complainant feels that the Council has failed to deal with the complaint properly and that this failure has caused injustice, they can make a complaint to the Local Government Ombudsman.

This page is intentionally left blank

## London Borough of Enfield

### **Procedure for Hearing Complaints against Councillors and Co-opted Members and for Appeals against Monitoring Officer Decisions on Complaints**

#### **1. General Principles**

- 1.1 The Councillor Conduct Committee will decide, on a balance of probabilities, whether the allegation(s) is or are upheld. They will be able to call on the advice of relevant council officers and the Independent Person, who had not previously been consulted on the complaint. (where we have two independent persons)
- 1.2 Papers will be sent out in advance of the hearing, including the Monitoring Officer/Investigating Officer report with all the evidence gathered, and representations from both the complainant and the member complained against. They will both have the opportunity to comment, in advance, on the report and evidence put forward. Any comments will be provided for the committee in advance of the meeting.
- 1.3 The Committee will make a decision by considering the Monitoring Officer/Investigating officer's report and any representations by the Monitoring/Investigating officer or their representative and the written representations made by the complainant or member complained against, and any information provided at a hearing. Both parties will have the opportunity to make written representations, irrespective of whether they are invited to attend the hearing.
- 1.4 There will be no requirement for either the complainant or the member(s) complained against, to attend committee hearings unless the committee decides otherwise. All parties will be advised of this beforehand.
- 1.5 If the Committee does decide to invite them to attend, the complainant and the member complained against may be accompanied during the investigation hearing.
- 1.6 The public and press will be excluded for those parts of the hearing where confidential or exempt information under Schedule 12A of the Local Government Act 1972, as amended, is disclosed. At the start of the hearing, the Committee will make a decision as to whether or not all or part of the hearing should be held in public.

#### **2. Procedure at Investigation Hearings**

The Legal Representative will be the advisor to the Committee and may seek further information or ask questions at any point in these proceedings. During

the hearing all questions and other proceedings shall be addressed through the chair.

## **2.1 Presentation of the Monitoring Officer Report**

- a. The Monitoring/Investigating Officer will present his/her report and any relevant information to the committee members.
- b. The Independent Person, who has been consulted on the Monitoring Officer decision, may include their comments.
- c. The committee members will have an opportunity to ask questions of the Monitoring Officer and the Independent Person.

## **2.2 If the Complainant and Member Complained Against are Invited to Attend the Hearing**

- a. The Committee will consider the merits of each case, individually, when deciding if they feel it is necessary to invite the complainant and member complained about to attend the hearing.
- b. If the Committee require the attendance of the member complained against and complainant, they will specify the reasons for their attendance in advance.
- c. In these cases the chair will decide how to manage any contributions to be made at the meeting, including any representations and make this clear to all present at the beginning of the meeting.

## **2.3 Consideration of the Outcome**

- a. The Monitoring/Investigating Officer, Independent Person and any other relevant parties will all withdraw. The Legal Representative and Committee Administrator will remain.
- b. The Committee will consider all the information and make a decision as to whether or not there has been a breach of the code of conduct.
- c. If it is decided that there had been a breach of the code, the Committee will then consider and agree what sanctions should be imposed. A list of possible sanctions is set out in Appendix A.

## **2.4 Outcome of the Hearing**

A formal written notice of the decision will be communicated to all parties including the member complained against, the Monitoring Officer/Investigating Officer, the members of the committee and the complainant with reasons. This must be within five working days of the conclusion of the hearing.

## **2.5 General Recommendations from the Hearing**

After the hearing the Committee may consider whether there are any general recommendations in relation to ethical governance matters which they may wish to make arising from consideration of the allegation.

## **3. Procedure at an Appeal Hearing Against a Decision by the Monitoring Officer**

The attendance of the complainant and member complained against will not be required unless the Committee decides otherwise.

### **3.1 Presentation of the Monitoring Officer Report**

- a. The Monitoring/Investigating Officer will present his report and any other information to the committee members along with any comments submitted in writing by the complainant or member(s) complained against.
- b. The Independent Person, who had been consulted on the Monitoring Officer decision, may include their comments.
- c. The committee members will have an opportunity to ask questions of both the Monitoring Officer and the Independent Person.

### **3.2 Consideration of the Evidence**

- a. The Monitoring/Investigating Officer and Independent Person will then withdraw. The Legal Representative and Committee Administrator will remain in the appeal hearing.
- b. The Committee will consider all the information and make a decision as to whether or not to uphold the Monitoring/Investigating Officer decision.

### **3.3 Agree Outcome**

If the outcome of the appeal results in Committee confirming that a breach of the code has occurred then it will need to consider what sanctions it wishes to impose as a result. A list of sanctions is attached as Appendix A.

### **3.4 Outcome of Hearing**

A formal written notice of the decision will be communicated to all parties including the member complained against, the Monitoring Officer/Investigating Officer, the members of the committee and the complainant with reasons. This must be within five working days of the conclusion of the appeal hearing.

### **3.5 General Recommendations from the Hearing**

After the appeal hearing the Committee may consider whether there are any general recommendations in relation to ethical governance matters which they may wish to make arising from consideration of the allegation.

## Appendix A

In the event of a finding of a breach of the Code, the Committee will have the option of recommending a sanction against the member concerned. This can include:

- Reporting the findings to full Council.
- Recommending to the relevant Group Leader that the councillor be removed from relevant meetings of the Authority of which they are a member.
- Recommending to the Leader of the Council that the member be removed from the Cabinet or from particular portfolio responsibilities.
- Withdrawing facilities provided to the member by the Council – such as computer access and/or e mail or internet access.
- Excluding the member from the Council's offices or other premises for a defined period of time – with the exception of meeting rooms as necessary for the purpose of attending meetings of the Authority of which they are a member.
- Publishing the findings in the local media.

This page is intentionally left blank

**MUNICIPAL YEAR 2017/2018 - REPORT NO. 101**

**MEETING TITLE AND DATE:**

Full Council

22<sup>nd</sup> November 2017

**REPORT OF:**

Executive Director of Finance,  
Resources and Customer Services

Paul Vernham, Head of the P&C Hub  
telephone number: 0208 379  
E mail: [paul.vernham@enfield.gov.uk](mailto:paul.vernham@enfield.gov.uk)  
Telephone number: 0208379 9447  
Claire Reilly Head of Procurement &  
commissioning Market  
Telephone number: 02083793532

<b>Agenda - Part: 1</b>	<b>Item: 11</b>
<b>Subject:</b> Review of Contract Procedure Rules	
<b>Wards:</b> None Specifically <b>Key Decision No:</b> N/A	
<b>Cabinet Member consulted:</b> N/A	

**1. EXECUTIVE SUMMARY**

This report proposes changes which have been agreed by Audit and Risk Management Committee (1<sup>st</sup> November 2017) to the Council's Contract Procedure Rules (CPRs), part of the Council's Constitution:

- To reflect best practice in procurement;
- To reflect the new ways of working across the council and the creation of the P&C Hub.
- To ensure compliance with the Public Contracts regulations 2015.

**2. RECOMMENDATIONS**

- 2.1 To approve (as recommended by Audit and Risk Management Committee) the changes to the Contract Procedure Rules for inclusion within the Council's Constitution.

**3. BACKGROUND**

- 3.1 The Council may only contract with external parties within the legal framework for local authority procurement i.e. in accordance with the UK Public Contracts Regulations 2015 (as amended), the Council's Contract Procedure Rules (s135 of the Local Government Act 1972), the general duty to obtain Best Value (Local Government Act 1999) and also the European Treaty principles of equality, transparency, proportionality, non-discrimination and mutual recognition to non-discrimination of providers in member states.

3.2. To ensure that the Contract Procedure Rules continue to reflect current best practice and compliance with legal obligations a review has been undertaken. The review has consulted with nominated officers across the Council to address areas of ambiguity, omissions and changes in Council practice since 2015.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

4.1 There are no alternative options to consider as the Council is required to maintain such a set of rules. The Contract Procedure Rules are reviewed annually.

#### **5. REASONS FOR RECOMMENDATIONS**

5.1 Under section 135 of the Local Government Act 1972 a local authority is required to make standing orders for contracting of goods, works and services. There is also an obligation to include in those standing orders provisions for securing competition for contracts and regulating the way tenders are invited. The standing orders may provide that contracts of a certain value are exempt and may authorise the authority to exempt the provisions where justified by special circumstances. The contract Procedure Rules are the Council's standing orders as required under the Act.

5.2 The Contract Procedure Rules must also comply with the requirements of the EU public procurement regime which are brought into UK law by the Public Contracts Regulations 2015. The regulations make competition of certain contracts mandatory and there is no right to waive those requirements.

5.3 The proposed revisions to the Contract Procedure Rules reflect good practice and deal with a variety of issues: some are just to correct out of date or incorrect references and inconsistencies; some are to make the meaning of the rules clearer; and some are substantive changes to strengthen compliance.

5.4 These changes take into account the formation of the Procurement & Commissioning Hub and other Enfield 2017 changes around the Council and are in line with the Contract Procedure Rules review schedule.

5.5 This version of the Contract Procedure Rules aims to simplify the wording to ease understanding and compliance. With the addition of hyperlinks to supporting information and rearrangement of the order to support the steps taken in decision making and project management.

5.6 A supporting guide to the Contract Procedure Rules will be available via hyperlinks from the CPRs' to help with understanding and support officers through the procurement process.

The reasons for the proposed substantive changes are set out in the table below:

Paragraph number	Proposed Changes	Rationale/comments
<b>Index</b>	<b>Addition of an Index</b>	<b>Make the documents easier to use and find the relevant area/rule.</b>
<b>Section 1 - Introduction</b>		
Introduction	Addition of an executive summary to set out clearly at the beginning of the document the purpose of the CPR's and governance. Addition of 10 principles that should be followed.	Make it clearer from the beginning the need for the CPR's  Provide guidance early in the document to support procurement activity and simplify process to improve compliance.
Purpose 1.3	Simplified wording	Make it easier to read and understand.
Exemptions	unchanged	These support the Public Contract Regulations 2015
Requirements	Simplified wording and reference to guidance. Addition of senior management responsibility 1.14	Make it easier to read and understand.  Clarification on management responsibility
Risk & Insurance	Moved to nearer the front of the document to ensure that it is considered earlier on in the process. (moved from section 21 & 18). Brought in line with Councils risk and insurance processes. Changes to security requirements to give greater flexibility to cover risk. Addition of Business Continuity requirements.	This is to ensure that risk and insurance is considered earlier on in the process to minimise risk.  To offer other forms of security to ensure that risk is minimised/managed. Ensure that critical suppliers have Business Continuity Plans to protect the council against risk of failure.

Approval to procure	Moved to earlier in the rules. (was section 10) Updated and simplified wording. Clarification of governance	This is to ensure that approval to procure is understood to improve compliance. Speed up processes by ensuring that approval is gained at the start.
Procurement & commissioning Review Board	New section added to replace SPB board (section 6) with P&C Hub Review Board. Sets out what needs to come to the board.	This is to ensure that the P&C board function is understood and improve governance and delivery of Best Value.
Specialist procurement	Replaced section on IT procurement (section 10) to reflect Hub arrangements within the Council and to ensure that specialist areas are consulted at procurement commencement.	This is to ensure specialist Hubs and other service areas are consulted or involved in procurement and is in line with Hub strategy and relevant boards
<b>Section 2 - Calculation to value of a contract</b>		
Calculation to value of a contract	Wording simplified	This is to ensure compliance with requirements of legislation
<b>Section 3 - Procurement Thresholds</b>		
Thresholds	No Changes to the Thresholds. (moved from section 7). Simplification of wording. Addition of 'responsibility for procurement' including 'Tiering' to support procurement projects. Clarification of the use of the London Tenders Portal. Clarification on the number of quotations needed to be <b>received</b> .	This is to reflect the implementation of the P&C Hub, who will project manage all EU procurement projects to improve compliance and minimise risk of challenge. Mid-range procurement projects will receive support depending on the risk and complexity. Improve delivery of value for money and savings.
Contracts for Construction	Simplification of wording to support compliance. (moved from section 25). Clarification of authority needed.	This is to ensure compliance with regulations.

Evaluation criteria and going out to market	New section added to ensure transparency in this area.	This is to ensure that governance and transparency around evaluation is met. Improvement in best practice and reduction in challenge.
<b>Section 4 - Frameworks</b>		
Frameworks 4	Moved to its own section (moved from section 8). Additional wording to strengthen governance and use of Frameworks. Updated governance to ensure that use of frameworks is monitored and recorded	Ensure that Frameworks are considered as part of the procurement process. Updated wording to ensure that there is better governance around frameworks and their use to ensure Best Value is achieved.
<b>Section 5 - Concessions or Contracts with Income elements</b>		
	New section added. Reference to Concession Regulations 2016.	This is to ensure that concessions or nil value contracts are considered more commercially and that the council does not lose any opportunities and they remain transparent and offer equal opportunities.
<b>Section 6 - Application and Waiver of the Rules</b>		
6	(moved from section 11). Simplification of wording. Governance to reflect guidance given by Audit Committee in June 2016.	This is to ensure effective management and control on contract waivers and ensuring that effective recording of waivers is taking place. Encourage competition rather than waivers.
<b>Section 7 - Variation to Contracts</b>		
7	(moved from section 19). Updated wording to meet current Council working practices.	This is to ensure that compliance with regulations of legislation. Tighter control on variations
<b>Section 8 - Exceptions to Competitive Tendering below EU Threshold</b>		
8	Unchanged except for: Agreement needed by the Hub for the use of Frameworks (8.2) Licencing in section 8.6; for IT procurement	This is to ensure that CPR's meet legislation, but give flexibility for the Council to meet its operational needs.

<b>Section 9 - Invitations to Quote/Tender &amp; Advertising</b>		
9	Simplification of wording. Removal of paper tendering process.	This is to ensure that compliance with regulations of legislation. Strengthen use of the Tendering portal
<b>Section 10 - Receipt and Opening of Tendering and Quotes</b>		
10	Amalgamated Receipt & Opening of tender's sections from previous CPR's. Strengthening the need to use the London Tenders Portal. (sections 12 & 13 of previous CPR's) Updated process to meet new working arrangements.	As all procurements are now managed through the E-tendering Portal reference to paper processes has been removed. This is to ensure transparency and that all contracts are registered. Simplification of the documents to ease use.
<b>Section 11 - Sustainable Procurement</b>		
11	Replaces public services (social Value) Act 2012 section 5. Added wording to ensure that all officers consider if the Social Value Act (2012) applies. Adding suggestions of community benefits. Clarification on the recording of community benefits	Simplification of process to maximise the opportunities for community benefits to be included in procurements. Clarification to capture community benefit activity.
<b>Section 12 - Contract Award and Execution</b>		
12	Inserted hyperlinks to council processes. Award notification included in this section. Clarified the use of letter of acceptance	This is to ensure that Council governance is followed. This is to clarify that letters of acceptance are only to be issued by Legal and only by agreement.
<b>Section 13 - Terms and Conditions</b>		
13	Simplification of wording and format of what must be included.	This is to ensure that more standard contracts are used and they cover what is needed to protect the Council.
<b>Section 14 - Post tender negotiation</b>		
14	No change (moved from section 16)	

<b>Section 15 - Working in Partnerships/Shared Services</b>		
15	Simplification of wording	Clarification of what is working in partnership and to protect the council in these situations.
<b>Section 16 - Prevention of Corruption</b>		
	<p>New section Added</p> <ul style="list-style-type: none"> <li>• hyperlinks to legislation and Council policy</li> <li>• Declaring an interest</li> <li>• Organised crime</li> </ul>	<p>This is to ensure that corruption is considered when carrying out procurement and to protect the council</p> <p>To ensure that interest is declared to support transparency.</p> <p>This is to ensure that areas of procurement that have been identified as possible areas for organised crime are considered to minimise risk to the Council.</p>
<b>Section 17 - Record Keeping</b>		
17	Simplification of wording. Amalgamated section on sealing for clarity.	This is to ensure that appropriate records of contracts are maintained.
<b>Section 18 - Claims from Contractors/Suppliers</b>		
18	Simplification of wording.	This is to ensure that it is clear where to go for advice and guidance
<b>Section 19 - Guidance and Advice</b>		
19	Addition of reference to the guide and hyperlinks to supporting guidance.	This is to ensure that contracts are properly managed and that Value for Money is being delivered.
<b>Section 20 – Contract management</b>		
20	Update to state that contracts over £100,000 have a nominated contract manager. The appropriate contract management is carried out for contracts over £250K per annum.	<p>This is to ensure that contracts are properly managed and that Value for Money is being delivered.</p> <p>The appropriate risk is managed through the contract.</p>
<b>Section 21 - IR35</b>		
21	New Section. Update following new rules form HMRC.	This is to ensure that the Council is compliant to IR35 regulations

<b>Section 22 - Consultation</b>		
22	Unchanged	
<b>Overall</b>		
	<p>Hyperlink to be added to guidance documents once CPR's have been finalised.</p> <p>Guidance in draft currently but will be available to all LBE staff through the Intranet (Enfield Eye) once the CPR's have been approved.</p>	<p>Guidance documents will be regularly updated with information to support Council Officer.</p>

## **6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

### **6.1 Financial Implications**

There are no specific financial implications. Each contract has to be delivered within the available budget. The aim of all Council procurement is to obtain value for money and ensure compliance with relevant legislation.

### **6.2 Legal Implications**

The Council is required under the Local Government Act 2000 to have a Constitution, as part of that constitution the Council has the Contract Procedure Rules, which reflect applicable, current legislation such as The Public Contracts Regulations 2015. The Procurement & Commissioning Hub plays a pivotal role in ensuring compliance and works closely with Legal Services to ensure Officers within the Council are aware and understand their requirements with regards to procurement under the Contract Procedure Rules.

The proposed changes are in compliance with the Public Contracts Regulations 2015 and the European Procurement Directives.

