



Overview and Scrutiny Committee Tuesday, 6th March, 2012

Place: Council Chamber, Civic Offices, High Street, Epping

Time: 7.30 pm

Democratic Services Officer: Simon Hill, Senior Democratic Services Officer, The Office of the Chief Executive
email: democraticservices@eppingforestdc.gov.uk Tel: 01992 564249

Members:

Councillors R Bassett (Chairman), D Wixley (Vice-Chairman), Ms R Brookes, K Chana, D Jacobs, D C Johnson, Mrs S Jones, S Murray, Mrs M Sartin, D Stallan and G Waller

PLEASE NOTE THAT THIS MEETING IS OPEN TO ALL MEMBERS TO ATTEND

WEBCASTING NOTICE

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1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate

their microphones before speaking.

2. The Chairman will read the following announcement:

“This meeting will be webcast live to the Internet and will be archived for later viewing. Copies of recordings may be made available on request.

By entering the chamber’s lower seating area you consenting to becoming part of the webcast.

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2. APOLOGIES FOR ABSENCE

3. SUBSTITUTE MEMBERS

(Assistant to the Chief Executive). To report the appointment of any substitute members for the meeting.

4. MINUTES (Pages 7 - 14)

Decisions required:

To confirm the minutes of the meetings of the Committee held on 24 January 2012.

5. DECLARATIONS OF INTEREST

(Assistant to the Chief Executive). To declare interests in any items on the agenda.

In considering whether to declare a personal or a prejudicial interest under the Code of Conduct, Overview & Scrutiny members are asked pay particular attention to paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a personal and prejudicial interest in any matter before an OS Committee which relates to a decision of or action by another Committee or Sub Committee of the Council, a Joint Committee or Joint Sub Committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 11 does not refer to Cabinet decisions or attendance at an OS meeting purely for the purpose of answering questions or providing information on such a matter.

6. ESSEX COUNTY COUNCIL AND CHILDREN SERVICES (Pages 15 - 56)

Councillor Ray Gooding, the Deputy Portfolio Holder for Children Services, Jenny Boyd, the West Director of Local Delivery and Lonica Vanclay, Head of Locality Commissioning will attend the meeting and will focus on Essex County Council's responses to the recommendations to the Children's Services Task & Finish Review.

A copy of the Task and Finish final report is attached for reference along with the updating report submitted to the O&S meeting in October 2011.

7. DRAFT CONSULTATION ON WASTE RELATED PENALTIES (Pages 57 - 78)

(Director Environment and Street Scene) to consider the attached Government Consultation. This items has been considered by the Safer Cleaner Greener Panel on 21 February 2012 and their comments will be reported back to the Committee.

8. OFFICER DELEGATION - 2011/12 REVIEW (Pages 79 - 84)

(Councillor D Stallan – Chairman of Constitution and Members Services Standing Panel) To consider the attached report.

9. EQUALITY ACT 2010 - EQUALITY SCHEME AND OBJECTIVES 2012 - 2015 (Pages 85 - 132)

(Acting Chief Executive) to consider the attached report.

10. REVIEW OF FINANCIAL REGULATIONS (Pages 133 - 140)

(Councillor D Stallan – Chairman of Constitution and Members Services Standing Panel) To consider the attached report.

11. HOUSING APPEALS AND REVIEW PANEL TERMS OF REFERENCE (Pages 141 - 144)

(Councillor D Stallan – Chairman of Constitution and Members Services Standing Panel) To consider the attached report.

12. APPOINTMENTS AT ANNUAL COUNCIL - REVIEW (Pages 145 - 154)

(Councillor D Stallan – Chairman of Constitution and Members Services Standing Panel) To consider the attached report.

13. WORK PROGRAMME MONITORING (Pages 155 - 180)

(a) To consider the updated work programme

The current Overview and Scrutiny work programme is attached for information.

(b) Next Year's Work Programme

The work programme for next year will be considered at the April meeting of this Committee. Members should start thinking of any work they would like the Committee to consider to go into next year's Work Programme and bring it to the April Meeting. A request form is attached

New Item for Work Programme - Councillor Angold-Stephens has submitted a new item of work (attached) for the Committee to consider. The Committee should note that this is also a part of the Local Council's Liaisons Committee programme.

14. CABINET REVIEW**RECOMMENDATION:**

To consider any items to be raised by the Chairman at the Cabinet meeting on 12 March 2012.

(Assistant to the Chief Executive). Under the Overview and Scrutiny rules the Committee is required to scrutinise proposed decisions of the Executive. The Chairman is also required to report on such discussions to the Cabinet.

The Committee is asked to consider the 12 March 2012 Cabinet agenda (previously circulated) to see whether there are any items that they wished to be raised at the Cabinet meeting.

15. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Paragraph Number	Information
Nil	Nil	Nil	

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

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EPPING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

- Committee:** Overview and Scrutiny Committee **Date:** Tuesday, 24 January 2012
- Place:** Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.46 pm
- Members Present:** Councillors R Bassett (Chairman) D Wixley (Vice-Chairman) Ms R Brookes, K Chana, D Jacobs, Mrs S Jones, S Murray, Mrs M Sartin, D Stallan and G Waller
- Other Councillors:** Councillors K Angold-Stephens, Mrs D Collins, C Finn, Ms J Hart, Mrs M McEwen, G Mohindra, J Philip, Mrs L Wagland and Mrs J H Whitehouse
- Apologies:** Councillors
- Officers Present:** D Macnab (Acting Chief Executive), R Palmer (Director of Finance and ICT), J Preston (Director of Planning and Economic Development), J Houston (Local Strategic Partnership Manager), S G Hill (Senior Democratic Services Officer), T Carne (Public Relations and Marketing Officer), A Hendry (Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

By Invitation:

64. WEBCASTING INTRODUCTION

The Chairman reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

65. SUBSTITUTE MEMBERS

There were no substitute Members for the meeting.

66. MINUTES

RESOLVED:

That the minutes of the last meeting of the Committee held on 29 November 2011 be agreed.

67. DECLARATIONS OF INTEREST

There were no declarations of interest made pursuant to the Council's Code of Member Conduct.

68. PRESENTATION FROM THE LOCAL STRATEGIC PARTNERSHIP

John Houston, the Local Strategic Partnership (LSP) Manager, took the Committee through what the LSP did over the last year, their future challenges and issues around the proposed Locality Boards.

The LSP brought together all the key public agencies, voluntary and private sectors, including Epping Forest District Council, Essex County Council, the Primary Care Trust, Police, Fire and Rescue, the Parish and Town Councils, Faith Groups, Voluntary Action Epping Forest, businesses and the Chamber of Commerce. These and other local groups were brought together to identify common problems and develop joined-up solutions by pooling their expertise. They are also able to commission research, identify gaps in provision and opportunities for new ways of working.

They have four theme groups feeding into the main board, one dealing with Healthier Communities, one dealing with Sustainable Communities, another dealing with Safer Communities and lastly, one dealing with Children and Young People.

The LSP will be holding a conference in February, and are hoping to get between 120 to 130 voluntary groups together along with the Chief Constable of Essex.

As part of their review of the year for safer communities the EFDC's Community Safety Team was hailed as one of the best examples in the county; crime was down by 4% in this area, but unfortunately there were increasing numbers of burglary, domestic abuse and car crimes.

Part of the LSP's sustainable communities programme helped set up small businesses and helped employ 70 younger people within our district. They encouraged people to use local businesses and pay their bills promptly and organised local business events to enable them to make contacts etc.

The LSP have just launched a new website "One Shops Local" for local businesses. Having only been going for about five or six weeks they already have 120 businesses signed up and this number was growing weekly. Despite some negative comments by some of the press the speed the system had been brought to the public and the numbers of businesses who have signed up and are offering vouchers to residents to shop locally was impressive.

The status of Locality Boards were fluid at present and they were not sure how it would link into the existing structure. A number of objections have been raised seeking clarification on what local organisations would need to do once the locality boards came into operation. The LSP is still awaiting a response to their questions.

It was noted that Epping Forest already had very good partnership working and really did not need to add extra layers of bureaucracy to this.

Councillor Wagland the Chairman of the LSP, added that it was a shame that the press chose to criticise before they found out what was happening about the support given to local shops. Mr Houston had been travelling around and talking to shopkeepers and local businesses to get them to join up to our new website which had proved most successful and she would like to congratulate all concerned in this enterprise, which so manifestly demonstrated the Council's support for local businesses.

The meeting was then opened out for questions.

Q. Has there been any involvement of local banks as there had been criticism of a lack of investment from them to small businesses.

A. Small businesses need support and the LSP used to have a representative from Lloyds Banks onboard, he has now moved on. The Federation of Small Businesses tends to lead on this now, which we support.

Q. Were the expectations for the 'One Shops Local' too high initially?

A. We did not do a lot of publicity initially, and were looking to the Chamber of Commerce to line up the shops for us. It is up to the shops to help themselves. We started small and will continue to grow and grow. It is not a council scheme; the council was only one element in this. It was unfortunate that the local paper was not on our side, although other papers were more supportive. This site had proved to be popular and successful in a short period of time.

Q. The Local Council Liaison Committee assumed that they would be at the centre of the proposed Locality Boards. Is there any more information about how they would fit in?

A. We are anxious to have something in place and to this end we are having talks with Essex County Council. Unfortunately there is no one answer for this. Officers are currently working on a report for the next Local Councils meeting.

Q. The inability of the banks to lend money is all bound up with them being told to build up their capital. In Germany they have special banks for small businesses, do we have the same?

A. There was an initiative about 18 months ago called the Bank of Essex, but we are unsure how we could access this. We have heard that the take up was not very good.

Councillor Collins said that she had recently met with the Chief Executive of the South Essex Partnership Trust and he had said that they were happy to come and talk to one of the LSP meetings and if wanted supply someone to sit on their board.

Q. One Shop Local - have all shops and Town Centre Partnerships been informed of this?

A. Yes, we have contacted them. We are also working through the trade organisations letting them know that this website is there. Incidentally, we have found out that Epping Forest has the highest business start up rate in the Eastern Region.

Councillor Mohindra urged all Councillors to publicise this site and asked that businesses continued to make offers of vouchers via this site; this should be refreshed every week.

The Chairman thanked Mr Houston for giving his time and for his presentation.

69. BUDGET REPORT 2012/13

The Director of Finance and ICT, Bob Palmer took the committee through the budget report. The Committee considered the recommendations of the Finance and Performance Management Cabinet Committee incorporating the members of the Finance and Performance Management Scrutiny Standing Panel, on the Council's budget for 2012/13.

The Chairman of the Finance and Performance Management Standing Panel commented that they had scrutinised each Service Directorate and everything had looked reasonable. They recognised that good savings had been made over the

year, but the biggest saving came from our waste contract. Also, the new homes bonus helped. They noted that we were keeping our risks to the banks to a minimum over the next few years, and that localism could turn out to be a double edged sword.

The Committee noted that:

- Concerns were raised over the introduction of universal credits, as whatever we had to do would cost us money;
- The waste contract income was guaranteed and if it went up we would benefit from this;
- Although we were withdrawing our funding for PCSOs, Essex still had an appropriate number of PCSOs for the district; and
- It was unfortunate that £148k had to be found for the PCC elections in November, an election that no one was interested in.

RESOLVED:

That on consideration of the budget report and the deliberations of the Finance and Performance Management Cabinet Committee and Scrutiny Standing Panel members, the Overview and Scrutiny Committee endorsed the Budget report.

70. DRAFT KEY OBJECTIVES 2012/13

The Committee noted the draft Key Objectives 2012/13 report. Officers were looking to make them smarter and work them into the 5 key aims as agreed last March. The key objectives were not intended to reflect everything that the Council did, but were intended to focus on national priorities set by the Government and local challenges arising from the social, economic and environmental context of the district.

The Chairman noted that they had not included the St Johns Road and Langston Road projects and was assured that they would be on the website where you could drill down for up to date information.

RESOLVED:

That the Council's draft key Objectives for 2012/13 be agreed and recommended to the Cabinet.

71. SENIOR RECRUITMENT TASK AND FINISH SCRUTINY PANEL - FINAL REPORT

The Chairman of the Senior Recruitment Task and Finish Panel, Councillor Angold-Stephens introduced the Panel's final report. The Panel had been tasked with reviewing the reporting procedures for the recruitment of the Chief Executive and all Directors. They looked at the reporting of complex and sensitive contracts to members and a procedure to be followed in the event of such contracts being entered into and have agreed written procedures to be put in place in time to inform the outcome of the recruitment to the position of Chief Executive.

The Panel had been set up in September 2011 and had met on three occasions. It should be noted that their remit did not include any involvement in current or forthcoming recruitment exercises except to advise on an appropriate process to be followed. They noted that there was no one process for every circumstances so they came up with a flow chart which gave options for most circumstances and would be useful for a recruitment panel to use.

The Committee asked that a minor amendment be made to a bullet point on page 12 of the report that 'and/or' be added so that it read: "Decide whether vacancy is to be advertised internally and/or externally."

RESOLVED:

That the recommendations of the Senior Recruitment Task and Finish Panel be endorsed and recommended to the Council.

72. PLANNING STANDING PANEL - REVISED TERMS OF REFERENCE AND WORK PROGRAMME

The Committee reviewed the Planning Services Standing Panel's report requesting a revision of their Terms of Reference and Work Programme.

RESOLVED:

That the revised Terms of Reference and Work Programme for the Planning Services Standing Panel be approved.

73. WORK PROGRAMME MONITORING

Work Programme

(a) Overview and Scrutiny Committee

The Committee noted that as they were nearing the end of the municipal year members should start thinking of any topics they would like covered in the following years work programme.

Item 12 – that the British Transport Police (BTP) be taken from the O&S Work Programme and moved on to the Safer Cleaner Greener programme although they were not certain that the BTP would want to share this information.

That an item be added to review the North London Hospital Mergers in a years time to assess their progress and impact.

b) Standing Panels

(i) Housing Standing Panel

It was noted that:

- a special meetings had been scheduled for 31 January and 5 March to enable the Panel to finish its work programme before the end of the year;
- the outcome report on the implementation of new licences for park home sites (item 27) be deferred.

(ii) Constitution and Member Services Standing Panel

It was noted that their last meeting had to be cancelled, but an extra meeting may have to be organised before the end of the year.

(iii) Safer Cleaner Greener Standing Panel

At their last meeting the Panel considered a consultation document on Essex County Council and Southend-on-Sea Borough Council joint waste development – preferred approach. The Panel were largely happy with most of the responses given by the officers but felt that some of the responses should be more forceful and be in the negative if thought appropriate.

(iv) Planning Services Standing Panel

Noted that their revised Terms of Reference and Work Programme had just been agreed.

74. CHAIRMAN'S REPORT

(a) The Chairman reported that he had attended the Heads of Scrutiny meeting at Essex County Council the week before. A report of what was discussed is attached.

(b) The Chairman also noted that there was to be joint training sessions on Scrutiny with Harlow Council in March and hoped that all members involved in Scrutiny, either on this Committee or on the Standing Panels, would make an effort to attend at least one of the sessions. Members should inform Simon Hill of their intention to attend.

75. CABINET REVIEW

The Committee went into private session to consider a private Cabinet report.

76. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

(1) That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12(A) of the Act indicated and the exemption was considered to outweigh the potential public interest in disclosing the information:

<u>Agenda Item No</u>	<u>Subject</u>	<u>Exempt Info Paragraph No</u>
20	Licence Fees payable by Hughmark Continental Ltd.	3

77. LICENCE FEES PAYABLE BY HUGHMARK CONTINENTAL LTD. NORTH WEALD AIRFIELD MARKET OPERATOR

Councillor Stallan wanted a recommendation added that the unaudited accounts be reviewed before the end of the year. This was agreed.

CHAIRMAN

Report from the Essex Scrutiny Officer and Chairman Network meeting – 13th January 2012

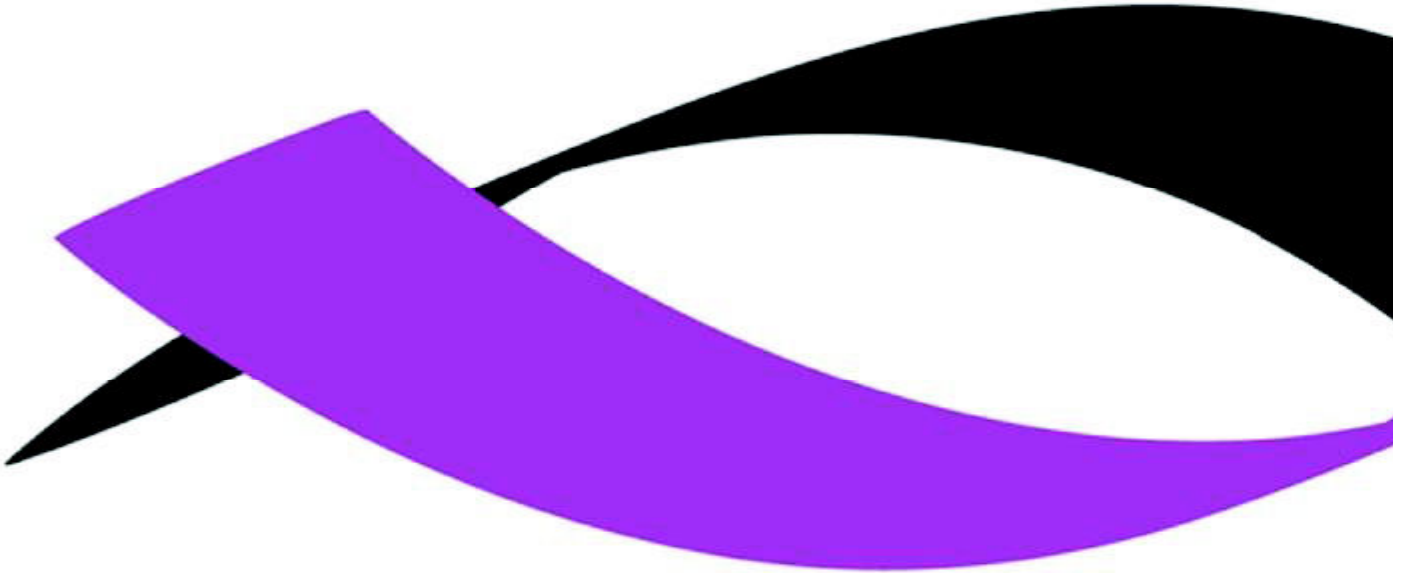
A networking meeting for the Chairs of Overview and Scrutiny functions and their officers was held at Chelmsford. The purpose of these meetings is to share information and to create a network for the Scrutiny function and to share best practices or information on how the Scrutiny function can work across district boundaries.

The following points were raised and discussed:

- We all agreed we need to engage in a top down collaboration on scrutiny matters to prevent unnecessary work and to share scrutiny findings. There were a couple of districts that had not yet engaged and these would be encouraged to participate
- It was agreed that the Officer network would share items on Forward Plan and also some information on items where they have completed some investigations or scrutiny. Simon Hill agreed to be the focus to create this.
- It was also agreed that we would share our training for member and officers schedules and if spaces are available be willing to accept people from other districts. We were also reminded that from May we need to provide a return on what members have completed what training.
- We again discussed localism and a couple of districts had done some useful work in this area and they have agreed to share their reports. Thurrock has also had a task and finish panel on Localism and how to get engaged with residents. They will share this.
- We also discussed the new Community Budget and how it will work. It is early days and there are still issues on how this will be managed. Specifically if we work to share resources for example to reduce Anti Social Behaviour this will benefit the police, save hospital time but how will the costs be apportioned?
- We all seem to have issues on Highways and we were informed that work on the new Locality Boards is in progress and an update will be provided in due course.
- Finally there was a question on the new Parking Partnerships and how they would be scrutinised. The representative from Colchester stated they would be reviewed annually. The officer network was asked to look at how this will be done and report back to the group.

Cllr Richard Bassett
EFDC, Chairman Overview and Scrutiny

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SCRUTINY

REPORT OF THE CHILDREN'S SERVICES TASK AND FINISH PANEL

May 2011

Contact for enquiries:

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1. Chairman's Foreward

This Children's Services Task & Finish review emanated from an item on the Cabinet Committee agenda on 8 March 2010, regarding the newly established Essex Children's Trust arrangements and a request from Essex County Council for Epping Forest Council to sign a Memorandum of Agreement in respect of Children's Services and Safeguarding. Cabinet requested that: "the Overview and Scrutiny Committee be requested to establish a Task and Finish Panel to investigate the Council's approach to Children's Services and its provision throughout the District."

I was charged with the task of Chairing the Children's Task and Finish Panel, due to my involvement as a Board Member on the newly established West Essex Children's Trust Board and my keen interest in seeing improvements in the services provided by Essex County Council. I was joined by the following Councillors on the panel, who played an active role in investigating local and Essex – wide provision;

Cllr. Rose Brookes – Vice Chair
Cllr. Pat Brooks
Cllr. Tessa Cochrane
Cllr. Ricky Gadsby
Cllr. Janet Hedges
Cllr. John Knapman

We held our inaugural meeting in September 2010 and to set the scene, were provided with a detailed presentation on the existing children's services structures within Essex and an overview of the services provided directly by the Council's Community Services department. This was given by the Assistant Director Community Services & Customer Relations who was the Council's Lead Officer on the panel. Following the presentation, we agreed the draft Terms of Reference and scope of the review and committed to update and amend these as required throughout the review process.

Over the 7 months of the review, we sought to investigate the effectiveness of children's and young people's services and safeguarding arrangements, provided through Essex County Council; our own services and local partners. To accomplish this we utilised a range of methods including receiving presentations from council officers, site visits to various activity sessions, attendance at Epping Forest Children's Partnership meetings, one to one interviews with staff and a Question and Answer session with representatives from Essex County Council. This report therefore sets out our findings in relation to these exercises and contains a series of suggested recommendations for Overview and Scrutiny Committee to consider.

I would like to give my personal thanks to the panel members for their commitment in undertaking the review and to the following officers from Essex County Council for their valued contributions;

Wendi Ogle-Welbourn – Director of Children's Commissioning
Lonica Vanclay – Locality Commissioner
Cllr. Ray Gooding – Deputy Portfolio Holder Children and Families

Cllr Lesley Wagland
Chair of Children's Services Task & Finish Review Panel

2. Introduction

2.1 Terms of reference for the Review:

The original terms of reference for the panel were as below (a).

However, due to changes in arrangements for Children's Trusts and in response to issues arising throughout the course of the review, the terms of reference were updated as required and the final version is as shown at (b) below:

Terms of Reference (a)

1. To review the Essex Children's Trust Memorandum of Agreement in respect of children's services across Essex.
2. To review the purpose, operation and effectiveness of West Essex Children's Trust Board and the Essex Children's Trust structure.
3. To review current provision of children's and young people's services in the District including identifying the level of activity directly provided by the Council and the key responsibilities devolved to the Council under the Children's Trust arrangements.
4. To review the provision of Essex County Council Youth Services in the Epping Forest District, seeking to identify future needs and how these can best be met by the various Agencies involved in the delivery of Young People's Services.
5. To review current arrangements for safeguarding and promoting the welfare of Epping Forest's Children, seeking to identify communication pathways and effectiveness of information sharing, including:
 - the Council's own policies and procedures;
 - West Essex Stay Safe Group;
 - ECC Stay Safe Group, and,
 - Essex Safeguarding Children Board

Terms of Reference (b)

1. To review the purpose, operation and effectiveness of Children's Services in Essex and the new Essex structure.
2. To review current provision of children's and young people's services in the District including identifying the level of activity directly provided by the Council and the key responsibilities devolved to the Council under the Children's Trust arrangements.
3. To review the provision of Essex County Council Youth Services in the Epping Forest District, seeking to identify future needs and how these can best be met by the various Agencies involved in the delivery of Young People's Services.
4. To review current arrangements for Safeguarding and Promoting the Welfare of Epping Forest's Children, seeking to identify communication pathways and effectiveness of information sharing, including:

- the Council's own policies and procedures;
- West Essex Stay Safe Group;
- ECC Stay Safe Group, and,
- Essex Safeguarding Children Board

2.2 Who was consulted as part of this exercise and how was evidence gathered?

Person or organisation	Method of evidence gathering
Julie Chandler – Review Lead Officer	<ul style="list-style-type: none"> • Presentation at initial meeting and ongoing provision of information in respect of children's services and safeguarding within EFDC and West Essex
Community Services Section Heads: Felicity Hall Gill Wallis James Warwick	<ul style="list-style-type: none"> • Individual meetings with Section Heads • Visits to a range of activity sessions • Detailed presentations made to the panel
West Essex Children's Trust Board	<ul style="list-style-type: none"> • Chair of Panel and Lead Officer questions at West Essex Children's Trust Board meetings • EF Officer involvement in priority planning for service commissioning
Epping Forest Children's Partnership (Representative Head teachers from local schools & Extended Schools; Epping Forest College, ECC Integrated Youth Services, Essex Police, Voluntary Sector agencies & VAEF, ECC, Children's Centre's)	<ul style="list-style-type: none"> • Attendance at EFDCP meetings and planning & development event
Essex County Council: Cllr. Ray Gooding – Deputy Portfolio Holder SCF Wendi Ogle-Welbourn – Director of Children's Services Lonica Vanclay – West Children's services Locality Commissioner	<ul style="list-style-type: none"> • Essex County Council representatives were invited to attend a panel meeting and were asked a set of questions that had been pre-circulated

3. Context

3. Background

3.1 Government requirements for Local Authorities

Children's Trusts

The Children Act 2004 required children's services authorities to put children's trust arrangements in place by April 2008. Linked to this, the 2005 statutory guidance on interagency cooperation specified that all children's trusts must have a **child-centred, outcome-led vision** and should comply with a range of other essential features, including:

- **Integrated frontline delivery** - Delivery to be organised around the child, young person or family rather than professional boundaries or existing agencies. This included establishing the role of the 'lead professional' in each agency.
- **Integrated process** - Effective joint working to be sustained by a shared language and shared processes. This included using the common assessment framework (CAF) referral process and establishing systems for sharing information across agencies.
- **Integrated strategy** - This to involve planning, commissioning, reprioritising use of resources and pooling budgets and resources, including, production of the statutory children and young people's plan, involvement in signing off local area agreements (LAAs) and establishing and implementing joint commissioning arrangements.
- **Inter-agency governance** – Establishment of robust arrangements for inter-agency cooperation, involving, effective leadership by the local authority, full engagement of key partners, clear accountability and relationships built on a shared vision for improving outcomes for children and young people.

In March 2010, further new statutory guidance was issued on Children's Trusts, bringing together and replacing previous guidance on children's trust arrangements and the Children and Young People's Plan. The guidance reflected the following changes:

- Children's Trust Boards were placed on a statutory footing from 1 April 2010. Responsibility for developing, publishing and reviewing the Children and Young People's Plan (CYPP) passed from the local authority to the Children's Trust Board. The first new style CYPP was to be published by 1 April 2011
- The CYPP became a joint strategy in which the Children's Trust partners set out how they would cooperate to improve the well-being of children and young people in their area.
- The Children's Trust Board was responsible for monitoring the extent to which partners acted in accordance with the plan and for publishing an annual report which sets this out.

New requirements under the Coalition Government

However, in July 2010, the new Secretary of State for Education emailed all first tier local authorities informing them of his intention to revoke Children's Trust arrangements, including removing the requirement for a statutory Children's Trust Board and a Children and Young People's Plan. Within Essex, this change in direction saw the renaming of the Children's Trust Boards to Local Commissioning and Delivery Boards, although retaining the same representative members on the Board.

3.1 Children's Services - District Responsibilities

District and Borough Councils do not have a statutory responsibility for the provision of children's services but they have historically played a key role in developing and providing mainstream activities for children and young people through leisure and community services. In addition, council housing teams play a pivotal role in ensuring that the needs of children and young people are met through providing a range of housing adaptations for those with special needs and disabilities. These local activities continue to be seen as a key element in the spectrum of children's services provision, often recognised for their significant contribution to health and well being.

In addition to this scope of activity provision the council has a Duty of Care in respect of safeguarding and promoting the welfare of its children and young people and this is formalised under Section 11 of the Children Act 2004. This act requires the Council to have a Child Protection Policy, clear procedures for dealing with Child Protection issues, trained staff and safe and effective staff recruitment and employment arrangements.

The role of the District Council within children's services developed significantly with the establishment of Children's Trusts, with the council being delegated responsibility for chairing a new Epping Forest Children's Partnership. This forum evolved from a district Children's and Young People's Strategic Partnership (CYPSP) and has provided the Epping Forest strategic link to the Children's Trust structure, with a formal reporting mechanism to the West Children's Trust Board, via the Chair. In addition, the District Council has been represented on the Trust Board by an elected member throughout its operation.

It was this close involvement with the Children's Trust and concerns in regard to effectiveness of trust arrangements for children's and young people's services and safeguarding, which led the Council to seek clarity of information through a Task and Finish Review.



4. Summary of Recommendations

The Panel recommends:

1. That the Council formally recommends to Essex County Council that Epping Forest, Harlow and Uttlesford District Council's are in a position to and prepared to undertake commissioning of activities and programmes for children, young people and families, in order to improve health and well being.

Reason: *West Essex Statutory and Voluntary partners are confident that better, more cost effective services can be delivered to meet the needs of local residents.*

2. That the Council formally approaches Essex County Council with an offer to undertake management of local Youth Services in Epping Forest, following the redundancy of Youth Service Managers in July. And, that the Council formally tenders for delivery of the service from March 2012.

Reason: *To ensure appropriate deployment of Youth Workers during the period July 2011 to March 31st 2012 and the long term provision of services for our most vulnerable young people.*

3. That Essex County Council is asked to provide regular statistics and data to the district council on numbers of children and young people 'Looked After' (in care) and other vulnerable children including those with disabilities living within Epping Forest District, and details of children from the district who have been placed 'in care' outside of the district.

Reason: *To ensure that the Council has a clear and current awareness of the status of Epping Forest's vulnerable children and young people.*

4. i) That Essex County Council is formally asked to develop a 'guidance note' for elected members, to assist them in dealing effectively and appropriately with potential safeguarding and social care issues in relation to families within their constituency. ii) That the County Council Social Care Service is asked to acknowledge a) its accountability to District Elected Members in regard to effective Corporate Parenting and b) that Councillors can be used as a resource to articulate on behalf of constituents.

Reason: *Councillors experiences of working with Essex County Council in regard to vulnerable families and child protection issues have been varied and on several occasions very negative. The guidance would provide Councillors with an outline of the role that they can play to support constituents; the processes in place to ensure that the right professional support is acquired and details of the expected communication exchange between Essex County Council and individual Councillors.*

5. That Essex County Council is requested to commit to meet with the Overview and Scrutiny Committee of the District Council in respect of Children's Services on an annual basis, with attendance of the Director of Children's Commissioning.

Reason: *To strengthen the ongoing working relationship between the Council and Essex County Council and highlight any areas of best practice or concern.*

6. That all District Councillors are reminded of the requirement to attend Child Protection training provided in-house by the Council and are aware of the procedures and contacts for making a referral to Social Care.

Reason: *It is possible that Councillors will come across Child Protection/Safeguarding issues amongst constituent families and will therefore need to be aware of the various processes and referral pathways.*

7. That the Council seeks to provide a core range of prioritised activities and programmes for children and young people with a proven record of success in the development of self esteem, confidence and a positive attitude, with personal health and safety awareness, such as the Trampolining programme, Crucial Crew and Reality Roadshow.

Reason: *The success of initiatives provided has been evidenced by schools through detailed evaluation exercises which have shown the following changes in children who have participated; improved confidence; improved enjoyment of learning; new feelings of being an important person at school and home and better all - round attainment*

8. That the Council agrees to commit Community Services Officer time to seek and secure external funding in conjunction with district and cross border partners, to support activities and programmes that will meet the gaps in provision for children and young people that will arise following the withdrawal of Essex County Council funding

Reason: *A very significant number of positive activities and programmes for children, young people and families will cease to be provided over the next 6 – 18 months, due to the cessation of key funding streams and financial constraints of local authorities. External funding will become even scarcer and it will be essential to work in partnership to develop bids with a chance of success.*

9. That the Council prioritises officer time to support local voluntary sector organisations in the writing of funding applications that will deliver targeted services for children and young people.

Reason: *Successful bid writing can be very time consuming and also requires a great deal of practice and experience which the Council can offer through Community Services staff who have been extremely successful in the past.*

10. That the Council's Community Services builds on the excellent work undertaken by Epping Forest Youth Council, such as the Tube Map Project where youth councillors identified, assessed and rated effectiveness of local youth provision.

Reason: *The Task & Finish Panel were very impressed with the work undertaken by the Youth Council and are mindful that Youth Councillors are in the best position to evaluate quality of local provision for young people.*

5. Report

5.1 Background to the Task and Finish Review

The Council's Cabinet Committee received a presentation from Essex County Council in April 2010, which outlined the Essex Children's Trust Structure and Memorandum of Understanding in respect of Children's Services that Districts were required to sign up to. At this meeting, Cabinet took the decision not to sign the Memorandum on the basis that an adequate explanation could not be given to explain to the committee what 'aligning of resources' would actually require of the Council. In addition, members of Cabinet and interested members of the Council attending the meeting, had been very concerned by a recent Ofsted report for Essex County Council which had 'red-flagged' some areas of Children's Services provided.

The Council's Overview and Scrutiny Committee was therefore asked to establish a Task and Finish Panel to consider the Council's role and approach to delivery of children's services under the new trust arrangements and to make recommendations as to whether the Council should sign up to the Memorandum of Understanding with Essex Children's Trust. The Task and Finish Panel were also asked to gather information regarding local provision for children and young people including the Council's own Community Services; work undertaken by the voluntary sector and local youth services provided through Essex County Council.

5.2 The Review Process

The initial meeting of the Panel was held on September 21st 2010. At this meeting Members were advised that Essex County Council had announced a revision of Children's Trusts, in line with the new coalition government guidelines to revoke Children's Trust arrangements. The new name for the West Children's Trust Board was to be West Children's Commissioning and Delivery Board and the Terms of Reference for the panel were therefore revised in light of these changes.

The Panel were additionally advised that the only change within the new, proposed Essex structure for children's services was the deletion of the district Children's Partnerships across the County. This change to existing arrangements had already been met with serious concerns amongst local stakeholders represented on Epping Forest Children's Partnership, including head teachers from local schools, voluntary sector representatives and managers of Essex Youth Services. The Task and Finish Panel therefore additionally sought to consider the importance of the Council retaining management of the Epping Forest Children's Partnership and nominated a representative to attend meetings of the Partnership.

To set the scene for the review, the Panel were provided with a detailed presentation on the existing children's services structures within Essex and an overview of the services provided directly by the Council's Community Services department and the voluntary sector. This led to the Panel being given responsibility for investigating the effectiveness of this local provision, with each being nominated an area of provision to focus on, including; activities for children with disabilities, initiatives to address obesity and local interventions to help improve emotional health and wellbeing of children and young people.

Consultation and Investigation

Panel members visited a range of locally delivered activities, interviewed providers in person and by phone and provided oral and written reports to the Panel. Further detailed presentations were made at subsequent meetings by Section Heads from the Council's Community Services teams, with the opportunity for questions and answers.

To complete the review, the Panel invited representatives from Essex County Council, including the Deputy Portfolio Holder for Children and Families, Director of Children's Commissioning and Locality Commissioner, to answer specific questions and concerns of the panel and wider elected members.

5.3 Key findings of the review

5.3.1 Services provided by Essex County Council

The Task and Finish Panel noted that a second Ofsted of Essex County Council children's services had been undertaken in August 2010 and 'some improvements' had been seen. The Council had however again been graded as 'Unsatisfactory' within some service areas including Child Protection remaining as 'red flagged'.

Service Commissioning:

The Panel were advised that in November 2010, the County Council had instigated a series of commissioning meetings for West Essex for funding from April 2011 onwards, which local stakeholders were invited to attend and these were to determine priorities for local services in respect of emotional health and well being, young people, family support and parenting. At these meetings attendees were advised that Essex intended to continue to commission existing partners via a 'closed' preferred partner route, but that there would be a limited amount of funding (approximately £130,000) for local commissioning across Epping Forest, Harlow and Uttlesford.

District partnership representatives had opposed this approach on the basis that the proposed commissioning of Child and Adolescent Mental Health Services (CAMHS) Tier 2, (which was to consume 95% of the resources available), had not previously demonstrated improved 'services on the ground' to children and young people. Far greater success and better value for money had been seen through locally delivered and developed interventions provided by the District Council's and voluntary sector partners.

This raised the question as to why Essex was intending to procure services in the same way as previous years, with the risk of not improving over 2011/13. This approach was also in complete contrast to the Governments' plans for 'Big Society' and 'Place Based Budgeting' and added to other concerns of the panel around 'transparency'.

West partners therefore agreed to write to the Chair of West Essex Children's Commissioning and Delivery Board to raise their formal concerns. A copy of the letter is attached at Appendix 1. In addition the Leader of Epping Forest Council and the Chair of the Task and Finish Panel wrote to Essex County Council with their concerns, as attached at Appendix 2.

Integrated Youth Services:

The Panel were provided with details of the young people's services provided through County's Integrated Youth Team, which consisted of evening drop in youth clubs in 4 x locations in the district (Limes Farm, Waltham Abbey, Ongar and Loughton) and provision of a Youth Bus, which visited rural areas of the district on a weekly basis. The service also provided Connexions careers advice and support to young people, and operated two Youth Centre buildings, in Ongar and Loughton.

However, towards the end of the review period, the Panel were informed that County had taken a decision to reduce its Integrated Youth Services budget by 50% from £14m to £7m in 2011/12 and that this would result in loss of the Connexions service and a significant reduction in provision of youth services in Epping Forest. The Integrated Youth Services Manager for Epping Forest would also be made redundant in July 2011 as part of the cuts, but no other line management had been put in place.

Child Protection/ Safeguarding:

Essex Safeguarding Children Board which includes representatives from statutory and non-statutory partners from Essex had appointed a new Chairman in light of the poor Ofsted of 2009. Arrangements for Child Protection had been revised and new procedures put in place to address issues of poor practice. However, local intelligence on effectiveness of these new procedures and systems (including first hand experiences of members of the Panel), continued to highlight a range of concerns in regard to coordination of services, effectiveness of support given and lack of efficiency on behalf of Social Care.

These incidents had resulted in a range of negative consequences for local families and children, including unnecessary break-up of a family with one young person being taken into care and moved over 100 miles out of the District; higher costs incurred by Essex and partners due to lack of initial efficiency and a general loss of confidence in the referral system developed by Essex.

These concerns had been raised repeatedly by the Chairman of the Task & Finish Review Panel at meetings of West Essex Children's Commissioning and Delivery Board and by the Council at West Stay Safe group meetings.

Consultation with Essex Representatives:

The Panel had the opportunity to raise these concerns and a range of other queries directly to Essex County Council at a Panel meeting in March, where Cllr. Ray Gooding (Deputy Portfolio Holder – Children and Families), Wendi Ogle-Welbourn (Director of Commissioning for Children's Services) and Lonica Vanclay (Locality Commissioning Manager), were invited to a question and answer session. Councillors A Boyce and R Barrett were additionally invited to attend this particular meeting following their attendance at an in-house Child Protection training session and emergence of concerns of EFDC staff that deal with Social Care.

A range of questions were sent to Essex County Council in advance of the meeting and some of these were answered through a presentation provided by Wendi Ogle-Welbourn at the beginning of the meeting (as attached at Appendix 3). In addition, the presentation provided the Panel with details of the required budget savings from Essex Children's Services over the period 2011/2014 which amount to £46m and how this figure would be reached.

The Panel were then able to seek answers to outstanding queries not covered. A list of questions and respective answers from Essex County Council can be found at Appendix 4.

5.3.2 Epping Forest Council Services for children and young people

The Council's Community Services Team provided the Panel with detailed presentations of the services currently provided for children and young people in the district and an overview of the council's management of Child Protection and Safeguarding. Full details of these briefings can be found within the minute extract of the Task & Finish Panel from November at Appendix 5, but the following information lists the key highlights:

Safety Awareness Programmes for local children & young people:

- Crucial Crew events for children in Year 6 held once a year at a main venue over the period of 2 weeks, where various organisations (West Essex PCT, Essex Police, Essex Fire & Rescue Services, Road Safety Officers etc.) provide the children with interactive safety scenarios ranging from Road Safety to Internet and drugs/alcohol awareness;
- Reality Road Show (for Year 9's). Road shows in secondary schools, similar to Crucial Crew, but where partners provide more advanced scenarios and messages about drugs, alcohol, sexual health and road accidents etc. and;
- 'Bang out of Order' event, centred around Halloween and Fireworks, with advice to primary school children about behaviour and consequences of misuse of fireworks and provision of young people's activities and events

It was noted that these events are externally funded, but rely heavily on a range of EFDC officers' time to plan, organise and manage, along with daily operational support from the various partners involved.

The outline cost of providing of these events is as follows:

Crucial Crew £12,000.00 – Main cost venue hire, plus officer/partner time

Reality Roadshow £4,000 – Officer time for planning and organisation at each school

Bang Out of Order £2,000

General activities and programmes:

The following list provides a 'snapshot' of the range and type of activities and interventions provided and funded by the District Council throughout the year for children from toddler age to teenagers. Where possible, the actual cost of activities has been provided:

Activity Detail	Approx Expenditure – (per day/session)	Approx Income – (approx per day)
<p>Playschemes for 5 to 11 year olds provided during school holiday periods (approx 8 x weeks per annum) which include arts/crafts, sports, games and arts/drama and many other activities. Children are charged a day rate of £10/£5 concessions for playschemes. In addition a number of places are earmarked for children from disadvantaged families which are funded via local school clusters. The biggest cost of providing playschemes is staffing to meet guideline ratios to children and venue hire to accommodate over 100 x children;</p>	<p>Site Leader x 2 - £170.00 Staff x12 - £675.00 Venue hire - £120.00 Total - £965.00</p> <p>* It should be noted that the playschemes usually operate on the basis of 1 x staff : 8 Child ratio for under 8's and 1:15 for over 8's, hence staff costs can vary considerably.</p>	<p>90x £10 - £900.00 *20 x £5 - £100.00 Total - £1000.00</p> <p>* Income based on 90 x children paying full amount of £10 per day and 20 x children at concessionary price of £5 per day</p>

<p>‘Play in the Park’ -Play Ranger initiative</p> <p>This is a ‘free’ initiative that encourages families to use open spaces, by providing equipment and supervision over two hour periods. These sessions can attract Up to 200+ participants per time.</p>	<p>1 x core staff 2 x casual staff - £32.00</p>	<p>Nil</p>
<p>The Green Team initiative, delivered in conjunction with Country Care, which encourages environmental volunteers for the future. For ages 5 – 11 years</p>	<p>3/4 x core staff from Community Services and Countrycare</p>	<p>15 x £2.50 - £37.00</p>
<p>EFDC Youth Council and Young Citizen of the Year. Provision of officer support to induct, train and develop youth councillors to enable them to consult with other young people and represent their views on local services. For young people aged 13 – 18 years</p>	<p>1 x ft YP Officer - £30,000 1 x p/t YP Asst - £9,000 Expenses Budget £12,000</p> <p>* These figures do not include overheads and support services. The expenses budget is primarily to pay for youth councillor transport to meetings etc.</p> <p>Plus Committee Officer and other management time to support the programme</p>	<p>Nil</p>
<p>Healthy Living Festivals in super output areas of the district. A range of activities and classes delivered over the period of 4 – 6 weeks for families, including fitness, healthy eating, healthy food preparation etc.</p>	<p>The main direct expenditure for this initiative is for marketing and tutors. All over costs relate to administration and organisation of the programmes, which is undertaken by a wide range of staff.</p>	<p>Nil</p>
<p>Social Inclusion programme for young people in conjunction with Tottenham Hotspur Foundation. Range of sports and activities available over the course of the week in Limes Farm Chigwell, Debden and Waltham Abbey</p>	<p>The bulk of the costs for these sessions are covered under the Section 106 agreement with Tottenham Hotspur, which comes to an end in March 2012. However staff time is need to plan, organise and promote.</p>	<p>£1 per person per session</p>
<p>Children’s Touring Theatre groups for 5 – 8 year olds;</p>	<p>There a charge made by Theatre Companies for their work which ranges from £500 - £800, plus charges are made for venue hire. Plus, core Arts staff time for administration and organisation</p>	<p>Income achievable is dependant on size of venue, but shows are provided on a minimum of a break even basis, but generally achieve a profit</p>

In addition to the detailed breakdown above, there are many other activities that are delivered, managed and organised by core EFDC staff in conjunction with partners, but these are more difficult to cost individually:

- Animation workshops;
- Film screening in various venues in the district
- Range of after school dance classes across the district
- 'Body Care' health improvement programme for primary school Year 6 pupils
- 2012 Olympic projects– work with local sport clubs to provide 4 to 6 weeks sports taster courses
- We Don't Do Bored Club in Waltham Abbey – a weekly youth session for young people aged 13 – 17 years
- Toddlers Tuesdays at Epping Forest District Museum
- Family Fundays at Museum – these are charged on a 'donation' basis, with a charge made for specific activities such as 'Willow Weaving' etc.
- Health Works project for young people 13 – 19 years, aimed at improving health and wellbeing through training, mentoring and development. (Funded by £100,000 from Harlow Health Centre's Trust and secured via a competitive process).
- Youth Theatre in Loughton
- After school clubs in sports and dance

EFDC Youth Council

The Panel were presented with a short report on a 'Mystery shopping' exercise that Youth Councillors had taken part in, to assess local youth clubs and activities in the district.

The Youth Council had initially mapped and then visited 12 youth projects over a three month period from July to September 2010. Going 'undercover' in two or threes to each of the venues, they assessed the clubs on such things as friendliness of staff; range of activities on offer; opening times, promotion of the club and disability access. They later turned these into a star rating (given out of five stars) and gave feedback to each of the clubs. The ratings were published on the Council's website along with the text of the report and contact details for each club which had been designed as a Tube Map. The settings visited were provided by Essex County Council, District Council and Third Sector providers.

Youth Councillors had arranged a Presentation Evening on 26 October 2010 and awarded certificates and feedback sheets to each provider, along with a trophy to the "5 Star" winner which was Youth Plus in Ongar. The Tube Map is attached at Appendix 6.

5.33 Reports from Panel Members

Members of the Panel were asked to briefly report back to the other Panel members on progress made on their allotted research tasks.

Health improvement initiatives for children and young people

Cllr. Mrs Hedges reported that she had been looking into childhood obesity and in particular at the 'MEND' scheme - "Mind, Exercise, Nutrition...Do it". This was a 9 to 10 week intervention aimed at reducing childhood obesity. The participation of parents was essential to the success of the programme and recipients could be self referred, or referred by a nurse

or a GP, and were in the age range of 7 to 13. The programme was organised in partnership with the County and Tottenham Hotspur Foundation. Costs were mainly covered by the NHS although EFDC & THF allocated officer time. It was a very time intensive programme and one or two families did tend to drop out after the first one or two sessions as they had to commit to two sessions a week for ten weeks.

Provision for children and young people with disabilities

Cllr. Mrs Cochrane reported back to the Panel on a range of initiatives, including funding that the Council had secured for two 'enhanced playgrounds', one in Debden and the other in Waltham Abbey, that were due to be completed by March 2011, at a cost of total of £44 thousand. This was a one off Capital Funding from 'Aiming High', to enhance play facilities for disabled children and encourage children of all abilities to play together.

The Councillor had also found out that there were a range of special 'ability' sports clubs that enabled disabled youngsters to try out various sports, including a special educational needs trampolining project for primary school children. There was also a co-ordination programme for children with Dyspraxia and a lot of arts programmes, all project based, for people with special needs. The Panel were surprised at the amount of programmes that were available.

General activities for children

Cllr. Mrs R Brookes had looked into general activities for children including the trampolining programme for children with additional needs. The trampolining programme was to help children who had been identified as having special educational or emotional needs to develop confidence and self esteem. Whilst offering a good aerobic activity it also helped with coordination, suppleness and poise. These skills then benefit the children, particularly those with autism, in the classroom. Originally the courses were funded by Essex County but this had now been withdrawn this past summer; however local head teachers felt it to be so valuable that the Rural Local Delivery Group had decided to fund the project itself for its thirteen member schools.

The Panel agreed that this was an innovative way of helping children with low self esteem and concluded that the Primary School Trampolining Project was an excellent scheme and that EFDC should continue supporting it through allocating officer time to organise, manage and deliver sessions. The complete breakdown of costs of this provision is shown as below:

Hall Hire	£28.45 per session x 10 weeks	£284.50
Head Coach	£25.00 per hour x 10 weeks	£250.00
Assistant Coach	£20.00 per hour x 10 weeks	£200.00
Assistant Coach	£20.00 per hour x 10 weeks	£200.00
Transport costs	£55.00 per journey x 10 weeks	£550.00

Total cost of one school participating in project = £1484.50

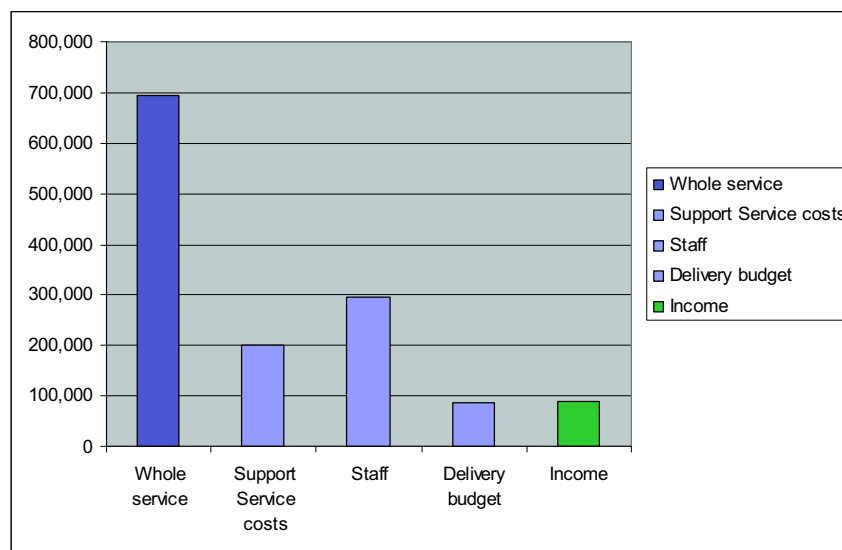
To date, this programme has been funded through Essex County Council performance Reward Grant £17,885.26 (although 50% of this funding was withdrawn in 2010/11 as part of Essex County Council cuts); Epping Forest Local Delivery Group South £14,000 (schools consortium) and £6,500 (rural schools consortium) via a Big Lottery Fund Awards for All application that was written by Community Services.

The Council's role in this programme has been in initial conception and development of the intervention, planning, administration and management of the programme, along with the complete responsibility for devising evaluation and monitoring and liaison with schools.

Overview of Community Services Expenditure

The Panel noted that it is very difficult to provide a definitive breakdown of costs in relation to all of the activities, events and programmes provided for children and young people by the Council's Community Services teams, as many of the staff employed within these areas have a much wider remit that just services for children. This includes work with elderly people; work with disadvantaged communities and work with disabled people and those with special needs of all ages.

However the following chart shows a breakdown of the Community Services budgets (shown in £100,000's) and the various elements of expenditure for the entire provision, which includes residents of all ages and abilities. The graph shows the total budget for the service areas and a break down of how this total is made up.



External Funding

In addition to the above core funding provided by the Council, Community Services has been very successful in attracting external funding to add value and expand programmes of work with children and young people and this has amounted to just under £1,000,000 over the last 2 years. However, the Panel noted that external funding was becoming scarcer and harder to secure due to the level of organisations applying for it. It was therefore decided that it was important to demonstrate how EFDC makes use of its resources and how innovative and well it works with its external partners

5.35 EFDC Child Protection and Safeguarding

The Panel were advised that following a 'self audit' in 2009/10 and subsequent independent assessment, the Council's approach to child protection and safeguarding was seen as a model of best practice for other district and borough authorities in Essex. This was mainly due to the existence of a Corporate Safeguarding Group and up to date Child Protection Policy and procedures.

The Council however still needed to ensure that all staff in contact with children, young people and families were appropriately trained and that it had in place a safe recruitment and employment policy. It was noted that the council had also committed to Safeguarding as one of its key Objectives for 2011/12 and this would include providing training for all Councillors.

The Panel were clear that Child Protection training should be mandatory for Elected Members to ensure that any local issues involving constituent families were dealt with correctly and that Members were aware of the procedures and processes to be followed.

6. Conclusion and Executive Summary

The work undertaken by the Children's Services Task and Finish Panel covered a very wide range of issues, from reviewing and evaluating the District Council's own children's services and arrangements for safeguarding and promoting the welfare of children, young people and families, to reviewing services provided by Essex County Council, their centrally commissioned partners and our local voluntary sector partners in the district.

This was achieved via a range of methods including presentations from officers, site visits and meetings and culminated in a question and answer panel with Essex County Council, involving the Deputy Portfolio Holder for Children and Families, Director of Children's Commissioning and West Locality Commissioner.

The key outcomes and findings of the Children's Services Review in accordance with the Terms of Reference were as follows:

1. The immediate deferment in the Council signing the Memorandum of Understanding with Essex County Council in respect of Children's Trust arrangements;
2. Identification of key strengths and models of best practice in regard to the District Council's own services for children and young people and priorities for future delivery;
3. Clarification around the future provision of Essex County Council Youth Services; the potential impact of funding cuts on the most vulnerable children and young people and the opportunities for local commissioning in the future;
4. Direct representation to Essex County Council in respect of local concerns around safeguarding and promoting the welfare of children and young people, resulting in a commitment from the County Council to provide a Child Protection Guidance Note for Elected Members across Essex to enable them to support the Safeguarding process;
5. Re-enforcement of the District Council's commitment to Child Protection and Safeguarding for staff and Elected Members.

In addition, there were further positive outcomes from the review which included:

1. Building of foundations for a strengthened working relationship with Essex County Council in regard to Safeguarding and children's services in general;
2. Identification of what funding is available for the provision of children's services in Essex; how it is commissioned across the County and potential future opportunities for local commissioning;
3. Confirmation from Essex County Council of their commitment to deliver very early and low resource interventions to prevent the need for high cost care and support at a later stage;
4. Confirmation of the excellent children and young people's activities and programmes developed and provided by the District Council, and the potential opportunities for these to be used as models of best practice for delivery across West Essex in the future.

The panel concluded that the working relationship with Essex County Council would benefit from increased communication with District Elected Members and that it was the wish of the Panel to be able to speak highly of the services provided for children and young people by The County Council.

7. Acknowledgements

The Task & Finish panel would like to thank:

Cllr. Ray Gooding – Deputy Portfolio Holder SCF, Essex County Council

Wendi Ogle-Welbourn – Director of Children’s Services, Essex County Council

Lonica Vanclay – West Children’s services Locality Commissioner, Essex County Council

Epping Forest Children’s Partnership

Julie Chandler – Assistant Director Community Services and Customer Relations

Felicity Hall – Arts Officer

Adrian Hendry – Committee Officer

Gill Wallis – Community Development Officer

James Warwick – Sports and Health Development Manager

8. Appendices

Appendix 1

Dear Theresa

We are writing to you in your role as Chair of the West Essex Children's Trust Board to formally state our collective view on the commissioning process presently being undertaken by the Essex Children's Trust, to advocate certain principles which we believe should be adopted in that process and to express some concerns about what appears to be the present direction of travel.

As you are aware we have tried to positively engage in the recent consultative processes in the West and recognise that a formal report of the outcomes of that process will be submitted to the WECTB on 16/11 and from there will feed into the JCB for final determinations. However, whilst we expect that the views we expressed will be properly represented within the formal report, it is possible that the main thrust of these views may be lost within the detail of it and the West Board and the JCB may find it helpful to have these views separately represented.