### **6.3 Property Implications**

There are no property implications since there are separate Property Procedure Rules which control the management of Council Property.

In some instances, there may need to be a hybrid between CPR's and the Council's Property Procedure Rules relating to concessions that will require an award of a contract together with a lease of a property e.g. a café.

## **7. KEY RISKS**

- Having clear and consistent Contract Procedure Rules is essential to mitigate the risks of non-compliance with both statute and best practice.
- The current revision also addresses recent developments including the new Public Contracts Regulations.
- They will be supported by a short guide for everyday use which should reduce the risk of no-compliance at local level

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All**

The Rules ensure that the Council's procurement processes are fair, non-discriminatory and transparent

## **8.2 Growth and Sustainability**

The new rules, particularly the changes to thresholds, will enable greater access to small to medium enterprises and support local regeneration.

## **9. EQUALITIES IMPACT IMPLICATIONS**

The CPRs have been designed to reflect current EU and domestic law relating to public sector works, supplies or services contracts.

## **10. PERFORMANCE MANAGEMENT IMPLICATIONS**

The CPRs ensure that procurement is carried out in a way that complies with all legislation and ensures that best value is achieved. Consequently, this will support the delivery of excellent services by the borough since it will ensure that the goods and services are procured in an effective manner.

## **11. PUBLIC HEALTH IMPLICATIONS**

There are no specific public health implications arising from the proposals within the report

### **Appendices:**

Appendix 1 – Revised Contract Procedure Rules (Contract Procedure Rules 2017)

Appendix 2 – Draft version of the guidance documents to support the CPR's (CPR Guidance 2017)

### **Background Papers: Current Version of the Contract Procedure Rules (2015)**

<https://new.enfield.gov.uk/services/business-and-licensing/council-contracts-and-procurement/doing-business-with-us/council-contracts-and-procurement-information-contract-procedure-rules.pdf>

# Contract Procedure Rules

1.	Introduction.....	2
	Executive Summary .....	2
	Purpose .....	3
	Exemptions.....	3
	Requirements .....	4
	Risk, Insurance and Other Forms of Security .....	5
	Insurance.....	5
	Security .....	6
	Approval to Procure .....	7
	Procurement and Commissioning Review Board .....	8
	Specialist Procurement .....	8
2.	Calculating the Value of a Contract .....	9
3.	Procurement Thresholds.....	11
	Contracts for Construction Works .....	13
	Evaluation Criteria and Going out to the Market .....	13
4.	Frameworks.....	14
5.	Concessions or Contracts with Income Elements.....	15
6.	Application & Waiver of the Rules.....	15
7.	Variations to Contracts.....	16
8.	Exceptions to Competitive Tendering .....	16
9.	Invitations to Quote/Tender & Advertising .....	18
10.	Receipt and Opening of Tenders and Quotes .....	18
11.	Sustainable Procurement.....	18
12.	Contract Award and Execution.....	19
	Letter of Acceptance .....	20
13.	Terms and Conditions .....	20
14.	Post-Tender Negotiations .....	21
15.	Working in Partnerships / Shared Services .....	21
16.	Prevention of Corruption .....	21
	General standards of conduct.....	21
	Declaring an interest .....	22
	Organised Crime .....	22
17.	Record Keeping .....	22
18.	Claims from Contractors/Suppliers .....	23
19.	Guidance and Advice .....	23
20.	Contract management.....	24
21.	IR35 Rules.....	24
22.	Consultation .....	25
23.	Glossary of Terms.....	26
	ASSUMPTIONS .....	26

## 1. Introduction

### Executive Summary

1.1 These Contract Procedure Rules (Rules) form part of the [Council's Constitution](#). It is important that the Rules are applied correctly to protect the Council from challenge and protect the public purse.

The Procurement & Commissioning Hub (P&C Hub) will lead on all procurements over the EU Threshold, and service departments will be expected to self-serve up to £50,000. Procurements above £50,000 but below the EU Threshold will be supported by the P&C Hub.

The following 10 principles should be followed by service departments in all procurements to ensure that contracts are entered in a compliant manner and deliver value for money to the Council:

- All procurement projects must follow the overarching principles of value for money, transparency, equal treatment and non-discrimination.
- Plan the procurement ahead of the requirement (or expiry of existing contract) to allow sufficient time to carry out a compliant process.
- Consider what approach will deliver outcomes for the Council in a way that will maximise value for money i.e. should the Council buy the same product/service in the same way as previously, or is there a more effective or efficient way to deliver desired outcomes?
- To ensure a clear audit trail, all procurement projects over £1000 must be managed through the [E-Tendering Portal](#), including all communication with bidders; clarification questions, the usage of standard templates with all documentation relating to the process maintained and stored within the [E-Tendering Portal](#) (including a copy of the contract awarded).
- Demonstrate value for money by carrying out some form of competitive tender; and ensuring that the minimum number of quotes (including local suppliers where appropriate) has been **received** in accordance with Rule.
- That the service department takes responsibility for the specification and ensures that it is neither over or underspecified, meets the services department's needs and is clear and concise.
- That there is budget available for the contract and that approval to proceed has been given.
- All procurement activity must follow these Rules and be compliant with [Public Contract Regulations 2105](#) and Council Policy.

- That the procuring officer ensures that Council governance processes have been followed and contracts are let in line with the Council's Scheme of Delegation.
  - If in doubt, seek guidance from the Procurement and Commissioning Hub (P&C Hub) or Legal Services (where required).
- 1.2 In all cases where there is uncertainty regarding the Rules contact the P&C Hub/Legal Services (where required) for clarification. Additional information is available within the **Contract Procedure Rules Guidance Document** which provides greater depth of information regarding these Rules and processes.

## Purpose

- 1.3 These Rules apply to the procurement by the Council of Works, Supplies and Services and the granting of [Concessions Contracts](#) (as defined by [Public Contract Regulations 2105](#)). This includes where there may be no, or little monetary value to the contract; or there is income or profit sharing. They are intended to ensure that a contract is entered into only in circumstances which can demonstrate:
- Understanding of the terms of the Contract
  - Consistency in the application of the law and Council policy
  - Probity
  - Value for money
- 1.4 To achieve these objectives, these Rules must be followed every time the Council commences a procurement and/or enters into a contract. These Rules are made under section 135 of the [Local Government Act 1972](#).

## Exemptions

- 1.5 The following types of procurement do not fall within the scope of the Rules:
- 1.5.1 contracts of direct employment;
  - 1.5.2 contracts solely for the sale or purchase of land, which are subject to the Property Procedure Rules (NB: Some property transactions may fall within the scope of the EU Procurement regime where works, supplies or services relate to the property transaction, contact the P&C Hub / Legal Services for advice);
  - 1.5.3 the instruction of barristers
  - 1.5.4 specialist professional services necessary for legal proceedings (including expert witnesses, experts, mediators, adjudicators, arbitrators and costs draftsmen);

- 1.5.5 unconditional grants by the Council;
  - 1.5.6 genuine emergencies beyond the control of the Council (NB: Lack of sufficient planning and/or internal process delays will not constitute special, exceptional or emergency circumstances);
  - 1.5.7 individual care packages or education placements where it is considered in the Council's interest or the Council is required to meet obligations under the relevant legislation
  - 1.5.8 adult social care service packages managed by the Council on behalf of a client under the personalisation agenda e.g. managed accounts & direct payments/individual budgets.
- 1.6 The Council recognises the benefits to be gained from e-tendering, e-auctions, e-reverse auctions, purchasing cards and e-purchase-to-pay software. For the purposes of the Rules, the term "contract" refers to both paper/hard copy documents and processes and their replication by electronic media. Only e-tendering systems approved by the P&C Hub may be used.
- 1.7 References to officers or posts in these Rules include their authorised deputies or delegates, in accordance with the [Council's Constitution](#) and Council's Scheme of Delegation.
- 1.8 No contract shall be entered into, nor any tender/quotation invited, unless provision is made in the annual budget or is otherwise agreed by the officer with appropriate delegated authority and such is in accordance with the [Financial Regulations](#).
- 1.9 Failure to comply with these Rules may lead to a disciplinary action when letting contracts. Council employees have a duty to report breaches of the Rules to an appropriate senior manager and the Director of Law and Governance under the [Council's Whistle-Blowing Policy](#).

## Requirements

- 1.10 All contracts will be awarded in accordance with these Rules, and the [Financial Regulations](#).
- 1.11 No contract may be awarded unless there is sufficient budget available for the goods, supplies, services or works being procured and appropriate delegated authority to award the contract
- 1.12 The officer awarding the contract has a duty to ensure and demonstrate that Best Value is obtained, having regard to the appropriate balance between quality and price.

- 1.13 All contracts over £1,000 must be managed via the [E-Tendering Portal](#) to ensure transparency and equality and comply with [Public Contract Regulations 2015](#) regarding e-procurement and e-communications.
- 1.14 Executive Directors, Directors, Assistant Directors and Heads of Service are responsible for ensuring:
- 1.14.1 all relevant staff are familiar with the provisions of the Rules and the [CPR Guidance](#) and that they receive adequate training on their operation;
  - 1.14.2 compliance with any guidelines issued in respect of these Rules;
  - 1.14.3 immediate action is taken in the event of a breach of these Rules within their department or service area;
  - 1.14.4 proper records, of all contractual and procurement documents are kept within the [E-Tendering Portal](#); including minutes of tender evaluation panels and other meetings which may be inspected by a member of the Council at any time during office hours and may need to be disclosed by law;
  - 1.14.5 provision to the P&C Hub of information and resources to support procurement activity that is managed by the P&C Hub to ensure success of the project;
  - 1.14.6 effective contract management, contract reviews and monitoring during the lifetime of all contracts in their areas ensuring KPIs are met;
  - 1.14.7 records of [waivers](#) of any provision of these Rules are maintained;
  - 1.14.8 advice is sought from the P&C Hub/Legal Services, should there be any ambiguity or lack of clarity of the Rules to ensure compliance;
  - 1.14.9 that the standard templates and contracts in the [E-Tendering Portal](#) are used to support a robust procurement process;
  - 1.14.10 that guidance is followed for completion of contracts, where applicable.

## **Risk, Insurance and Other Forms of Security**

- 1.15 The risks associated with any procurement process and/or contract must be assessed by the service department in line with the Council's Risk Strategy using the [Council's Corporate Risk](#) assessment template and must be documented on file. Appropriate actions should be taken to ensure that the Council's potential and actual exposure is managed or minimised. This includes provision of an issues log and estimated costs against any risks as contingency. These should be set out in any [Authority Report](#) within the risk section where appropriate. Where there is a high risk, financial checks may need to be carried out and appropriate procedures followed.

### **Insurance**

- 1.16 Service departments should ensure that each contract includes adequate insurance requirements, seeking advice from the Council's Insurance Department where required and undertaking a risk assessment to ensure the

levels of insurance are adequate. All contracts are expected as a minimum to have employer's liability insurance and public liability insurance. Contracts where there is direct advice and/or design services provided by a contractor, including all consultancy and construction arrangements, must include a requirement for professional indemnity insurance.

## Security

1.17 Where there is doubt as to the contractor's financial viability, or no external report evidencing financial viability is available, then Financial Management Services shall provide expert advice during the procurement process and prior to any contract award.

1.18 For contracts over £250,000 the following Rule must be applied:

<b>£250,000 - £1,000,000</b>	<b>£1,000,000 and over</b>
Sufficient security from the contractor should be considered at this value to manage risk.	The contractor <b>must</b> be required to provide sufficient security.
Evidence of the form of security required, or why no security was required, must be stored and retained on the <a href="#">E-Tendering Portal</a> for audit purposes.	Evidence of the form of security required, or why no security was required, must be stored and retained on the <a href="#">E-Tendering Portal</a> for audit purposes.

Sufficient security shall take one of the following forms:

- 1.18.1 parent company, ultimate holding company or holding company guarantee where their finances prove acceptable;
  - 1.18.2 Director's guarantee or personal guarantee where their finances prove acceptable;
  - 1.18.3 Performance Bond, retained funds or cash deposit;
  - 1.18.4 Any other security as determined by Financial Management Services and/or Legal Services.
- 1.19 For contracts over £1,000,000 where the contractor cannot provide security but the Council has no acceptable alternative provider or has decided to accept the level of risk, then the Executive Director of Finance, Resources and Customer Services must approve the award. The relevant [Authority Report](#) must set out the reason why it is proposed that the contract should be awarded despite absence of security and what measures are to be taken to manage this risk.
- 1.20 Security for performance should also be considered when looking at risk.

## Business Continuity

- 1.21 During the risk assessment, supplier failure or failure to deliver should be assessed. Where delivery of the services is assessed as critical, or there would be major reputational damage in the event of a failure to supply; then Business Continuity Plans should be requested as part of the contract. These suppliers must be identified in the service department's business impact assessment form and logged with the P&C hub to ensure that a record of the Council's critical suppliers is maintained.

## Approval to Procure

- 1.22 Authority to procure must be obtained for **all** procurement; and evidence uploaded onto the [E-Tendering Portal](#) for contracts over £1,000. It is the responsibility of the service department to obtain the necessary authority/approval including any [Authority Report](#) where required seeking advice from Governance Services.

Level of Authorisation and Acceptance.	Contract Value*	
	Up to £250,000	Over £250,000
Authority to Procure	Director/Assistant Director (or as defined in Scheme of Delegation) via an <a href="#">Authority Report</a> or other evidence of authority to procure.	Director and Cabinet Member or Council via <a href="#">Authority Report</a> and <a href="#">Key Decision Process</a>
Authority to Award	Director/Assistant Director (or as defined in Scheme of Delegation) via an <a href="#">Authority Report</a> or other evidence of authority to procure.	Director and Cabinet Member or Council via <a href="#">Authority Report</a> and <a href="#">Key Decision List</a>
Authority to Vary or extend contract	Director/Assistant Director (or as defined in Scheme of Delegation) via an <a href="#">Authority Report</a> or other evidence of authority to procure.	Director and Cabinet Member or Council via <a href="#">Authority Report</a> and <a href="#">Key Decision List</a>

- 1.22.1 No procurement process shall commence without formal approval and budget sign off by the appropriate Council officer in accordance with the Scheme of Delegation. The Head of the P&C Hub must be notified of procurement projects over EU Threshold for goods and services and works. The P&C Hub reserves the right not to support any procurement project that cannot demonstrate approval to procure.
- 1.22.2 An [Authority Report](#) must be produced by the service department for all requirements with a contract value above the Key Decision threshold (£250,000). The [Authority Report](#) must be approved in accordance with the Scheme of Delegation and Council governance. The P&C Hub should be consulted at the planning stage to provide advice on the route to market.
- 1.22.4 A 'Key Decision' within the [Council's Constitution](#) is defined as a proposal:

- (a) which involves expenditure/savings of **£250,000** or above – this includes proposals phased over more than one year and match/grant aided funding, with a total of **£250,000** or above; or
- (b) which has significant impact on the local community in one or more wards.

Therefore, for all contracts that fall within the Key Decision definition, the [Authority Report](#) will need to follow the Key Decision governance process, in addition to these Rules.

- 1.22.5 The Head of the P&C Hub may, at their discretion take lead responsibility for any procurement and will take responsibility for all procurements above the EU Thresholds for supplies, services and works.
- 1.22.6 For extensions to contracts where the entire contract value (including the extension value) exceeds the EU Threshold for supplies/services or exceeds £1,000,000 for works, a business case relating to that extension must be reported to the Procurement and Commissioning Review Board for approval.

### **Procurement and Commissioning Review Board**

- 1.23 For contracts over the EU Threshold for goods & services and over £1,000,000 for works a business case must be taken to the Procurement and Commissioning Review Board to approve the procurement. This must be done with the involvement of the Procurement and Commissioning lead officer.
- 1.24 The Procurement and Commissioning Review Board has the right to call any procurement project for review by the Board.
- 1.25 The Procurement and Commissioning Review Board may also establish a subcommittee to take responsibility for lower risk procurements, where there is insufficient capacity within the regular Board, or to deal with emergency requests.
- 1.26 All activity of any sub-committee will be reported at the Procurement and Commissioning Review Board.

### **Specialist Procurement**

- 1.27 Where there is a requirement to undertake procurement and there is expertise and knowledge within a Council Hub/Service or centralised budget in the Council such as (but not limited to):
  - CCTV & Monitoring
  - Catering
  - Corporate Maintenance and Construction Team

- Financial Management Services & Pensions/Payroll
- Fleet Services
- Facilities Management
- Human Resources & Learning & Development
- ICT
- Insurance
- Legal Services
- Procurement Services
- Property Services
- Temporary Accommodation

These need to be procured in conjunction with the specialist department or by the specialist department and follow any Council governance that is in place for these areas of spend. E.g. All IT hardware and software is procured and managed by ICT Services.

- 1.28 To maximise value for money for the Council, procurement should be done in collaboration with other Council service areas or use or amend existing contracts where possible. Please seek advice from the P&C Hub.

[Click here for further information on this section.](#)

## **2. Calculating the Value of a Contract**

- 2.1 In calculating the value of the contract,

- 2.1.1 values are total lifetime contract values not annual values;
- 2.1.2 values exclude VAT;
- 2.1.3 values are to be aggregated – for example, if there is a recurring need on an annual basis for supplies;
- 2.1.4 an estimate shall be made of the total purchasing requirement/whole life costing/financial implications – for example, including ongoing maintenance and support costs. If there are variables which result in the estimate being a range of figures rather than a single figure, then the highest figure in the range will be the value of the contract for the purposes of these Rules;
- 2.1.5 the valuation shall include the value of possible contract extensions and possible additional options;
- 2.1.6 where a contract is of indeterminate length the value of the contract shall be monthly value multiplied by 48;
- 2.1.7 where a contract is for several organisations and the Council is the lead authority, then the value of the contract shall be the total value of the contract for all the organisations. If the Council is not the lead authority, then the value of the contract for the purposes of these Rules shall be the value of just this Council's proportion of the contract;
- 2.1.8 if the value of the tender is less than 10% below the EU Thresholds, then officers must consider procuring in accordance with [Public Contract Regulations 2015](#).