We wish to state at the outset our full commitment to the priorities identified by the JCB and the locality Boards and as most recently presented in the paper "Proposal for Future Working Arrangements in Essex". We also endorse the principles set out in that paper relating to the driving forces of the 'Big Society' and 'Place based' commissioning. Furthermore, despite the withdrawal of the statutory duty to engage, we remain committed to the original principles of a Children's Trust approach to the provision of high quality services.

However, our experience of the West consultative process and our understanding of the state of play in regard to some specific areas of commissioning have raised some concerns as follows:

1. The apparent lack of an integrated approach to commissioning

The three main priorities on the table for consultation relate to Emotional Health & Well Being, Family Support, Early Years & Youth Activities. Given the central importance of these services to safeguarding and early intervention & prevention, we believe it is crucial that these are commissioned in a way which will maximise synergy and integration. In the context of a reduced resource envelope and the need to prioritise and target resources and services better, a fully coordinated approach to commissioning is likely to produce best value for money. Whilst we appreciate that the timetables for commissioning or re-commissioning may not all coincide (and we are aware of issues surrounding the re-commissioning of Children's Centres and uncertainties over areas such as School Improvement) we are strongly of the view, as exemplified by work already undertaken on the commissioning of Tier 2 CAMHS, that there is a real danger of an uncoordinated and piecemeal approach happening and a significant opportunity for integrated commissioning missed.

2. The apparent disjunction between the stated principles of the Proposal for Future Joint Working Arrangements in Essex, 'Big Society' thinking and where ECT seems to be in its commissioning approach

Paragraph 6 of the paper 'Proposal for Future Joint Working Arrangements' references as policy drivers the 'Big Society' & 'Place Based Budgeting' and appears to endorse an emphasis on local commissioning to deliver local priorities. We would certainly endorse this view because our experience has been that the only impactful integrated service delivery has eventuated when local communities have been able to take ownership – that is partnerships of locality based groups who know and trust each other, have developed joint working over many years, who know their clients, who know how to access the hard to reach and the most vulnerable and who have an evidenced based history of effective delivery. In addition the Secretary of State for Education, Michael Gove in his letter of 4th November 2010, restates the aim of the Coalition Government to shift power to the lowest possible level.

Using CAMHS Tier 2 as an example, we fail to see how a central commission which will consume 95% of the resource envelope is going to fulfil the principles of the Big Society & Place Based Commissioning and the Coalition Government's reform programme principles.

We do appreciate the present challenges faced by the Children's Trust, and the need to reconcile/balance forces driving local authorities to consider larger geographical scale working arrangements and the most cost effective service model solutions whilst at the same time taking account of the need to empower locality ownership and solutions.

We appreciate the added difficulty of trying to do this within a context of PCT commissioning being progressively handed over to locality based groups of GPs.

At the same time, there is a simpler reality to be forced. In the areas of EHWP, Family Support, Early Years & Youth Activities, local partnerships of one kind or another across West Essex (and leaving aside any LPF funding) have been investing in the region of £5m p.a in what we term as 'targeted' support, usually delivered within universal settings. This funding and these services will cease 31/3/11. There is a danger of a significant 'black hole' in service provision appearing between the 'universal' and the 'specialist' levels, which to date has been filled by this targeted provision. Nothing in the plans to date for the future commissioning of EHWP, Family Support, Early Years or Youth Activities seems to us to be likely to fill this gap. This is likely to put increasing strains on the ability of universal services to fulfil their obligations and on the capacity of the specialist services to cope with an increasing demand on an already reduced capacity service.

We advocate a 50% balance between central and locality commissioning in all these key priority areas.

3. The apparent lack of synergy between the rhetoric of service transformation and the reality of the commissioning process

We were constantly and rightly urged at the consultative workshops to think outside the box, to think about how services might be delivered differently, more smartly and more effectively.

We have difficulty therefore in understanding (and again using the example of Tier 2 CAMHS) why the JCB appears to be going down the road of commissioning a 'traditionally' configured Tier 2 CAMHS service.

All the evidence suggests that the traditional Tier 2 CAMHS service in Essex has over the last 10 years failed to deliver a sufficiently good and cost effective service. We appreciate that there have been many reasons for this and this comment is not a reflection on the quality of the work of managers or workers in the service. In the context of a likely reduced resource, we do not see how commissioning what looks at present, from the service specification available to us, to be a replication of the same kind of service but by a different provider is going to drive forward service transformation and innovative solutions.

In West, in our various sub-partnership groups, we have good evidence of the delivery of Tier 2 type CAMHS services in ways which have exemplified early intervention and prevention, swift & easy access, provision at the point of demand/need and of integration with wider family support services and wider aspects of Emotional Health & Well-Being – all at about 42% of the hourly cost of traditional Tier 2 CAMHS.

4. The apparent disjunction between the principles of good practice in commissioning promoted by the Commissioning Support Programme and the principle being utilized by the Essex Children's Trust

If the example of the CAMHS Tier 2 commissioning process is to replicate then we do not see how this can be said to reflect best practice or the 8 principles of commissioning. Use of a limited preferred bidder methodology is not per se poor practice, but the use of this methodology with only one type of service provider would normally be regarded as failing to develop a proper market and failing to investigate a range of innovative service models with the likely consequence of not securing best VFM.

In conclusion, we are concerned that the present direction of the commissioning process may fail to take account of the potential for transformation, innovation and effective integrated working at a locality level that local experience and practice have exemplified and therefore not secure best value for money.

Fundamentally, what we can't see is how the apparent present approach to commissioning will harness and enhance the expertise and contribution of mutuals, co-ops, the voluntary sector, groups of schools, locality based Children's Partnerships etc in the effective provision of Children's Services nor exploit the many possible links to Adult Services, all of which lie at the heart of the transformation of public services at a time of reduce resources.

Yours sincerely,

Chris Fluskey – Chair Harlow Education Consortium
Lynn Seward – Harlow District council
Julie Chandler – Epping Forest Council
Gaynor Bradley – Uttlesford District Council
Geoff Mangan – Epping Forest Schools LDG

Appendix 2

Letter to:

Cllr Candy (Portfolio Holder for Children, Schools and Family)
Mr David Hill (Executive Director of Children Schools and Families),

We are writing to you in your role as Portfolio Holder / Exec Director SCF for Children's Services, to bring to your attention our serious concerns in regard to a range of issues including the commissioning process presently being undertaken by Essex Children's Trust.

The enclosed letter to Theresa Smith, Chair of West Essex Children's Trust Board details these concerns in full and the following information is designed to provide a précis version of this.

Over the last month, lead children's services stakeholders from Epping Forest, Harlow and Uttlesford have been involved in discussions with County colleagues as part of West Essex Children's Trust Board, in regard to future commissioning of Children's Services. Three 'consultation' meetings were organised by Essex during October and a final 'sign -off' meeting was held on 4th November. The four main priorities that were 'on the table' for 'consultation' at these meetings were Emotional Health & Well Being, Family Support, Early Years & Youth Activities.

Throughout the process of consultation, our District representatives put forward their views and suggestions to improve children's services across West and many of these focused on locally provided innovative initiatives that have indeed produced excellent results for children and young people at excellent value for money.

We are therefore very concerned to discover that rather than directing key commissioning funding to a local level where there has been a significant amount of success evidenced, the County Council is pursuing an Essex -wide approach to commissioning services for children via a 'closed' preferred partner route.

It is the view of District and Education Leads in West, that given the importance of these services to safeguarding and early intervention & prevention, it is crucial that they are commissioned in a way which will maximise local partnership working, build on any successes to date and provide best value for money.

Apart from the effect that this course of action will have in terms of disenfranchising key local organizations including statutory and voluntary sector, this 'centrally commissioned' approach completely contradicts the Governments' plans for 'Big Society' and 'Place Based Budgeting'.

In addition, we have a further and immediate concern that under the County's 'required savings' of £300m, it is planned to withdraw £7m funding from provision of Integrated Youth Services and Connexions across Essex. This is set alongside a stated proposal on behalf of County to 'improve services and outcomes to children and young people' as part of the County-wide transformation programme. This appears to be a complete contradiction in terms. The potential impact of withdrawing these direct services to young people will likely be an increase in NEET's which in Epping Forest has been well managed (and exceeded targets), and increased anti-social behaviour.

Indeed this proposed withdrawal of IYS funding will further add to problems of recently reduced service provision for young people, including through loss of Performance Reward Grant Funding, Local Priority Fund and other locally commissioned funding.

We therefore believe this to be a very negative and short- sighted move, as potential impact from loss of services for young people and particularly those who do not sit within the Education system are immense.

We understand that a decision on the IYS and Connexions proposals will be taken by Essex County Council on 7th December and would therefore be very grateful for your comments in relation to these concerns, prior to this date.

Yours sincerely,

Cllr. Diana Collins – Leader

Cllr. Lesley Wagland – Chair of Children’s Services Task and Finish Panel

Principles of approach

EssexWorks.

For a better quality of life

The Schools, Children and Families strategy for the delivery of excellent services within a constrained budget has been built on the following principles:

- Ensuring the safety of children and young people
- Targeting our resources to those with the greatest need and where we can have greatest impact
- Focusing sharply to narrow the gap in education and wellbeing outcomes
- Equipping parents and carers to manage independently
- Up-skilling the universal workforce to identify and address emotional difficulties early
- Maintaining children and young people at home and in their local community as we know that, in most cases, removing them will dramatically decrease their chances of reaching their true potential
- Aligning resources with partners to secure efficient and effective services

Essex County Council

Proposals

A number of proposals have been agreed:

- Savings achieved across back office functions related to new ways of working
- Re-negotiations on pricing with providers of residential and school places
- Reductions in commissioned services related to Area Based Grant reductions, i.e., Sustainable Travel, School Travel Advisors, School Development projects, Teenage Pregnancy
- Restructure and re-provision of Children's Residential Service
- Transformation and redesign of early years service as part of the preventative strategy
- Review of Integrated Youth Services including Connexions
- Review of Home to School Transport provision to remove the discretionary elements

Savings overview

EssexWorks.

For a better quality of life

Cumulative savings Totals across 3 years		
Yr 1: 11/12	Yr 2: 12/13	Yr 3: 13/14
Children's Services Totals		
£11,124,299	£19,331,470	£25,148,172
Education Totals		
£9,194,030	£18,233,949	£21,021,948
Joint Totals		
£20,318,329	£37,565,419	£46,170,120

We are reshaping our services and focussing joint working on sharing resources:

- Developing community partnerships building capacity to deliver early intervention and prevention services
- Reducing the number of Children that need to be Looked After in particular those in residential care
- Increasing the capacity and availability of in house foster care
- Increasing the use of alternatives to care such as Special Guardianship and Residence Orders and Kinship Care
- Working through the Local Commissioning and Delivery Boards to commission services targeted on agreed priorities emotional wellbeing and parenting
- Reducing our universal offer including Connexions and Youth Services and non targeted elements of Children's Centres

Reshaping services, sharing resources

EssexWorks.

For a better quality of life

- Redesigning our front line social care and school improvement services focusing on traded, commissioned or third party delivered alternatives
- Development of a local authority and NHS child health and well being commissioning unit aligning resources to commission services for children with disabilities and mental health needs
- Developing the role of Children's Centres as health and wellbeing hubs
- Closer alignment with Adult Services to create a more seamless life long approach that also promotes choice and independence
- Investing in innovation towards a more radical approach to efficiency
- Assessing the impact of change within a strategic commissioning framework and strategy

Appendix 4

1. What is the Essex Plan for Youth Services provision over the next 3 - 5 years and how does Essex plan to address work previously undertaken by Connexions and IYS Managers

A. Plans for future youth services are currently being considered and a decision has been taken to re-instate a small part of the Connexions service at a County level.

2. Child and Adolescent Mental Health Services (CAMH's) - Will local feedback on success of this service will be taken into serious consideration in future commissioning?

A. The county wide commissioning of CAMH's was renewed due to the level of staff already employed in roles. Therefore, to make radical changes to this procurement, many people would need to be made redundant. However, if the service is not successful and proof of the success of other locally provided interventions is demonstrated, Essex will certainly consider other commissioning options in the future.

3. How does Essex expect schools to support vulnerable children and families with the loss of LDG's and family support workers who have been funded through 'pots' that are now not in place.

A. Some of this funding has now been re-instated and this will enable a structure to remain.

4. Will Essex will consider commissioning funding to District's or quadrant partnerships in the future.

A. Yes, this is something that Essex will be considering.

5. Child Protection - how will 'strategy' and paperwork generate improvements on the ground, with the impending loss in many of the local support mechanisms?

A. Essex has appointed new Quadrant Social Care Managers as opposed to one manager for the whole of Essex, who will be responsible for making improvements to Child Protection procedures and systems. Essex has recently undergone a further Ofsted inspection in respect of this and although the findings have not yet been published, it is good news.

6. Why do our staff and councillors still have poor experiences of referring concerns to Essex?

A. We are currently implementing greater resources for Social Care at a local level, which we hope will improve this. This will see the appointment of a Social Care Manager for each Quadrant in Essex, as opposed to a manager for the whole of Essex.

7. What can be done to improve lines of communication and engage officers and councillors at EFDC in solutions?

A. The requested 'Guide' and procedures for Councillors that has been suggested will help to address this issue.

8. How much do we pay foster carers by comparison with neighbouring authorities, particularly Redbridge?

A. The County goes to outside organisations to provide foster carers and pay the national standard rate. However, a lot of London Boroughs purchase foster carers in Essex so this can end up in a bidding war. It's a balancing act. We need to build good partnership with the

providers and ensure that the carers have access to resources for their use. A great many foster carers are not just looking at the financial package but at the overall package (background resources) provided by the authorities. Along with this, money needed to go into preventative work.

9. What low level support is available to help keep families together?

A. *Our plans are to improve the level of early intervention for children and families to help prevent problems from escalating and reaching the point where a child is taken into care.*

10. How do housing and Essex CC liaise on housing related child support problems?

A. *The County try to maintain children and young people at home and in their local community as they know that, in most cases, removing them would dramatically decrease their chances of reaching their true potential. There will also be social workers linked to Housing acting as a link between Housing and Young People on a case by case basis.*

6. UPDATING REPORT FROM OFFICERS.

Officers played the Panel a short DVD on the various events and initiatives that the council put on over the years.

Gill Wallis, the Community Development Officer, then reported on the Council's programme for children and young persons from her team's perspective.

1. Crucial Crew was for year 6s (10 to 11 years old) and held once a year at Gilwell Park where various organisations (West Essex PCT, Essex Police, Essex Fire & Rescue Services, Road Safety Officers etc.) worked with the children on safety scenarios.
2. The Reality Road show was held for older (year 9s) young people. Officers went out to secondary schools, where they gave them more sophisticated messages about drugs and road accidents etc. this was first piloted last year and proved very successful.
3. The Safer Communities Team were also having a campaign called 'Bang out of order' which centred around Halloween and Fireworks night by talking to Primary schools about behaviour and consequences.
4. A Positive Introductions programme was set up to get skate ramps and a synthetic skating rink and then use the 'captive audience' to involve them in work on drugs awareness etc.

All these were funded by the Home Office and not from Council funds.

Other things that Community Development delivers include:

- Play schemes for 5 to 11 year olds are run in the school holidays with funded places for children from disadvantaged families;
- They also have a 'play in the park' Play Ranger initiative that encourages families to use open spaces;
- In conjunction with Country Care, the Green Team initiative is delivered which encourages environmental volunteers for the future; and
- There was also the EFDC Youth Council and Young Citizen of the Year.

The Panel noted that nowadays funding was becoming scarcer, with smaller pots of money being available and more people/organisations applying for it. They decided that it was important to show how EFDC make use of its resources and how it innovates and how well it works with its partners.

Felicity Hall, the Council's Arts Officer, said they were currently raising the profile of the Cripsey Brook, nature reserve. They have an artist working with year 5 primary school children who take them on site to work on various projects. They had made a film and had created and performed a dance performance, all to launch Cripsey Brook.

The Arts section also runs a variety of events throughout the summer including:

- Various family fun days;
- Theatre groups – touring around libraries;
- Animation workshops;
- Films that are taken around to various venues in the district (as there are no cinemas in our district);
- In 2012 they will hold a 4 day film festival; and
- Dance classes for schools.

James Warwick, the Sport Development Officer, informed the Panel of three projects coming up. They were:

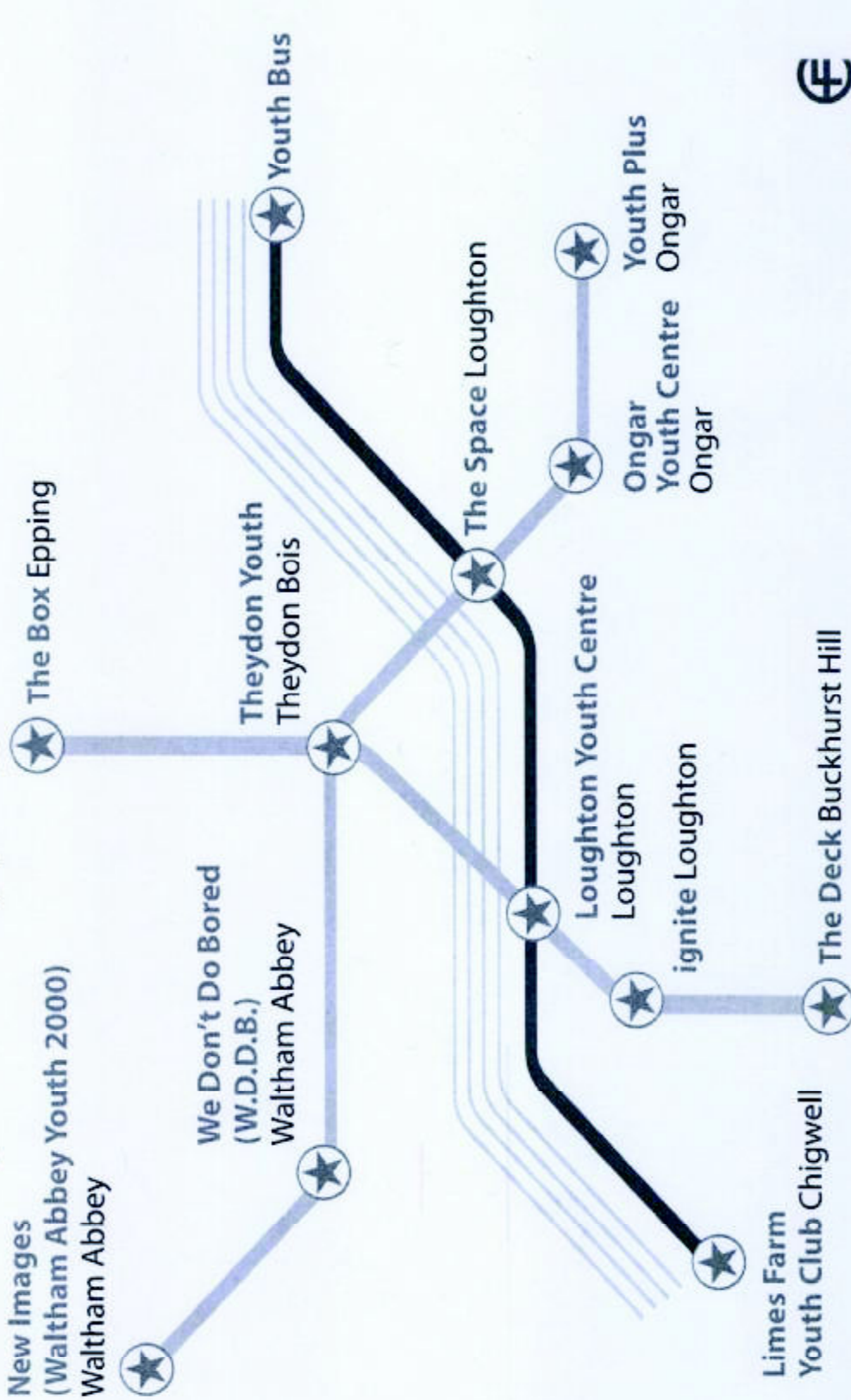
- Healthy Living Festival coming up in January 2011 in Ongar then Debden. This was six weeks of activities, courses and classes on food and cooking and also looking to have various sports classes;
- To re-launch the 'Body Care' for primary schools, targeting year 6 pupils, focusing on sports, fitness, biology, and healthy eating. They were looking to replace MEND with this 'Body Care' project. They would be working with the Thomas Willingale School and Shelly Primary School and would have allotments installed at both schools and organise an 'inter-generational' day of activities;
- 2012 Olympic project – working with local sport clubs to provide 4 to 6 weeks taster sessions for young people. They were looking for funding for this at present.

They were also:

- Holding a free style football competition, the prize being a 6 month contract with Tottenham Hotspur FC;
- And a 'Health Works' project which started in mid November. They had secured £80 thousand funding from Harlow Health Centre Plus. It was aimed at 11 to 19 year olds, focusing on sexual health, drugs and obesity. If successful they would run it again in the future.

Julie Chandler, Assistant Director Community Services, updated the Panel on Essex County Council's children services who had received an unfavourable Ofsted report. They had set up various trust boards and commissioned new services in October 2009 and were assessed again in summer 2010 by Ofsted who thought that they had not improved very much since the last inspection. They have since set up a new organisation, the "West Essex Local Children's Commissioning Board" with a new structure designed to change things. They were also looking into commissioning third parties to provide for adolescent and mental health services. At a recent meeting they had made it clear that only £100k was to be made available to our district for all current children services. Officers voiced their concerns about this and are in top level negotiations with ECC at present and will report the outcome to Cabinet.

Youth Projects in Epping Forest 2010



EF
Epping Forest
District Council

EFYC Epping Forest Youth Council

Youth Projects in Epping Forest 2010

- ★ **The Deck - Buckhurst Hill**
The Bridge, 29 Princes Road, Buckhurst Hill, Essex IG9 5EE
Telephone: 0208 505 5001 www.thebridge-buckhursthill.org.uk
- ★ **Limes Farm Youth Club - Chigwell**
The Community Cabin
Limes Avenue, Chigwell, Essex IG7 5LT www.essexlife.org
- ★ **The Box - Epping**
134 High Street, Epping, Essex CM16 4AG
Telephone: 01992 577 300 www.theboxepping.org.uk
- ★ **Loughton Youth Centre - Loughton**
Loughton Centre for Young People
106 Borders Lane, Loughton, Essex IG10 3SB
Telephone: 0208 502 8850 www.essexlife.org
- ★ **ignite - Loughton**
The ignite centre, 201 High Road, Loughton, Essex IG10 1BB
Telephone: 0208 508 6172 www.igniteyouth.co.uk
- ★ **The Space - Loughton**
Loughton Youth Project
Loughton Library, Traps Hill, Loughton IG10 1HD
Telephone: 0208 532 1911 www.loughtonyouthproject.com
- ★ **Ongar Youth Centre - Ongar**
The Gables, Fyfield Road, Ongar, Essex CM5 0GA
Telephone: 01277 365 208 - 01992 565 137 www.essexlife.org
- ★ **Youth Plus - Ongar**
A project for young people (14 - 25 years) with learning disabilities
Ongar Youth Centre, The Gables, Fyfield Road, Ongar CM5 0GA
Telephone: 01277 363 307 www.youthplus.net
- ★ **Theydon Youth - Theydon Bois**
Theydon Bois Community & Youth Centre (local residents only)
Loughton Lane, Theydon Bois, Epping, Essex CM16 7JY
Telephone: 01992 815 982 www.theydon.org.uk
- ★ **New Images - Waltham Abbey**
Waltham Abbey Youth 2000
154 Brooker Road, Waltham Abbey, Essex EN9 1JH
Telephone: 01992 763 953 www.way2000.org.uk
- ★ **We Don't Do Bored (WDDB) - Waltham Abbey**
Ninefields Estate, Waltham Abbey, Essex EN9 3EL
Telephone: 01992 564 556
- ★ **Youth Bus**
Mobile youth project for 13 - 19 years
Telephone: 01279 404464



**Epping Forest
District Council**

EFYC Epping Forest Youth Council

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**Report to Overview & Scrutiny
Committee
Date of meeting: 18th October 2011**

Portfolio: Leisure & Wellbeing

Subject: Children's Services Task & Finish Review

Officer contact for further information: Julie Chandler Extn. 4214

Committee Secretary: Adrian Hendry Extn. 4246



Recommendations/Decisions Required:

Overview and Scrutiny Committee is asked to consider the Essex County Council responses to the respective recommendations of the Children's Services Task & Finish Review Panel and to decide on the best form of response to these.

Report:

The Children's Services Task & Finish Review Panel was instigated in 2010 and was chaired by Cllr. Mrs Wagland. The Panel included; Cllr. Rose Brookes – Vice Chair, Cllr. Pat Brooks, Cllr. Tessa Cochrane, Cllr. Ricky Gadsby, Cllr. Janet Hedges and Cllr. John Knapman supported by the Assistant Director Community Services & Customer Relations.

Throughout the review which took place from September 2010 to April 2011, the Panel sought to investigate the effectiveness of children's and young people's services and safeguarding arrangements, provided through Essex County Council; the Council's own services and local partners. To accomplish this a range of methods were utilized, including receiving presentations from council officers, site visits to various activity sessions, attendance at Epping Forest Children's Partnership meetings, one to one interviews with staff and a Question and Answer session with representatives from Essex County Council.

At the end of the Children's Services Review, the Task and Finish Panel identified 10 x key recommendations for Overview and Scrutiny Committee to consider and half of these related specifically to Essex County Council. Therefore, following presentation of the final report of the Children's Services Review to Overview and Scrutiny Committee in April 2011, it was agreed that these recommendations be forwarded to the Director of Children's Services Commissioning (Wendi Ogle-Welbourn) at Essex County Council for her comments.

The following information sets out these recommendations, reasons why these were made and responses received from Wendi Ogle-Welbourn.

Findings and Recommendations:

1. The Panel identified that West Essex Statutory and Voluntary partners were confident that better, more cost effective services could be delivered to meet the needs of local residents, as opposed to Essex County Council centrally commissioned services. The recommendation made in light of this was:

That the Council formally recommends to Essex County Council that Epping Forest, Harlow and Uttlesford District Council's are in a position to and prepared to undertake commissioning of activities and programmes for children, young people and families, in order to improve health and well

being.

The response received from Wendi Ogle-Welbourn stated "Essex County Council has devolved substantial funding to Local Children's Commissioning and Delivery Boards, including West Essex Children's Partnership, to ensure that the services commissioned for children, young people and families match the local needs identified by partners through the needs assessment process. This includes the commissioning of the Early Intervention fund and Tier 2 Child and adolescent Mental Health Services (CAMHS). Board members have the opportunity to be involved in the commissioning process where there is no conflict or interest".

2. The review highlighted the fact that Essex had announced 50% savings from its' Youth Services budget and that there was a real concern amongst statutory and non-statutory partners across the District in respect of the potential impact of this on anti-social behaviour and youth nuisance. The panel therefore recommended that:

That the Council formally approaches Essex County Council with an offer to undertake management of local Youth Services in Epping Forest, following the redundancy of Youth Service Managers in July 2011. And, that the Council formally tenders for delivery of the service from March 2012.

Wendi Ogle-Welbourn responded to this recommendation by saying that "Partners around the West Essex Children's Partnership table, including Epping Forest, Harlow and Uttlesford District Councils, have identified the resources they invest in services for children, young people and families through the 'resource envelope'. In the absence of formal joint commissioning, the intention is that all partners will align resources around shared priorities and agreed commissioning intentions, in order to address local needs and improve health and wellbeing for children, young people and families in West Essex.

Essex County Council is currently refocusing and remodeling the Integrated Youth Service to target vulnerable young people across the County. There is no opportunity currently available to separate the management of an individual District's services. However, local partners, including Epping Forest District council, will have the opportunity to influence local provision through the Epping Forest Children's Partnership and West Essex Children's Partnership.

Essex County Council has no immediate plans to undertake a procurement exercise in relation to the Youth service. We will inform Epping Forest District Council, along with any other potential providers of any future opportunity to tender for the management and provision of the Youth Service.

3. One of the particular areas looked at as part of the review focused on vulnerable children and young people, including those 'Looked After'. The Panel agreed that the Council needed more information regarding issues and data in this area and this led to the following recommendation:

That Essex County Council is asked to provide regular statistics and data to the district council on numbers of children and young people 'Looked After' (in care) and other vulnerable children including those with disabilities living within Epping Forest District, and details of children from the district who have been placed 'in care' outside of the district.

Wendi Ogle-Welbourn's response stated that "Data on Looked After and other vulnerable children and young people at West Essex and District level are provided, through the Essex Safeguarding Children Board performance report, on a quarterly basis to the West Essex Children's Partnership Stay Safe group. It is suggested that Epping Forest District

Council reviews the information provided and highlights any gaps in the data. Essex County Council will endeavour to provide any additional information requested, subject to its availability and information sharing protocols.

4. The review also highlighted the fact that Councillors experiences of working with Essex County Council in regard to vulnerable families and child protection issues had been varied and on several occasions very negative. It was agreed that there was need for guidance on the role that Councillors can play to support constituents; the processes in place to ensure that the right professional support is acquired and details of the expected communication exchange between Essex County Council and individual Councillors. The panel therefore recommended that:

i) That Essex County Council is formally asked to develop a ‘guidance note’ for elected members, to assist them in dealing effectively and appropriately with potential safeguarding and social care issues in relation to families within their constituency.

ii) That the County Council Social Care Service is asked to acknowledge a) its accountability to District Elected Members in regard to effective Corporate Parenting and b) that Councillors can be used as a resource to articulate on behalf of constituents.

Wendi Ogle-Welbourn agreed to discuss this request with the Director of Children’s Social care and return to the Council with a detailed response to this recommendation.

5. The Panel agreed that there was a need to further strengthen the ongoing working relationship between the Council and Essex County Council and enable the opportunity to highlight any areas of best practice or concern. The Panel therefore recommended that:

That Essex County Council be requested to commit to meet with the Overview and Scrutiny Committee of the District Council in respect of Children’s Services on an annual basis, with attendance of the Director of Children’s Commissioning.

Wendi Ogle-Welbourn agreed to fulfill this request without question.

Summary

Overview and Scrutiny Committee is asked to consider the Essex County Council responses to the respective recommendations of the Children’s Services Task & Finish Review Panel and to decide whether it wishes the Chairman of the Panel to enter into a further dialogue with Essex County Council on these matters.

Reason for decision:

For Overview and Scrutiny Committee to agree on whether to pursue any course of action to with Essex County Council, following it’s response to the findings and recommendations of the Children’s Services Task & Finish Review.

Options considered and rejected:

To accept Essex County Council’s response, without considering potential options.

Consultation undertaken:

Previous consultation undertaken with internal and external partners, as part of the Children’s Services Review process.

Resource implications:

Budget provision: NIL

Personnel: Member & Officer time
Land: N/a

Community Plan/BVPP reference: Our Partnership Approach; On the Horizon – The Local Response

Relevant statutory powers:N/a

Background papers: Children's Services Task & Finish Review final report.
Environmental/Human Rights Act/Crime and Disorder Act Implications:
Key Decision reference: (if required)

Report to Overview and Scrutiny Committee

Date of meeting: 6 March 2012

Portfolio: Environment

Subject: Defra consultation on waste related penalties

Officer contact for further information: J Gilbert

Committee Secretary: A Hendry



Recommendations/Decisions Required:

To consider the attached responses to the Defra consultation

Report:

Background

1. When the new government came to power, it stated that it intended to review waste related law on the premise that too many local authorities were unnecessarily penalising residents for what were seen as trivial offences resulting in those residents receiving a criminal record. Furthermore, government took the view that the threat of a criminal record was being utilised to cajole residents to comply with draconian waste related powers.

2. This all made for some interesting newspaper headlines, with stories of penalties, convictions and threats for offences such as failing to close the lid of a wheeled bin to putting out side waste. This, alongside the move towards alternate weekly collections has been seen as councils not serving their public and being unnecessarily heavy handed rather than attempting to convince and educate.

3. Government has now come forward with its proposals for changing the law. It is presenting two main options:

- (1) the creation of mainly civil sanctions, but with the retention of some criminal sanctions; and
- (2) the removal of all criminal sanctions.

The consultation is appended to this report. The deadline for response is the 9th of March 2012.

This Council's position

4. There is no doubt that some councils take and have taken a more robust line with their residents in respect of relatively minor waste offences. Such offences include, amongst others, lids not fully closed, bins not placed out in correct location, side waste etc. This Council has always taken a different view. Firstly, the Council provides a weekly collection of food and garden waste. This enables residents to dispose of putrescible waste on a weekly basis. Secondly, the Council's adopted enforcement policy makes it clear that, prosecution (or its equivalent), should be seen as the last resort and only applied for the most serious breaches or in circumstances where all other avenues of advice and persuasion have failed to deliver reasonable behaviour.

5. This approach has worked and the Council has both a high level of overall recycling (around 60%) and has not issued many fixed penalty notices or taken other legal action for offences relating to household waste. That said, officers are of the view that some form of sanction is required to deal with residents who won't meet reasonable requests to change their approach or actually commit what are considered to be serious offences. Offences and the action taken are regularly reported to the Safer, Cleaner, Greener Standing Scrutiny Panel and via the Members' Bulletin.

6. In attempting to answer the consultation questions posed, it has been difficult to advise Members unequivocally in favour of one of the options. It would have been easier to favour option 1, which is effectively the status quo with additional protections built in. However, option 2, the decriminalised approach, is being suggested as the preferred option, because, irrespective of whether there has been over zealousness by some councils, it is questionable whether a resident should be at risk of being tarnished with a criminal record because they did not close a wheeled bin lid or accidentally placed the wrong waste into the wrong container.

7. If option 2 is seen as a preferred way forward, then the questions are whether civil enforcement is sufficient to deal with the problems which arise and whether it is practical and/or financially viable for councils to pursue civil debts. It can be argued that it works for parking offences, although adverse publicity on this matter far exceeds anything which has arisen from waste. However, provided that fixed penalty notices are only issued when they should be, and councils do not see the income stream from civil penalties as a key source of guaranteed income, then there is no reason why this should not work.

8. It will be important however to ensure that the criminal powers which remain are fit for purpose and do enable councils to take action where appropriate through the Courts. It will be equally important for councils not to find themselves under criticism for seeking to recover those civil debts which arise from the issue of a fixed penalty notice. The Council pursues its parking debts assiduously and should behave similarly with waste related civil debts.

The proposed response

9. The proposed answers to the consultation questions are set out in the attached table. For the reasons set out above, the answers are not always as unambiguous as would be wished for. However, it is hoped that the Council's general approach is properly stated.

Reason for decision:

To respond to the Defra questionnaire before the deadline date of the 9th of March 2012.

Options considered and rejected:

- (1) To select option 1 as the Council's preferred option. This is a perfectly valid approach, but not recommended for the reasons set out in the above report;
- (2) To amend, add or delete the answers suggested in the attached table.

Consultation undertaken:

None

Resource implications:

Budget provision: Within existing resources and suggested response will not have a budgetary impact
Personnel: Within existing
Land: Nil

Community Plan/BVPP reference:
Relevant statutory powers:

Background papers:
Environmental/Human Rights Act/Crime and Disorder Act Implications:
Key Decision reference: (if required)

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Response to Defra consultation on penalties for non compliance with waste legislation etc.

Defra consultation question	Proposed response
<p>1. Which option do you consider to be the best? Provide evidence to support your views.</p>	<p>On balance option 2 is preferred, although the Council still believes that there are circumstances where a criminal sanction is required to deter the most intransigent. The Council recognises that there may be other existing powers which might be used. The retention of a criminal offence for failure to comply could be seen as extreme, given that in most cases residents will comply through being given advice and guidance, and the effects of a criminal record can be unfortunate (e.g. failure to obtain Visas etc.). In accepting that option 2 is the Council's preferred option, it does not believe that the "harm to local amenity" test is appropriate. This test assumes that failure to handle waste correctly is just about the effect upon the local community from an amenity perspective. In reality it is more than that. The 'contamination' of recycled waste with residual waste for example, can lead to whole loads being rejected at the recycling processors. This means that recyclate ends up at landfill, at a cost, plus the income from the recyclate is also lost to the authority. As more sophisticated plants come on line (e.g. MBT, AD), the requirements for correctly configured and uncontaminated waste to be delivered to the plant will become ever more stringent. It is also important to be able to reassure the vast majority of our communities who recognise the need to recycle and are enthusiastic about it (as witnessed by this Council's current rate of recycling at 62%), that the Council will endeavour to deal with those who cannot be bothered to engage and are prepared to see others' hard work lost through contamination or a broad failure to engage in the recycling process.</p> <p>This Council recognises that sanctions (whether civil or criminal) should only be applied in extreme circumstances and when all other avenues of persuasion have been exhausted. That is currently our policy, and as be seen from our response to question 9, we have issued very few FPNs yet still have a high level of recycling.</p>
<p>2. Do you think there should still be an underpinning criminal offence (and possibility of criminal conviction) for failure to comply with a section 46 notice?</p>	<p>Probably, in order to deal with those where education, advice and assistance has failed to get them to amend their approach to handling waste. However, the Council has concerns regarding dealing with issues through a mix of criminal and civil sanctions. Care should also be exercised in respect of similar offences attracting differing sanctions, for example household flytipping receiving a civil sanction but littering a criminal one. Is there an intention to seek to 'decriminalise' waste offences along the lines of parking offences? If so, and given public antipathy to parking offences, there is certainly no</p>

Defra consultation question	Proposed response
	guarantee that this will solve the perceived problems of over zealousness which is alleged to exist with the current system of controls.
<p>3. Do you think LAs should write to householders before taking section 46 action? Is there anything they should do before issuing a FPN?</p>	<p>Yes. We already do this if we are unable to secure changes in behaviour in other ways. The Council does not believe in, and has never issued, 'blanket coverage' letters to residents regarding the penalties associated with section 46. The issue of a FPN should be treated in the same way as any other offence, and issued as a procedure of last resort. This Council does not for example, set a budget which anticipates income from FPNs. In the same way as the Traffic Management Act 2004 precludes the use of targets for Penalty Charge Notices, targets should not be set for FPN income either.</p>
<p>4. What kinds of action would you consider to cause sufficient nuisance to trigger the "harm to local amenity" test and a financial penalty?</p>	<p>Please see answer to Question 1 in respect of the application of this test. Furthermore, the proposals seem to major on 'visible' waste rather than some of the other effects that mishandled waste or waste containers can give rise to. These include for example:</p> <ul style="list-style-type: none"> • fire hazards • obstruction to those with sight or mobility disabilities • obstruction to families using pushchairs/prams etc • leaking or overflowing bins causing potential issues with rats, foxes, odour and flies
<p>5. What level of financial penalty would you consider to be appropriate for failing the "harm to local amenity" test?</p>	<p>We have no clear view on this other than it should be consistent with other offences dealt with via FPNs or PCNs (e.g. Level 3 on standard scale = £1,000 (max))</p>
<p>6. Currently, LAs retain all FPN income. What are your views on retaining this or just retaining "processing costs" with the surplus going back to the centre?</p>	<p>This seems an unnecessary change in arrangements and is presumably predicated on some belief that authorities are taking action in support of an income stream rather than due to the problem being caused. If government has this concern perhaps it could best be dealt with as with the Traffic Management Act through not enabling targets for FPN issued to be set nor setting presumed budgets for levels of income. There have always been difficulties in establishing processing costs, which do, for a number of reasons, vary between authorities. If they are set centrally, (e.g. as for centrally set entertainment licences etc.), they will not properly reflect local circumstances. Furthermore, it is likely that civil debts will be too expensive to pursue through the courts and therefore there is merit in councils being able to retain all income in order to ensure that those tax payers</p>

Defra consultation question	Proposed response
	who have not been subject to action are not sharing in the costs of non payment.
7. What would be the right level of fine for a criminal offence (if retained) for failure to comply with a section 46 notice (currently up to £1,000)?	Whilst we have no clear view on this other than it should be consistent with other similar offences dealt with via the Courts, we can see no reason to change it from the current £1,000 maximum.
8. Do you think householders should be able to appeal against section 46 penalties?	<p>This question appears a little confusing and is presumably asking if householders should be able to appeal against a council's decision to prosecute and deal with this by offer of a FPN as there is already a right of appeal against a fine imposed by magistrates?</p> <p>We do not think that there needs to be any appeal process regarding a council's decision to prosecute/FPN (at a pre-determined level set by Councillors) because under the existing procedure the alleged offender is entitled not to accept the offer of a FPN and can choose to have the case heard in court, which is therefore akin to an appeal process. Adding another level of appeal would just add a further level of administration.,</p> <p>However, if introducing an official right of appeal against the offer an FPN (actually an appeal against the prosecution decision) is required to satisfy concerns re overzealous councils, we would favour that if this enables the existing FPN route and criminal sanction to be retained.</p>
9. Do you use your current powers to impose fixed penalties under section 46? If so how many per annum?	Yes –1/1/2011 to 31/12/11 (1 year) 2 for section 46 breaches, (6 for section 47)
10. What do you think the impact of these options will be on your waste management budgets?	Very little, since as set out above, we serve very few notices under section 46.
11. Anything else you wish to add?	Although the Council is stating that, if a change is to be implemented, then its preference is for option 2, it is also of the view that government is “using a sledgehammer to crack a nut” with these proposed changes. There is very little (if any) empirical evidence to support the view that such wholesale changes are necessary, other than newspaper headlines and editorials setting out what they believe to be councils acting unreasonably. This is then taken forward by government as a matter of widespread concern which needs to be dealt with nationally. Government must guard against over reacting and preventing reasonable authorities such as our own from taking appropriate

Defra consultation question**Proposed response**

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action when it is absolutely necessary and safeguarding the interests of the vast majority of residents who behave responsibly and indeed are keen to ensure that those who do not can have appropriate sanctions applied to them

If the move is to be towards civil rather than criminal sanction, then the impact on councils and offenders when recovering small civil debts should not be underestimated. For example, to take action in the small claims court to recover £60 - £80, the court will charge £30 to issue and the Council is only allowed to reclaim £50 legal fees. In reality the costs of recovery will be higher than the Council is allowed to claim leaving the Council with the option of waiting until a householder receives more than one penalty notice or taking action to recover the money which will be an additional cost on the Council's scarce resources. It is therefore unlikely that councils will find it cost effective to pursue small civil debts, so these may not be collected and will instead be written off, thereby losing the control that the legislation seeks to impose. Alternatively, the debt may be passed to a private recovery company incurring additional costs, adding further burden on the offender, in conflict with what the proposed changes appear to be seeking to achieve, as well as bringing with it, we suspect, another raft of press criticism of councils being considered to be acting unreasonably in collecting debts. Whilst some members of the public will be concerned about whether or not they have committed a criminal offence, how much money it will cost them may be more important. Adding costs on chasing civil debts may result in initial fines being pushed way above the fine that was appropriate for the initial offence and result in much higher monetary penalties than the initial civil penalty or existing FPN levels.

Government is asked to consider most carefully whether these proposals properly strike the balance they seek to achieve. If the conclusion is that a civil sanction is more appropriate, then local authorities should not be hampered through the imposition of the "harm to local amenity" test which in the Council's view would prevent the Council taking action in many compelling instances. Furthermore, if the intention is that waste related offences should be decriminalised, as with parking, then government should ensure that councils who behave reasonably should not find themselves unreasonably criticised for then seeking to recover those civil penalties, using the courts or other agencies as appropriate.

A1. Do you consider that the First-tier Tribunal is an appropriate destination for appeals?

No comment

Defra consultation question	Proposed response
A2. Do you consider that the general Regulatory Chamber Rules will suit the handling of these appeals against decisions by the Local Authority? If not, why not?	No comment

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Consultation on amending the powers of Local Authorities regarding presentation of household waste for collection

January 2012

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This document/publication is also available on our website at:
www.defra.gov.uk/consult/2012/01/16/household-waste-1201/

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Section 1: About this consultation

Purpose of the document

1.1. The purpose of this consultation is to seek your views on proposed amendments to Section 46 of the Environmental Protection Act 1990, which sets out the penalties which local authorities may apply to householders who present their waste incorrectly for collection. These amendments will form the main part of a series of measures to ensure a fairer system of penalties that respects individuals' civil liberties while dealing effectively with behaviours that have a negative impact on residents' local neighbourhoods.

1.2. These amendments will abolish the criminal offence provided for in section 46, together with the £1,000 fine. A new, civil sanction will be put in place instead. This will mean that householders will no longer face the threat of a £1,000 fine and a criminal conviction because they have failed to comply with a Section 46 notice from their council.

1.3. However, local authorities will continue to be able to issue fixed penalties to those householders whose failure to present their waste properly is harming the quality of the local area for their neighbours. Secondary legislation sets these penalties for offences under section 46 at between £75 and £110: the amendments will introduce a new form of fixed monetary penalty set at a lower level, more proportionate with other offences such as parking fines and shoplifting.

1.4. "Harm to local amenity" will be introduced as a test before a civil penalty can be imposed. This test fundamentally changes the basis under which local authorities can issue fixed penalties. The test aims to ensure that penalties are targeted at those who behave in a way which reduces the quality of their neighbours' surroundings. In other words, penalties might be appropriate when bin bags are left on the street for days on end, for example, but not when someone does not close their bin lid properly, leaves it out for an hour too long, or mistakenly puts something in the wrong bin.

1.5. The maximum level of penalties (and their range) applying under the current fixed penalty regime will be reduced as an interim measure within the next six months. This consultation is about the changes which will be made in the longer term.

Who will be affected by these proposals?

1.6. Members of the public will be affected, because they will no longer face the threat of £1,000 fines or criminal conviction for genuine mistakes in putting their rubbish out for collection.

1.7. Local Authorities will also be affected, because the penalties which they can apply to householders will change.

Timing and duration of this consultation

1.8. This consultation lasts for eight weeks and ends on 9 March 2012.

1.9. A list of stakeholders who have been asked to give their views has been published with this consultation. Other interested parties are welcome to make comments.

Section 2: Policy context: the Waste Review

2.1 Under Section 46 of the Environmental Protection Act 1990, Local Authorities may instruct householders how to present their rubbish for collection. Where these instructions are not followed, Local Authorities may prosecute and apply a fine of up to £1000. As an alternative, they may apply a fixed monetary penalty of £75 to £110. While we understand that few local authorities use their current powers to bring a criminal prosecution, we do know that many write to householders pointing out that they face criminal conviction and a fine of £1,000 if they fail to comply.

2.2 The Government believes that this is inappropriate, particularly as there is no differentiation made between genuine mistakes and those who persistently cause problems for their neighbours. They would like to see local authority powers in this area to be made more proportionate, and better targeted, with fixed penalties no higher than those for shoplifting or parking offences.

2.3 The Government, in its Waste Policy Review, published on 14 June 2011, said “we have decided that:

1. We will remove the prospect of criminal sanctions applying to householders who present their waste for collection incorrectly.
2. We intend to replace these with civil sanctions. We will ensure that level of fines are appropriate, and are in line with penalties for similar offences.”

2.4 The Waste Review Action Plan goes on to say that the Government will bring forward legislative changes to remove disproportionate local authority enforcement powers against householders by spring 2013. To ensure local authorities use enforcement powers appropriately the Review proposed to set a “harm to local amenity” as a test before a civil penalty can be imposed. This would mean that enforcement is targeted at the small number of people who spoil the local area by the way they put out their waste, rather than applied to those who accidentally put their bins out wrongly.

2.5 This consultation is about the Government’s proposal to replace the criminal sanctions with civil sanctions, to put in place a “harm to local amenity test”, and to set an appropriate level of fixed penalties. Because these will involve changes to primary legislation (the Environmental Protection Act 1990), consultation and further primary legislation is required. In the meantime, the Government plans to make interim changes to the levels of fixed penalties to make them more proportionate.

2.6 The changes proposed in this consultation will apply in England only. Questions in the document ask for views on various options for change.

Section 3: Options for Change

3.1 If the legislation remains unchanged, waste collection authorities (WCAs) in England will still have the power to serve notices under section 46 of the Environmental Protection Act 1990 (EPA) setting out requirements related to household waste collection. Section 46(6) currently provides that a person who fails to comply with requirements is liable on summary conviction, i.e. prosecution in the magistrate's court, to a fine not exceeding £1000. Local authorities need to issue a notice explaining how an individual has failed to meet S46 EPA requirements, giving the opportunity for individuals to change their behaviour before pursuing any sanctions. Alternatively, an authorised officer of a WCA can issue a fixed penalty notice of £75 – £110¹ if they believe an individual has committed an offence under section 46. Early payment discounts are possible, but the payment cannot be less than £60. There is no right of appeal, but if an individual does not pay the financial penalty then they may be prosecuted under Section 46 (6) and go to court. WCAs are entitled to keep receipts from the fixed penalties. The Government believes that the level of fines and fixed penalties is disproportionate and would like to see penalties brought more into line with other offences such as shoplifting and parking offences.

3.2 Currently, the London Local Authorities Act (LLAA) 2007 gives London local authorities parallel powers to issue penalty charges (£110)² to householders presenting their waste for collection incorrectly. These powers are in addition to (not instead of) the powers outlined above. Criminal sanctions are not available here, so a person who fails to comply cannot be prosecuted under the LLAA, but can appeal to the local authority if they think that the notice should not have been issued.

3.3 This document considers two options for changing the current enforcement regime:

1. Replace the current system with a new system of civil sanctions, but leaving in place an underpinning criminal offence; those who fail to comply with local authority requirements would still receive a notice of intent to pursue further action (Section 46 Notice³), but the level of financial penalties would be brought in line with comparable offences; there

¹ These amounts are set out in the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations 2007 (made under section 47ZB EPA).

² Section 20 of the LLAA provides that London borough councils who have a duty by virtue of section 45(1)(a) of the EPA 1990 to arrange for the collection of household waste from any premises, may make regulations requiring occupiers of such premises to place household waste for collection in receptacles of a kind and number specified. Section 20(1) expressly provides that nothing in that section affects the ability of a London borough council to serve notices under section 46 of the EPA 1990. Unlike the EPA, non-compliance with any regulations made under s20 is not an offence. Instead, s23 provides that a penalty charge is payable for non-compliance, and ss 61-67 provide further detail about penalty charges. Section 66 deals with levels of penalties, which are set by the borough councils. In London Councils' letter of 1 September 2009, this penalty is set at £110.

³ Section 46 allows local authorities to specify how residents present their waste for collection. A local authority may serve notice on a person directing them to use specific receptacles for household waste, directing the types of substances/articles that can be placed in certain receptacles, and/or in relation to the placement of the receptacles for collection. Residents who fail to comply with a Section 46 notice are liable to a criminal conviction and fine of up to £1000. Alternatively the provision exists to issue a fixed penalty notice, at a much lower level (between £75 and £110).

would be a route to appeal through a First Tier Tribunal (or other appellate body). The concept of the “harm to local amenity” test would apply here.

2. Move to a system relying exclusively on civil penalties with no underpinning criminal offence, while also keeping the notice of intent, introducing appeals and the “harm to local amenity” test and reducing the level of financial penalties as under option 2.
- 3.4 These options are considered in more detail below, including how well they
- reduce intrusion into individuals’ lives through inappropriate local authority practices;
 - balance the need to respect civil liberties with the need to deal effectively with behaviours harming the local amenity; and
 - target enforcement at the small minority who make life difficult for others.

Option 1: Civil penalties with an underpinning criminal offence

3.5 *What does this option include?*

- *Those who put out their rubbish incorrectly receive a Section 46 Notice: the vast majority of those who do not comply with that notice will face civil penalties*
- *Councils must apply a “harm to local amenity test” to ensure that penalties and criminal sanctions are targeted at the worst offenders*
- *Criminal conviction would be available only in the most extreme cases*

3.6 The Government is concerned that under the current arrangements, householders are receiving letters, called Section 46 Notices, from their councils, which threaten the possibility of a £1,000 fine and criminal conviction, even if they have made genuine mistakes or this is the first time they have got this wrong. We do not believe that convictions are often pursued – the letter from the council, sometimes followed by a visit or telephone call, is usually sufficient to change behaviours – but consider the threat to be unnecessarily severe. On the other hand, some WCAs may feel that removing their ability to threaten more severe action may restrict their capacity for changing behaviours.

3.7 Under this first option, householders who fail to present their waste for collection in line with their councils’ S46 requirements would face civil monetary penalties, but not usually face criminal conviction. However, an underpinning criminal offence would be retained in addition to civil sanctions, to allow for prosecution to tackle the most extreme behaviour. This is in line with the kind of sanctions applied under the Regulatory Enforcement and Sanctions (RES) Act 2008.

3.8 This option reflects the Government’s desire to support people in their efforts to do the right thing rather than impose penalties, except as a last resort. Any financial penalties would be at a lower level than currently apply.

3.9 The Government does not want to see penalties applied indiscriminately. Under this option, they would be better targeted. Financial penalties and criminal sanctions would be imposed only if a householder fails the “harm to local amenity” test, meaning that the quality of other people’s lives has been affected: we would like your views on this idea, which aims to ensure that enforcement activities are targeted at those who behave in a way which reduces the quality of their neighbours’ surroundings. In other words, penalties might be appropriate when bin bags are left on the street for days on end, for example, but not when someone simply does not close their bin lid properly, leaves it out for an hour too long, or mistakenly puts something in the wrong bin. The introduction of this test should encourage consistent and proportionate use of the penalties and sanctions available. We expect that fewer penalties and fines will be issued than under the current regime due to the introduction of this test, which reduces the circumstances in which they can be applied.

3.10 As with the current regime, local authorities would need to issue a notice explaining how an individual had failed to meet S46 EPA requirements, giving the opportunity for individuals to change their behaviour before pursuing civil or criminal sanctions. In effect, this acts as a non-monetary option to encourage compliance before monetary penalties are considered.

3.11 In considering this option we would also like your views on the right level of financial penalties, which the Government would like to change. The Government Waste Policy Review states that “It cannot be right ... for an individual to risk receiving a higher fine for not closing a bin lid than that levied on a convicted shoplifter for theft.” Based on advice from the Ministry of Justice, an £80 Penalty Notice for Disorder is issued for shoplifting (first offence). £80 is also the penalty charged by at least some local authorities for less serious parking offences, such as overstaying in a pay and display bay. We expect to propose a penalty of £60 - £80, with reductions available for early payment, as this would represent a reduction while potentially providing a deterrent, but would like your views before we make a decision on this. Under the current regime, these penalty receipts go to the local authorities who impose the penalties. We would like your views about whether local authorities should be able to keep only enough to cover their processing costs, with the remainder of the receipts going to central funds.

3.12 We would expect the threat of criminal sanctions to be used to deal with the small minority who cause the worst breaches of the “local amenity” test. Under this approach, individuals would have a right to appeal against the civil sanction (probably but not necessarily to the First Tier Tribunal). Cases would go to court only if prosecuted under the underpinning criminal offence.

3.13 If this Option is taken forward, we would look to make similar changes to the LLAA, i.e. financial penalties would only be imposed if a householder failed the “local amenity” test, and the level of any penalties would be the same as under the EPA. We would not look to introduce criminal sanctions under the LLAA. We would also look to retain the existing system of appeals under the LLAA.

Option 2: Civil penalties with no underpinning criminal offence

3.14 *What does this option include?*

- *Those who put out their rubbish incorrectly receive a Section 46 Notice: those who do not comply with that notice will face civil penalties*
- *Councils must apply a “harm to local amenity test” to ensure that penalties are targeted at the worst offenders*
- *Householders do not face the prospect of prosecution because there is no criminal offence: failure to pay a fixed penalty may mean being pursued for a civil debt.*

3.15 This approach best meets the Government’s policy objective as set out in the Waste Review. It removes the threat of criminal sanctions applying to householders who present their waste for collection incorrectly, and seeks to achieve a balance between the need to respect individuals’ civil liberties and the need to deal effectively with behaviours which have a negative impact on residents’ local neighbourhoods. As in option 2 (above), householders who fail to conform with Section 46 will face penalties, at a lower level than now; the big difference with this option is that at no stage would they be told that they may face criminal conviction or a high level fine. The only possible sanction is the civil monetary penalty. Again, as with Option 1, we would be interested in your views about whether local authorities should be able to keep only enough of the receipts from these penalties to cover their processing costs. The “harm to local amenity test” must be applied, so that enforcement is targeted on those householders whose behaviour reduces the quality of life for their neighbours. As with option 2, we expect that fewer penalties will be issued than under the current regime due to the introduction of the “local amenity” test, which reduces the circumstances in which penalties can be applied.