- 2.2 It is a breach of these Rules to deliberately divide up contracts to evade the need to follow a more complex/lengthy procurement procedure or evade the requirements of [Public Contract Regulations 2105](#).
- 2.3 Where contract value may change, due to uncertainty of the project or slippage, then this must be factored into the costs; to ensure sufficient budget is approved for the project. Additional questions in the Tender/Quotation may be necessary to cover the risk of additional costs.

[Click here for further information on this section.](#)

### 3. Procurement Thresholds

- 3.1 The procurement requirements in the table below apply according to the estimated total value of the contract. The procurement requirements below are **minimum requirements**. In order to obtain Best Value, services departments should consider market testing prior to inviting suppliers to bid, and inviting more than the minimum number to cover for bidders dropping out.
- 3.2 The value of the contract is the total value over the whole contract including any potential extensions.
- 3.3 The P&C Hub reserves the right to bring any procurement into the P&C Hub to manage due to either risk to the Council (including reputational risk) or complexity.
- 3.4 Frameworks and other corporate agreements, where they exist, should be used (provided Best Value can be demonstrated) and managers must retain sufficient evidence to demonstrate compliance.
- 3.5 **All quotations over £1,000 must be via the Council's [E-Tendering Portal](#).** For quotations under £1,000, written evidence of expenditure must be retained e.g. invoice receipt etc.

Estimated Total Contract Value	Minimum Number of Quotations	Minimum Number of Local Quotations	Additional Requirements (if applicable)	Method of issuing a contract	Responsibility for Procurement Process
Up to £10,000	1	1 Where practicable	Where a local quotation could not be sought then this must be recorded on the <a href="#">E-Tendering Portal</a> .	Use of Purchase Order.	Self-service within the service centre via the <a href="#">E-Tendering Portal</a> .
Contracts from £10,001 to £50,000	2	1 Where practicable	If less than two quotes are received the Divisional Director or Head of Service must approve the award. The decision must be recorded in writing and all documentation supporting the decision retained in the <a href="#">E-Tendering Portal</a> .	Use of Purchase Order or standard contract for more complex requirements. Please also refer to 17.2 for requirements for sealing.	Self-service within the service centre via the <a href="#">E-Tendering Portal</a> .
Contracts from £50,001 to £100,000 (for supplies and services) or £500,000 (for works):	3	1 Where practicable	If less than three quotes are received the P&C Hub must approve the award. The decision must be recorded in writing and all documentation supporting the decision retained in the <a href="#">E-Tendering Portal</a> .  Rule 3.7 applies to works contracts in addition to the above.	Use standard contract Please also refer to 17.2 requirements for sealing.	Self-service via the <a href="#">E-Tendering Portal</a> with support from the P&C Hub.

<p>Contracts above £100,000 to EU threshold * (for supplies and services) or above £500,000 (for works)</p>	<p>5</p>	<p>2 Where practicable</p>	<p>If less than 5 quotes are received the P&amp;C Hub must approve the award. The decision must be recorded in writing and all documentation supporting the decision retained in the <a href="#">E-Tendering Portal</a>.</p> <p>Rule 3.7 applies to works contracts in addition to the above.</p>	<p>Up to £250,000: Signature on standard contract or sealed by Legal Services if required</p> <p>Over £250,000: Standard contract sealed by Legal Services</p> <p>Please refer to 17.1 (form to be approved by Legal Services) &amp; 17.3 (requirements for sealing) Ensure added to the <a href="#">Key Decision List</a></p>	<p>Self-service via the <a href="#">E-Tendering Portal</a> with support from the P&amp;C Hub.</p> <p>Works contracts over £1,000,000 must have gained approval from P&amp;C Review Board prior to commencement of procurement.</p> <p>Service departments are responsible for:</p> <ul style="list-style-type: none"> <li>• Specification</li> <li>• Governance &amp; authority</li> <li>• Evaluation</li> </ul>
<p>Above EU threshold for goods, services and works (including Light Touch Regime)</p>			<p>A fully compliant process must be carried out in accordance with the <a href="#">Public Contract Regulations 2015</a></p> <p>Possible routes to market:</p> <ul style="list-style-type: none"> <li>• Open</li> <li>• Restricted</li> <li>• Negotiated</li> <li>• Competitive dialogue</li> <li>• Competitive procedure with Negotiation</li> <li>• Frameworks</li> <li>• DPS</li> </ul> <p>This must be led by the P&amp;C Hub.</p>	<p>Up to £250,000: Signature on standard contract or sealed by Legal Services if required</p> <p>Over £250,000: Standard contract sealed by Legal Services</p> <p>Please refer to 17.1 (form to be approved by Legal Services) &amp; 17.3 (requirements for sealing) Ensure added to the <a href="#">Key Decision List</a></p>	<p>Project managed by the P&amp;C Hub with cooperation from Legal Services as appropriate.</p> <p>All procurements over EU Threshold must have gained approval from the P&amp;C Review Board prior to commencement of procurement.</p> <p>Service departments are responsible for:</p> <ul style="list-style-type: none"> <li>• Specification</li> <li>• Governance &amp; authority</li> <li>• Evaluation</li> </ul>

3.6 When seeking quotes on a regular basis; officers must ensure that they rotate those suppliers invited to quote i.e. that different suppliers are invited for each exercise. It is acceptable to invite a previously successful supplier for a similar contract, if that supplier performed well. The P&C Hub will monitor compliance with this requirement. Officers need to be mindful of aggregation of spend.

## Contracts for Construction Works

- 3.7 Officers may use [Constructionline](#) for the selection of pre-approved suppliers for Works procurements falling below the EU Threshold.
- 3.8 Written authority must be carried out to gain approval for each construction project in line with Council policy and evidenced within the [E-Tendering Portal](#). This should include approval for any:
- Pre-construction services
  - Development control planning applications
  - Funding for the entire scheme
- 3.9 For all procurements with a contract value higher than £1,000,000 for Works, a business case must be reported to the Procurement and Commissioning Review Board and the [Authority Report](#) must follow the Key Decision approval process.
- 3.10 For all works procurements over the EU threshold, the procurement process should, where relevant, use the PAS91 tender template.
- 3.11 Where appropriate systems are in place, [JCT](#) or equivalent industry recognised standard contracts should be processed online referring to accompanying guidance.
- 3.12 During the risk assessment, risk related to slippage or delay must also be considered and questions regarding contingency may need to be considered in the quotation/tender.

## Evaluation Criteria and Going out to the Market

- 3.13 The award of all contracts shall be based on fair and appropriate evaluation criteria in accordance with these Rules and [Public Contract Regulations 2105](#) (if applicable). Full and complete written records of the evaluation process must be maintained by the service department, and uploaded onto the [E-Tendering Portal](#).
- 3.14 Weightings (price/quality) and detailed criteria and scoring mechanisms must be set out in the Invitation to Tender/ Quote to ensure transparency.
- 3.15 Outcomes need to be considered when setting evaluation criteria to ensure that what is scored and marked is central to the delivery of the contract and represents Best Value.
- 3.16 Where there is ambiguity or uncertainty regarding responses then clarification questions may be asked through the [E-Tendering Portal](#). Where there is still ambiguity then advice should be sought from the P&C Hub.

- 3.17 Responses to bidders' questions must be managed through the [E-Tendering Portal](#). Steps must be taken to ensure that no advantage is given to any bidder over others.
- 3.18 A draft contract should be included with all invitations to tender or quote to ensure terms are set out clearly at the start of the process.
- 3.19 The contract/procurement pack must include a clear specification which should include any standards required and any policies needed to be followed such as:
- DBS check requirements
  - Health & safety policies and standards
  - Industry standards

[Click here for further information on this section.](#)

## **4. Frameworks**

- 4.1 Where it demonstrates Best Value, a Framework (where available) should be used.
- 4.1.1 Any use of a Framework must be agreed by the P&C Hub. Use of a Framework is not exempt from P&C Review Board, and where over the EU threshold will be managed via the P&C Hub.
- 4.1.2 Where a single supplier Framework is to be used, evidence that this provides Best Value must be provided to the P&C Hub prior to approval.
- 4.1.3 No direct award over £10,000 can be made via a Framework without documented approval from the P&C Hub.
- 4.1.4 Only legally compliant frameworks will be approved and the P&C Hub will ensure that Due Diligence is carried out on the Framework prior to any procurement.
- 4.1.5 Any call-off from a Framework must be carried out in line with the relevant framework process and via the [E-Tendering Portal](#), with all documentation retained.
- 4.1.6 Where the Council is setting up a Framework, the P&C Hub and Legal Services must be consulted along with other Council departments where applicable. Commercial opportunities should also be explored.

[Click here for further information on this section.](#)

## 5. Concessions or Contracts with Income Elements

- 5.1 When letting a concession contract or a contract that has no or minimal monetary value, these Rules must still be considered and applied in principle. The [Concession Contracts Regulations 2016](#) should also be considered.
- 5.2 Officers should explore areas for income generation and commercialisation. Where a contract is to be set up to generate income, advice should be sought from the P&C Hub and Legal Services, at project commencement.
- 5.3 The overarching principles along with compliance with [Public Contract Regulations 2105](#) and Council policy apply equally to concessions and contracts generating income.
- 5.4 In the interests of transparency use of the [E-Tendering Portal](#) is advised.

[Click here for further information on this section.](#)

## 6. Application & Waiver of the Rules

- 6.1 These Rules apply to all contracts for Supplies, Works or Services entered into by the Council, except where a [waiver](#) of all or part of the Rules is approved. [Waivers](#) should only be sought in **exceptional circumstances** given the general presumption that competition is the best way to demonstrate Best Value.
- 6.2 The Council must comply with the requirements of [Public Contract Regulations 2105](#) as it is not possible to waive these requirements.
- 6.3 All waivers are reported to the Procurement and Commissioning Review Board and will be reported to the Council's Audit Committee on an annual basis by the Head of the P&C Hub.
- 6.4 The officer requesting the [waiver](#) **must** keep a written record of any waiver of the Rules. Application of a waiver can be made via the [standard form for waivers](#) and will be reviewed by the Head of the P&C Hub.
- 6.5 Contracts let via a [waiver](#) must have documentation held on the [E-Tendering Portal](#).
- 6.6 [Waivers](#) will only be issued for a period of 12 months, unless agreed otherwise by the Head of the P&C Hub.

[Click here for further information on this section.](#)

## 7. Variations to Contracts

- 7.1 The contract manager may agree with a contractor to carry out additional Works or Services that were not included in the original contract but which, through change control or unforeseen circumstances have become necessary. Variations to existing contracts are generally not permitted except where the following conditions are satisfied:
- 7.1.1 All contract variations or extensions exceeding the EU Threshold for supplies/services and over £1,000,000 for Works must be reported to the Procurement and Commissioning Review Board.
  - 7.1.2 Budget is allocated for that expenditure.
  - 7.1.3 Value for money is demonstrated and appropriate authority for the variation is in place.
  - 7.1.4 Variations must be implemented in accordance with the terms of the Contract.
  - 7.1.5 Where the variation itself is a [Key Decision](#), then the rules relating to Key Decisions are followed.
  - 7.1.6 In addition to the requirements above, where the value of the variation exceeds the relevant EU Threshold, officers must comply with [Public Contract Regulations 2105](#) and advice should be sought from the Head of the P&C Hub/ Legal Services when considering whether the proposed variation is lawful.
- 7.2 Where there is any doubt, advice should be sought from the P&C Hub / Legal Services.
- [Click here for further information on this section.](#)

## 8. Exceptions to Competitive Tendering

- 8.1 Competitive tendering or the obtaining of quotes is not required where:
- 8.1.1 Agreement has been given by the P&C Hub to use a legally compliant Framework which the Council has procured or has the right to access (subject to complying with the rules applicable to that Framework, including mini competition);
  - 8.1.2 a suitable corporate contract is in place for the Services/Supplies/Works being procured;
  - 8.1.3 competition is prevented by government or statutory control;
  - 8.1.4 repairs, services, works, parts, goods or materials are required relating to existing machinery, vehicles, plant or equipment of a proprietary nature, where no suitable alternative supplier exists;
  - 8.1.5 ongoing maintenance, updating, licencing and support is required relating to existing ICT hardware and/or software that is proprietary in nature and no suitable alternative supplier exists;

- 8.1.6 the contract provides in writing for an extension to the length of the contract's term and the following conditions are met:
- a. the extension is for substantially the same works, supplies and/or services provided in the original contract;
  - b. the financial terms for the extension are as agreed in the original contract;
  - c. the length of the extension is no longer than that permitted by the original contract;
  - d. such extension would not breach the [Public Contract Regulations 2015](#); and
  - e. the appropriate authority/approval is in place in accordance with the Scheme of Delegation.
- 8.1.7 the contracts being procured are for special education needs or social care services below relevant EU Threshold and, in the opinion of the responsible officer following consultation with the P&C Hub, it is considered in the Council's interest or is required to meet obligations under relevant legislation. If above EU Threshold, officers are reminded that the Light Touch Regime applies.
- 8.1.8 Upon evidence of extensive market testing and consultation with P&C Hub / Legal Services, the goods, services or works are only available from a single supplier and no suitable alternative is available.
- 8.1.9 Contracts below EU Threshold being procured are for specialist professional services necessary to support children's or adult services where service users/clients select the supplier, but the grant funding is via the Council.
- 8.1.10 In relation to the exceptions, advice should be sought from Head of the P&C Hub and (where applicable) the Director of Governance Legal Services as to whether there is any risk of the Council breaching [Public Contract Regulations 2105](#).
- 8.1.11 Any decision not to seek competitive tenders must fully comply with this Rule 8, be reasonable in all the circumstances and be in the best interests of the Council. The decision must be recorded in writing and all documentation supporting the decision must be retained on the [E-Tendering Portal](#).
- 8.1.12 Where a contract is entered into via any of the rules above then the contract must be recorded on the [E-Tendering Portal](#).
- 8.1.13 In relation to the exceptions, the requirement to comply with the [Public Contract Regulations 2015](#) remains. Officers should consider publishing a Voluntary Ex-Ante Transparency ('VEAT') Notice for any exception granted that is higher than the EU

Threshold and the procedures leading to the award under the Regulations must be followed. A VEAT Notice can only be issued with approval from the Head of the P&C Hub.

[Click here for further information on this section.](#)

## 9. Invitations to Quote/Tender & Advertising

9.1 [Public Contract Regulations 2105](#) expects all competitive processes over £25,000 to be advertised. Where a competitive process is to be undertaken, quotations will, as a minimum be advertised as follows:

Estimated Contract Value	Advertising Requirements
Contracts up to the OJEU Thresholds	<a href="http://www.londontenders.org">www.londontenders.org</a> (please note the Council's internet site points suppliers to this link)
Contracts above OJEU Thresholds	Compliance with EU advertising rules including issue of Prior Information Notice (where appropriate) and Contract Notice in the Official Journal of the European Union (OJEU) (via the Council's tendering portal – <a href="http://www.londontenders.org">www.londontenders.org</a> ).

## 10. Receipt and Opening of Tenders and Quotes

10.1 The Council's [E-Tendering Portal](#) must be used in all procurements over £1,000, including those scenarios where arrangements are caught by the exceptions and exemptions.

10.2 Permission from the P&C Hub not to use the [E-Tendering Portal](#) must be obtained and all paperwork will be managed by the P&C Hub. This includes submissions by post or where documentation/additional information in relation to the tender is sent via post and not the Portal. [E-Tendering Portal](#) is compulsory for EU Procurements.

[Click here for further information on this section.](#)

## 11. Sustainable Procurement

11.1 At pre-procurement stage for the supply of Services, authorised officers must consider whether the [Public Services \(Social Value\) Act 2012](#) applies to those Services. This means that officers must consider how the service they are procuring might improve the economic, social and environment well-being of the area and the procurement process should support Council outcomes to generate community benefits.

11.2 Appropriate measures could include:

- Using local suppliers;
- Adding selection criteria to your bid to encourage:

- Apprentice opportunities for local residents;
  - Employment opportunities for local residents, long term unemployed or people with a disability;
  - Environmental benefits.
- 11.3 Where it is considered that some form of community benefit could be delivered via the procurement process, authorised officers must consider the following at pre-procurement stage:
- how the proposed procurement might improve the economic, social and environmental well-being of the “relevant area”;
  - how in conducting a procurement process the Council might act with a view to securing that improvement;
  - whether to undertake a consultation on these matters.
- 11.4 The Council’s [Sustainable Procurement Policy](#) recommends the inclusion of up to 10% evaluation weighting for sustainability in all procurements that are tendered through open competition.
- 11.5 Any community benefits delivered via the contract must be recorded in the [E-Tendering Portal](#) and information provided to the P&C Hub for central tracking via an email to [corporate.procurement@enfield.gov.uk](mailto:corporate.procurement@enfield.gov.uk).
- 11.6 For more information refer to the [Community Benefits Tool Kit](#).  
**Click here for further information on this section.**

## **12. Contract Award and Execution**

- 12.1 All contract awards that are [Key Decisions](#) must be awarded in accordance with the [Council’s Constitution](#) and must follow the Key Decision approval process.
- 12.2 Contracts can only be awarded by officers that have been delegated the power to do so under the Council’s Scheme of Delegation or relevant [Authority Report](#).
- 12.3 All contracts must be awarded based on the advertised evaluation criteria included in the advert or invitation to tender documentation and cannot be changed after the receipt of submissions, unless in line with [Public Contract Regulations 2015](#) or from advice from the P&C Hub.
- 12.4 Where a contract has been tendered in accordance with [Public Contract Regulations 2015](#) the contract cannot come into force until;
- 12.4.1 where applicable the appropriate [Authority Report](#) has been signed off and the call-in period in accordance with the [Council’s Constitution](#) has expired, and;

- 12.4.2 a mandatory 'standstill' period of at least ten calendar days has elapsed from the date of notifying bidders in writing of the Contract award decision.
- 12.5 Contracts are executed in accordance with the table in Rule 3. Officers must ensure that the Council's Scheme of Delegation permits the relevant officer to commit to the level of spend within the contract.
- 12.6 Where applicable a Contract Award Notice in OJEU via the [E-Tendering Portal](#) should be published.
- 12.7 All contracts awarded must be promoted through to the contracts register within the [E-Tendering Portal](#).

### **Letter of Acceptance**

- 12.8 The Council does not recommend the use of these but accepts that there are circumstances in which a letter to the successful bidder is needed where a contract cannot be issued in time. These should not be used without the prior approval of Legal Services.
- 12.9 Limited Liability Letters may only be used where there is a requirement for urgent works mobilisation (not simply to allow site access) and only if this has been approved by Legal Services and the appropriate [Authority Report](#) in accordance with the [Council's Constitution](#) has been approved.

[Click here for further information on this section.](#)

## **13. Terms and Conditions**

- 13.1 Every written contract or official order in lieu shall specify as a minimum:
- the Works, Supplies, Services or materials to be supplied or performed;
  - the price to be paid with a statement of discounts or other deductions;
  - the time or times within which the contract is to be performed;
  - the place or places for delivery or performance; and
  - the terms and conditions that apply to the contract.
- 13.2 Officers should be mindful that the default position for all procurements is to utilise the relevant template from the Council's standard suite of contracts referring to the accompanying Contract Procedure Rules guidance.
- 13.3 There may be occasions where it is necessary to use a supplier's terms and conditions of contract. The use of such terms must be approved by the P&C Hub/Legal Services to ensure that the Council can meet the contractual arrangements, especially in regard to payments

- 13.4 Every written contract shall include a clause which gives the Council the right to immediately terminate the contract if the contractor, or any of its employees or agents, commits an offence under the [Bribery Act 2010](#).
- 13.5 Every written contract shall confirm that the Council's payment terms are 30 days and include a clause requiring any sub-contractor permitted to be employed by the contractor, to be paid by the contractor within 30 days of the issuing of a valid invoice.

[Click here for further information on this section.](#)

## **14. Post-Tender Negotiations**

- 14.1 Post-tender negotiations may only take place if the tender documents allow for negotiation, set out the basis for such negotiations and are permitted under [Public Contract Regulations 2105](#).
- 14.2 In all other circumstances, all permitted bidders should be invited to re-tender on a revised specification.

[Click here for further information on this section.](#)

## **15. Working in Partnerships / Shared Services**

- 15.1 When working in partnership or collaboration with other authorities, these Rules still apply and governance and decision making still lay with the Council.
- 15.2 Unless a partnership or other body has a separate legal identity from the Council and has delegated, contractual or statutory authority to act on the Council's behalf;
- 15.2.1 the partnership or body can only make recommendations to the Council in respect of the procurement of supplies, services and/or works;
  - 15.2.2 the Council will then decide whether to procure those services and will comply with these Rules *and*;
  - 15.2.3 the Council remains legally and financially accountable for its obligations under the contract.

[Click here for further information on this section.](#)

## **16. Prevention of Corruption**

### **General standards of conduct**

- 16.1 All persons involved in the award of contracts shall comply with the Council's [Code of Conduct](#) and shall not invite or accept any gift or reward or

inducement which could influence them in any way in relation to the award or monitoring of any Council contract. High standards of ethical conduct are mandatory. Staff shall take steps to ensure that their behaviour could not lead to accusations of corruption. Corrupt behaviour will lead to dismissal and is a crime under the [Bribery Act 2010](#) and section 117 of the [Local Government Act 1972](#).

- 16.2 The Council requires Members, employees and contractors working on its behalf to act with honesty and integrity always, when dealing with resources owned by the Council or those for which it is responsible. This includes the responsibility for ensuring that assets are safeguarded and that procedures exist within areas of their responsibility to prevent and detect fraud.
- 16.3 The Council actively encourages the reporting of concerns about fraud and corruption through the [Council's Whistle-Blowing Policy](#).

### **Declaring an interest**

- 16.4 Any employee who has a pecuniary or other interest in any actual or potential Council contract must declare it in writing to their Manager and the Head of P&C Hub. All hospitality, gifts or other inducements received shall be recorded in the service department's hospitality register.
- 16.5 Suppliers taking part in any procurement activity should also be asked to declare any interest in writing to the officer and where an interest is declared this should be reported to the Head of P&C Hub immediately.

### **Organised Crime**

- 16.6 The Council needs to protect itself from organised crime. Where it is suspected that there is organised crime within the industry that a service department is procuring in, the P&C Hub should be contacted or the Whistle-Blowing policy used, to inform management.

[Click here for further information on this section.](#)

## **17. Record Keeping**

- 17.1 To ensure that there is a full audit trail of procurement activity and that the Council is open and transparent, service departments must:
- 17.1.1 keep a record of compliance with all stages of these Rules within the [E-Tendering Portal](#), retained in accordance with the periods set out in the [Council's Records Retention Schedule](#), or a minimum of six years from the contract end date, or if under seal for twelve years.

- 17.1.2 Where other records are kept, these must be stored in one location securely. Paper copies must be kept in one location on Council property, logged and secured. Access to these records should be by authorised officers only. Reference to these paper copies and their location must be held on the [E-Tendering Portal](#) for reference.
- 17.1.3 Records relating to the procurement and contract management are to be kept on the [E-Tendering Portal](#); including copies of the signed contract.
- 17.2 For contracts over £75,000 (Services and Supplies) and £100,000 (Works) the original contract must be sent to, or will be retained by Legal Services for secure storage or where appropriate processed online.
- 17.3 A contract must be sealed where:
- 17.3.1 the contract is over **£250,000** in value;
  - 17.3.2 the Council wishes to enforce the contract for a period of more than **6 years**;
  - 17.3.3 the price paid or received under the contract is a nominal price that does not reflect the value of the supplies or services;
  - 17.3.4 it is required by the parties;
- 17.4 Legal Services are responsible for the process of sealing the contracts. The affixing of the common seal of LBE is attested by an authorised officer from Legal Services, whose signature will be seen as executing the contract on behalf of the Council. The contractor/supplier must affix its company seal (if any), which must be attested by two directors OR one director AND a company secretary.

[Click here for further information on this section.](#)

## **18. Claims from Contractors/Suppliers**

- 18.1 Claims from contractors/suppliers shall be referred to the P&C Hub for advice and where necessary to Legal Services for consideration of the Council's legal liability and, where necessary to the Executive Director of Resources and Customer Services for consideration, before a settlement is reached. No payment will be made in relation to a dispute to a contractor without the appropriate decision being made under the Scheme of Delegation.

## **19. Guidance and Advice**

- 19.1 Advice on the application of these Rules should be obtained from the P&C Hub and/or Legal Services.

- 19.2 Guidance on these Rules and procurement is set out in the [Council's CPR's Guidance](#) and [Community Benefits Toolkit](#).

## **20. Contract management**

- 20.1 All contracts over £100,000 must have a nominated contract manager recorded on the [E-Tendering Portal](#).
- 20.2 Contracts over £250,000 per annum must have regular reviews and be measured against KPI's set out in the contract. These reviews must be recorded and all information held in the [E-Tendering Portal](#) .
- 20.3 Contracts must be managed within the Contract management guidelines in the Procurement [Code of Conduct](#) of Conduct. This must also include where applicable:
- 20.3.1 keeping a record of all valuations, payments, claims, monitoring, changes and certificates under the contract;
  - 20.3.2 managing the transition between the ending of one contract and the beginning of another;
  - 20.3.3 ensuring that suppliers maintain the insurance policies required by the contract and any other evidence that is needed to manage risk (e.g. DBS checks);
  - 20.3.4 ensuring that the supplier is compliant with the Council's policies; e.g. equal opportunities, whistle-blowing and any changes in legislation including Data Protection Act, Health & Safety and Safeguarding.
  - 20.3.5 That any Business Continuity Plans are reviewed and where necessary tested.
- 20.4 Where a contract needs to be terminated prematurely or for poor performance the P&C Hub must be consulted. The final decision will reflect the financial and legal implications arising from the termination.

[Click here for further information on this section.](#)

## **21. IR35 Rules**

- 21.1 The intermediaries' legislation, known as IR35 Rules is designed to make sure contractors pay the required tax and National Insurance on earnings. From 6th April 2017, the responsibility for deciding the employment status of contractors to the public sector will shift from the contractor to the client. Should it be found that IR35 applies, then back tax could be recovered from the Council for a period of up to 6 years. Please refer to the [HRMC site](#) to follow the online Employment Status Service test assessment process. This employment check must be uploaded into the [E-](#)

[Tendering Portal](#) as evidence where a consultant/individual has been procured.

[Click here for further information on this section.](#)

## **22. Consultation**

22.1 For Housing procurement contracts the [Commonhold and Leasehold Reform Act 2002](#) (CLRA) may apply. Where applicable, officers must undertake the required consultation with leaseholders. Leaseholders can nominate contractors for inclusion on a tender list for specific, below EU Threshold, procurement projects. Officers must liaise with Home Ownership Services to clarify the requirements under the CLRA before commencing with any procurement likely to affect leaseholders.

22.2 For all other procurements officers shall ensure that where applicable consultation with stakeholders is undertaken within the appropriate period of the procurement process.

[Click here for further information on this section.](#)

## 23. Glossary of Terms

### ASSUMPTIONS

Where these Rules refer to approval required from a person in a specified role (e.g. Head of Procurement & Commissioning Hub) such approval may be delegated to another officer by that person.

Aggregation	Is the requirement to add together the estimated value of separate contracts for meeting a single requirement. EU procurement expressly prohibits the splitting of requirements into smaller units or orders in an attempt to avoid the application of EU procurement.
Best Value	Means the optimum combination of price and quality identified through the Most Economically Advantageous Tender (MEAT).
Capital Works Programme	Agreed plan of work to be undertaken by the Council in relation to expenditure of the Capital Budget.
Concessions	A type of contractual arrangement under which, rather than paying the contractor to deliver a work or service, the Council grants the contractor the right to exploit an opportunity and receive some or all of its income from third parties (e.g. the public), retaining the profit. Defined under the Concessions Regulations 2016
<a href="#">Constructionline</a>	Government run scheme that keeps Health & Safety accreditation information on suppliers to avoid duplication for the supplier.
Contract	Means an agreement between the Council and any other organisation, including another public authority, made by formal agreement or by issue of a letter of acceptance or official purchase order for works, supplies or services.
Contract Procedure Rules Guidance Document	Documents that support this document and provides more detailed information and links to supporting information to ensure compliance these rules.
<a href="#">Council's Constitution</a>	Documents (s) that sets out how the Council is governed.
DAR/ <a href="#">Authority Report</a>	Delegated Authority Report required by governance to record decision making and record approval from delegated authority.
Directors	Means Directors and Executive Directors of Enfield Council
DPS	Dynamic Purchasing System
Due Diligence	Reasonable steps taken by a person to avoid committing a tort or offence. a comprehensive appraisal of a business undertaken by a prospective buyer, especially to establish its assets and liabilities and evaluate its commercial potential
E-Auctions/Reverse Auctions	The use of electronic media to conduct a tendering or bidding exercise where suppliers are able to bid, in secure, controlled conditions, for a contract.
E-Procurement	The electronic system used in the Council to electronically raise requisitions, purchase orders, supplies receipts and invoice payments.

E-Tendering	The carrying out of the tendering process using electronic means, such as the internet and specialist e-tendering software applications. It includes undertaking the tasks of advertising the requirements for supplies and services, registering suppliers, and issuing and receiving tender documents via the internet, as well as automating the evaluation of responses to a tender. Systems also incorporate contract management functionality.
E Tendering Portal	The E-procurement portal to be used to meet e procurement regulations.
EU	European Union.
EU Procurement	Procurement conducted in accordance with the relevant EU Directives and the corresponding UK legislation including in particular the Public Contracts Regulations 2015 as amended or replaced from time to time.
EU Threshold	Threshold set by the EU over which procurements must follow EU directives processes.
Exception	A procurement that is excluded from some part of the rules
Exemption	A procurement that is excluded from the <a href="#">Public Contract Regulations 2015</a>
Financial Regulations	Financial regulations forming part of the <a href="#">Council's Constitution</a> ; that set out financial management regulations for the council.
Framework Agreement	An agreement with suppliers which sets out the terms and conditions under which specific purchases can be made throughout the term of the agreement and which where necessary has been tendered in accordance with EU Procurement
Forward Plan	Is the list of Key Decisions published by the Council
Goods	Tangible products that can be consumable or non-consumable.
HUB	Team or group that provide centralised support for the Council
IR35	HRMC regulations regarding working regulations and TAX for agency workers and consultants.
JCT	Joint Contracts Tribunal.
Key Decision(s)	A 'key decision' within the constitution of the London Borough of Enfield is defined as a proposal: <p style="margin-left: 40px;">(a) which involves expenditure/savings of <b>£250,000</b> or above – this includes proposals phased over more than one year and match/grant aided funding, with a total of <b>£250,000</b> or above; or</p> <p style="margin-left: 40px;">(b) which has significant impact on the local community in one or more wards</p>
Light Touch Regime	This is the procurement process set out in the Public Contract Regulations 2015 that cover areas in Schedule 3; namely Adult social care and other areas listed in schedule 3.

London Tenders Portal (LTP)	<a href="#">E-Tendering Portal</a> used by the council to manage all procurement activity and contract register.
OJEU	Means the Official Journal of the European Union
Performance Bond	A bond issued by an insurance company or a bank to guarantee satisfactory completion of a project by a contractor.
Procurement and Commissioning Review Board	This board meets regularly and has representatives from the council to hear business cases to proceed with procurement projects.
<a href="#">Public Contract Regulations 2105</a>	Means all relevant external procurement rules and regulations applying in England.
Quotation	A formal statement or promise usually submitted by a potential supplier in response to a request for a quotation to supply specified supplies, works or services required by a purchaser at specific prices within a specific time frame. (A quotation should be distinguished from an Estimate, which is not a fixed price). N.B. A contract arises on acceptance of a quotation. Unless otherwise specified a quotation may be subject to the supplier's terms and conditions of business and those terms and conditions become part of the contract. Therefore, a request for quotations should specify that the quotation is subject to the Council's terms and conditions.
Services	Services such as maintenance of equipment, transportation, consultancy, technical services. etc. as defined by the current Public Contract Regulations.
Supplies	Can be tangible object delivered in relation to a contract. See also goods.
Scheme of Delegation	Documents setting out the delegated authority of Council officers.
Strategic Delivery board	Board to manage strategic Delivery of transformation and ICT transformation.
Tender	A sealed bid submitted in response to an invitation to tender, which invitation contains detailed information on requirements including a specification and terms and conditions
Variation	Any alteration, modification, addition to or deletion of any requirement of the Contract terms or specification.
VEAT Notice	Voluntary Ex-Ante Transparency Notice as part of the EU regulations.
Works	The outcome of building or civil engineering as defined under Schedule 2 of the Public Contract Regulations 2006, as amended

**MUNICIPAL YEAR 2017/18 REPORT NO: 90A**

<b>Agenda – Part: 1</b>	<b>Item: 12</b>
<b>Subject: BUSINESS RATES</b>	
<b>Wards: All</b>	

Council: 22 November 2017

**REPORT OF:**

Executive Director of Finance,  
Resources & Customer Services

**Contact Officers:**

James Rolfe      Tel: 0208 379 4600  
Jayne Fitzgerald      Tel: 0208 379 5571  
Alison Ross      Tel: 0208 379 3889

**1. EXECUTIVE SUMMARY**

- The Government has indicated its wish to see a London-wide business rate pilot pool established in April 2018. The Leaders' Committee at London Councils has indicated an in-principle agreement to an application to Government for such a pool, subject to the individual approval of all London authorities.
- For the proposals to proceed and be reflected in the provisional Local Government Settlement in December, it is necessary for all London authorities to indicate an in-principle intention to proceed before the Autumn budget (22 November).
- Formal and final decisions will need to be taken by all London authorities by mid-January, in order to be reflected in the Final Local Government Settlement in February 2018.
- This report sets out the issues and the proposed timetable.

**2. RECOMMENDATIONS**

- 2.1 Council is asked to 1) agree in principle to participation in a London Business Rates Pilot Pool with effect from 1 April 2018 and 2) delegate the Council's administrative functions as a billing authority to the appropriate lead authority/joint committee and 3) delegate authority to the Leader and the Executive Director of Finance, Resources & Customer Services to agree the operational details of the pooling arrangements with the participating authorities and (4) enter into such agreement as may be necessary to implement the Pool and to negotiate, finalise and execute the same on behalf of the Council.

**3 INTRODUCTION**

- 3.1 The Government has now indicated its renewed wish to see a business rate pilot pool established in London in April 2018, as indicated in the previous Memorandum of Understanding between the Government and London signed in March 2017. At the London Councils Leaders' Committee on 10 October, it was

agreed to support an application for the pool in principle, subject to the agreement of all individual participating authorities. This report sets out how the pool might work and the associated governance and timetabling issues.