3.16 Some local authorities may be concerned that the removal of criminal penalties may make it more difficult for them to deter the worst kind of breaches of S46 EPA requirements, although some stakeholders have told us that their other powers could also be used to deal with the worst offenders. These include litter enforcement powers in S87 and S92A of the Act, and the possibility of prosecution for flytipping. The Government believes that the quality of life of householders is adversely affected by the threat of criminal conviction and feels this change will redress the balance.

3.17 Appeals would be heard by the First Tier Tribunal (or other appellate body). The key difference is that there would be no underpinning criminal offence. Again, we are testing the level of financial penalties as part of the consultation.

3.18 If this Option is taken forward, we would look to make similar changes to the LLAA, i.e. financial penalties would only be imposed if a householder failed the “local amenity” test, and the level of any penalties would be the same as under the EPA. We would not need to remove an underpinning criminal offence as this section of the LLAA does not include criminal sanctions. We would look to retain the existing system of appeals under the LLAA.

Question 1: Which Option do you consider to be the best? Please provide evidence to support your views.

Question 2: Do you think there should still be an underpinning criminal offence (and the possibility of a criminal conviction) for failing to comply with a Section 46 Notice?

Question 3: Do you think local authorities should write to householders before taking action under Section 46? Is there anything else they should do before issuing a fixed penalty notice?

Question 4: What kinds of actions would you consider to cause sufficient nuisance to others (the “harm to local amenity test”) to warrant a financial penalty?

Question 5: What level of financial penalty would you consider to be correct for failing the “harm to local amenity test” – the current fixed penalty (£75 - £110)? £60 - £80? A lower amount?

Question 6: Under current arrangements, local authorities retain the receipts from any Fixed Penalty Notices issued. What are your views on local authorities only keeping their processing costs, rather than the full amount of the penalty, under a new civil sanction regime?

Question 7: What would be the right level of fine under the underpinning criminal offence (if retained) for failure to comply with a Section 46 Notice (currently this is up to £1000)?

Question 8: Do you think householders should be able to appeal against penalties under Section 46?

Question 9 (for local authorities): Do you use your current powers to impose fixed penalties under Section 46? If so, how many penalties do you issue a year?

Question 10 (for local authorities): What do you think the impacts of these Options would be for you in your waste management and budget-holding roles?

Question 11: Are there any other points you would like us to consider related to these two Options?

Section 4: Appeals Procedures

4.1 The First-tier Tribunal is empowered to deal with a wide range of issues which might form the substance of appeals, and to ensure the cases are dealt with in the interest of justice and minimising parties' costs. The composition of a Tribunal is a matter for the Senior President of Tribunals to decide and may include non legal members with suitable expertise or experience in an appeal in addition to Tribunal judiciary.

4.2 If the First-tier Tribunal is selected as the appropriate body to hear appeals in these matters then it is likely that they would be made to the General Regulatory Chamber which hears appeals in various matters.

4.3 The General Regulatory Chamber operates under the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 which provide flexibility for dealing with individual cases. Rule 2 of the General Regulatory Chamber Rules states its overriding objective as being to deal with a case fairly and justly. This includes dealing with a case in ways which are proportionate to the importance of the case, the complexity of the issues and the anticipated costs and resources of the parties. The Rules give the Tribunal judge wide case management powers in order to achieve these objectives

4.4 Any party to a case has a right to appeal to the Upper Tribunal on points of law arising from a decision of the First-tier Tribunal. The right may only be exercised with the permission of the First-tier Tribunal or the Upper Tribunal. Where permission is given, the further appeal would be made to the Upper Tribunal.

Appeals Question A1: Do you consider that the First-tier Tribunal is an appropriate destination for these appeals?

Appeals Question A2: Do you consider that the General Regulatory Chamber Rules will suit the handling of these appeals against decisions by the Local Authority? If not, why not? (The General Regulatory Chamber Rules may be found at: <http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/rules.htm>)

Report to the Overview and Scrutiny Committee



Date of meeting: 6 March 2012

Report of: Constitution and Member Services SSP

Chairman: Councillor D Stallan

Subject: Officer Delegation – 2011/12 Review

Responsible Officer: I Willett (01992 564243)
Assistant to the Chief Executive

Democratic Services Officer: Adrian Hendry (01992 564246)
Democratic Services Officer

Recommendations:

- (1) That a report be submitted to the Council recommending that the schedule of changes to Council delegation (Appendix 1) be approved; and**
- (2) That the changes to executive delegations be incorporated in the Constitution, once these have been signed off by the Leader of the Council.**

Report:

1. Introduction

1.1 Each year a cross-Directorate Working Party of Officers carries out a review of Financial Regulations, Contract Standing Orders and Officer Delegation. Every second year a review of contract standing orders is also undertaken. These reviews are designed to keep these documents up-to-date and to reflect current statutory requirements and operational needs.

1.2 Such delegated authorities are agreed in one of two ways:

- (a) approval by the Council in respect of Council (i.e. non-executive and regulatory) functions; or
- (b) approval of the Leader of the Council for Executive (or Cabinet) functions.

1.3 This report brings forward updates to the delegation schedule, including those which has already been approved during the last 12 months.

2. Proposed Changes

2.1 The only new change in delegation relates to the detailed wording on tree preservation. We recommend this for approval by the Committee and Council. The remainder are executive delegations and have already been approved by the Cabinet and/or Portfolio Holders and will be incorporated in the Constitution once the Leader of Council has reviewed and approved the overall schedule.

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REVIEW OF OFFICER DELEGATION 2011/12

Delegation Ref	Subject	Existing Wording/ Delegation	Proposed Amendments/ Comment
Schedule 2 Forward Planning and Related Functions Paragraph (2)	Protection of Trees	<p>“Amend, confirm or revoke such orders (i.e. TPOs), subject to reporting any objections regarding the making of the order to the relevant Area Planning Sub Committee for this decision”.</p> <p>Delegated to:</p> <p>Director of Planning and Economic Development.</p>	<p>ADD: the words “decide not to confirm” after “amend, confirm” in the first line.</p> <p>DELETE the words: “subject to reporting any decision not to confirm a contested order” and REPLACE with “subject to reporting any objections regarding the making of the order” in lines 2-4.</p> <p>Comment: Current wording does not reflect the present delegation which requires a report to a Sub Committee to be made if a contested order is not confirmed. The current report implies only reporting of objections.</p>
NEW to be numbered EX54	Restrictive Covenants – Houses in Multiple Occupation	None	<p>ADD new delegated authority to be numbered EX54 as follows:</p> <p>To agree requests to vary restrictive covenants on former Council houses, in order to grant permission for their use as privately-rented shared accommodation, provided all of the conditions set out in Cabinet Minute 46 – 12.9.11 have been met.</p>

Delegation Ref	Subject	Existing Wording/ Delegation	Proposed Amendments/ Comment
			<p>Delegated to:</p> <p>Director of Housing</p> <p>Comments:</p> <p>Cabinet decision on 12.9.11 (Minute 46).</p>
NEW – to be numbered EX42	Off-Street Car Parking Schemes	NONE	<p>ADD new delegated authority (to be numbered EX42) as follows:</p> <p>“To submit planning applications for future off-street parking schemes at the appropriate time after the resident consultation exercise”.</p> <p>Delegation to:</p> <p>Director of Housing</p> <p>Comments:</p> <p>Cabinet decision on 18 April 2011 (Minute 151 (10)).</p>
EX54	Safer, Cleaner, Greener Legislation – Authorisation of Officers	To delegate appropriate powers to the Director of Environment and Street Scene relating to the management and provision of the Environmental Health Service set out in the attached list of Environmental Health	<p>AMEND list of legislation in Appendix B by the addition of Sunbeds (Regulation) Act 2010.</p> <p>Comment</p> <p>This Act is not currently listed in Appendix B.</p> <p>This Act provides for the regulation of persons in control of sunbed businesses so as to control the age of customers and</p>

Delegation Ref	Subject	Existing Wording/ Delegation	Proposed Amendments/ Comment
		<p>legislation as set out in Appendix B.</p> <p>Delegated to:</p> <p>Appropriate Portfolio Holder.</p>	<p>the issue of safety instructions.</p> <p>NB Approved by Portfolio Holder decision in January 2012.</p>

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Report to the Overview and Scrutiny Committee

Date of meeting: 6 March 2012

Portfolio: Leisure and Wellbeing (Councillor R. Gadsby)

Subject: Equality Act 2010 - Equality Scheme and Objectives 2012-2015

Responsible Officer: S. Tautz (01992 564180)

Democratic Services Officer: A. Hendry (01992 564246)

Recommendations/Decisions Required:

That, subject to the concurrence of the Cabinet, the Council's Equality Scheme and Equality Objectives for 2012/13 to 2015/16, be agreed.

Executive Summary:

1. (Acting Chief Executive) The Equality Act 2010 came into force on 1 October 2010, and replaced previous anti-discrimination legislation. The Equality Act consists of a 'general equality duty', and a new Public Sector Equality Duty (PSED), which requires public authorities to at all times have due regard to the need to:
 - eliminate unlawful discrimination, harassment and victimisation;
 - advance equality of opportunity between different groups; and
 - foster good relations between different groups.
2. Having due regard means consciously thinking about the aims of the general duty as part of decision-making. Consideration of equality issues must influence decisions made by the Council, in how it acts as an employer, how it develops, evaluates and reviews policy and services, and how it commissions and procures services. Having due regard to the need to advance equality of opportunity, involves the removal or minimisation of disadvantage suffered due to protected characteristics, meeting the needs of those with protected characteristics, and encouraging those with protected characteristics to participate in public life or in other activities where their participation is low. Fostering good relations involves tackling prejudice and promoting understanding between those from different groups.

Reasons for Proposed Decision:

3. The setting of specific equality objectives is intended to help public authorities to better perform the general equality duty, focusing on outcomes to be achieved. Equality objectives also help focus attention on the priority equality issues within an organisation, in order to deliver improvement in policy making, service delivery and employment, including resource allocation.

Other Options for Action:

4. No other options are appropriate in this respect. The Council is required to publish appropriate equality objectives by 6 April 2012, and at least every four years thereafter.

Report:

5. The Equality Act 2010 includes a new Public Sector Equality Duty (PSED), which has replaced previous separate equality duties relating to race, disability and gender, and covering the additional 'protected characteristics' of age, sexual orientation, religion or belief, pregnancy and maternity, and gender reassignment. In order to meet the PSED the Council must:
 - (a) annually publish sufficient information to demonstrate that it has complied with the general equality duty, including:
 - information on the effect that policies and practices have had on employees and people from the protected groups;
 - evidence of the analysis undertaken to establish whether policies and practices will (or have) furthered the three equality aims in the general equality duty, and details of the information used in that analysis; and
 - details of engagement undertaken;
 - (b) publish information about the engagement it has undertaken, including that used in the development of equality objectives;
 - (c) analyse and publish the effect of its policies and practices on equality, and evidence of equality analysis and details of information considered when carrying out analysis; and
 - (d) prepare and publish appropriate equality objectives by 6 April 2012, and at least every four years thereafter.

Equality Information

6. The PSED requires the publication of 'sufficient' equality information by 31 December 2012, to demonstrate compliance with the general equality duty. In early 2012, the Equality and Human Rights Commission (EHRC) published guidance setting out how equality information should be used to comply with the general equality duty. Although EHRC provided a general indication of the types information likely to be published, authorities had discretion to decide what information would best demonstrate compliance with the general duty.
7. The Council already possessed a wide-range of relevant information on equality in service provision, including information about who used services, how satisfied they were with them, and outcomes achieved, although it has not adopted a corporate Equality Some of this information was already broken down by protected characteristic. The PSED required authorities to consider gaps in existing information and how these could be addressed, in terms of services provided, or groups that accessed services, for which it did not have equality information. A lack of equality information was likely to be because the Council had good information but which was not disaggregated for all protected characteristics, or because it did not collect information in relation to particular functions.
8. The issue of what constituted 'sufficient' information to demonstrate that public authorities had complied with the general equality duty, was likely to vary. As a minimum, the Council needed to publish enough information to enable the EHRC and other interested parties to make a robust assessment of whether it was fulfilling the equality duty in the exercise of its functions. The EHRC guidance indicated that the Commission would expect to see the publication of the following information, broken down by protected group:
 - performance information relating to functions relevant to furthering the aims of the duty, especially around outcomes;

- access to services;
 - satisfaction with services; and
 - complaints (broken down by protected group, with an indication of reasons for complaints).
9. A large amount of the evidence base used to inform the Council's equality work was included in a self-assessment prepared in early 2010 for an informal review of the authority's performance against the Equality Framework For Local Government (EFLG). As the Council's approach to the development of the self-assessment document for the EFLG review was considered to be a useful exercise, this information was updated and reconfigured as a new 'Equality Report' to address the requirements of the PSED, to demonstrate the progress that the authority has made, and to address other elements of the EHRC guidance.
10. The Equality Report has been published on a dedicated section of the Council's website, alongside links to already published information that supports the requirements of the PSED, including compliments and complaints data, completed customer impact assessments, workforce equality information, and detailed contextual work undertaken by the Local Strategic Partnership ('Shaping The Future') and in the production of ward profiles. The Equality Report was recently circulated to members in the regular Policy and Information Update.
11. As regulator of the PSED, EHRC has advised that (from early February 2012) it will be assessing the approach taken by public bodies to comply with the duty to publish equality information. In particular, the Commission will be looking at:
- how easy it is to find the equality information and whether it is also easy to understand;
 - how comprehensive the equality information is, with regard to its potential and actual service users as well as employees;
 - whether public bodies have identified what their information gaps are and whether they have clear plans to address them; and
 - whether public bodies have published any information to demonstrate how they have used their equality data to inform decision-making.

Equality Objectives

12. The Equality Act 2010 also replaced previous requirements for the publication of equality schemes under the former race, disability and gender equality duties. The Government believes that a shift away from equality schemes towards specific, relevant and measurable equality objectives and the publication of data on equality performance, will have a more positive impact on equality. In setting equality objectives, public bodies are still expected to assess the relevance of functions to equality, gather evidence in relation to protected characteristics, and consult and involve relevant people.
13. Public bodies may still publish equality schemes, although this is not a requirement of the Equality Act or the PSED. The Council's officer-level Corporate Equality Working Group has supported the development of a new Equality Scheme to reflect the extension of the range of protected characteristics, on the basis that this still represents the best approach to meeting the requirements of the general equality duty, and is useful for communicating the Council's equality achievements and objectives. The draft Equality Scheme for 2012/13 to 2015/16 is also intended to articulate the Council's equality objectives, and is attached as Appendix 1 to this report. The Equality Scheme is an outwardly focused document, providing a position statement of the Council's equality progress. The Scheme will not be reviewed on a regular basis, and ongoing equality achievements will be reflected in the annual publication of equality information (the Equality Report).

14. The proposed equality objectives have been designed to help the Council meet the general equality duty and bring about positive change, and each objective meets one of more of the aims of the general equality duty. The draft objectives have been developed from appropriate evidence and service analysis, and a range of data and information including the results of consultation exercises and surveys, the views of groups and individuals that the Council currently engages with in respect of equality matters, impact assessment and equality analysis, and the report of the informal EFLG assessment in 2010. The proposed equality objectives are:

- (a) To develop existing customer and employee equality intelligence gathering systems and the use of intelligence in service planning

This objective is intended to ensure that relevant and appropriate equality information is gathered efficiently, to identify key equality gaps and inform corporate policy and strategy, to enable the Council to assess whether there are equality trends or patterns that should be investigated. The PSED requires that equality information is used in decision making and service planning and provision, and this process must be transparent and provide evidence that equality information has been used to make decisions and plan and deliver services. Equality data and information is captured on a proportionate basis relevant to individual services and functions.

- (b) To ensure ownership of equality by those within the Council in a position to shape services

This objective is intended to help ensure that equality is understood and appropriately championed by Members and officers in the development and delivery of services. The Council's political and executive leadership should be committed to improving equality outcomes, fostering good relations and respecting human rights. High-level commitment is key to meeting the Council's statutory responsibility to remove disadvantage, meet the needs of people with a protected characteristic, and encourage people to get involved in public life.

- (c) To develop engagement across all protected equality groups

This objective is intended to help advance equality of opportunity and ensure equality in service provision. Equality legislation requires that public authorities appropriately engage with residents and service users to meet the general equality duty. The Council should use community engagement effectively to plan services and prioritise decisions, and engagement opportunities should be inclusive, accessible, and participative.

- (d) To ensure that the Council's culture, systems and working practices allow for the development of a management profile representative of its workforce as a whole

This objective is intended to help secure equality of opportunity in the Council's role as an employer, and to embed a culture of equality throughout the authority. The Council should ensure that the effects of its employment procedures are assessed, and that action is taken to mitigate any adverse impact identified and to promote equality of opportunity, including innovative and holistic initiatives to improve outcomes and address potential barriers.

15. The Corporate Equality Working Group is currently considering whether it would be appropriate for the Council to also adopt an equality objective in respect of its commissioning and procurement (purchasing) activities, as this has been highlighted as a key area by EHRC. This issue may therefore be subject of a future report to the Committee.

16. In order to maintain a co-coordinated approach to equality work, the draft equality objectives are structured in line with the EFLG to help secure improvement to the

'Achieving' level of the framework. On-line consultation in respect of the proposed equality objectives was carried out during January/February 2012, to ensure that they are appropriate to achieving equality and good relations, and are focused on areas where the authority can make the most difference. Whilst only limited levels of response to the consultation exercise were achieved, the proposed equality objectives have received the support of a majority of respondents. All members of the Council were also invited to take part in the consultation exercise (Council Bulletin – 3 February 2012).

17. A range of delivery actions are being developed by the Corporate Equality Working Group to achieve the equality objectives, in the form of a four-year action plan. These equality actions reflect outcomes that can realistically be achieved over the next four years given current capacity issues, whilst at the same time helping to meet the general equality duty. Progress against the action plan will be reported annually at year-end.
18. The Committee is requested to consider the draft Equality Scheme, and to agree the proposed equality objectives for 2012/13 to 2015/16. This report will also be considered by the Cabinet on 12 March 2012, and the views of the Committee will be reported to the Cabinet meeting.

Resource Implications:

The development of the Equality Report for 2011/12 and draft Equality Scheme for 2012/13 to 2015/16 has been met from the current resources of the Performance Improvement Unit. Service specific resources may be required for the implementation of actions to meet the Council's equality objectives, which will be identified as part of the development of an appropriate action plan during 2012/13.

Legal and Governance Implications:

The Equality Act 2010 and the Public Sector Equality Duty require the Council to publish sufficient information to demonstrate that it has complied with the general equality duty, and to publish appropriate equality objectives by 6 April 2012.

Safer, Cleaner and Greener Implications:

There are no implications arising from the recommendations set out in this report, in respect of the Council's commitment to the Nottingham Declaration for climate change, the corporate Safer, Cleaner and Greener initiative, or any Crime and Disorder issues within the district. Any relevant implications that may arise from the implementation of actions to meet the Council's equality objectives for 2012/13 to 2015/16, will be identified as part of the development of an appropriate action plan during 2012/13.

Consultation Undertaken:

The Equality Report for 2011/12 and draft Equality Scheme and Equality Objectives for 2012/13 to 2015/16 have been reviewed and considered by the Corporate Equality Working Group and Management Board. The proposed equality objectives for 2012/13 to 2015/16 have been subject of public consultation, and all members of the Council were invited to take part in the consultation exercise. This report was provided to the Leisure and Wellbeing Portfolio Holder in advance of the preparation of this agenda.

Background Papers:

Equality and Human Rights Commission guidance in respect of the publication and use of equality information.

Impact Assessments:

Risk Management

The responsible Service Director will identify any risk management issues arising from proposals for specific delivery actions to meet the Council's equality objectives for 2012/13 to 2015/16.

Equality and Diversity:

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications?

No. However, the responsible Service Director will identify any risk management issues arising from proposals for specific delivery actions to meet the Council's equality objectives for 2012/13 to 2015/16.

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? N/A

What equality implications were identified through the Equality Impact Assessment process?
N/A

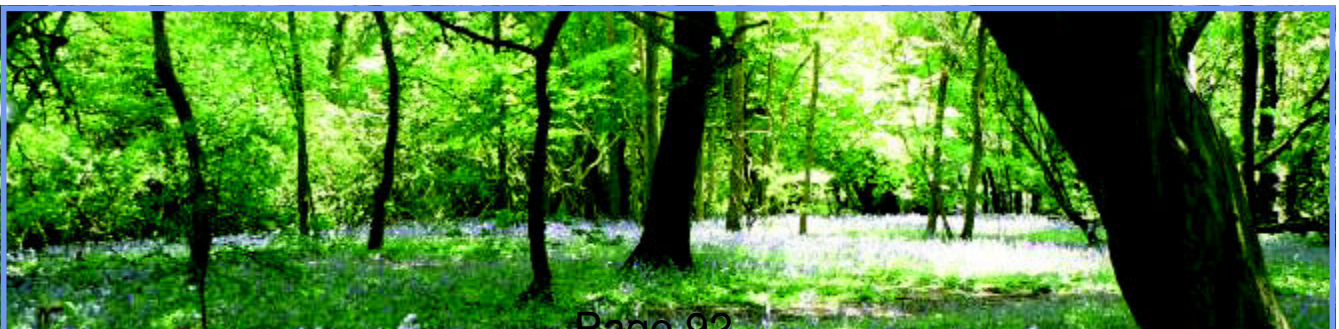
How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group? N/A

Epping Forest District Council

Equality Scheme 2012-2016



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1. Foreword

This page to be completed after consultation on the Scheme

2. Introduction

What do we mean by equality and diversity?

Equality is treating individuals fairly whilst diversity is recognizing and valuing difference for the benefit of the individual and the community. Equality and Diversity are not interchangeable but are interdependent. The Council's equality related work including this Equality Scheme, encompasses the equality and diversity of our communities and employees.

Epping Forest District Council is proud to serve the people who live, work, study and do business in the district and we aim to provide a high standard of service which is accessible and fair to all. We are aware of our role as Community Leader and our responsibility to promote good community relations and help to develop the district where our residents share the values of fairness and respect. Reducing inequality is therefore an integral part of Council business and we will treat everyone equally and fairly according to their needs. We are actively seeking to narrow the gap between those people who are disadvantaged in comparison to their peers. As an employer, the Council promotes equality of opportunity for all employees and wants to be recognised as an employer of choice, attracting and retaining high calibre people able to provide excellent services.

We recognise we cannot do this alone and that we need to work with our employees, partners and service users to ensure positive outcomes are achieved. We also recognise the need for tangible results, therefore our performance is monitored.

This Equality Scheme sets out our four year commitment to improving access to services, promoting good community relations, and reducing inequalities. Our Equality Objectives identify areas of improvement and focus upon improving access to services for vulnerable people and, in doing so, enhancing the life chances of the most disadvantaged.

The scheme replaces our existing Disability, Race and Gender Equality Schemes and provides a summary of our achievements to date against our Equality Framework for Local Government Action Plan. The progress to date provides a firm foundation for the Council to set more challenging goals and to ensure that we appropriately meet all the obligations placed on us by equality legislation. This Scheme and Action Plan are considered to be living documents and therefore subject to regular review and update.

We have a vision to make our District a great place to live, work, study and do business. To achieve this, we must recognise and welcome the diversity of our local communities and be sensitive to the particular needs that arise from that diversity. We must make sure that all our services are fair and accessible to everyone, and therefore helping people to be the best that they can be.

3. Statement of Commitment to Equality

Short Statement:

‘Epping Forest District Council will treat everyone equally and fairly according to their needs’

Full Statement:

Epping Forest District Council is committed to ensuring that all individuals and groups are treated with respect and are valued equally

We will endeavour to make our services accessible to everyone, irrespective of the protected characteristics of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation

We will endeavour to eliminate discrimination against people who are perceived to have, or are associated with someone who has a protected characteristic

We will consult and involve relevant people and groups from our community where appropriate in the design and monitoring of our services

We will collect information about our customers to ensure our services are accessible and provided equally to all in our community

Where necessary we will take positive action through our service provision to meet the particular needs of disadvantaged groups in our community

We will endeavour to promote understanding and good relations between communities

We will consider taking positive action to address under-representation and promote diversity in our workforce profile

We will publish sufficient information to demonstrate how we have complied with the general equality duty

We will use our procurement opportunities to drive equality, for example, by working proactively with key suppliers to promote equality and positive practices in their operations and in the provision of services

We will ensure appropriate resources are available to meet our statutory equality responsibilities

We will make sure that appropriate equality and diversity training is provided for all Members and staff of the Council.

4. Why an Equality Scheme?

Whilst there is no legal requirement that the Council develop or publish an equality scheme, it is a useful approach for organising and communicating the Council's equality plans and information.

This is the first integrated equality scheme to be produced by Epping Forest District Council and it builds upon and replaces our earlier Race Equality Scheme 2007, our Disability Scheme 2007 and our Gender Equality Scheme 2007. The Equality Scheme brings together under one overarching scheme our equality and diversity commitments and goals and is a strategy and set of objectives and associated actions to promote equality in the Council both as an employer and a service provider.

This Equality Scheme acknowledges that inequality and prejudice can be perceived and experienced on multiple levels and that the separation of issues around personal characteristics eg disability or race, can lead to an artificial understanding of need. An equality scheme aims to place the individual at the centre of our understanding and approach to equality and diversity rather than the personal characteristic. Therefore this Scheme is not constructed around the characteristics protected under legislation, but instead considers the individual and their environment.



Documents related to the Scheme include:

- the Equality Policy 2011 which sets out the Council's commitment to equality, and outlines how we will embed equality into our service roles and responsibilities;
- the Equality in Employment Policy 2011 for employees, which sets out how we will embed equality into our employment practices; and
- the Annual Equality Report for residents and customers setting out our progress towards meeting our Equality Objectives

5. What does the Council have to do?

Legislation relating to equality and diversity has been in existence for many years and the Council has a long history of working to achieve a more equal environment for our residents and employees. Recently much of the existing equality legislation was brought together and strengthened under the Equality Act 2010. This all inclusive framework gives the same rights and protection to all groups covered in previous legislation, standardising and harmonising equality law.

Whilst this Scheme relates to our responsibilities under the Equality Act 2010, there is other legislation which the Council has to comply with, for example The Human Rights Act 1998 which gives effect to rights and freedoms under the European Convention on Human Rights; and the Disability Discrimination Act 1995 under which we have a duty to make reasonable adjustments to our facilities to allow disabled people to be able to access them.

A protected characteristic is:

- Age
- Disability
- Faith or belief
- Gender
- Gender reassignment
- Marriage and civil partnership (unlawful discrimination only)
- Pregnancy and maternity
- Race
- Sexual orientation

The Equality Act 2010 places a number of responsibilities and requirements on the Council.

We have a *General Equality Duty* to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between those who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

The purpose of the general equality duty is to integrate consideration of equality and good relations into our day-to-day business.

It entails giving appropriate weight and priority to the need to:

- Remove or minimise disadvantages
- Take steps to meet the needs of people with protected characteristics
- Encourage people with protected characteristics to participate in public life

We also have *specific duties* to:

- Publish information to show that we are complying with our duties and to show how much progress we have made
- Carry out equality analysis on our services using information about those services and the views and experiences of customers who use those services (engagement)
- Prepare and publish Equality Objectives which can meet one of more aims of the general duty

6. The Epping Forest District - a diverse area

The Epping Forest District is culturally and socially diverse, and covers 131 square miles made up of a contrasting mixture of urban and rural life. The district has six main centres of population (Buckhurst Hill, Chigwell, Epping, Loughton, Chipping Ongar and Waltham Abbey) and numerous villages but no natural centre. Approximately half of the 123,900 residents live in the areas comprising 5.2% of the district close to the boundary with London whilst the remainder live in a mixture of market towns such as Epping and Chipping Ongar, large villages such as Sheering, Theydon Bois and Nazeing or in small rural hamlets such as the Lavers.