#### **4 HOW THE POOL WOULD OPERATE**

- 4.1 The net financial benefit of pooling consists of retaining 100% of growth (rather than 67% across London under the current scheme), and in not paying a levy on that growth (which tariff authorities and tariff pools currently pay). The principle would mean that any aggregate growth in the pool overall – because of the increased retention level – would generate additional resources to share, with each pooling member to benefit to some extent. London Councils has provided a prospectus of how a London pool might operate, and how the potential financial benefits might be shared among London Authorities (The GLA, the City and the 32 London Boroughs). A summary of the prospectus is provided in Appendix 1 for information.
- 4.2 The key features offered and expected by the government would be:
- a. The pilot pool would be voluntary, but, to come into being, would need to include all London authorities.
  - b. London would collectively retain a greater proportion of the business rates collected in the capital, swapping these resources for Revenue Support Grant. (London would not in practice keep the full 100% of rates collected, as it would still pay an aggregate tariff to government to support local services in other parts of the country).
  - c. London would, however, retain 100% of any growth in business rate income above baselines, and would pay no levy on that growth. London Councils currently estimates the net benefit to London would be in the region of £240 million in 2018/19.
  - d. If London's business rates income fell, the collective pool would have a higher "safety net" threshold – 97% rather than 92.5% - than individual authorities in the existing system. This broadly reflects the greater reliance local authorities will have on business rates within the pilot. (For context, London's authorities are currently collectively estimating overall growth in rates income of 6%).
  - e. A "no detriment" guarantee will ensure that the pool cannot be worse off than the participating authorities would have been collectively if they had not entered the pilot pool. In the unlikely event of this arising, the government would intervene to provide additional resources. As a result, London would be able to guarantee that no authority could lose out because of participating: where authorities anticipate growth, they will continue to retain at least as much of that income as they would under the current system, plus a potential share of the aggregate benefits of pooling.
- 4.3 The prospectus proposes two founding principles that require agreement at the outset by all pooling members.
- 4.4 The first founding principle of the agreement would be that no authority participating in the pool can be worse off than they would otherwise be under the 50% scheme. This would include a guarantee that, where authorities are anticipating growth, they will continue to receive at least the same increase in

income as they would have received under the present system, plus a further share of the net benefits of the pool as a whole.

- 4.5 The second founding principle is to recognise that growing London's economy is a collective endeavour in which all boroughs make some contribution to the success of the whole, and therefore all members would receive some share of any net benefits arising from the pilot pool.
- 4.6 The prospectus outlined four weighted methods by which any additional financial benefit from retained business rates growth might be shared. An exemplification of the four weightings for the City of London, LB Enfield, and LB Waltham Forest is shown in Table 1 below.

	A	B	C	D
Table 1 - Exemplification of Potential Weightings	Equal weighting to each objective	Reduce Strategic Pot, Weight to Rates Growth, Needs and Population Equally	Greater weighting to Rates Growth, equal weighting to needs, population and strategic investment	Greater weighting to needs and population, reduced equal weighting to rates growth and strategic investment
	£m	£m	£m	£m
City of London	13.1	15.7	20.7	10.6
Enfield	3.3	3.9	3.1	3.7
Waltham Forest	2.4	2.9	1.9	2.9
Amount available in strategic pot	60.1	24.0	48.1	48.1

- 4.7 The Leaders' Committee delegated further negotiation on detailed matters (including proposed distribution methods) to be then put to individual authorities and the Mayor of London for agreement to the Chief Executive of London Councils, in consultation with London Councils' Chair, Deputy Chair and Vice Chairs
- 4.8 Following discussions, a new distribution weighting has been agreed. On 10 November 2017, the Chair of London Councils wrote to Borough Leaders advising them of the updated position, with the agreement of the new option that weighted the distribution at 15% rates growth; 35% to needs; 35% to population and 15% to an investment pot. This new distribution is in LB Enfield's favour, and the estimated share of the £240m under this option is £4.2m (higher than under any of the original options).

## 5 GOVERNANCE AND TIMETABLING

- 5.1 Bringing a pilot pool into effect requires two separate, but inter-related strands of decision-making:
- between the London local authorities, the Mayor, and the Government by which the Government designates the pool; and

- between the London local authorities and the Mayor of London by which London Government collectively decides how to operate the pool and distribute any financial benefits.

5.2 A 2018/19 pilot requires in principle agreement to be achieved between the authorities and the government before the Autumn Budget (now confirmed to be on 22 November 2017) for inclusion in the Provisional Local Government Finance Settlement in mid-December. Following the Provisional Settlement, any authority that did not want to proceed on the agreed terms would have 28 days to inform the government. If this happened, the pilot pool would no longer be viable.

5.3 The agreement between the authorities on the framework for operating the pool, will be progressed in parallel. To facilitate this process London Councils has procured legal advice on behalf of all the London local authorities (working in collaboration with the GLA) which will inform detailed guidance and frame the required decisions for member authorities to adopt and/or adapt to reflect their individual constitutional arrangements to give effect to the proposals.

5.4 All 34 authorities' decisions would need to be taken by mid-January 2018 at the latest, in order to be reflected in the Final Local Government Financial Settlement in February 2018.

## **6 ALTERNATIVE OPTIONS CONSIDERED**

6.1 In the light of the possible financial benefits, and the proposals for how these benefits might be shared, the preferred option is to join a London-wide pool, rather than remain in the present situation.

6.2 The prospectus from London Councils sets out different options for sharing any potential gain amongst London authorities.

## **7 REASONS FOR RECOMMENDATIONS**

7.1 There are potential financial benefits to this council and London wide from joining a pilot pool which is why it is recommended that London Borough of Enfield participate. Because of the timescale, it is requested that authority to conclude this process be delegated to the Leader and to the Executive Director of Finance, Resources and Customer Services.

## **8 COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

### **8.1 Legal Implications**

This report sets out the lawful basis upon which recommendations will be made to enter into a London Business Rates Pool.

There is an existing legal framework for the consideration of Business Rates Pools which are established by the Local Government Finance Act 2012, Schedule 1, amending the Local Government Finance Act 1988, Schedule 7B, para 34. In addition, section 111 of the Local Government Act 1972 gives a local authority power to do anything which is calculated to facilitate, or is conducive or

incidental to, the discharge of any of its functions. The recommendations detailed in this report are in accordance with these powers.

The Council has discretion as to whether it wishes to apply to join the London Business Rates Pool. The proposed founding principles of the pilot are intended to minimise the risks for the Council in joining the proposed scheme. These are (i) 'Nobody Loses' whereby no authority participating in the scheme will be worse off than they otherwise would be under the current scheme and (ii) all members will receive some share of any net benefits arising from the pool.

To secure designation as a pool for 2018/19, 'in-principle' agreement must be secured from all London authorities before the Autumn Budget for inclusion in the Local Government Finance Settlement in December. The authorities must also convene local arrangements to operate the pool and distribute any financial benefits.

The Council may also wish to seek and obtain formal assurance that there will be no new burdens imposed on London authorities as part of this business rates pilot agreement.

Appropriate consultation should be undertaken and taken into account with those affected as part of this decision-making process.

The Council has ongoing duties under the Equality Act to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and advance equality of opportunity between people who share a protected characteristic and those who do not and foster good relations between those who share a protected characteristic and those who do not. Members must consider how their decisions will contribute towards meeting these duties in light of other relevant circumstances such as economic and practical considerations.

Expert legal opinion on the proposals has been procured by London Councils which sets out the potential governance options for the proposed pool. These are reflected in the recommendations.

## **8.2 Financial Implications**

There will be no immediate financial impact, as any benefits will only flow through once all Boroughs' rates income for the 2018/19 financial year has been finalised. It is not therefore proposed at this stage to include any assumptions on potential additional funding arising from participating in the pilot pool in the 2018/19 Budget.

## **8.3 Key Risks**

One risk is that the estimates of business rates growth in London which are being used to exemplify the benefits of pooling are not achieved. This risk is mitigated by the proposed safety net and the no detriment guarantee which London Councils is seeking assurance on from Government.

There should be no new burdens imposed on London authorities as part of this business rates pilot agreement. The Memorandum of Understanding on Devolution agreed in March included business rates within a broader package of service devolution ambitions. Leaders and the Mayor would not want to see the

potential benefits of the pilot being regarded as funding streams for newly devolved responsibilities. London Councils officers have sought and received such assurance from civil servants, but they want to see this more formally recognised.

#### **8.4 Property Implications**

There are no Property implications arising from the proposals.

### **9 IMPACT ON COUNCIL PRIORITIES**

9.1 As there will be no immediate financial impact, there will be no immediate impact on council priorities.

### **10 EQUALITIES IMPACT IMPLICATIONS**

10.1 Discussions on re-distribution of additional monies include consideration of financial need.

### **11 PERFORMANCE MANAGEMENT IMPLICATIONS**

11.1 There are no performance management implications.

### **12 PUBLIC HEALTH IMPLICATIONS**

12.1 There are no public health implications directly related to this report.

#### **Background Papers**

None.

## Appendix 1: Summary of London Councils Prospectus on London Business Rate pilot pool

### Introduction

1. This is a summary of the prospectus that was reported to the London Councils Leaders' Committee on 10 October 2017. The report and prospectus are here: <http://www.londoncouncils.gov.uk/node/32689>
2. There was a lack of clarity following the general election over Government's intentions on business rates reform. The Secretary of State has now written to London Councils and London is being invited to pilot a London Business Rate Pool in 2018/19. London Councils has updated its prospectus in the light of this and further discussions with Government, the Mayor and with members of the London Councils Executive.
3. The updated draft prospectus sets out how the London Business Rates pilot pool would work in practice. It seeks to address issues raised by Leaders and provides minor updates to the estimated benefits of pooling, arising from increased growth projections in 2018-19 received from some boroughs over the summer. The revised prospectus sets out more fully some of the issues around potential next steps and timescales, should boroughs be minded to proceed.

### The anticipated "terms of trade"

4. The key features offered and expected by the Government would be:
  - The pilot pool would be voluntary, but must include all London authorities
  - London would collectively retain a greater proportion of business rates collected, swapping these resources for Revenue Support Grant, Public Health Grant and the Improved Better Care Fund. (London would not in practice keep the full 100% of rates collected, as it would still pay an aggregate tariff to Government to support local services in other parts of the country).
  - London would, however, retain 100% of any growth in business rate income above baselines, and would pay no levy on that growth (this net benefit is estimated at £240 million in 2018/19).
  - If London's business rates income fell, the collective pool would have a higher "safety net" threshold – 97% rather than 92.5%
  - A 'no detriment' guarantee will ensure that the pool, as a whole, cannot be worse off than the participating authorities would have been collectively if they had not entered the pilot pool. In the unlikely event of this arising, Government would intervene to provide additional resources.
5. Feedback from Leaders and discussion at Executive has indicated a desire for assurance from the Government on key aspects of a potential agreement:
  - There should be no new burdens imposed on London authorities as part of this business rates pilot agreement. Leaders and the Mayor would not want to see the potential benefits of the pilot being regarded as funding streams for newly devolved responsibilities. London Councils officers have sought and received such assurance from civil servants, but this needs formal recognition.
  - Interaction with the Fair Funding review. The prospectus states that '*Participation on a pilot pool will not affect the outcome, or London's ability to contribute to the review in any way, and Leaders are keen that Government formally acknowledges this.*'
6. The Secretary of State's letter concludes by stating that he '*would be keen to see detail of robust governance arrangements and a commitment to invest a significant share of pooled funds in London-wide strategic growth and priority projects.*' Leaders have raised questions about these points, which are discussed in more detail in the prospectus. The prospectus states that the Government will want to see evidence of progress before it will agree to designate a London pool.

### Founding principles for a London business rates pilot pool

7. It is proposed that there are two founding principles that would require agreement at the outset by all pooling members:
  - Nobody loses
  - All members share some of the benefit
8. Civil servants have confirmed that a London pilot pool would be underpinned by the same safety net arrangements and “no detriment” guarantee currently offered to existing pilots in 2017/18. This ensures that the pool cannot be worse off than the participating authorities would have been collectively if they had not entered the pool. (It is worth noting that other authorities applying to become pools in response to the latest invitation will not receive this guarantee). The guarantee would ensure that the minimum level of resources available for London, as a whole, could not be lower than it would otherwise be. To ensure that no individual authority loses out as a result of participating, the first call on any additional resources generated by levy savings and additional retained rates income, would be used to ensure each borough and the GLA receives at least the same amount as it would have without entering the pool. Each borough – whether its business rate income grows or declines during the operation of the pilot pool – will receive, as a minimum, the same amount of cash it would have received under the existing 50% system.
9. In recognition of the complex interconnectedness of London’s economy, it is proposed that the second proposed founding principle would be that all members would receive some share of any net benefits arising from the pilot pool.

### Sharing the benefits of pooling

10. The latest estimated net benefit to a London pool is £240 million in 2018/19 following the inclusion of updated estimates from a small number of boroughs over the summer. The prospectus identifies four ‘objectives’ that the distribution of any gains could reflect. These are set out in Table 1 below, with comments from the prospectus on the methodology that could be used.
- 11.

Table 1: Distribution Objectives	Prospectus comments
Incentivise business rates growth: allow those boroughs where growth occurs to keep some proportion of the extra resources which would be retained because of the London pool.	A “pure” way to incentivise growth would be for the London local authorities where growth occurs to retain the full benefit, including any levy savings, after ensuring all authorities had been brought up to the level of funding they would otherwise have received under the current 50% scheme. This option would see the greatest reward go to those whose business rates grow, but would produce no net benefit for the minority of boroughs where no (or negative) growth is expected.
Recognise the contribution of all boroughs (through a per capita allocation).	A simple <i>per capita distribution</i> using the latest population estimates from the ONS would recognise the requirement to work collectively to grow London’s economy and ensure a share of the benefit for all authorities.

Table 1: Distribution Objectives	Prospectus comments
Recognise need (through the needs assessment formula).	While the role of incentivising growth is important, some recognition of <b>increasing need</b> and demand for services has also been identified as a priority. Economic and business growth also drives and is reinforced by increasing demand for services across the capital. One measure that could be used to distribute any net benefit could therefore be to reflect the Government's current assessment of need: Settlement Funding Assessment (although this will clearly be subject to change in future following any Fair Funding review).
Facilitate collective investment (through an investment pot designed to promote economic growth and lever additional investment funding from other sources).	Recognising the requirement for collective investment to promote further economic growth could be facilitated by retaining resources in a strategic investment pot. Such an approach would help address the Government's original policy objectives behind business rate retention. It is assumed that, to achieve any significant impact, such resources would need to be invested in a small number of targeted projects.

12. The prospectus puts forward options for weighting the four objectives, to get a balance of rewarding growth and funding need, by splitting the projected overall benefit of £240m into four funding pots which would then be distributed according to the methods in Table 1 above.
13. The four weightings are:
- A. An even split percentage between the four pots (25:25:25:25).
  - B. Reducing the strategic investment pot to 10% of the total, while the "reward", "needs" and "population" pots are equally weighted (30:30:30:10).
  - C. Greater "incentive weighting" with equal weighting for the other three pots (40:20:20:20)
  - D. Greater "needs" and "population" weightings (each 30%) with equal remaining weightings of 20% for "incentives" and "investment" pots (20:30:30:20)

14. The impact on each borough of these weighting options is provided in Appendix A to the prospectus. An exemplification of the four weightings for the City of London, LB Enfield, and LB Waltham Forest is shown in Table 2 below.

	A	B	C	D
Table 2 - Exemplification of Potential Weightings	Equal weighting to each objective	Reduce Strategic Pot, Weight to Rates Growth, Needs and Population Equally	Greater weighting to Rates Growth, equal weighting to needs, population and strategic investment	Greater weighting to needs and population, reduced equal weighting to rates growth and strategic investment
	£m	£m	£m	£m
City of London	13.1	15.7	20.7	10.6
Enfield	3.3	3.9	3.1	3.7
Waltham Forest	2.4	2.9	1.9	2.9
Amount available in strategic pot	60.1	24.0	48.1	48.1

15. When comparing different approaches, it is important to consider whether would be beneficial to have a top sliced strategic pot as this affects the remaining amount available to flow more directly to the Boroughs. Whilst Option B gives slightly more gain to LB Enfield directly, there is less money in the top-sliced pot than in Option D. Leaders were invited to consider the options in the context of balancing the objectives of incentives and need, and be in a position to indicate a preference for the weighting by the time of the meetings of the Leaders' Committee and Congress of Leaders and the Mayor on 10th October. Any final decision on such matters will remain with the authorities themselves in agreeing to participate in the pool on these terms or by agreeing the mechanism by which such matters will collectively be agreed after the pool is established.

### **Governance and the Investment Pot**

16. Leaders and the Mayor have previously identified Congress of Leaders and the Mayor as the appropriate body formally to express any commitments. However, legally, a pilot pool requires two separate agreements:
- between London and the Government by which the Government designates the pool; and
  - between the boroughs, City of London and the Mayor of London by which London Government collectively decides how to operate the pool and distribute the financial benefits
17. For both agreements, each authority will need to take the relevant decisions through its own constitutional decision-making arrangements. The Government will require "in principle" agreement by the time of the Provisional Local Government Finance Settlement in December; in practice this will likely still be subject to final approval pending all participating authorities taking the required decisions.
18. Participation in a pool in 2018-19 would not bind boroughs or the Mayor indefinitely. As with existing pool arrangements, the founding agreement would need to include notice provisions for authorities to withdraw in subsequent years.
19. On any investment pot, it is proposed that approved proposals should:

- promote increased economic growth, and increase London's overall business rate income; and
  - leverage additional investment funding from other sources.
20. These principles would be agreed as part of the founding agreement for the pool – and would therefore require unanimous support. The prospectus suggests that Boroughs might consider delegating management of the investment pot to a new joint committee, including the Mayor, to avoid a cumbersome process for project approval.

### **Accounting and reporting arrangements**

21. As in other existing pools, it is a statutory requirement that a 'lead authority' act as the accountable body to government and would be responsible for administration of the pooled fund. Responsibilities from existing pool agreements typically cash management, accounting and reporting. The lead authority would, therefore, be responsible for the net tariff payment to central government as well as the internal tariff and top up payments to the pool authorities. The partner billing authorities would make payments to the lead authority based on an agreed schedule, which could be made on the same schedule of payment dates agreed for tariff and top up payments.
22. It is likely that the resources required to perform this function would be 1 FTE post, which would likely be a senior accountant with considerable experience and understanding of collection fund accounting and the business rates retention scheme.
23. A separate pooled collection fund would be required to be established that would sit with the lead authority. A key issue will be the treatment of Collection Fund surpluses and appeals provisions within the pool. The key principle pooling authorities would have to agree is that the benefits (or costs) of actions undertaken by the boroughs prior to entering the pool should remain with the borough so that no borough can be worse off than they would have been under the 50% scheme.

### **Timetable**

24. A 2018-19 pilot would require in principle agreement to be made between the authorities and the Government before the Autumn Budget – now confirmed to be on 22 November 2017 – for inclusion in the Provisional Local Government Finance Settlement in December.
25. At the same time, each of the 34 authorities must take all relevant decisions at a local level, regarding both:
- the designation of the pool by the Government and the appointment of a named lead authority; and
  - agreeing the framework for the pool's operation.
26. London Councils propose to procure legal advice on behalf of all the London local authorities (working in collaboration with the GLA) which will inform detailed guidance and frame the required decisions for member authorities to adopt and/or adapt to reflect their individual constitutional arrangements to give effect to the proposals. All 34 authorities' decisions would need to be taken in time for the resulting business rate and funding baselines to be incorporated within the Final Local Government Finance Report in February.

This page is intentionally left blank

Rt. Hon. David Gauke  
 Secretary of State for Work & Pension  
 Department for Work & Pensions  
 Caxton House  
 Tothill Street  
 London SW1H 9DA

13 October 2017

*Dear Secretary of State,*

**London Borough Enfield - Proposed Rollout of Universal Credit November 2017**

It is with dismay that I am advised that the DWP is proposing to commence the rollout of Universal Credit in the London Borough of Enfield from November 2017.

DWP staff have described a staged rollout over a four month period, starting in postcodes EN1, EN2, N9 and N13 concluding in February 2018.

The start of the rollout in November means that families claiming Universal Credit for the first time **will be left without benefit payments in the run up to Christmas.**

We have estimated that almost 250 households per month will be hitting a trigger to claim Universal Credit. Those switching over to Universal Credit from other benefits will also risk disruption to benefit income at an extremely challenging time of year for low income households.

By Christmas, we are anticipating 500 households will be making the transition to Universal Credit or making a fresh claim. Over time 24,000 Enfield residents will be transferred over to Universal Credit, many living in the private rented sector.

The volatile nature of Enfield's private rented sector is evidenced by Ministry of Justice figures which reveal that Enfield had the highest recorded number of possession orders – 2,314 – awarded during 2015/16. Enfield also has one of the highest number of local families living in temporary accommodation, with most households becoming homeless having been evicted from a private sector tenancy.

We have real concerns that the time taken to process Universal Credit claims, results in difficulties for advocates and claimants to get through to the processing centre with avenues of representation being severely restricted. This will have a negative impact on our local residents.

We strongly believe that the rollout of Universal Credit in Enfield must be undertaken in a way that allows local landlords to retain confidence in letting their property to those who receive benefit.

You will be aware that many statutory and voluntary services are closed or operating at a reduced level over the Christmas period and the assistance for local families, who are in financial difficulty, will be limited.

We are therefore asking you to urgently reconsider the decision to commence rollout of Universal Credit in November 2017 and consider a revised date no earlier than February 2018.



**Doug Taylor**  
**Leader of the Council**



**Cllr Joanne Laban**  
**Leader of the Opposition**



Department  
for Work &  
Pensions

Ministerial  
Correspondence  
Caxton House  
Tothill Street  
LONDON  
SW1H 9DA

0207 340 4000

[www.gov.uk](http://www.gov.uk)

[ministers@dwp.gsi.gov.uk](mailto:ministers@dwp.gsi.gov.uk)

Councillor Doug Taylor  
Enfield Council  
Civic Centre  
Silver Street  
Enfield  
EN1 3XA

Our ref: POS(2)4046/791

01 NOV 2017

*Dear Mr Taylor,*

Thank you for your letter of 13 October to the Secretary of State about Universal Credit. I am replying as the Minister responsible for this area of the Department's work.

There are no plans to pause the rollout of Universal Credit and deny people the real improvements Universal Credit is delivering, with more people finding work, spending longer looking for work and taking up jobs they would not have previously considered as a result of it. We continue to deliver Universal Credit in a careful and coordinated way, which means that improvements can be made along the way.

Universal Credit is a big change for some people, so Jobcentre Plus staff are making sure that people understand the new system and that they receive support tailored to their needs. People applying for and receiving Universal Credit are offered personalised support from a Work Coach, and they have access to an adviser who can answer questions about their claim and provide access to other advice services.

Whilst I have noted the concerns you have raised, we maintained rollout over last year's Christmas period without any adverse impact and we will do the same this year. Our latest published data shows around 80 per cent of new claims paid in full at the end of the first assessment period. For the 20 per cent of cases who were not paid in full, we estimate around a third have not signed their Claimant Commitment so cannot be paid until they have done so. The other two thirds have an outstanding verification issue, such as providing bank statements, evidence of

childcare costs, or proof of rent. Many of these claimants receive a part-payment where elements of the claim have been verified. We have recently published timeliness data on the Government's website at: [www.gov.uk/government/statistics/universal-credit-payment-timeliness-january-to-june-2017](http://www.gov.uk/government/statistics/universal-credit-payment-timeliness-january-to-june-2017).

If people need money before their first Universal Credit payment, they can get an advance of up to 50 per cent of their estimated Universal Credit payment and this is paid quickly. Advance payments are an important part of the Universal Credit safety net, with around half of new claimants in July 2017 receiving an advance. By refreshing our guidance to Jobcentre staff, we are making sure claimants know they can request an advance and the maximum amount they are entitled to receive when they first apply for Universal Credit. The advance can be paid back over six months or longer for those people who need it. An advance can be claimed before a Claimant Commitment is signed.

Once we know a claimant is entitled to an advance, it is paid within five working days and if someone is in urgent need, a payment can be made on the same day. Previously, claimants would be asked how much they needed in an advance and now they can be offered the maximum amount upfront. If claimants need an advance, they should talk to their work coaches or call the Universal Credit telephone helpline on 0345 600 0723, which is charged at the same rate as a normal 01 or 02 landline. I should also point out that from November, the Universal Credit telephone helpline will become a freephone number.

Budgeting support is also available for anyone who needs it. Personal Budgeting Support aims to prepare all claimants for the financial changes Universal Credit brings. This is addressed at their initial work search interview to gauge their potential support needs and can include money advice.

Rent arrears are an important issue. There are many factors at play and many people are coming into Universal Credit with pre-existing arrears. The Department is currently undertaking work, in conjunction with a housing association, to investigate the reality of rent arrears in Universal Credit. It aims to understand the true level of rent arrears for their tenants, what is causing them and any impacts Universal Credit may be having.

We prioritise vulnerable claimants, including those at risk of homelessness or who have addiction problems, for Alternative Payment Arrangements, as set out in annex one of our guidance for Alternative

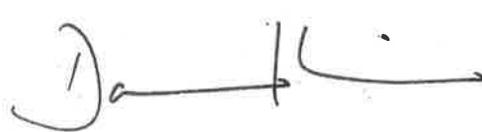
Payment Arrangements. This can be viewed on the Government's website at:  
[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/607851/personal-budgeting-support-and-alternative-payment-arrangements.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/607851/personal-budgeting-support-and-alternative-payment-arrangements.pdf).

Alternative Payment Arrangements might include managed payment of the Universal Credit housing costs to landlords, making payments more frequently than monthly and splitting the payment between partners within the household in cases of domestic violence.

As outlined above, safeguards are in place for claimants including advances, budgeting support and Alternative Payment Arrangements. Research shows that over time claimants do successfully reduce their arrears. We continue to work closely with landlords, local authorities and other organisations to ensure claimants are supported and we are taking steps to help prevent them from falling into arrears.

Universal Credit is more effective and more efficient than the old system. Research also shows Universal Credit claimants are four percentage points more likely to be in work within six months than Jobseeker's Allowance claimants. People on Universal Credit spend around 50 per cent more time looking for a job than they did under Jobseeker's Allowance. In addition, 86 per cent of people on Universal Credit were actively looking to increase their hours, compared to just 38 per cent of people on Jobseeker's Allowance because they can take on more hours without losing their benefit. 77 per cent of people on Universal Credit were actively looking to increase their earnings, compared to just 51 per cent of people on Jobseeker's Allowance.

If I can be of further assistance please do not hesitate to contact me.

Tom Hinds  


**Damian Hinds MP**  
**Minister for Employment**

This page is intentionally left blank

**Council Questions 22 November 2017****Question 1 from Councillor Laban to Councillor Lemonides, Cabinet Member for Finance & Efficiency**

Would the Cabinet Member for Finance and Efficiency inform the chamber how much money we have spent on artificial intelligence so far and the level of savings we have achieved because of the investment?

**Reply from Councillor Lemonides**

So far £251,000.00 has been spent, which was for the 'contract' signature and development environments.

The purpose of the Council's investment in artificial intelligence is to help manage increasing levels of demand. In other words, to achieve more output with the same or reducing levels of resource. So, a cashable saving is unlikely to be achieved, but it is intended that increases in costs may be avoided. Once the system is live, a full benefits review exercise will be conducted.

**Question 2 from Councillor Abdullahi to Councillor Taylor, the Leader of the Council**

Can the Leader of the Council comment on the Government's budget statement and its impact on Enfield?

**Reply from Councillor Taylor**

Any comment at present would be speculative, and further briefing will be provided as soon as the Budget Statement has been made and analysed. However, I hope it signals an end for Government imposed austerity and a relaxation of the pay cap.

**Question 3 from Councillor Laban to Councillor Oykenner, Cabinet Member for Housing & Housing Regeneration**

We approach the 80th week of a projected 23-week housing improvement scheme on the Parsonage Lane maisonettes EN2. The residents have had to live with extreme inconvenience for all this time because of failures by United Living and poor contract management by Enfield Council.

Would the Cabinet Member for Housing and Housing Regeneration pledge not to charge leaseholders for the works carried out by United Living at the Parsonage Lane maisonettes due to the overrun and inconvenience that all residents have been put through?

**Reply from Councillor Oykenner**

The project referred to in the question was not confined to Parsonage Lane. It also included homes in:

Halifax Road  
Ivinghoe Close  
Pevensey Avenue  
Cheviot Close  
Heaths Close  
Churchbury Lane  
Chase Green Avenue  
Bycullah Road

As the question suggests, this project has been beset by difficulties, mainly as a result of actions by the contractor.

Nevertheless, the works that have been carried out are now virtually complete and the installation of new double-glazed windows, new pitched roofs and new entrance doors has improved the appearance of the blocks concerned.

It is not the intention of the Council to charge leaseholders for any extensions to the original works or time extra taken to complete the project; however, it is also not the council's intention to waive the charges originally detailed in the Section 20 notice sent to leaseholders and consulted on at the outset of the work. Leaseholders will benefit from the work through the increase in the value of their asset. The only way to fund the work without recouping the leasehold share of the cost would be by tenants funding 100% of the cost. This would result in the bizarre position of council tenants' rent being used to fund work on homeowners property, from which the homeowners would derive long term financial gain.

#### **Question 4 from Councillor Pite to Councillor Anderson, Cabinet Member for Environment**

For some time, there has been a problem with cars racing and performing stunts along the A10 and A406 posing danger to other road users. Can the Cabinet Member for Environment tell us what actions the Council has taken to seek to address this?

#### **Reply from Councillor Anderson**

In response to concerns from residents, the Council, Transport of London (TfL), and the police have been working in partnership to resolve the long-standing problems associated with speeding on the A10. This multi-agency approach involves each organisation taking co-ordinated action.

In the short-term Enfield Council and the police are offering some coordinated measures. The Cabinet last week agreed the introduction of a Public Spaces Protection Order to help deal with vehicle cruising activity, which includes racing and engine revving along the A1 and will allow council officers to support the police in taking action to stop such activity as well as tackling meet ups on the retail parks by issuing on the spot fines of up to £100; whilst the police will continue to undertake speed enforcement operations.

In the medium to longer term, and after some intense lobbying, TfL have now agreed to the rolling out of a fully comprehensive average speed camera scheme, aimed at a reduction in speed and an improvement in the A10's safety record.

However, due to TfL funding constraints, this will necessarily be delivered on a phased transition basis. The first phase will be introduced within the next few months with all parties working towards completion of the scheme within three years.

Combined, the above measures should help tackle and address the speeding menace that has blighted the lives of residents in the vicinity for some years.

**Question 5 from Councillor Laban to Councillor Oyken, Cabinet Member for Housing & Housing Regeneration**

Would the Cabinet Member for Housing and Housing Regeneration confirm that the works carried out by United Living on the Parsonage Lane maisonettes will be totally completed before Christmas?

**Reply from Councillor Oyken**

The large part of the works is now already completed and scaffolding has been removed. There are some outstanding snagging works to finish off, but it is anticipated that these too will be completed by Christmas

**Question 6 from Councillor Ekechi to Councillor Sitkin, Cabinet Member for Economic Regeneration and Business Development**

Could the Cabinet Member for Economic Regeneration and Business Development update the Council on the current state of negotiations with the Meridian Water Master Developer Framework Agreement (MDFA) reserve bidder?

**Reply from Councillor Sitkin**

The Council agreed to write to the reserve bidder confirming the outcome of the Cabinet meeting. An initial meeting has been held between PCPD and the Assistant Director of Regeneration and Planning and with the Leader and Cabinet Member. Once four information sharing workshops have been completed, formal negotiations will commence, in early December 2017.

**Question 7 from Councillor Dines to Councillor Oyken, Cabinet Member for Housing & Housing Regeneration**

Reports on the Haringey Development Vehicle suggest that a large number of social housing tenants are going to be displaced by the plans Haringey Council are submitting.

[https://www.theguardian.com/commentisfree/2017/oct/25/labour-council-regeneration-housing-crisis-high-court-judge?CMP=share\\_btn\\_fb](https://www.theguardian.com/commentisfree/2017/oct/25/labour-council-regeneration-housing-crisis-high-court-judge?CMP=share_btn_fb)

How many people have Haringey Council rehoused in Enfield in 2014/15/16/17, does the Cabinet Member expect that these numbers will increase in the future?

This question has been withdrawn and sent to Haringey Council as a Freedom of Information request.

**Question 8 from Councillor Barry to Councillor A Cazimoglu, Cabinet Member for Health & Social Care**

This year World Mental Health Day (WMHD) theme was about mental wellbeing in the workplace. Can the Cabinet Member for Health & Social Care tell us what Enfield did to promote this on the day?

**Reply from Councillor A Cazimoglu**

Enfield Council welcomed the focus on mental wellbeing in the workplace for this year's World Mental Health Day (WMHD) – which it promoted extensively to staff, residents and businesses in the run-up to the WMHD – and on the day.

Promotional activity included the lightening up of the tower in the Civic Centre with the WMHD icon to create a media opportunity and local interest. This was supported by a press release and promoted through all Council communication channels including the website, the Council Facebook page and the Council Twitter feed – giving us the platform to highlight the importance of mental wellbeing in the workplace. Themed banners and balloon displays were also installed at the entrance to some Council customer access centres to attract resident interest.

Internally, information stalls were set up in the Civic Centre and at Morson Road depot providing information and advice for Council staff. These stalls were promoted extensively internally – on the plasma screens, through Enfield Eye and through the weekly staff email. Links to the Healthy Workplace section of the intranet covering guides to mental health wellness and the Counselling and Employee Assistance Programme were included in these promotions.

As well as this promotional activity in the run-up to WMHD, a comprehensive social media campaign was delivered on the actual day. WMHD tweets were among the best performing on Twitter for the month of October. One of our World Mental Health Day posts on Facebook had a reach of over 10,000 people. A staff promotion directing people to an information stall in the Civic Centre canteen was also delivered on the day.

**Question 9 from Councillor Neville to Councillor Oyken, Cabinet Member for Housing & Housing Regeneration**

In the light of the recent court decision against Southwark Council, will the Cabinet Member inform the Council whether Enfield has acted as agent for Thames Water in collecting water and sewerage charges from tenants, if so will he confirm that the Council has passed all savings on such bills arising from the arrangement back to the tenants?

### **Reply from Councillor Oyken**

Recent challenge has indicated that Enfield has, in the past, been selling Thames Water services rather than acting as an agent for Thames Water in collecting water and sewerage charges for tenants. In line with the decision of almost all other boroughs any repayment will be addressed on a case by case basis.

### **Question 10 from Councillor Dogan to Councillor Oyken, Cabinet Member for Housing & Housing Regeneration**

Could the Cabinet Member for Housing & Housing Regeneration outline the improvements to the delivery of Neighbourhood Services following the completion of the restructure in 2016?

### **Reply from Councillor Dogan**

The Neighbourhood Services restructure was implemented in 2016, against a number of key outcome priorities. We have a new Neighbourhood Management Team, with experience of working in different sectors and have supported the development of a range of new ways of working which will deliver the transformation of this service – examples of this are:

- A new approach to identify and prioritise the expenditure to deliver the annual Neighbourhood Improvements programme which is supported and agreed by the Customer Voice. There is a three-year rolling programme of improvements.
- Implementation of a new Neighbourhood Standards and Monitoring for Cleaning, Grounds Maintenance, Neighbourhood Management, Communal Repairs which are monitored monthly and graded against Gold/Silver/Bronze/Unclassified standards, with a target of 90% of all estates to reach the silver standard by the end of this financial year.
- Learning from the STAR Survey outcomes, the delivery of an action plan to improve services and developing a new matrix to monitor satisfaction on a quarterly basis which will commence shortly.
- Improving resident engagement, through developing new Tenant and Resident opportunities.
- The introduction of a new management and inspection standard for high-rise following the Grenfell fire, such zero tolerance in communal areas.
- A new suite of performance outcomes for each Neighbourhood Officer is being piloted.