The Epping Forest District - a diverse area

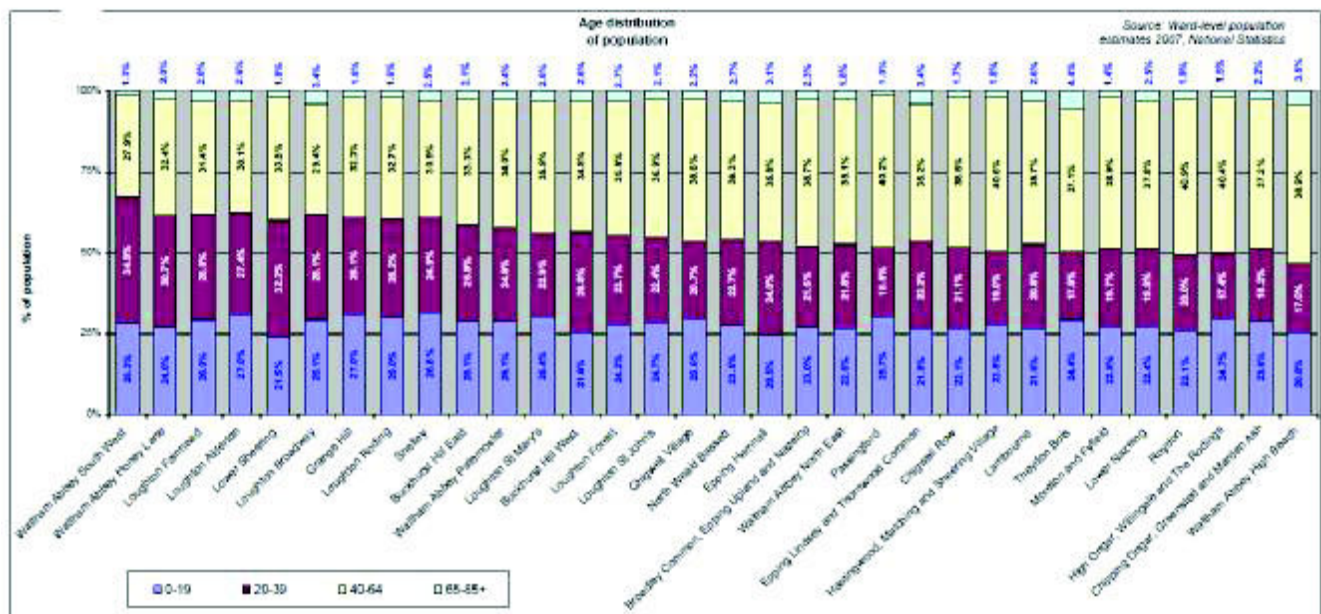
Gender

Based on 2008 figures, 51.25% of the population of the district are female and 48.75% are male.

Age

The population is ageing, with the 2015 age projections showing a increase in the higher age bands and a relatively significant decrease in the age range of 35-44.

Age distribution of population



This graph shows the age split of the population as at the last Census (2001). Wards are not listed alphabetically, but are arranged from those with the 'youngest' population on the left to the 'oldest' population on the right.

While many of the wards are very similar, there is a marked difference between the 'youngest' and 'oldest' wards.

Waltham Abbey South West is the 'youngest', with just over 60% of its population being under 40 years of age. Waltham Abbey High Beach is the 'oldest' ward, with almost 75% of its population being over the age of 40.

Black and multi ethnic community

The district has the second highest number of Black and Multi Ethnic (BME) (which is defined as anything other than white British) residents in Essex, and it is estimated that over 10% of the residents of the district belong to BME groups. The wards with the highest BME populations are Chigwell Row, Chigwell Village, Grange Hill, Buckhurst Hill West and Loughton Forest, where the two largest BME groups are White Irish and other White, and Asian and Asian British. The district has one of the largest traveller populations in Essex, (almost 15% of the total for the county), with around 90% of caravans being stationed on authorised sites with planning permission.

Sexual orientation

Statistics concerning sexual orientation are not available locally. However ONS statistics place adults identifying as lesbian, gay or bi-sexual at 1-2% of the adult population (ONS Measuring Sexual Identity: An Evaluation Report 2010).

The Epping Forest District - a diverse area

Disability

The 2001 census showed 30% of households in the district as reporting having at least one person with a limiting long-term illness, health problem or disability which limited their daily activities or the work they can do, including problems due to old age, which was slightly less than the Essex average of 32%. The Lambourne, Loughton Alderton, Loughton Broadway and Paternoster wards reported higher levels than the district average. Data relating to disability benefits is another indicator of the number of people with a disability. In August 2008 Waltham Abbey and Loughton had the highest numbers of residents claiming Disability Living Allowance (DLA) within the district overall, with Waltham Abbey having 23% and Loughton having 25% (Source ONS neighbourhood statistics).

Social Housing and Homelessness

Currently the district has 54,000 homes with 85% in the private sector, 12% Council and 3% owned by social landlords. Around 70% of the Council's properties are in the urban areas of Buckhurst Hill, Chigwell, Loughton and Waltham Abbey. The Council has a Homeless Persons Hostel and works in partnership with East Thames Group to provide 'move on' accommodation for victims of domestic violence.

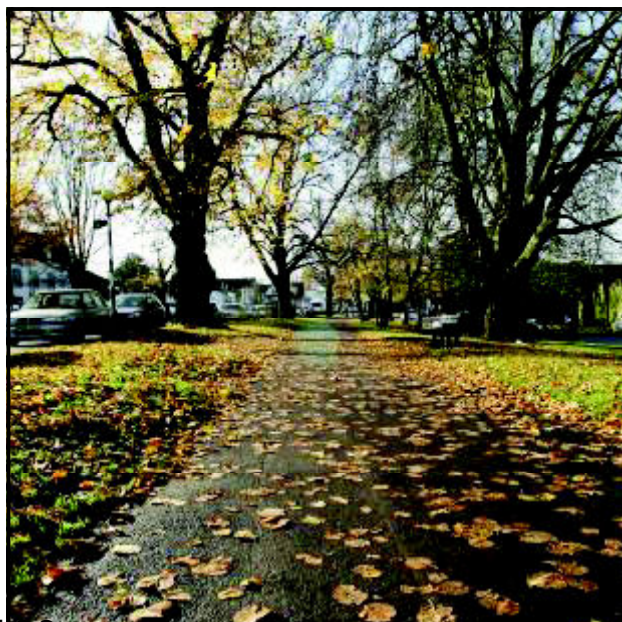
At March 2011, 5392 households were on the Council's Housing Register of people who have applied for social housing, or to be nominated for housing association accommodation, an increase of around 500 over the previous year. The district has slightly higher than the regional average for homelessness acceptances.

Migrant workers

In 2007 the district had the third highest level of migrant workers (plus dependents registered to work through the Worker Registration Scheme) in Essex, comprising 0.71% of the population of the district between May 2004 and June 2007. The significant majority of migrant workers come from Poland, Lithuania and Slovakia.

Wealth and disadvantage

The district is considered to be relatively affluent and unemployment is lower than the national average, however some of the larger towns (including Loughton and Waltham Abbey) have pockets of deprivation where population groups are concentrated in high numbers. In August 2010 the district had 8290 people of working age claiming benefits (defined as people in receipt of Job Seeker's Allowance or Incapacity Benefits, Lone Parents and others on Income Related Benefits), 14% of which were lone parent households (ONS Neighbourhood Statistics Benefits Data: Working Age Client Group).



7. Context for our equality work



How we are organised

We have implemented a clear structure to identify responsibilities for equality work:

Executive responsibility for equality lies with the Leisure and Wellbeing Portfolio Holder, the Deputy Chief Executive has operational responsibility, and Directors have day to day responsibility.

The Corporate Equality Working Group has responsibility for the direction and progress of all equality work and is supported by the Staff Equality Group which is open to all staff employed by the Council. The Performance Improvement Unit carries out appropriate activities to meet the Council's equality duties.

Union representatives and Councillors sit on the Joint Consultative Committee and we consult with them on equality practices relating to staff. We report progress on equality work to the Finance and Performance Management Scrutiny Panel.

All employees have a duty to comply with legislation and codes of practice as well as act in the spirit of them.

How the Scheme fits into Organisational Aims and Objectives:

We set aims and objectives to focus and direct our work taking into account local and national priorities and the priorities of our residents and our partners.

We want the Council to be high-performing and deliver top-quality and cost effective services, ensuring that the views and priorities of our service users are integral to all that we do.

We want the Council to be innovative and transparent, and provide community leadership to the people of the district.

These Council aims and objectives are reflected throughout this Scheme ensuring a co-ordinated approach to the overarching themes of community engagement, community leadership and community development.

Context for our equality work - Data

Data

We use a wide range of data and information to determine the Council's priorities, help us identify and set corporate and service aims and objectives, and to improve services. This data could be collected by the government, by our partners, or by ourselves. Data and information has been used to inform work already undertaken to progress equality, and the knowledge gained from that work will be considered along with more recent data to identify four year equality objectives.

We use some of this data to plan services:

- Indices of Multiple Deprivation
- Office of National Statistics data
- National indicators and targets
- Health profiles
- Compliments and complaints data
- Customer Impact Assessment data
- Service user profiles
- Customer consultation
- Customer service feedback
- Workforce Monitoring Information
- Customer monitoring data
- Employee surveys

Data used to target CCTV:

Detailed crime and anti-social behaviour pattern analysis and neighbourhood statistics were used to evaluate existing Closed Circuit Television (CCTV) provision in Debden Broadway and to assist in the decision whether or not to install additional systems. The analysis identified hotspots and peak times for crime and anti-social behaviour and suggested where to direct CCTV for maximum benefit



Context for our equality work - Working in partnership

Partnership working

The Council works effectively with its partners to develop cross-cutting initiatives, deliver service improvement and reduce costs wherever possible. Partnerships are regarded as an effective way of enhancing service provision or of providing facilities where none currently exist. The commitment to working in partnership is reflected in the Council's key objectives by a commitment to work in partnership with Essex County Council and other statutory and voluntary agencies to ensure the effectiveness of local arrangements and services to safeguard and promote the welfare of children and young people. For more information on partnership working see pages 19-20.

Context for our Equality work - Equality Framework for Local Government

The Equality Framework for Local Government is an equality focussed benchmarking and performance management tool against which the Council aligns its equality related work and measures its progress. This progress is reported to Members of the Council via a formal Performance Indicator.

The Framework focuses on five key areas:

- Knowing your community and data mapping
- Place shaping, leadership, partnership and organisational commitment
- Community engagement and satisfaction
- Responsive services and customer care
- Modern and diverse workforce

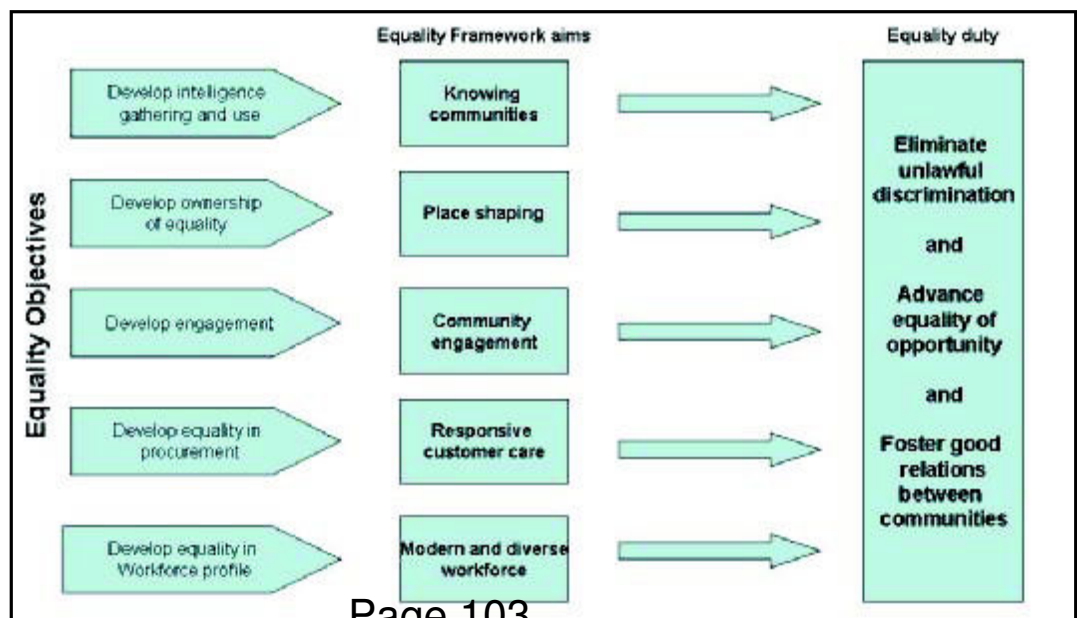


The Framework has three levels of accreditation: Developing, Achieving, and Excellent. The Council is currently at the Developing level and working towards Achieving. In March 2010 we undertook an informal peer review of our progress by an external independent consultant. The conclusion of the review was:

“...it is the view that Epping Forest District Council is further along its journey towards being assessed as an “achieving authority” that it gives itself credit for”

In view of current cost pressures we have decided against applying for formal accreditation to the Achieving Level of the Framework. However we will continue to progress our equality related work in line with the Framework by ensuring our Equality Objectives are aligned with the key areas of the Framework.

This chart shows how our Equality Objectives are linked to the aims of the Equality Framework and meet the aims of the Equality Duty. For more information about Equality Objectives see pages 30-35



8. Our Approach to our equality work



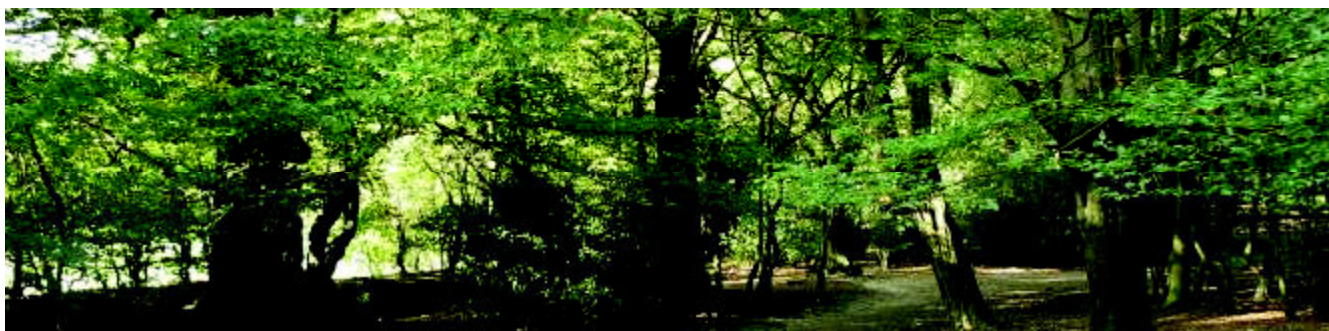
In planning and organising our equality related work we have taken the following into account:

- The requirements of our equality duties
- Our progress so far
- Guidance on our equality duties by the Equality and Human Rights Commission
- Our working practices and corporate aims and objectives
- Best practice in delivering greater improvements to equality and diversity
- Relevant equality and diversity case law
- The requirements of the Equality Framework for Local Government
- Information and data on our customers, communities and employees
- Our commitment to Partnership working



Our approach includes:

- Equality screening and analysis of our activities
- Collecting and publishing equality information
- Engaging with our communities, outreach work and community development
- Working with Partners
- How we commission and procure goods and services
- Our business planning and reporting arrangements
- Monitoring of customers, employees and services
- Equality training for employees and Councillors
- The development of equality objectives
- The use of data and information to improve the equality of our services
- Scrutiny arrangements



9. How we meet our equality duties - Equality screening and analysis

We analyse the effect of our activities on all protected groups to assess how they impact on people and how the activities help us to meet our equality duties. Whilst our equality duties apply to everything we do, not all our activities are relevant to all the aims of the duty or to all protected groups. We screen all existing activities every three years to determine their relevance to our equality duties and assess their level of priority. We carry out equality analysis via a Customer Impact Assessment according to a three year schedule, on all activities which are assessed as relevant to equality. The Assessment includes a consideration of information available on the activity, for example customer feedback, and details of consultation and engagement undertaken with people who use the service. Potential equality improvements are identified and a report, and an associated Action Plan which is linked to service business planning arrangements, are produced. Progress against the schedule is monitored by the Corporate Equality Working Group and reported to the Finance and Performance Management Scrutiny Panel. We publish the assessments on the Council's website.



New policies or activities When we develop a new service or propose to make significant changes to existing services a Customer Impact Assessment is carried out before those changes are made or the service is brought in. This is to make sure that the equality impact on customers of new services or service changes are fully considered.

Equality and diversity training for staff and councillors

The equality duty involves generating a culture where equality issues are viewed as a matter for everyone and that everyone is aware of their obligations. We provide equality and diversity training for all our staff and councillors. Training is mandatory for all managers and all customer facing staff, and recommended for all other staff and for councillors. The training informs staff of the Council's approach to equalities issues and includes cross cultural communication and an understanding of prejudice, stereotyping and discrimination. Awareness raising sessions and workshop style support is available for all staff involved in carrying out equality analysis via Customer Impact Assessments. We are developing systems to monitor the uptake of equality and diversity training and developing e-learning systems to reduce the costs in providing training.



How we meet our equality duties - Engagement with our customers

Why we engage with our customers:

Engagement is the process of interacting with our customers and employees and can include a broad range of different activities from formal public consultations to direct engagement with people from different community groups.

We place great value on the views and priorities of all our customers and employees. Engagement can provide valuable information, particularly on groups for whom little other data or information is available, which we can add to the evidence base for Council decision making including setting our equality objectives.

Engagement with protected groups can help to identify needs and pinpoint where efforts can be best directed to reduce inequalities and foster good relations between communities. It can help us to design initiatives to meet needs and overcome barriers, and increase the sustainability and cost effectiveness of services by delivering services which meet particular needs.



Our approach to engagement:

The Council has a formal approach to consultation and engagement which is set out in a Consultation and Engagement Strategy. The Strategy ensures our engagement is focussed on Council priorities, is inclusive, cost-effective, and that results are acted upon wherever possible.

Consultation exercises are coordinated, and undertaken with partners wherever possible to make best use of resources and avoid consultation fatigue.

We will:

- Use the results of the engagement to inform our equality objectives
- Use consultation to fill gaps in our equality information
- Publish details of the engagement we have undertaken
- Publish the results of equality related consultation
- Ensure consultation is adequately resourced
- Ensure consultation is confidential
- Make it as accessible as possible

Reaching out:

Some people or groups can find it difficult or are unable to take up opportunities to engage with us. This could be because of disability, language or cultural difference, social expectations or financial constraints. People who may be hard to reach and engage may include homeless people, refugees, gypsies and travellers, people who live in rural areas, or people disengaged from society. We are imaginative in reaching out to people who may lack a voice in the district, for example we are working with a local lesbian, gay, bi-sexual and transgender (LGBT) voluntary group to undertake research and consultation on our behalf to find out the views and experiences of LGBT people in the district.

How we meet our equality duties - Engagement Groups



Staff Equality Group

We established and support a Staff Equality Group so that staff can help the Council to further develop equality for all its employees. The Staff Equality Group has worked with the Council on:

- A refurbishment of the Staff Recreation Room to improve its accessibility for disabled staff and visitors and to make it a more welcoming environment for all
- A Staff Equality Survey in 2009/10 to learn the views, experiences and perceptions of employees of the Council

Joint Consultative Committee

The Council has a formal arrangement for consultation with staff on employee related matters. The Joint Consultative Committee is made up of elected Councillors and employee trade union representatives and it considers any relevant matter relating to staff referred to it, including equality related matters.

The Disability Equality Involvement Group is supported by the Council. Its aims are to:

- Improve car parking and transport for people with disabilities
- Improve housing/building accessibility for people with disabilities
- Improve information for people with disabilities
- Raise awareness of disability

Some of the Group's achievements include:

- Obtaining an undertaking that the Lifetime Homes Standard will form part of the Local Development Framework for new homes
- Assisting us to identify a system for visually impaired people to manage their recycling
- Contributing to a training package for licensed taxi drivers
- Holding outreach events including Disability Aware? 2011, to raise awareness of the needs of disabled people and services and support available locally

Disability Aware? 2011

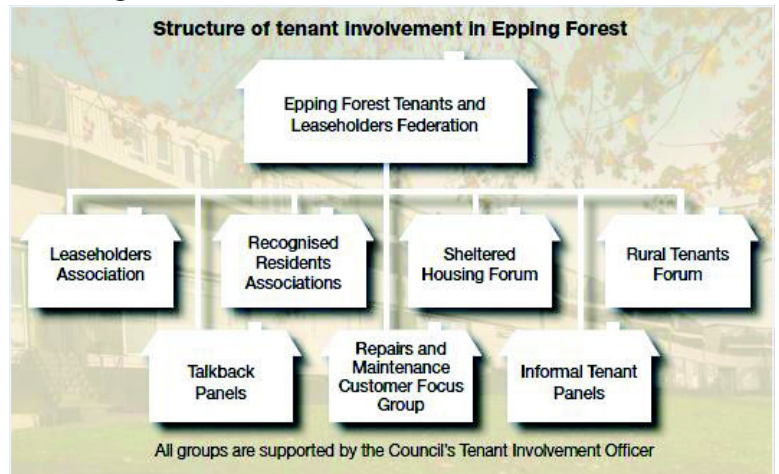


✓ 86% of the Council employees feel positive about working for the Council and that they are being treated fairly by their manager

How we meet our equality duties - Engagement Groups

Involving our tenants

The Council is landlord to around 6500 residential properties and about 900 leasehold flats and maisonettes including sheltered accommodation for older residents, properties with adaptations for disabled people and many properties in rural areas. We have a long history of consulting and involving tenants and leaseholders in decisions on housing issues which affect them.



Involving private sector housing residents

We consult our Home Improvement Agency, Caring and Repairing in Epping Forest (C.A.R.E) Advisory Panel and C.A.R.E Service User Forum on our work with residents of private sector housing.

✓ A dedicated Housing officer supports tenants with disabilities requiring adaptations to their homes. In 2010/11 we carried out disabled adaptations to 230 properties

The Epping Forest Youth Council was formed in 2007 in response to the Council's statutory responsibility to promote local democracy. The Youth Council is a body of democratically elected young people aged 13 - 19 who live in the district and are working together to give young people a voice in their communities. The Council provides officer support and resources to ensure the Youth Council can operate.

Priorities for the Youth Council include anti-social behaviour, the stereotyping of young people, and activities for young people. Their achievements include:

- Staging the 2010 Promoting Local Democracy Conference
- Completing a community mapping exercise of youth activities in the district
- Introducing a Youth Project of the Year Award scheme
- Obtaining funding for and producing a safety DVD and booklet for year 8 and 9 pupils called 'How safe are you?'



How we meet our equality duties - Working with our partners

We understand that working with partners on common issues can achieve more for communities than we can achieve alone. Working together brings many benefits, it simplifies the local working arrangements and can give more recognition to common interests. To make sure residents get the best services we are committed to working in partnership with other organisations including those from the voluntary sector, other councils, the business sector, the Police, Fire and Rescue, and Health Services. We will continue to work in partnership to achieve greater equality for our residents and service users through our service provision and leadership role in the district.

Voluntary Action Epping Forest (VAEF) provide support and encouragement for the development of voluntary groups and organisations in the district. The Council works in partnership with VAEF in support of the interests of the community by providing advice, financial support, and other assistance under a service level agreement providing a stable operating environment.

One Epping Forest, is a local strategic partnership of representatives of local councils, education, police, health services, and business and community groups. It exists to promote and enhance the economic, social and environmental well being of the community. At the core of the Partnership is the commitment to promoting equality and supporting community cohesion.

We are not limited by existing boundaries. The local strategic partnerships for Epping Forest, Harlow and Uttlesford have come together in the **West Essex Partnership** to examine new opportunities for joint working across existing boundaries, to promote the interests of West Essex and to better deliver on behalf of all our communities.

✓ Through the Herts Essex Energy Partnership we work with other Councils across Hertfordshire and Essex to deliver free or discounted energy efficiency measures to eligible local residents

Some of our partners and partnerships



How we meet our equality duties - Working with our partners

The Council has a 'strategic housing role' which is an overarching responsibility to work in partnership with other organisations to undertake strategic decisions and activities around planning for future housing including affordable housing. We produce a Housing Strategy setting out how we meet our strategic housing role and undertake Strategic Housing Assessments to identify the requirement for affordable housing. Affordable housing and the provision of suitable accommodation for people with special needs are key Housing Objectives.

✓ In 2010/11 we worked in partnership with local housing associations to increase the supply of affordable homes in the district by 151 new homes

✓ We work with Occupational Therapists and Social Care to assist residents with disabilities to adapt their homes. In 2010/11 the Council spent £400,000 on disabled adaptations to Council homes

The Safer Communities Partnership is a partnership of Epping Forest District Council, Essex County Council, the health service, the police and probation services and the fire service with a remit to tackle crime and disorder and help create safer communities.

The Community Safety Partnership's Hate Incidents Panel looks at cases of hate crime within the district, and considers ways to tackle issues such as supporting victims, investigating incidents and taking action against perpetrators. For more information on Hate Crime and the work of the Hate Incidents Panel see pages 20 - 25

To learn more about the work of the Safer Communities Partnership see the Community section of the Council's website www.eppingforestdc.gov.uk

✓ The Council worked with Essex County Council to raise awareness of domestic abuse through Domestic Abuse Awareness Week in November 2011, highlighting that domestic abuse can happen to anyone and that support is available

DOMESTIC ABUSE
Is home where
the hurt is?



National Domestic Violence Helpline 0808 2000 247
Mens Advice Line 0808 801 0327 Child Line 0800 1111

How we meet our equality duties - Safeguarding children and vulnerable adults

When we carry out our work we are required to have regard to safeguarding children and vulnerable adults and to promote the welfare of children in our district. Our staff, volunteers and contractors have different levels and types of contact with children and vulnerable adults who use our services, for example, the museum, playgrounds, parks, sports centres, holiday play-schemes, or our housing, homelessness, and community safety services. It is important our staff know how to provide safe environments for children and vulnerable adults, to recognise signs of abuse or neglect, and to know how to act upon their concerns about the welfare of a child or vulnerable adult. We have a role to raise awareness and promote the welfare of children and vulnerable adults and work with other public and voluntary services and organisations to safeguard them from harm.

A vulnerable adult is any person aged 18yrs or over who is or may be in need of community care services by reason of mental, physical or learning disability, age or illness, and who is or may be unable to take care of themselves or unable to protect themselves against significant harm or serious exploitation.

The **Corporate Safeguarding Group** of representatives from our services where staff come into contact with children and vulnerable adults meets regularly to share information and address areas of concern. We also:

- Nominate senior officers with responsibility to lead our safeguarding work
- Implement policies which provide protection for children and vulnerable adults
- Carry out Criminal Records Bureau checks for relevant employee positions
- Use safe recruitment procedures for all posts and particularly those working with children, young people and vulnerable adults to protect them from harm
- Use a Common Assessment Framework to enable children and young people to access additional support where needed
- Undertake an annual audit of our staff to identify safeguarding training needs
- Ensure appropriate training is provided and taken up, and
- Make referrals to appropriate agencies where we suspect abuse or identify concerns

Our safeguarding work is coordinated with those of other agencies across Essex and in particular the Essex Safeguarding Boards for children and vulnerable adults to ensure the effectiveness of our work and to improve outcomes for children and vulnerable adults in the district



✓ Our approach to safeguarding children and promoting the welfare of children has been recognised by the Essex Safeguarding Children Board as a good example of a corporate approach to our duty of care towards safeguarding children

How we meet our equality duties - Working with communities

In our role as community leader we are committed to building and promoting sustainable communities across the district based on social justice and mutual respect. We aim to remove barriers and enable people to participate in activities and processes which shape their lives. A dedicated Community Development Section delivers a range of initiatives to support the development of active, sustainable communities and enhance the quality of life, skills and opportunities, and to develop community cohesion.