We are piloting a new service delivery model pilot to look at how a Neighbourhood Officer can influence and lead on delivering services to a patch. Each neighbourhood will have:

- A 3-year plan to identify priorities to action such as funding for neighbourhood improvements, respond to customer satisfaction and understand their priorities for their homes and neighbourhoods.
- Bespoke service levels and standards to meet customer expectations.
- Resident engagement events.

In this pilot we will be working closely with Public Health on a number of priorities, and will include some or all of the following initiatives:

- Close the Streets: We will include the Avenues as part of the public health initiative to promote healthy play during January and July 2018.
- Tottenham Hotspur Training: to support residents to become trainers and develop a community leadership role.
- Health Start Vouchers: to support our residents on universal credit with children under the age of 5 with £3.20 per child per week for milk.
- Community Food Growing: This is a secured grant and will be commissioned by the end of the financial year, to support education for food growing, veg swaps, recipes and to maximise offer of food growing opportunities through allotment allocation, or veg growing boxes on estates.
- Community Fridge: Develop sites and volunteers to run community fridges for residents.
- Apprenticeship schemes to build food boxes for veg growing.

When the outcomes of this pilot are evaluated we will be implementing a similar model to all Neighbourhoods as a phased approach.

#### **Question 11 from Councillor Neville to Councillor Anderson, Cabinet Member for Environment**

Payments to the contractor for the A105 scheme from September 2016 when work started to July 2017 are reported via FOIs as follows:

<b>A105 2016/17 Payments to RJ's</b>	<b>Contraction</b>	<b>Design</b>
Interim Valuation No. 1 (Sep)	£100,000.00	£200,000.00
Interim Valuation No. 2 (Oct)	£163,969.88	£ 83,783.82
Interim Valuation No. 3 (Nov)	£352,516.08	-
Interim Valuation No. 4 (Dec)	£507,214.51	£ 11,212.32
Interim Valuation No. 5 (Jan)	£481,493.66	£ 32,295.10
Interim Valuation No. 6 (Feb)	£992,919.20	£ 14,590.21
Principle Road I.V.	£415,000.00	-
Interim Valuation No. 7 (Mar)	£224,356.40	-
<b>Total</b>	<b>£3,237,469.73</b>	<b>£341,881.45</b>

<b>A105 2017/18 Payments to RJ's</b>	<b>Construction</b>
Interim Valuation No. 8 (Apr)	£597,706.48
Interim Valuation No. 9 (May)	£503,703.51
Interim Valuation No. 10 (Jun)	£555,485.38
Interim Valuation No. 11 (Jul)	£899,002.86
<b>Total</b>	<b>£2,555,898.23</b>

£3,237,469.73 + 341,881.45 + 2,555,898.23 = £6,135,249.41.

The work continues, well beyond its original six months estimate and so of course will costs.

Can Councillor Anderson tell the Council how much more has been paid to the contractors and other professionals since July 2017, including what is likely to be paid from now until the work is finally completed?

### **Reply from Councillor Anderson**

As I have previously explained to Councillor Neville in my response to Question 14 at September's Full Council Meeting, the estimated completion time for the construction works along the A105 was before a detailed construction programme was developed, which subsequently provided the current timeframe. In addition, the programme has been reviewed on a weekly basis ensuring it is responsive to the challenges of working on a live network and also to reduce the number of concurrent road closures and reduce the levels of severe disruption, hence the longer completion time.

With regards to the payments, Councillor Neville should remember that the entire Cycle Enfield programme is fully funded, primarily by the Mayor of London's Mini Holland and Transport for London.

In addition to the payments identified, a further 3 contract payments have been made to Ringway Jacobs totalling just under £1.8m. There will be further payment as the project is finalised.

### **Question 12 from Councillor Lappage to Councillor Orhan, Cabinet Member for Education, Children's Services & Protection**

Would Councillor Orhan update this Council on Enfield schools physical education provision in comparison to other councils and the numbers of schools in Enfield entering sports competitions?

### **Reply from Councillor Orhan**

Once again, Enfield topped this year's National School Games Kitemark awards as the local authority with the most schools achieving Gold.

29 Primary Schools were awarded the Gold Level and they are listed below.

Nationally, schools apply annually for the Government bronze, silver or gold Kitemark award according to how many sports competitions they enter over the year. The different levels are also awarded for a school's commitment to high quality PE and school sport. All of the Gold winners have established effective school sport councils, as well as representing the Borough at the London School Games finals or London Mini Youth Games. Most importantly, these schools are ensuring that there is something for everyone and have offer a wide selection of sports competitions that all students can access. They also ensure every pupil receives at least 2 hours of PE per week.

I extend our gratitude to the hardworking staff in our schools and the excellent performance of our students who do us proud.

School	2016/17
Brettenham	Gold
Bowes	Gold
Bush Hill Park	Gold
Capel Manor	Gold
Carterhatch Jun	Gold
Chase Side	Gold
Cuckoo Hall	Gold
Durants	Gold
Eldon	Gold
Eversley	Gold
Forty Hill	Gold
Hadley Wood	Gold
Hazelbury	Gold
Hazelwood	Gold
Houndsfield	Gold
Prince of Wales	Gold
Raglan	Gold
Russet House	Gold
St Edmunds	Gold
St George's	Gold
St Michael at Bowes	Gold
St Monica's	Gold
St Andrew's Southgate	Gold
St James	Gold
Starks Field	Gold
Suffolks	Gold
Waverley	Gold
West lea	Gold
Worcesters	Gold

### **Question 13 from Councillor Neville to Councillor Anderson, Cabinet Member for Environment**

I understand that several months and umpteen emails from various informed residents warning officers of the fact, they have finally concluded that the width of the cycle lane at Winchmore Hill Broadway is too wide, as a result of which unsurprisingly the pavement is too narrow for the footfall along the Broadway. As a consequence, yet another two weeks disruption is to be inflicted on the long-suffering businesses along the Broadway.

Will Councillor Anderson now publicly apologise for this mess and inconvenience and give the Council a full explanation how something so obviously wrong occurred on his watch?

### **Reply from Councillor Anderson**

As Councillor Neville should understand and appreciate, this is a major infrastructure project and as such is subject to continuous and ongoing review, particularly during the implementation stage. As such, there will undoubtedly be occasions where changes to the final design are deemed appropriate and necessary and there is contingency built into the budget to account for that.

Furthermore, in spite of claims to the contrary, we listen to all concerns that are raised and whilst we will not always agree that changes are required, we will act wherever and whenever necessary to amend aspects of the scheme.

In this particular location, although the original design was adhered to, we, alongside local residents and business owners, had concerns about the width of the pavement. As a result of which we decided to adjust the balance between the footway and the cycle track widths, making the former wider and the latter narrower. At the same time, cognisant of concerns about drainage we have decided to introduce a more permeable surface on the cycle track which will further enhance water absorption.

We, of course, accept that these changes will create some additional disruption in the very short-term. However, we think it is right to make these changes now so as to create the type of environment we want to see in this part of Winchmore Hill.

This significant investment from the Mayor of London and Transport for London (TfL) demonstrates our ongoing commitment to deliver huge public realm improvements to the Borough.

### **Question 14 from Councillor Barry to Councillor Orhan, Cabinet Member for Education, Children's Services & Protection**

As councillors we have heard the tremendous difficulties many schools in Enfield are having and the hard decisions they are having to make to keep from going into a deficit budget. Indeed, members of this Council are either governors, parents or grandparents of children who go to local schools and so know first-hand the financial difficulties faced by our schools. So it must have been a huge concern to you Councillor Orhan that despite the lobby by yourself the many teachers, parents and the Fair Funding for schools campaign the Government chose to propose a lower lump sum to fund schools in Enfield. Could Councillor Orhan brief this Council of the amount of the lump sum reduction and of the implications of this reduction to Enfield schools?

### **Reply from Councillor Orhan**

You are right to highlight the tremendous difficulties many schools are facing and the huge challenges to the schools budgets. Unfortunately we have also seen as part of the Government's arrangements for implementing the National Funding Formula, there is indeed a reduction in the lump sum that local authorities receive.

I have made much of the fact that Enfield has historically been underfunded therefore, it becomes a concern to me that the Government's change will also see

funding move from smaller schools and/or those attracting less deprived and/or more able pupils to secondary schools.

We have acted swiftly and my officers have developed models that will help to manage this change and ensure stability in funding for all schools. This is being achieved, for next year, by proposing each Enfield school receive the same pupil funding as this year. The proposal and models are part of a consultation document that was recently published and circulated to all schools and academies and I encourage all schools to respond to the consultation.

**Question 15 from Councillor Neville to Councillor Anderson, Cabinet Member for Environment**

Given the circumstances outlined in question13, will Councillor Anderson tell the Council how he proposes to compensate the businesses who will doubtless be affected by the further disruption required to correct the incompetence on the part of both the council and the contractors which has given rise to the requirement for these further works.

**Reply from Councillor Anderson**

I entirely reject Councillor Neville's suggestion of incompetence and have already explained the circumstances for the further works in this location. As he should be aware council officers have worked closely with the Valuation Office Agency (VOA) to negotiate a 10% reduction in business rates for the period over which works were conducted in each location and are in further discussion to see if this can be extended to cover the additional period of works.

**Question 16 from Councillor Chibah to Councillor Georgiou, Deputy Leader, Cabinet Member for Public Service Delivery**

How is Enfield Council helping to support local shops and businesses in the run-up to Christmas?

**Reply from Councillor Georgiou**

The latest edition of Enjoy Enfield is now out. This has been deliberately themed throughout to promote everything festive Enfield has to offer, encouraging local people and visitors to shop and spend locally this Xmas. Content includes local shopping havens, gift ideas, festive events, eateries and even volunteering opportunities.

As well as going to every home in the borough this edition has been distributed at key train and tube stations coming into the borough and at targeted arts and leisure venues in North London to encourage visitors and workers to spend and shop in Enfield.

A new Enjoy Enfield website has also been launched, allowing place marketing activity to direct people on-line to find out more about all the shops, eateries, businesses and cultural and leisure facilities our borough has to offer.

We've already had lots of positive feedback – and have also seen an increase in bookings for some of our own services on the back of some of the features and articles:

“Your magazines are all around our shop, they have such great content inside!”, “We have already put it in our insta story and are promoting it”, Local business “Great! It's really impressive and definitely doesn't look like a local government magazine - bravo!” Local resident.

We're now gearing up to give local enterprises another push for Small Business Saturday. This promotional activity includes an outdoor advertising campaign, a cover wrap in the local paper including editorial, posters to be displayed in shop windows across the borough, a media relations and social media campaign and an internal promotion to Enfield Council staff.

### **Question 17 from Councillor Neville to Councillor Anderson, Cabinet Member for Environment**

Is Councillor Anderson satisfied that The Broadway western side shared space drainage will work with the kerbs at their present height, given that it appears that the threshold levels of the shops cannot be changed? Widening the footway and narrowing the cycle track presumably means that the drainage will only work above ground if there is a longitudinal drainage channel on the footway, which pedestrians would have to walk through it. Surely that is unacceptable. Can he assure the Council that this will not be the result even if it means removing the kerb and the cycle track and relaying them at a lower level?

### **Reply from Councillor Anderson**

I'm afraid that Councillor Neville further demonstrates a lack of understanding of the infrastructure design. This is not 'shared space', but rather a cycle track running parallel to the footway - there is a clear demarcation between the two, in the form of a series of granite setts - the same setts I may add that are used in the pedestrian areas of the Palace Exchange Shopping Centre which have been in place for years and has not created any problems with people tripping up.

As I have also explained in my response to question 13 above, at the same time as adjusting the footway widths in this area we are installing additional drainage solutions.

We will continually review the project and listen to all concerns and where appropriate make necessary adjustments, and this is a clear example of us doing what we have always said we would.

However, Councillor Neville can't have it both ways. He can't complain that we never listen, but then complain when we do.

**Question 18 from Councillor Levy to Councillor Lemonides, Cabinet Member for Finance & Efficiency**

Can the Cabinet Member for Finance & Efficiency tell us what is the latest position on the reforms to local government funding in respect of business rates and fair funding?

**Reply from Councillor Lemonides**

Reforms to the business rates system were delayed following the General Election. However, the Department for Communities and Local Government (DCLG) and the Local Government Association (LGA) are now working up new proposals.

There are also proposals for the London boroughs and the Greater London Authority (GLA) to take part in a pilot pool in 2018/19, which is the subject of a report on today's agenda. These proposals have been developed by London Councils, the boroughs and Central Government. Participation in a pilot could mean Enfield keeping approximately £4m more of business rates in 2018/19. The position after that remains unclear, and whilst business rates retention may provide many opportunities for the borough to benefit directly from the growth in the local economy, there are also risks, and, therefore, we will ensure that both the risks and opportunities are brought to ministers' attention as the Government's position develops.

The review of Fair Funding was also delayed by the Election. Proposals are expected soon. As you know, Enfield has, with cross party support, been campaigning for fairer funding for many years, particularly in relation to the unfair impact which damping has had on its settlement.

Business rates reform and a fair funding review won't tackle the underlying issue of systemic underfunding.

For example, the 2017-18 provisional local government finance settlement confirmed cuts to core funding of 26 per cent in real terms over 3 years. This comes on top of a cumulative cut to core funding of over 50 per cent in real terms since 2010-11, meaning core funding from central government will have fallen by 63 per cent in real terms over the decade to 2019-20.

Recently, the Leader and the Leader of the Opposition wrote jointly to the Secretary of State, calling on him to make the case within Government for tackling the long-standing issue of underfunding in local government.

The letter also offered to work with the Secretary of State and his team to inform the upcoming financial settlement, offering to share the work which Enfield led on, highlighting the key issues affecting outer London boroughs.

**Question 19 from Councillor Rye to Councillor Anderson, Cabinet Member for Environment**

At Overview & Scrutiny Committee on 12<sup>th</sup> October 2017 members were

informed that “The Planning Enforcement Team is currently undertaking work to enforce against retailers whose empty units are blighting our high streets” could Councillor Anderson update the Council on any enforcement action undertaken, especially with regard to the many vacant units in Enfield Town?

### **Reply from Councillor Anderson**

Under the auspices of the emerging Enfield Town Framework Master plan, it is recognised there are presently a number of vacant shop units which due to their appearance, detract from the appearance of the town centre and that proactive intervention is necessary.

However, before any formal action can commence, a detailed condition survey of the town centre retail units was first necessary to inform the content of the planning enforcement notice and the specification for the works to be undertaken and bring about an improvement in their external appearance.

These notices are now ready and further discussion has taken place with colleagues in Regeneration on the specification for the steps necessary to create a more active shop front rather than an obscured screening solution. Alongside this, local traders and premises’ owners are being written to explaining why the Council feels this course of action is necessary given the importance it places on making the town centre an attractive and vibrant place to visit.

### **Question 20 from Councillor McGowan to Councillor Taylor, Leader of the Council**

Could the Leader of the Council report on any response from the Minister on Universal Credit?

### **Reply from Councillor Taylor**

I wrote to Damien Hinds - Minister for Employment on 13 October 17, setting the concerns about the service design of Universal Credit and the problems that this would cause local residents of Enfield – particularly in the run up to Christmas. I received a response on the 1<sup>st</sup> November 2017, coincidentally the date that Universal Credit started being rolled out across Enfield.

Unfortunately, the Minister’s response did not address the concerns that we all share. The Minister appears content that design of Universal Credit has enough welfare clauses to ensure that local residents will not get into difficulty. Advance payments and alternative payment arrangements were highlighted as the ‘safeguards’ within the design of the scheme that local residents can access and delays in payment were attributed to problems caused by applicants failing to complete their claims properly.

No delay to the rollout was offered.

In summary, Universal Credit continues to roll out in spite of the calls for a delay and rethink. Local residents are still subject to the long waiting period of at least 6 weeks

for the first payment and a Universal Credit help line that can cost up to 55p per minutes is still in place, waiting for Government to honour their commitment to make it free.

Reports and concerns continue to be generated – from the National Audit office to the Citizen’s Advice Bureau. These echo the concerns of hardship, rent arrears, debt, eviction and homelessness that were raised in this Chamber.

In his letter the Minister did hint that ‘improvements could be made along the way’, so we await the Autumn Statement in hopeful anticipation but not perhaps genuine expectations.

**Question 21 from Councillor Smith to Councillor Sitkin, Cabinet Member for Economic Regeneration and Business Development**

Will Councillor Sitkin confirm when he was notified by officers that the deal with Barratts was unlikely to proceed?

**Reply from Councillor Sitkin**

Councillor Smith knows very well from our direct discussions in the presence of officers that the formation of opinion regarding the likelihood of the Barratts deal proceeding was a gradual process and therefore involved no “notification” per se. Different stakeholders came to the opinion he refers to at different points in time from August 2017 onwards, with the ultimate consensus coinciding with (and spurring) the October letter we wrote to Barratts.

**Question 22 from Councillor Pite to Councillor Sitkin, Cabinet Member for Economic Regeneration and Business Development**

Can the Cabinet Member for Economic Regeneration and Business Development tell us how the Enfield Town Masterplan consultation is progressing?

**Reply from Councillor Sitkin**

Public Consultation of the Draft Enfield Town Framework Masterplan ran over the summer months, from the 10th July through to 25th September 2017 and progressed with great passion with many expressing a strong desire to see a vibrant future for Enfield Town. A vision to celebrate Enfield Town’s heritage and identity was firmly endorsed with some acceptance for a need to adapt and change in order to respond to the challenges facing the town centre, in particular the high street offer.

Four well attended public drop-in sessions took place where many took the opportunity to raise a number of good questions; express areas of concern; and put forward some fresh ideas for future opportunities within the town.

Throughout the consultation period officers hosted a number of focused sessions and site visits with groups such: The Conservation Advisory Group, Area Partnerships, Business Reps, The Old Enfield Charitable Trust, The Enfield Society, The Enfield Conservation Area Study Group and Resident Associations including:

Bush Hill Park; Enfield Town; and Chalkwell Park Residents.