5 key values shape our approach to working with communities:

- *Encouraging people to get involved*
- *Encouraging people to work together towards common goals*
- *Raising awareness of inequality and challenging discrimination*
- *Recognising and developing learning and skills*
- *Investing in the capacity of people and groups so change lasts*

We use government statistics and local research to focus our community development work in areas of greatest disadvantage. Mapping exercises are used to learn about the needs and aspirations of local residents, to identify gaps in service provision, and to identify potential initiatives and projects to meet those needs and aspirations.

Music at the Museum ‘I love music’, a musical exhibition covering popular music originating in Essex and the East of England, hosted by Epping Forest District Museum, saw local creative talent, Loughton Youth Project and Epping Forest Arts coming together to perform in various musical genres from indie and hip hop to folk and rock. ‘I Love Elvis’, a video documentary made by local disabled group, ‘Artability’ together with local band ‘Reachback’ was also screened at the event.

Case study...

Consultation with residents in Waltham Abbey showed that young people living on the Ninefields Estate in Waltham Abbey would benefit from diversionary activities.

‘Taster’ activity sessions were organised by the Community Development Team for 11-19yr olds living on the estate and in 2009 the “We Don’t Do Bored” club was formed, managed by a local resident and supported by a coach from the Tottenham Hotspur Football Foundation. External funding was obtained to secure the Club’s first 2years, and fund young people on the estate to work with a professional artist to produce a piece of sculpture for the front wall of the community building. A Steering Group of young people meet to plan future activity programmes and local volunteers provide help to make sure the Club is sustainable.

Reachback performing at ‘I love Music’



How we meet our equality duties - Working with communities

We work with Communities to help to keep them safe by educating them on how to avoid becoming a victim of crime. Recent initiatives by the Safer Communities Partnership include the Crucial Crew and Reality Show projects aimed at young people aged 10-14 years to empower them to live safely in today's environment, and the Theatre Project for older people focussing on distraction burglary.

Young people and people with learning disabilities worked together on a project called 'Our House' designed to break down social barriers formed through fear, lack of knowledge and misconceptions from both groups. Loughton Youth Theatre and residents from Woodredon House for people with leaning disabilities, worked throughout the summer of 2010 to produce a body of impressive installations



and a site-specific performance within the grounds of Woodredon House



Older people, young people and people with disabilities came together in 'Makedo&mend', an arts project to recycle fashion, music and film from the '40's to create new and original work. The project which was designed to facilitate a crossover between generations in a meaningful way, was exhibited at Epping Forest Museum

'Zinc' is a 'disabled led' arts organisation based in the district working to promote the creativity, culture and heritage of disabled people and socially excluded groups for the benefit of all. Under a three year Service Level Agreement the Council provided £4529 to help Zinc provide arts for disabled people.

Community Grants

We award grants to organisations involved in providing community work and cultural or sporting activities to enable them to deliver successful services in the district. Priority is given to those groups or projects working in the following key areas:

- Children and young people
- Safer communities and domestic violence
- Environmental projects
- Elderly, disadvantaged or disabled people
- Encouraging a healthy lifestyle
- Supporting community development and involvement

In 2011 the Council granted £4235 to The Lambourne End Centre for Outdoor Learning, to replace worn out mountain bikes. The Centre, a registered charity, provides personal development experiences to young people including those who may be under achieving at school, be disabled, a carer, or have a history of offending. Cycling at the Centre provides health benefits from exercise, and increased confidence by learning to work in a team.

How we meet our equality duties - Hate Crime



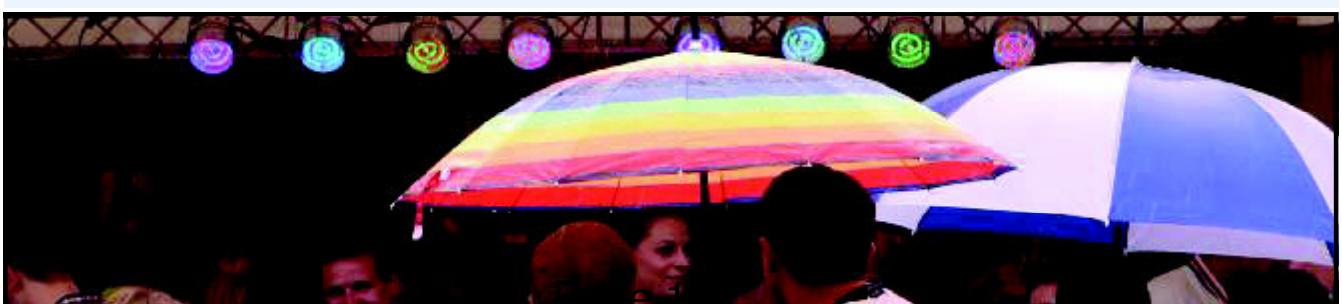
Someone is a victim of a hate crime or incident if they are targeted because of their personal characteristics or perceived difference. Hate crime can include verbal abuse, threats, assault, intimidation, criminal damage or offensive graffiti and it can be targeted against whole communities as well as towards individuals, for example offensive graffiti in public places or acts of terrorism. Hate crime in the district is tackled by Safer Communities Partnership Hate Incident Panel which works with police, schools, local businesses, service providers, and housing providers to protect victims. Although it is widely recognised that hate crimes go unreported because of a lack of confidence they will be taken seriously, or for lesbian, gay, bisexual or transgender people, they may want to keep their sexuality private, 101 incidents of hate crime were reported to the Hate Incident Panel in 2010/11.

The Council through the Safer Communities Partnership, works proactively with other agencies to raise confidence in hate crime reporting systems and to encourage people to come forward. For more information on the Safer Communities Partnership email safercommunities@eppingforestdc.gov.uk

Disability hate crime - For many disabled people harassment is a commonplace experience, and public authorities have an important role to play in recognising harassment and abuse of disabled people, taking action to prevent it and intervening when it does, and transforming the way disabled people are viewed, valued and included in society. We work with local disabled groups to host disability awareness raising events. And hate crime has recently been included in research undertaken by the Disability Equality Involvement Group to identify priorities for our disability equality related work.

Domestic Abuse can include violence and psychological and financial pressure. The Safer Communities Partnership works with the Domestic Violence Group to share information and develop actions around prevention, education and intervention.

Racially aggravated crime - There has been a decline of racially or religiously aggravated offences from 102 in 2009/10 to 86 in 2010/11. The district has some political representation by the British National Party. Violent extremism can be found throughout the political spectrum and in the current threat context some of our Muslim communities could be vulnerable to radicalising influences.



How we meet our equality duties - Combating Hate Crime

Offensive graffiti - we aim to remove offensive graffiti from all property regardless of ownership or responsibility within 3 days. Racist and discriminatory graffiti is photographed and passed to the police.

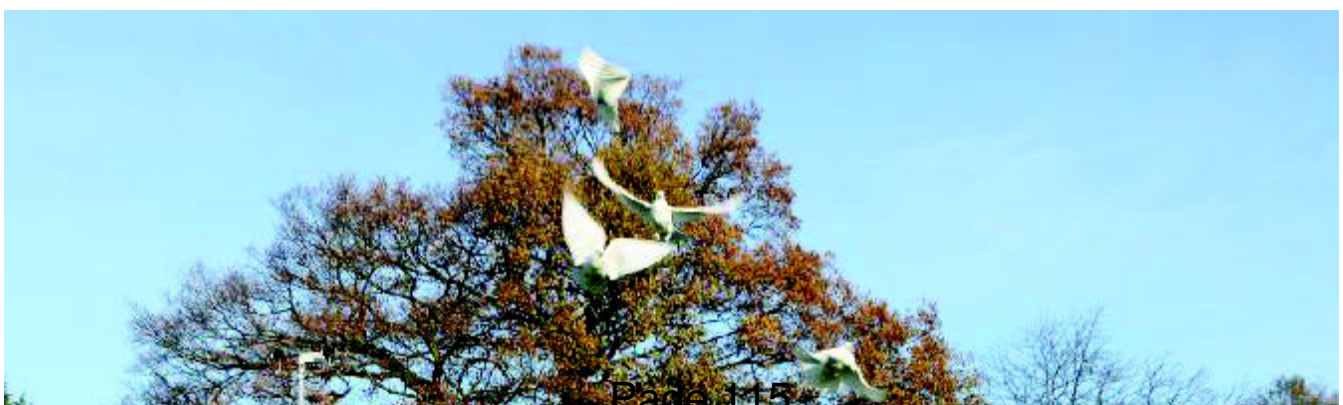
The Sanctuary Scheme seeks to upgrade security in a victims home by creating a 'safe room'. By creating a 'sanctuary' within the home, victims of domestic violence or hate crime experience less disruption to their family life and routines by being able to remain at home rather than move to a refuge. This and other homeless prevention measures have reduced homelessness as a result of domestic violence by 85% between 2005/6 and 2010/11.

We use the **Multi Agency Risk Assessment Conference (MARAC)** approach to addressing the needs of victims of domestic violence. All organisations involved in supporting the victim of domestic violence get around the table and share information to prevent serious harm, develop a safety plan and put support in place as soon as possible.

Violent extremism - The Local Strategic Partnership provides a cross agency response to the threat of violent extremism and works closely with the Multi-Faith Forum. The Multi-Faith Forum brings communities together and includes representatives from the public, community and voluntary sectors, the faith community and local business.

Awareness raising outreach - We work with partners and local people to raise awareness of hate crime and promote greater understanding of the needs of different communities and to encourage victims to come forward and seek help:

- hate crime awareness formed part of Disability Aware? in May 2011. The event aimed to raise awareness of disability and provide information on services and support available locally for disabled people
- one of the themes of Essex Pride 2011 was same sex domestic violence. The Council worked with partners from the public, private and voluntary sector to celebrate lesbian, gay, bi-sexual and transgender diversity at this annual community event in Chelmsford
- in November 2011, the Council together with the Safer Communities Partnership released 4 white doves from the roof of the Civic Offices to symbolise the 4 people (3 women and 1 child) who died as a result of domestic violence in Essex since April 2011



How we meet our equality duties - Procurement

Procurement is the process of acquiring the goods, works and services we need in order to carry out the work of the Council. The procurement process starts with the identification of a need for a service, right through to the end of a contract or the end of the useful life of an asset. The Council spends around £30 million annually (excluding depreciation and employee costs) in providing services to our communities. This level of expenditure gives the Council a significant economic influence in the area, an influence which we will use to help improve equality for our communities.

In our procurement we aim to:

- *to achieve a robust and consistent approach to equality in the delivery of services*
- *to ensure suppliers are compliant with equality legislation throughout the life of the contract*

We are committed to working with key suppliers to promote positive practices.



Procurement efficiency

The Council is a member of the Essex Procurement Hub which provides expertise around all aspects of procurement to help us to be efficient when buying goods and services. The Hub also provides opportunities to work with other councils to achieve greater savings by increasing the concentration of spending power, and by the use of 'framework contracts' which set out the terms for future purchasing.

- ✓ When selecting suppliers we include an understanding of local issues, and an awareness of the local community in our list of considerations where appropriate



How we meet our equality duties - Procurement

Local trade

To support the local economy we make sure that local suppliers are considered in procurement activity and as far as possible we will use local traders in the supply of goods, works and services.

We are also working to remove barriers to encourage local suppliers, the voluntary sector and small and medium sized enterprises to bid for Council business.



Doing business with the Council...

We operate a supplier registration system for businesses interested in supplying goods, services and works to the Council.

Registering with the Procurement Agency for Essex provides a contract opportunity-to-business requirement matching service, and opportunities to increase the visibility of your products and services across Essex

See where we spend our income:

- We publish all expenditure over £500 on the Council's website, see www.eppingforestdc.gov.uk
- We publish all historic expenditure over £500 so comparison can be made between our expenditure and that of other public bodies of a similar size, see www.spotlightonspend.org.uk

Suppliers

All suppliers wishing to enter into a contract with the Council are required to provide a copy of their Equal Opportunities Policy and provide information about their compliance with equality related legislation. This information is used in the supplier evaluation process and the award of contracts. As our agents, our contractors are also required to comply with and ensure that its employees and agents comply with the Council's equality duties and policies.

- We spent £11.5 million with small and medium sized businesses in 2010/11
- 11% of our total expenditure in 2010/11 was spent with suppliers who had a registered address within the Epping Forest District
- We use a value threshold system to regulate our approach to purchasing to ensure contracts are awarded without discrimination



We recognise that we can improve our procurement practices in relation to equality by more closely monitoring our contracts with suppliers for effective equality working practices. We are aware that we need to be cautious that our requirements of the voluntary sector and small and medium sized companies should not be too onerous and serve as a disincentive. Guidance for staff involved in procurement activities and contract monitoring could be improved to ensure greater focus on equality.

How we meet our equality duties - Business Planning

The Council plans its business to ensure the overall aims and objectives of the Council are achieved. The Council uses a business planning framework to align its business, budget, and workforce planning and development processes. This helps us to focus on key priorities, manage performance, and ensure communication and consultation are on key priorities. Each of our directorates provide details of how they have contributed towards the achievement of the Council's corporate objectives and priorities in an annual Business Plan which also sets out the work Directorates will be undertaking towards those priorities and objectives.



Business Plans follow a prescribed structure and requirements for essential content which includes equality and diversity and our Equality Objectives. This places equality and diversity at the centre of the Council's business planning and monitoring arrangements and ensures that our equality duties are taken into account in the strategic stage of service planning. Equality objectives will be set every four years and revised at the intervening two year point in line with business planning time scales. Business Plans are developed in consultation with staff and are subject to approval by the Portfolio Holder having responsibility for the work of the directorate, thereby encouraging 'ownership' of the plan and commitment to its objectives at all levels of the Council. The results of equality analysis via the Customer Impact Assessment process is reported in the Business Plans together with progress against actions arising from the process. For more information on the Council's business and performance management contact the Performance Improvement Unit on performance@eppingforestdc.gov.uk

Monitoring and scrutiny of equality work

We monitor the equality related work across the Council to assess the extent to which it is meeting our equality duties and to identify how we can move beyond compliance to achieve excellence and best practice.

The Corporate Equality Working Group (CEWG) monitors equality related work to ensure consistency across services, and progress towards meeting corporate objectives. The CEWG reports progress and performance annually to the Finance and Performance Management Scrutiny Panel which scrutinises and reviews the Council's progress and performance with its equality related work.



How we meet our equality duties -

Monitoring data

Why we gather data on our customers and employees:

We gather data about our customers to develop our understanding of the needs of our customers to make sure those services are based on sound information rather than assumptions or stereotypes. Knowing who uses our services and who does not helps us to provide services our customers want and to provide those services in the way customers want them. Providing services more efficiently will also help to reduce costs.

We gather information on our employees and potential employees to ensure our workforce profile reflects our community. Knowing who is working for us and who would like to work for us, helps us to ensure our employment and recruitment practices attract all sectors of our community and the best people to come and work with us.

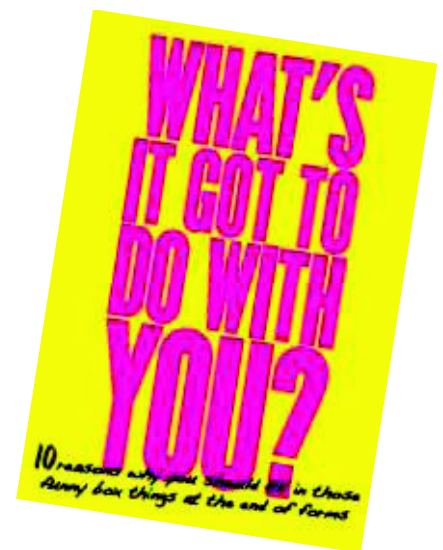
How we gather and manage the data: We ask our customers and staff to provide us with information about themselves so we have statistical data to assess which services are needed, where, and when. We only collect data which is useful to us and it is collected alongside the provision of services. We use a range of different methods to gather data including surveys, customer satisfaction feedback, application forms for services and jobs, and compliments and complaints monitoring data. Names and addresses are not stored with monitoring data and all data is used in ways which prevent individuals from being identified. All information is treated in the strictest confidence, is used only for the purposes for which it is given, and is destroyed once it is no longer required. If you choose not to supply this data it will not adversely affect the services you are entitled to receive from the Council.

We may ask you:

- Age
- If you have a disability
- Your faith or belief
- Gender and if you are transgender
- race
- Sexual orientation

We recognise that this information is personal. There is no obligation to provide equality monitoring data but it will help to plan and assess our services. For more information on why organisations like ours ask for this

data see this leaflet from Stonewall www.stonewall.org.uk or contact us on 01992 564042



We don't have all the information we need

to ensure we understand our communities and to plan services. We don't have up to date and reliable data about the faith, the ethnicity, nor the sexual orientation of our residents. To fill these gaps in our information:

- we are working with voluntary sector group Essex Gay to establish a dialogue with lesbian, gay, bi-sexual and transgender people in the district and carry out a survey of their views
- we have made gathering and using equality intelligence in our service planning an Equality Objective (see page 31)

10. Equality Objectives

We have produced equality objectives to help us meet our equality duties and to bring about positive change. All our Equality Objectives can help us to meet one of more of the aims of the general equality duty - to eliminate unlawful discrimination, to advance equality of opportunity, or to foster good relations. The Objectives have been identified from evidence based on our customers or employees and analysis of our services, and will form the focus of our equality related work for the next 4 years. We have consulted on our objectives to make sure they are areas where we can make the most difference to equality.

To maintain a co-ordinated, structured approach to our equality work, our Equality Objectives are structured in line with the Equality Framework for Local Government (EFLG) and to help us to achieve our aim to reach the 'Achieving Level' of the Framework. The objectives are also intended to be challenging but achievable.

We have used a range of data and information to arrive at these objectives including statistical data, the results of consultation and surveys, the views of groups and individuals we engage with, the findings from equality analysis, the work being undertaken by our partners, and independent assessment by an external peer. The key messages from the results of the consultation on the equality objectives have been incorporated into the objectives to ensure we focus our efforts appropriately. All the objectives are specific and measurable and include information on how progress against them will be measured.

The Equality Objectives will be published on the Council's website together with details of the engagement that we undertook in developing the objectives.



Equality Objective 1

Develop existing customer and employee equality intelligence gathering systems and the use of intelligence in service planning

This objective will help us meet the following aims of the General Equality duty:

- To eliminate unlawful discrimination
- To advance equality of opportunity
- To foster good relations

This objective will help us meet the following requirement of the Equality Framework for Local Government (EFLG):

- Knowing your communities and equality mapping

The evidence base for this objective is:

- It was identified in an external review of the Council's EFLG performance undertaken March 2010, as an area to develop

Engagement undertaken to identify objective:

We have consulted with the following groups to agree this objective:

- All residents and customers via an online survey
- Our employees via an online survey and the Staff Equality Group
- The Disability Equality Involvement Group
- The Corporate Equality Working Group
- The Leisure and Wellbeing Portfolio Holder
- Our Councillors
- The Council's Management Board
- Essex Gay

Next steps for the Equality Objectives:

Once the Equality Objectives are agreed, a set of Actions to meet this Objective will be developed by the Corporate Equality Working Group. These Actions will be specific, measurable and have timescales. We will report progress against these Actions in the annual Equality Report to The Finance and Performance Management Scrutiny Panel, and publish progress annually on the Council's website.

Equality Objective 2

Ensure ownership of equality by those within the Council in a position to shape services, for example Councillors and managers

This objective will help us meet the following aims of the General Equality duty:

- To eliminate unlawful discrimination
- To advance equality of opportunity
- To foster good relations

This objective will help us meet the following requirement of the Equality Framework for Local Government (EFLG):

- Place shaping, leadership, partnership and organisational development

Evidence base for this objective is:

- It was identified in an external review of the Council's EFLG performance undertaken March 2010, as an area to develop
- It was identified by the Disability Equality Involvement Group as an area to develop

Engagement undertaken to identify objective:

We have consulted with the following groups to agree this objective:

- All residents and customers via an online survey
- Our employees via an online survey and the Staff Equality Group
- The Disability Equality Involvement Group
- The Corporate Equality Working Group
- The Leisure and Wellbeing Portfolio Holder
- Our Councillors
- The Council's Management Board
- Essex Gay

Next steps for the Equality Objectives:

Once the Equality Objectives are agreed, a set of Actions to meet this Objective will be developed by the Corporate Equality Working Group. These Actions will be specific, measurable and have timescales. We will report progress against these Actions in the annual Equality Report to The Finance and Performance Management Scrutiny Panel, and publish progress annually on the Council's website.

Equality Objective 3

Develop engagement across all the protected equality groups.

The protected groups are:

Age	Disability	Faith or Belief
Gender	Gender Reassignment	Marriage and Civil Partnership
Pregnancy and Maternity	Race	Sexual Orientation

This objective will help us meet the following aims of the General Equality duty:

- To eliminate unlawful discrimination
- To advance equality of opportunity
- To foster good relations

This objective will help us meet the following requirement of the Equality Framework for Local Government (EFLG):

- Community engagement and satisfaction

Evidence base for this objective is:

- It was identified in an external review of the Council's EFLG performance undertaken March 2010, as an area to develop
-

Engagement undertaken to identify objective:

We have consulted with the following groups to agree this objective:

- All residents and customers via an online survey
- Our employees via an online survey and the Staff Equality Group
- The Disability Equality Involvement Group
- The Corporate Equality Working Group
- The Leisure and Wellbeing Portfolio Holder
- Our Councillors
- The Council's Management Board
- Essex Gay

Next steps for the Equality Objectives:

Once the Equality Objectives are agreed, a set of Actions to meet this Objective will be developed by the Corporate Equality Working Group. These Actions will be specific, measurable and have timescales. We will report progress against these Actions in the annual Equality Report to The Finance and Performance Management Scrutiny Panel, and publish progress annually on the Council's website.

Equality Objective 4

Ensure that the Council's culture, systems and working practices allow for the development of a management profile representative of its workforce as a whole

This objective will help us meet the following aims of the General Equality duty:

- To eliminate unlawful discrimination
- To advance equality of opportunity
- To foster good relations

This objective will help us meet the following requirement of the Equality Framework for Local Government (EFLG):

- To have a modern and diverse workforce

Evidence base for identification of objective:

- Staff profile
- Staff Equality Survey 2009/10
- Employee Survey 2011
- It was identified in an external review of the Council's EFLG performance undertaken March 2010, as an area to develop

Engagement undertaken to identify objective:

We have consulted with the following groups to agree this objective:

- All residents and customers via an online survey
- Our employees via an online survey and the Staff Equality Group
- The Disability Equality Involvement Group
- The Corporate Equality Working Group
- The Leisure and Wellbeing Portfolio Holder
- Our Councillors
- The Council's Management Board
- Essex Gay

Next steps for the Equality Objectives:

Once the Equality Objectives are agreed, a set of Actions to meet this Objective will be developed by the Corporate Equality Working Group. These Actions will be specific, measurable and have timescales. We will report progress against these Actions in the annual Equality Report to The Finance and Performance Management Scrutiny Panel, and publish progress annually on the Council's website.

Equality Objective 5

Procurement

The Council is currently considering whether it should adopt an Equality Objective in respect of its commissioning and procurement (purchasing activities). This section of the Equality Scheme will therefore be updated in due course.

11. Next steps for the Equality Scheme

How we will consult on our Equality Objectives

We will consult on our Equality Objectives with our residents and other people interested in the work of the Council. The consultation will be conducted via the Council’s website. A questionnaire will be used to gather views on the Objectives. Views can also be expressed via email to equality@eppingforestdc.gov.uk

The general sense of views expressed will be incorporated into the finished Equality Scheme and where relevant, will inform the scheme, for example changes to the Equality Objectives, or suggestions for improvement.

How we will publish this Equality Scheme and our Equality Objectives

We will publish this finished Equality Scheme and Equality Objectives on the Equality and Diversity pages of the Council’s website along with other equality and diversity data and information, see www.eppingforestdc.gov.uk
We will publish the Scheme and Objectives by 6 April 2012.

Key dates:

- 6 April 2011—General and specific duties came into force
- 31 January 2011 - Publish equality information
- 6 April 2012 - Publish Equality Objectives

The results of the consultation on the Equality Objectives

(to be added post consultation)

The results of the consultation on the Equality Objectives

(to be added post consultation)

12. Contact us

For further information concerning this scheme, please contact the Performance Improvement Unit.

Epping Forest District Council
Civic Offices
High Street
Epping
Essex
CM16 4BZ



Telephone: 01992 564042
Fax: 01992 568018

email: equality@eppingforestdc.gov.uk

www.eppingforestdc.gov.uk

If you would like a copy of this Equality Scheme or Equality Objectives in any other format, for example in large print or another language, please contact Epping Forest District Council on 01992 564042 or email equality@eppingforestdc.gov.uk

13. Feedback

Tell us what you think...

...of our Equality Objectives

We think the Equality Objectives will help us to make a real difference to equality for our communities over the four years between April 2012-April 2016 when we will publish new objectives. We would like to know if you agree we have identified areas where we can make the most difference by completing the Equality Objective Consultation Questionnaire on our website, www.eppingforestdc.gov.uk, or via the link or by printing out and returning the form on page 40 to:

Performance Improvement Unit
Civic Offices,
323 High Street
Epping
Essex CM16 4BZ

...of our Equality Scheme

We have included a lot of information in this Equality Scheme and tried to do four things:

1. Tell you who we are and what we believe in
2. Tell you what we have to do
3. Tell you what we already do
4. Agree with you what we will do over the next 4 years

Your feedback will help us when we produce future schemes. We would be pleased if you would give us your opinion on the Equality Scheme by:

- emailing your comments to: equality@eppingforestdc.gov.uk
- or by telephone to: Barbara Copson 01992 564042

This Equality Scheme and Equality Objectives has been produced with the assistance of the Disability Equality Working Group, the Corporate Equality Working Group, and key members of staff.

Thank you for all your comments.

The published Equality Scheme and Objectives will be available on the Council's website from



Equality Objectives Consultation

We have produced Equality Objectives to help us meet our equality duties and to bring about positive change. The Objectives have been identified from evidence and analysis of our services and will be the focus of our equality related work for the four years from April 2012.

We are carrying out this consultation to make sure our customers agree that we have identified in our Equality Objectives where that will make the most difference to equality for our communities.

(Note: more information on the background, context and how the Equality Objectives will be taken forward can be found in the Equality Scheme 2012-2016)

Please let us know if you agree we have identified the most appropriate equality objectives by completing the following questions.

Q1 Equality Objective 1: To improve our services by using better information about our customers and employees.

Agree Neither agree or disagree Disagree

If you disagree please explain why.

Q2 Equality Objective 2: To help our Councillors and senior officers to champion equality.

Agree Neither agree or disagree Disagree

If you disagree please explain why.

Q3 Equality Objective 2: To develop engagement with our communities in respect of equality issues.

Agree Neither agree or disagree Disagree

If you disagree please explain why.

Q4 Equality Objective 3: To develop equality through our purchasing activities.

Agree Neither agree or disagree Disagree

If you disagree please explain why.

Q5 Equality Objective 5: To create a working environment without barriers to advancement for all our employees.

Agree

Neither agree or disagree

Disagree

If you disagree please explain why.

If you disagree with any of the 5 objectives, please suggest alternatives.

1.

2.

3.

4.

5.

Your Details

Name:

Business/Organisation:

Email:

The results of this consultation will be incorporated into the Equality Scheme which will be published on the Council's website www.eppingforestdc.gov.uk by April 2012.

For more information on this consultation or any aspect of equality at the Council contact equality@eppingforestdc.gov.uk

The closing date for consultation: 17 February 2012

Thank you for letting us have your views



Epping Forest District Council
Civic Offices
High Street
Epping
CM16 4BZ

telephone: 01992 564000
fax: 01992 578018
email: contact@eppingforestdc.gov.uk

Report to the Overview and Scrutiny Committee



Date of meeting: 6 March 2012

Subject: Review of Financial Regulations

Report of: Constitution and Member Services SSP

Chairman: Councillor D Stallan

Responsible Officer: I Willett (01992 564243)

Democratic Services Officer: Adrian Hendry (01992 564246)

Recommending:

That a report be submitted to the Overview and Scrutiny Committee and the Council recommending that the schedule of amendments to Financial Regulations set out in Appendix 1 to this report be approved and pages G9-11 be deleted from the Constitution.