In total some 200 responses were received from a range of stakeholders, statutory consultees, residents and businesses. Officers are now in the process of analysing the responses and undertaking some follow-up sessions as we begin the process of responding, amending and refining the draft masterplan towards adoption next year.

**Question 23 from Councillor Smith to Councillor Sitkin, Cabinet Member for Economic Regeneration and Business Development**

Will Councillor Sitkin inform the Council what percentage and acreage of the total Meridian Water site is designated as Strategic Industrial Land (SIL)?

**Reply from Councillor Sitkin**

18 hectares (44.5 acres) of Meridian Water, that is the entire parcel of land to the east of the River Lea Navigation, is designated as Strategic Industrial Land. That is 33% of developable land which is currently calculated as 55 hectares (136 acres) across Meridian Water.

**Question 24 from Councillor Ulus to Councillor Oykener, Cabinet Member for Housing & Housing Regeneration**

Could the Cabinet Member for Housing & Housing Regeneration outline the changes to the cleaning and caretaking services for each council owned housing block, and the expected improvements to the internal and external areas?

**Reply from Councillor Oykener**

We have carried out a Review of Communal Services which was completed in June 2017, since this time we have introduced a range of improvements to the service:

- Introduced service standards and monitoring of all sites, satisfaction of cleaning is 78% and our aspiration is to reach 85% by the March 2019.
- The standard for cleaning meets the national Housemark standards adopted by other landlords.
- Each block has a programme of cleaning based, and new cleaning notices will be sent to residents informing them when to expect their caretaker to be on site and the tasks they will be doing when they are on site.
- We will be reducing the number of agency staff which is currently 43, through recruiting to these posts; this will be completed by January 2018.
- We have reviewed all our costs of cleaning against each block to ensure that leaseholders and tenants are charged the correct service charge.
- Caretakers can now report communal repairs directly to the contractors meaning we have reduced the delay in communal repairs being completed.
- We are introducing a programme of jet washing all our external hard surfaces such as paths, drying areas, play areas.
- We have started to work closely with colleagues in Waste Services to match our cleaning schedules with refuse collection dates.

- We have improved productivity by around 48% and have incorporated enhanced cleaning of internal areas as part of the block schedules.

**Question 25 from Councillor Smith to Councillor Sitkin, Cabinet Member for Economic Regeneration and Business Development**

What contingency plans has Councillor Sitkin put in place if the Mayor decides not to re-designate the SIL (Strategic Industrial Land) at Meridian Water for Housing which seems likely?

**Reply from Councillor Sitkin**

**Plan1:** In recent correspondence, the GLA (Greater London Authority) has confirmed that SIL (Strategic Industrial Land) release at Meridian Water is accepted in principle if suitable SIL compensation land can be found in Enfield which offers the same or better access to the strategic road network as the Harbet Road site (and is not already existing industrial use).

Enfield Planning team is working to identify potential for SIL compensation either within the Edmonton Leaside Area Action Plan (ELAAP) boundary or beyond within the Local Plan.

**Plan2:** The GLA have confirmed that as part of the new London Plan to be published on 29 November 2017, they are working on a policy approach which allows additional uses (including residential) in industrial locations on a no net loss of floor-space through co-location or intensification and is in discussion with Enfield as to how this can be developed at Meridian Water.

**Question 26 from Councillor Hasan to Councillor Orhan, Cabinet Member for Education, Children's Services & Protection**

In the light of the Governments recent National Funding Formula (NFF) for funding schools would Councillor Orhan tell us if she sees particular difficulties for the future of Enfield schools, children and young people as the funding strongly indicates a focus of funding for secondary schools whilst robbing early learning and primary schools?

**Reply from Councillor Orhan**

There is a dichotomy in the NFF as it asks local authorities to maintain a reasonable balance between primary and secondary funding, a suggested funding ratio of 1:1.29 in favour of secondary. However, if we were to fully implement the NFF given the current figures in Enfield this would place the ratio at 1:1.38 in favour of secondary schools. For this reason and also because we have not been given enough money by the Government to fully implement the NFF, we are currently consulting with schools over different models for school funding for 2018-19.

Our preferred option is to move 50% of the way towards the NFF, but also ensuring all schools receive the same per pupil funding as this year. This model provides the least turbulence in school budgets as well as the best ratio for primary and

secondary at 1:1.31.

As a Head Teacher pointed out, depriving the primary phase of funding only magnifies any problems at secondary.

There is no doubt that as we move towards the full implementation of the NFF maintaining a reasonable ratio between the sectors could prove to be challenge.

**Question 27 from Councillor Smith to Councillor Sitkin, Cabinet Member for Economic Regeneration and Business Development**

Will Councillor Sitkin confirm the level of additional costs that are likely to be faced by Energetik if the start of development at Meridian Water is delayed by two years?

**Reply from Councillor Sitkin**

Firstly, we have been asked by the Meridian Water Team to model a 6 month delay not 2 years so we are not expecting that scenario to arise.

**Question 28 from Councillor Doyle to Councillor Fonyonga, Cabinet Member for Community Safety & Public Health**

Can the Cabinet Member for Community Safety & Public Health update the Council on actions to reduce sugar intake across Enfield?

**Reply from Councillor Fonyonga**

Excessive sugar consumption is extremely detrimental to adult and children's health in many ways. Furthermore type 2 diabetes for example, is a condition that costs the NHS some £25,000 per minute and is partially caused by excess sugar. As such the Public Health team continues to do extensive work in this area and will be proposing to the Health and Wellbeing Board on 21 November 2018 that the Council signs up to the Local Government Declaration on Sugar Reduction. This will mean agreeing to a series of pledges which avoid promoting unhealthy food and drink.

Our range of other work includes:

- Sugar Smart is a campaign run by the Jamie Oliver Foundation and Sustain, which encourages a range of settings to make a pledge to become Sugar Smart i.e reduce sugar consumption. We are currently engaging 14 settings, including schools, nurseries, leisure centres and community groups to become Sugar Smart, ahead of our launch in January 2018. We aim to encourage 100 settings to become Sugar Smart over the course of a year.
- We are currently undertaking a review of food provision in a range of council owned and council leased properties with an aim to understand the scale of the problem and use the evidence to inform action to improve the food environment across the borough.

**Question 29 from Councillor Smith to Councillor Sitkin, Cabinet Member for Economic Regeneration and Business Development**

Would Councillor Sitkin confirm the annual estimated revenue cost to the Council of running four trains an hour as planned through the relocated Angel Road train station?

**Reply from Councillor Sitkin**

Network Rail is currently on site building a 3rd track which will provide a 2-4 train per hour service at no revenue cost to the Council. At present Enfield has not been advised as to whether there will be any revenue running cost to the Council of a regular four trains per hour through the relocated Angel Road station (Meridian Water). Enfield is working with Network Rail to complete a revised timetable exercise to identify feasibility. The output of this exercise is due in spring 2018.

**Question 30 from Councillor During to Councillor A Cazimoglu, Cabinet Member for Health & Social Care**

The Annual Adult Safeguarding Board report is here tonight at Full Council for noting. Would the Cabinet Member for Health & Social Care please explain the importance of all statutory and non-statutory agencies working together to keep our vulnerable residents safe?

**Reply from Councillor A Cazimoglu**

The continued commitment from all statutory and non-statutory agencies to working together to keep our vulnerable residents safe is vital in maintaining our excellent work in safeguarding adults. Our strong partnerships mean that we have a co-ordinated and effective response when managing safeguarding concerns; it also means we can properly plan and implement projects that prevent abuse from happening at all.

The Safeguarding Adults Board Annual report highlights examples of the partnership working that takes place in Enfield and the difference this is making in keeping vulnerable adults safe from abuse. Two examples of note:

The first, is the work of our Safeguarding Information Panel, which brings together the Local Authority's Safeguarding Adults team, the Care Quality Commission (CQC), the Enfield Clinical Commissioning Group, the Police, the London Fire Brigade and others, to share intelligence about quality issues in Enfield's care and support provider organisations: we have 160 CQC registered providers, one of the highest numbers in London. The panel has a strong prevention role, co-ordinating (where appropriate) work of agencies with providers to improve issues of poor quality before they escalate to safeguarding concerns. The panel is often cited by the CQC as an example of best practice in London.

The second, is an excellent piece of work from our Quality Checkers (our 50-plus local service user and carer volunteers who help us assure quality of services) and the NHS Care Home Assessment Team to understand issues around hydration of

residents in care homes. This piece of work culminated in the development of a Hydration toolkit, which includes a dehydration card to assist staff and family members visiting care homes to understand what dehydration is, how to recognise this and what to do.

There are many other excellent examples detailed in the report involving work in areas such as domestic abuse, fire safety, targeted awareness raising within community groups. What these examples show is the importance of strong partnership working between agencies to safeguard adults at risk of abuse, and how effective our arrangements in Enfield are.

**Question 31 from Councillor Smith to Councillor Sitkin, Cabinet Member for Economic Regeneration and Business Development**

Will Councillor Sitkin inform the Council what contingency plans he has put in place to develop Meridian Water without Barratts?

**Reply from Councillor Sitkin**

In accordance with Cabinet on 20<sup>th</sup> October 2017 (KD 4241), negotiations have commenced with the reserve bidder, PCPD. Negotiations will progress in accordance with the timeframe and sequence as set out in the draft letter attached to the Cabinet Report.

**Question 32 from Councillor Simon to Councillor Georgiou, Deputy Leader/Public Service Delivery**

Can the Deputy Leader/Public Service Delivery please update us on the Enfield Conversation?

**Reply from Councillor Georgiou**

Enfield Conversation had its first two pilot surveys in the east of the borough in September 2017. A further three were carried out in the first week of November 2017 together with one for the Youth Parliament on 13 November 2017. Currently the responses are being compiled and analysed. The aim of the survey is to obtain local opinion on growth and priorities for Enfield over the coming 30-40 years

**Question 33 from Councillor Smith to Councillor Lemonides, Cabinet Member for Finance & Efficiency**

Will Councillor Lemonides confirm the total cost (including borrowing) incurred to date to the Council of the Meridian Water scheme?

**Reply from Councillor Lemonides**

To date, the Council has spent £161.6m on the Meridian Water project.

**Question 34 from Councillor Jemal to Councillor Fonyonga, Cabinet Member for Community Safety & Public Health**

Creating a healthier Enfield is an absolute priority for this Council. What work is Enfield Council doing to communicate the benefits of a more active lifestyle and a better diet and encourage residents to change their unhealthy behaviours?

**Reply from Councillor Fonyonga**

It is estimated that three behaviours: physical inactivity, smoking and poor diet cause or contribute significantly to 50% of deaths through cancer, heart disease or respiratory disease.

In addition to the work the public health team are doing to reduce the sugar intake across Enfield, the Council have run a successful Move More Enfield campaign, encouraging residents to incorporate physical activity into their everyday lives. This includes major projects like Cycle Enfield and working closely with planners to ensure that public health objectives are embedded in planning policy and decision-making.

Furthermore, the sport and physical activity team “Active Enfield” promotes events such as the Mayor’s Annual Charity Fun Run, a night hike in aid of the Nightingale Hospice and a vast range of term time and holiday programmes of activities for young people, adults and over 50s on the new look “Active Enfield Website” – please do visit it if you haven’t already.

As a result of this increased promotion linked to various new methods of booking, including more user friendly online booking, we are seeing a rise in attendance at these courses. The Active Enfield team also promotes activities through Enfield Presents Magazine and Our Enfield, through social media using Facebook and Twitter daily to promote our service and to highlight good news stories from around the Borough. We are also working closely with Fusion to continue to provide targeted offers to encourage all residents to Move More.

**Question 35 from Councillor David-Sanders to Councillor Daniel Anderson, Cabinet Member for Environment**

Would the Cabinet Member for Environment consider installing additional signage to aid pedestrians where either the crossing points have been either changed or reconfigured on the A105 Cycle Enfield as this has worked very well where this has been done on Cycle Super Highway projects?

**Reply from Councillor Anderson**

I thank Councillor David-Sanders for his question. We're always interested in exploring ways in which the schemes can be improved and we'll discuss the approach taken by Transport for London on their Cycle Superhighways. If Councillor David-Sanders has any particular signs in mind then I'd be keen to hear from him.

**Question 36 from Councillor Maguire to Councillor Fonyonga, Cabinet Member for Community Safety & Public Health**

Will the Cabinet Member for Community Safety and Public Health tell the Council whether there are any plans to mark the forthcoming White Ribbon Day?

**Reply from Councillor Fonyonga**

The Metropolitan Police, health groups and Enfield Council will join forces Thursday 23 November 2017 to raise awareness about domestic violence ahead of White Ribbon Day.

Enfield Council reaffirmed its commitment to the White Ribbon pledge which empowers women and girls to stand up to violence. At a special conference held at the Dugdale Centre the Council will be officially recognised for its work with an award, presented by White Ribbon UK to Enfield Council.

The White Ribbon UK campaign aims to end male violence against women. Enfield Council was the first London borough to achieve White Ribbon status in 2010. At the conference the Council and its partners will discuss the two-year partnership plan to address a range of areas affected by domestic violence and how we plan to offer united support. The Council has doubled the number of Independent Domestic Violence Advocates that it funds (from 2-4) and is focussing award winning communications campaigns towards young women.

There is no place in a civilised society for a cowardly and abhorrent crime such as this, and we are determined to raise awareness not only amongst women but for men to engage the campaign too. We will also continue to work with our partner organisations to do everything within our power to bring those responsible for committing violence to justice and to help protect domestic violence survivors.”

We have in partnership with other Boroughs been part of successful bids totaling over £1m during the past 18 months to support our work to keep the most vulnerable people safe.

At the conference, pupils from Heron Hall Academy, which is championing this cause, will present a dramatic piece based around a workshop on relationships. This will be delivered by the charity Tender Education & Arts\* which has been working with the school. Students who took part in the project were asked to discuss some of the pressures of being in relationships with particular emphasis on social media.

These themes have also been brought to light via Enfield Council's awareness campaign 'Boyfriend Material', aimed at helping women to realise when their relationships have become unhealthy or abusive. This is the second phase of Enfield Council's award-winning domestic violence campaign.

**Question 37 from Councillor Hurer to Councillor Orhan, Cabinet Member for Education, Children's Services and Protection**

Would the Cabinet Member confirm whether Cuckoo Hall Academy Trust has

approached the Council since Cuckoo Hall Primary School was rated as being in special measures following its latest Ofsted inspection?

Reply from Councillor Orhan

As Councillor Hurer is well aware this school is an academy and as such is the responsibility of the Government.

However, I can confirm to you that the local authority has been approached by the Trust.

**Question 38 from Councillor N Cazimoglu to Councillor Anderson, Cabinet Member for Environment**

I understand that measures are being considered to increase the clampdown on anti-social behaviours which blight the quality of lives of many residents. Can the Cabinet Member for Environment tell us what are these measures and what impact will they have?

**Reply from Councillor Anderson**

Cabinet last week approved the introduction of a range of Public Space Protection Orders based on extensive public consultation which demonstrated overwhelming support for them in tackling a range of anti-social behaviours.

- Alcohol consumption.
- Vehicle cruising (speeding, driving in convoy, racing, performing stunts, sounding horns and revving engines as to cause a nuisance, and wheel spins) involving cars, motorbikes, mopeds, trucks, vans and lorries and other vehicles.
- Holding of fireworks to cause intimidation etc and throwing of fireworks.
- Dog controls; such as dog fouling (clearing it up and carrying bags), dogs on leads or excluded in certain parks or parts of parks.
- Persons loitering in Council housing estates causing nuisance etc.
- Intimidatory begging.
- Possession, use and supply of psychoactive substances (formerly known as 'legal highs').
- Persons windscreen washing/selling goods.
- Prostitution.
- Smoking in playgrounds.
- Flying of drones.
- Vehicles deposited for an unreasonable period of time on Council land or land adjoining the highway.
- Riding of mopeds to cause alarm, distress, annoyance or criminal damage.
- Loitering by persons in certain locations causing intimidation, harassment, alarm or distress and/or drug dealing/use.

We are aiming to introduce them in mid-January, which will enable the police and authorised council officers to issue Fixed Penalty Notices of £100 where these orders apply, or to prosecute. This will compliment other enforcement powers to

enable both the police and the Council to tackle and reduce anti-social behaviour in the borough, and improve the feelings of safety of the community.

**Question 39 from Councillor Stewart to Councillor Brett, Cabinet Member for Community, Arts & Culture**

Over 400,000 more children could fall into poverty by 2021, if the Government pursues its planned benefit and tax reforms, according to a new report. The Institute for Fiscal Studies combined official economic forecasts with the projected impact of planned reforms, and found that relative child poverty could increase from 27 per cent to 31 per cent. Separate research from the Child Poverty Action Group revealed that almost half of working parents with an annual household income under £30,000 feel they do not have enough money to support their families. Could the Cabinet Member for Community, Arts & Culture tell us what will be the impact on Enfield residents?

**Reply from Councillor Brett**

There is strong evidence that deprivation is strongly associated with poorer health and wellbeing and adversely affects life chances.

Poverty is an important component of multiple deprivations and is measured in many ways.

The evidence suggests that living in relative poverty is particularly damaging to health and wellbeing as expectations are harder to realise for less well-off households, surrounded by better off households. This is a particular feature of Enfield's very mixed population.

The Her Majesty's Revenue and Customs (HMRC)'s child in low income families' measure is an attempt to measure relative poverty and is the most commonly used child poverty measure in England. It is defined as;

"Number of children living in families in receipt of Child Tax Credit (CTC) whose reported income is less than 60 per cent of the median income or in receipt of Income Support or (Income-Based) JSA (Job Seekers Allowance), divided by the total number of children in the area (determined by child benefit data)

The latest data on this is for August 2014 when 24,240 children were considered to be in low income families, which was 28.3% of all children in the borough. (dependent children under 20).

This page is intentionally left blank