1. Introduction

- 1.1 This report deals with our annual review of Financial Regulations which is conducted by a cross-directorate Officer Working Party.
- 1.2 The report contains recommendations for one change to Financial Regulations and one consequential amendment to the Budget Procedure Rules in the Constitution.

2. Review of Financial Regulations

- 2.1 Appendix 1 to this report sets out one proposed amendment arising from this year's review. The Appendix excludes minor textual changes (renumbering, typographical errors and various cross references) which can be made by officers when the Financial Regulations are prepared for publication.
- 2.2 The proposed change relates to virement limits, a virement being a transfer of funding from one budget heading to another.
- 2.3 Currently Financial Regulations set out the arrangements for approval of virements against certain financial limits:
 - (a) Up to £5,000 – by Directors subject to no virement between portfolio budgets, to the virement being within the Director's own budgets and to the transfer being within "cost centres";
 - (b) Up to £10,000 – by Portfolio Holders, subject to the budget concerned being within the portfolio and to the other conditions as set out in (a) above;

(c) £10,000-£100,000 – Cabinet approval;

(d) £100,000 – Cabinet and Council approval

- 2.4 All virements are supervised by the Director of Finance and ICT.
- 2.5 We believe that there should be no change to the procedure for virements up to £5,000, save that the term “cost centre” should be amended. We recommend that the use of this term should be discontinued and the term “budget heading under the same budget page” should be substituted.
- 2.6 This will allow officers a greater degree of flexibility in managing their budgets. The current restriction of increments to within cost centres only is felt to be overly restrictive and necessitates Portfolio Holder involvement for insignificant changes to budgets. Expanding this to budget headings under the same page ensures that the money is still used for a similar purpose. A wider expansion of movement of funding within a directorate as a whole is not proposed as this would allow funds to be used for very different purposes.
- 2.7 A typical budget sheet is enclosed for illustrative purposes (Appendix 2).
- 2.8 As to the other virement limits, no changes are proposed for 2.3(d) but for 2.3(b) and (c), we recommend that the limit for Portfolio Holder approval be increased to £25,000. This would recognise the role of portfolio holders and reduce references to the Cabinet. Use of portfolio holder decision making is more flexible which, coupled with the redefinition of “cost centres,” will make arrangements easier to operate.
- 2.9 All proposed virements will be reviewed by the Director of Finance and it should be remembered that, as with other portfolio business, Cabinet members can refer a proposed virement to the Cabinet if need be.
- 2.10 The virement rules are published both in Financial Regulations and as an appendix to the Budget Procedure Rules of the Constitution (Pages G9-11). It is considered advisable to publish the information in only one place to avoid confusion. It is therefore proposed to delete the Appendix to the Budget Procedure Rules.
- 3. Next Steps**
- 3.1 If the Panel support the various changes, approval of the Council is necessary before the Constitution is amended.

	<p>centre or between cost centres, for cumulative amounts up to the greater of £10,000 or 2% of gross cost centre expenditure during the year, following notification to the Chief Finance Officer, and subject to the conditions at 4.9 below. These limits are inclusive of amounts vired under 4.4 above, not in addition to.</p> <p>4.7 Cumulative amounts greater than £10,000 or 2%, whichever is the greater, within the same cost centre or between cost centres during the year require the approval of the Cabinet, following a report to the relevant Portfolio Holder in conjunction with the Chief Finance Officer and the Chief Officer. The report must specify the proposed expenditure and the source of funding and must explain the implications in the current and future financial year.</p> <p>Responsibilities of the Chief Finance Officer</p> <p>4.8 To prepare jointly with the relevant Chief Officer a report to the Cabinet or Council as appropriate, where revenue virements within the same cost centre, or between cost centres within the same portfolio, in excess of the greater of £10,000 or 2% of gross cost centre expenditure are proposed.</p>	<p>Amend “£10,000” to “£25,000” in line 2.</p> <p>Amend “£10,000” to “£25,000”</p>
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	<p>To maintain a list of approved budget headings.</p> <p>To maintain a register of all approved virements.</p> <p>To monitor that any allocation of an approved budget that is a lump sum budget or contingency intended for allocation during the year is in accordance with the purposes for which it was established and the Cabinet approved scheme for its release. Where any proposed allocation falls outside of these conditions, the allocation will be deemed to be a virement and treated accordingly.</p> <p>Responsibilities of Cabinet and Council</p> <p>4.9 Cumulative virements within a Portfolio greater than £100,000 or 2% of the total portfolio, whichever is the greater, require the approval of the Council, following a report of the Cabinet in conjunction with the Chief Finance Officer and the relevant Chief Officer(s). The report must specify the cumulative expenditure and sources of funding and must explain the service delivery implications in the current and future financial year.</p>	
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BUDGET 2011/12

Spending Control and Code Book

Cost Centre Code	DR150				
Cost Centre Name	CIVIC & MEMBER EXPENDITURE				
Spending Control Officer	I Willett			A: Accountancy Use Only	
Class	Type	Code	Job	Job Cost	Budget
Employee Expenses	Staff Related Insurance	A			390
					<u>390</u>
Supplies And Services	Equipment - New	3010			280
	Nursery Recharge	A			5,170
	Photocopying	3300			260
	Books & Publications	3350			1,020
	Publicity	3360			3,330
	Postage	3510			2,790
	Members Courses & Conferences	3632			6,550
	Misc Insurances	A			2,470
	Civic Hospitality	3840			2,770
					<u>24,640</u>
Support Services	Office Accommodation	A			204,880
	Managerial & Professional	A			521,450
	Computers - Central	A			12,410
	Website	A			6,980
	Office Services	A			46,320
	Telephones	A			5,770
	Planning Policy Group	A			6,600
	Chief Executive Policy Group	A			4,710
	Dep Chief Executive Policy Grp	A			11,260
					<u>820,380</u>
Internal Recharges	Other Recharges	9630	RE01	Hra Contribution	(185,990)
	Other Recharges	9630	RE02	Bldg Control Fee Ac Cont	(2,110)
	Other Recharges	9630	RE03	On-Street Parking Cont	(4,230)
					<u>(192,330)</u>
					<u><u>653,080</u></u>

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SCRUTINY

 Epping Forest District Council

Report to the Overview and Scrutiny Committee

Date of meeting: 6 March 2012

Report of: Constitution & Member Services Standing Scrutiny Panel

Chairman: Councillor D. Stallan

Subject: Housing Appeals and Review Panel – Terms of Reference

Officer contact for further information: Graham Lunnun (01992 56 4244)

Committee Secretary: Adrian Hendry (01992 564246:)

Recommendations:

(1) That a report be submitted to the Council recommending that the existing order of proceedings at meetings of the Housings Appeals & Review Panel be retained but a new paragraph (to be numbered (7)) be added to the Panel's terms of reference as follows:

“(7) If requested by the appellant/applicant or their representative, the Chairman may agree to (6)(b)-(d) above taking place after (e)-(g) and to (h) and (i) being reversed”.

and the Constitution amended accordingly;

(2) That the arrangements set out in recommendation (1) above be reviewed after six months; and

(3) That paragraph 1(i) (relating to the banding of an applicant, in accordance with the Housing Allocations Scheme in being at the time of the decision) be removed from the terms of reference of the Housing Appeals and Review Panel and the Constitution amended accordingly.

Report:

1. We were asked by the Housing Appeals & Review Panel to review two aspects of its terms of reference: the order of presentations at Panel meetings and the exclusion of appeals against banding decisions under the Housing Allocations Scheme. We discuss these two issues in turn below.

(a) Order of Presentation of Cases to the Panel

2. The current order of business for consideration of cases by the Housing Appeals and Review Panel provides for the applicant/appellant to present their case and answer questions first, followed by the appropriate Housing Officer presenting his/her case and answering questions. Whilst this follows the order of most appeal proceedings it is considered that it does not lend itself particularly well to meetings of the Housing Appeals and Review Panel.

3. An applicant/appellant normally attends meetings to present their case without being represented by a professional advocate. Despite being advised in advance of the meeting of the procedure to be adopted and the Chairman of the Panel, as part of his opening remarks, attempting to put an applicant/appellant at ease they appear frequently to be overwhelmed facing a Panel of normally five members in a fairly formal setting.

4. As a result, since an applicant/appellant has to present their case first, the Panel feels that many struggle to follow the procedure and present a reasonable case. The Panel has told us that often it is not until replies are given to questions from the Housing Officer and members of the Panel that the full extent of the applicant's/appellant's case becomes apparent.

5. The Panel therefore asked us to consider changing its terms of reference so as to change the order of proceedings, with the Housing Officer presenting his/her case first. The Panel felt that this would have the following benefits:

(a) the Panel will have the benefit of receiving the full facts of the case at the outset as these are set out in the officer's report; this will enable members to understand better the submissions made subsequently by the applicant/appellant;

(b) the applicant/appellant would have time to settle in the meeting before being expected to address the Panel; will have a better appreciation of the proceedings having witnessed the way in which the officer presents his/her case and answers questions on it; and, should be better prepared when it comes to their turn to present their case.

6. The Director of Corporate Support Services has been consulted on a change of order of business and has no objection. The only observation she makes is that some professional representatives (e.g. solicitors and barristers), who will be used to an appellant presenting their case first in an appeal environment, may object if this order is not followed. Accordingly, she suggested that if a change is made, if requested by the applicant/appellant or their representative, the Chairman can agree to the applicant/appellant continuing to present their case first.

7. In any event, the terms of reference of the Panel still give it discretion to reverse the order in which the case of the officer and the applicant/appellant are presented, provided that both parties agree.

Views of the Members and Substitutes of the Housing Appeals and Review Panel

8. The Housing Appeals and Review Panel considered changing the order of its business at its meeting on 8 September 2011 and took account of views expressed previously by members and substitutes who were not present at the meeting.

9. There was not a consensus of view although the majority view expressed was in support of the proposed change and the proposal was referred to this Panel for consideration.

10. Members supporting the proposals accepted the benefits set out in paragraph 4 above. Members not in agreement with a change felt that at present in many cases when the officer puts his/her case the expression on the applicant's/appellant's face is recognition that their grounds for review/appeal are a lot weaker than they thought. They felt that for applicants/appellants to be given this realization before they have even started their case would be even more intimidating than coming in to the meeting and having their say first. Also, sometimes an applicant/appellant says something which causes a Panel member to want to question the officer about it and this opportunity could be missed under the new proposals.

11. After discussing this at our last meeting, we came to the view that there was no reason to change the current order of events because the Panel has also asked for an additional paragraph to be included which would allow an applicant/appellant to request a change in the order of presentation if they so wish. We consider that this would give sufficient flexibility to allow the Panel to change the order.

Constitution

12. We recommend that the changes to the terms of reference of the Housing Appeals and Review Panel set out in recommendations (1) and (2) be approved.

(b) Appeals against the Banding of an Applicant

13. Following concern about the cost and member and officer time involved with housing appeals (both before and at meetings) about some relatively minor issues, the Council in April 2010 agreed that from the commencement of the municipal year 2010/11 the terms of the Housing Appeals and Review Panel should be amended to allow appeals and reviews only in respect of specified issues.

14. One of the issues recommended by officers for removal from consideration by the Panel was appeals about the banding of an applicant in accordance with the Council's Housing Allocations Scheme. However, members did not accept that recommendation and the Panel continues to consider such appeals.

15. Since May 2010, the Panel has considered nine appeals about the banding of an applicant including seven appeals since August 2011. In all cases the Panel has upheld the officers' decisions and dismissed the appeals.

16. In such cases the role of the Panel is restricted to determining whether an appellant has been placed in the correct Band of the Allocations Scheme by officers having regard to the facts.

17. The majority of these appeals concern priority given for medical conditions and as the Scheme specifies that medical priority is determined by the Council's Medical Adviser, the Panel has little discretion.

18. Two members have recently supported appellants at meetings of the Panel in relation to appeals against their bandings and they have advised officers that they found it very difficult to formulate meaningful submissions in view of the restricted role of the Panel in relation to these appeals.

Views of the Members and Substitutes of the Housing Appeals and Review Panel

19. In the light of the recent consideration of these appeals, members and substitutes of the Panel present at the meeting on 26 October 2011 discussed recommending to the Constitution and Members' Services Panel that such appeals should no longer come within the terms of reference of the Housing Appeals and Review Panel. The five members present were unanimous that banding appeals should not be dealt with by the Housing Appeals and Review Panel and that the right of appeal should end with one of the Assistant Directors of Housing. However, before referring this matter to the Constitution and Members' Services Scrutiny Panel they requested that the views of the other members and substitutes of the Housing Appeals and Review Panel should be sought.

20. Following an exchange of emails all 10 members and substitutes of the Housing Appeals and Review Panel have advised that in their view banding appeals should not be dealt with by the Housing Appeals and Review Panel and that the right of appeal should end

with one of the Assistant Directors of Housing.

20. We completely support the proposal of the Panel and recommend as set out in recommendation (3) at the commencement of this report.



SCRUTINY



Report to Overview and Scrutiny Committee

Date of meeting: 6 March 2012

Subject: Appointments at Annual Council - Review

Officer contact for further information: Simon Hill Ext 4249

Committee Secretary: Mark Jenkins Ext 4607

Recommendations/Decisions Required:

That a report be made to Council recommending:

- (1) That the Appointments Panel continue to operate without changes to its terms of reference and continue in operation thereafter until any further review is necessary;**
- (2) That the protocol on the Allocation of Chairmanships and Vice-chairmanships and Outside Organisations (except for sections 6 (a) to (c) in the protocol - the provision for pro-rata for Chairmen) be suspended for a further the period of one year and then reviewed;**
- (3) That Article 5 of the Constitution (in relation to the nomination of the Vice Chairman appointment to Council) be amended by the inclusion of the following words at the end of Article 5.02 (c) "and notified each year to the Appointments Panel for consideration and onward recommendation to the Annual Council meeting" and ;**
- (4) That meetings of the Appointments Panel be held on 10 and 15 May 2012 (if necessary);**

Introduction for the Panel:

1. (Councillor D Stallan – Chairman of the Constitution and Member Services Standing Scrutiny Panel) Members will recall discussions in 2011 on how the process of the annual meeting could be improved. This resulted in a report to Council which introduced the idea of having an Appointments Panel and made improvements to the process of agreeing nominations for Committee places and Outside Body Appointments.
2. The Council requested that the operation of the new system be reviewed after one year.
3. This report sets out a review of the experiences of last year together with some issues requiring decision on the future operation of the Panel.

Report:

4. The original request to the Panel to look at the operation of the Annual Council meeting covered a number of issues which included briefing information;

liaison and consultation between political groups, pro rata on outside organisations and the process of appointment; simplifying paperwork at the Annual Meeting; suggestions for improvement of the civic ceremonial aspects of the annual meeting and a review of the appointment process of the Vice-Chairman of Council.

Operation of the Appointments Panel

5. Last year the Council operated the Appointments Panel for the first time. As envisaged last year documentation was circulated by officers prior to the election period. This information comprised:

- (a) A pre-election pro rata exemplification table
- (b) A pro rata advice sheet
- (c) Counsel opinion on calculating pro rata
- (d) New Group Constitution Forms
- (e) Individual group member forms
- (f) Terms of Reference of the Panel (attached for reference – Appendix 1 to this report)
- (g) A blank Committee nominations sheet (showing previous years nominations)
- (h) A blank outside organisations sheet for council appointed bodies
- (i) Vice Chairman nomination forms (as appropriate)

6. On the Friday after the election count further information on the post election pro rata position was emailed to members.

7. It had been agreed that the Appointments Panel would meet on 12 May 2011. This did not prove possible as nominations had not been completed in time. The meeting was held on the fall-back date of 17 May. This enabled a supplementary agenda to be circulated prior to Council on 24 May meeting the target set by Council of not having tabled schedules of appointment recommendations.

8. We have taken comments of members and take the view that the Panel operated successfully last year and should continue this year and have recommended accordingly.

Protocol on the Allocation of Chairmanships and Vice-chairmanships and Outside Organisations

9. Members will recall that the protocol (attached Appendix 2 to this report) was suspended for the period of one year (except for sections 6(a) to (c)) to allow the new system to operate. The Panel were asked to review this element in the light of operational experience.

10. We have taken the view that, given we are recommending the continuance of the Appointments Panel, the suspension of the protocol (in part) should continue for a further period until we can undertake a review during the next year. This would enable officers to bring forward proposals for rescinding of the protocol linked to the inclusion of a 'statement of principles' within the Panels Terms of Reference of the Appointments Panel which would have the effect of limiting the scope of its recommendations to Council on Chairmanships, Vice Chairmanship and Outside Body positions.

Election and Nomination of the Vice Chairman of Council

11. The appointment of the Vice Chairman of Council is governed by Article 5 of the Constitution. Last year it was agreed that no changes would be made to the nomination process save that nomination forms would come to the Appointments Panel.

12. We are therefore suggesting that the words in Article 5.02 (c) be amended to read:

“5.02(c) (c) The process of agreeing a nomination for Vice-Chairman of the Council shall be co-ordinated by the Leader of the Council in consultation with independent members and the Leaders of all political groups **and notified each year to the Appointments Panel for consideration and onward recommendation to the Annual Council meeting**”;

13. This would have the effect of ensuring that relevant nominations are brought forward to the Appointments Panel for discussion and recommendation to Council.

Date for the Appointments Panel for 2012

14. It is suggested that two dates be set aside for the Appointments Panel, Thursday 10 May and Tuesday 15 May 2012 and we have recommended accordingly.

Resource implications:

Budget provision: Nil none required

Personnel: existing

Land: none

Community Plan/BVPP reference: none

Relevant statutory powers: Local Government and Housing Act 1989 sec 15 and 16

Background papers:

Environmental/Human Rights Act/Crime and Disorder Act Implications: none

Key Decision reference: (if required) not a key decision

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**APPOINTMENTS PANEL
TERMS OF REFERENCE**

1. Title

The Panel shall be known as the "Appointments Panel".

2. Terms of Reference

(a) To receive and make recommendations to the Annual Council on nominations for the following appointments from political groups and non-affiliated members:

(i) Chairman and Vice Chairman of Council;

(ii) Leader; Deputy Leader and Cabinet members;

(iii) Chairmen; Vice-Chairmen and membership of Cabinet Subcommittees;

(iv) Chairmen; Vice-Chairmen and members of Committees and Sub-Committees (excluding Scrutiny Panels); Panels; Boards Working Groups and similar bodies;

(v) Outside body appointments falling to the Council to fill;

(b) In recommending appointments to the Council, the Panel will:

(i) Propose nominations based on the entitlement of each political group in accordance with the statutory pro rata;

(ii) Ensure that consideration is given to any nominations made by non-affiliated members for any position or appointment;

(iii) Ensure, so as far is practicable, an equitable allocation of Chairmanships and Vice Chairmanships across the political groups or to non-affiliated members having majority support that is not inconsistent with the provisions of the Council's Protocol; and

(iii) Permit schedules of recommended appointments to be circulated to all members prior to the date of the Council meeting.

(c) The Panel shall, in recommending outside body appointments to the Council, do so as to give precedence to local ward members for those that have a 'local' designation and an equitable allocation of places across the political groups of the Council;

3. Membership

- (a) Each statutory Political Group on the Council shall appoint two members from to form the Panel;
- (b) Where an appointed member ceases to be a member of the Council, the appropriate Political Group Leader may nominate a substitute from within their membership;
- (c) All unaffiliated members of the Council shall have the right to attend the Panel meetings and/or submit nominations in accordance with statutory provision.

4. Chairman

- (a) The Chairman of the Panel shall normally be the Leader of the Council but if the Leader is not a member or present, the Chairman shall be determined by the Panel; and
- (b) The Chairman shall be responsible for reporting the recommendations of the Panel to full Council.

5. Meetings

- (a) Meetings of the Panel shall be held as required following elections each Council year at the Civic Offices, Epping at the date and time indicated on the agenda timed so as to enable the prior circulation of their recommendations for nominations to the Council.
- (b) Minutes and agenda of the Panel meetings shall be circulated to the following:
 - Panel Members
 - Group Leaders or Deputy Group Leader not members of the Panel
 - Unaffiliated Members of the Council

6. Effect of Nominations

Nothing in these Terms of Reference precludes any Political Group or non-affiliated member of the Authority from making nominations directly at full Council or from any group or non-affiliated members changing or withdrawing previously made nominations.

7. Officers

The Panel will be supported by the attendance of relevant officers from the Office of the Chief Executive and such other officers as may, from time to time, be required.

PROTOCOL - ALLOCATION OF CHAIRMANSHIPS AND VICE-CHAIRMANSHIPS AND OUTSIDE ORGANISATION PLACES

Purpose of Protocol

1. To formalise the understandings between political groups represented on Epping Forest District Council in its response to the new constitution required by the Local Government Act 2000.
2. To establish arrangements which secure the allocation of the following Chairmanships on an agreed basis between the political groups:
 - (a) Leader
 - (b) Deputy Leader
 - (c) Chairman and Vice-Chairman of Committees and Sub-Committees (including Scrutiny Committees);
 - (d) Chairmen and Vice-Chairmen of Panels, Boards, Working Groups and similar bodies;
 - (e) Chairmen of Policy Advisory Groups; and
 - (f) Chairmen and Vice-Chairmen of Cabinet Committees.
3. To ensure that the operation of the protocol recognises the statutory requirements and local arrangements approved by the Council as part of its constitution.

Statutory and Local Requirements

4. This protocol will recognise:
 - (a) that the Chairman of the Council shall not be a member of the Cabinet;
 - (b) that no member of a Scrutiny Committee (including its Chairman or Vice-Chairman) shall be a member of the Cabinet;
 - (c) that the Chairman of the Standards Committee and any Sub-Committee thereof shall not be a Councillor;
 - (d) that the Chairman or Vice-Chairman of any Cabinet Committee must be a member of the Cabinet; and
 - (e) that the appointments of Chairmen and Vice-Chairmen of other Council Committees, Sub-Committees, Working Groups, Panels and Boards shall be in accordance with the Council's own rules as set out in the constitution.
5. In making all such appointments, the Council will take account of the legal requirements to ensure that members of the Cabinet must not be involved in any of the activities of the Overview and Scrutiny Committees.

Provisions of Protocol - Chairmanships and Vice-Chairmanships

6. The following provisions shall apply to the operation of this protocol and the making of appointments:
- (a) all appointments shall be made against the requirement to achieve a pro rata allocation of Chairmanships and Vice-Chairmanships between political groups;
 - (b) for the purpose of achieving the requirement set out in (a) above, the calculation of pro rata requirements shall be carried out separately in respect of the total number of Chairman and Vice-Chairman positions;
 - (c) each political group shall have an equal opportunity to submit nominations from its membership for positions of Chairmen and Vice-Chairmen in respect of the bodies covered by this protocol;
 - (d) any political group shall nominate from within its own membership only but shall be free to support the nomination of another political group for any such position;
 - (e) in making nominations for such positions, each political group acknowledges that any of its nominees must command majority support within the Council and that the decision of the Council on any appointment is final;
 - (f) each political group undertakes to enter into discussions with other groups on individual nominees and the number of nominations to be submitted and shall be enabled to withdraw the name of any nominee prior to or at the appropriate Council meeting;
 - (g) notwithstanding the discussions specified under paragraph (c) above, political groups shall retain the right to submit their nominations to the Council for consideration notwithstanding the outcome of the discussions indicated; and
 - (h) the Council and other political groups will acknowledge the right of any political group not to submit a nomination or to withdraw such a nomination after discussion with other groups.

Provisions of Protocol - Outside Organisations

7. The following provisions shall apply to the operation of this protocol for appointments to outside organisations:
- (a) all appointments shall be made by the Council;
 - (b) appointments shall be designated by the Council as "Executive" or "Non Executive";
 - (c) appointments may also be designated as "local" in character in which case, local ward members shall be given precedence.
 - (d) appointments may be designated by the Council as specialist in which case Councillors (irrespective of political group membership) with the appropriate skills, experience or personal qualities shall be given precedence;

(e) after considering the "local" and "specialist" categories, all political groups will agree on an annual basis how many seats are to be allocated to each group taking into account their overall numbers on the Council and their expressed preferences;

(f) in relation to the organisations designated as local, the political group or groups represented in relevant wards shall agree nominations to be put forward; and

(g) all groups will recognise the right, notwithstanding prior discussion required by this protocol, to submit its nominations for consideration by the Council.

Definition of Political Group

8. For the purposes of this protocol, a political group shall be defined in accordance with the Local Government Act 1989 (i.e. two or more Councillors).

Changes to this Protocol

9. Any alteration of this protocol shall require the consent of the full Council, with no less than 65% (rounded up to the nearest whole number) of the Council's membership attending that meeting voting in favour.

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Overview and Scrutiny Work Programme – March 2012

Overview and Scrutiny Committee			
Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) Scrutiny of London Underground Ltd	Completed July 2011	Completed - Came in July 2011. To invite back sometime in 2012/13	31 May 2011; 12 July; 6 September; 18 October; 29 November; 24 January 2012; 6 March; and 17 April
(2) OS Annual Review/ Annual Report	April 2012	2011/12 Final Report to go to April 2012 meeting.	
(3) Scrutiny of Epping Forest Local Strategic Partnership – Chairman and Member level EFDC representatives	January 2012	Completed - January 2012 - Representatives of the partnership to report on an annual basis.	
(4) Scrutiny of Cabinet Forward Plan	Progress report to October 2011	Completed - Last looked at in October 2011; to review again when Cabinet next year.	
(5) Six monthly review -	November 2011	Completed - Last completed in November 11	
(a) Monitoring of OS recommendations			
(b) OS work programme			

(6) To review the strategic direction of Epping Forest College, its vision for the future and its relationship with the Community	For the new municipal year - 2012	Last Completed in April 11. Principal of Epping Forest College addressed the April 2011 meeting.	
(7) Budget Report	January 2012	Completed - January 2011	
(8) Review of Secondary and Primary education in the District and to focus on the link between Education and deprivation in the District.	In October 2011	Completed – Had Geoff Mangan, the Epping Forest 14-19 Co-ordinator for Epping Forest Secondary Schools attend the Oct. 11 meeting.	
(9) To receive a presentation from Youth Council members	November 2011	Completed - As last year, members of the Youth Council attended with proposals for their funding bid for 2012/13 and gave an update on their programme of work.	
(10) Broadband access in the District	TBA – An Interim report went to the February '11 meeting. Now waiting to get Service providers to a 2011/12 meeting.	BT and one other service provider to be asked to address the O&S Committee on access to broadband and speeds for the Epping Forest District Area.	
(11) Corporation of London	For the new municipal year - 2012	To receive a presentation on the management of the Epping Forest. A representative from 'Friends of Epping Forest ' to be invited as well.	

(12) Police and Fire Rescue Services .	For the municipal year (2012) meeting.	With the current financial difficulty for statutory services, the Committee would like to see representatives of the Police and the Fire and Rescue Services address the meeting regarding the implications of their budget reductions – this to be arranged for the end of 2012 to give them time to assess the effects.	
(13) Key Objectives 2010/11	Outturn report went to the 31 May 2011 meeting.	Completed. Six monthly progress reports in respect of the annual Key Objectives are made to the Cabinet and the Overview and Scrutiny Committee. Outturn report for 2010/11 submitted to the May 2011 Meeting.	
(14) Key Objectives 2011/12	Progress report to go to the November 2011 meeting	Completed - Six monthly progress reports in respect of the annual Key Objectives made to the Cabinet and the Overview and Scrutiny Committee. Progress report for 2011/12.	
(15) To review the new organisational make up of the PCT/ West Essex Health Service and the progress made on the commissioning of local health services.	For March 2012	Useful to look at this next year, after the Bill had gone through Parliament. Noted that County were also looking at this topic.	
(16) To review the Lea Valley Regional Park Authority and the Olympics.	Completed - went to July 2011 meeting	Completed - Report to go to the July 2011 meeting.	

(17) Police Reform Proposals for Essex	September 2011	Completed	
(18) To meet with Essex County Council in respect of Children Services and on annual basis, with the attendance of the Director of Children's Commissioning.	April 2012	Recommendation taken from the Children Services Task and Finish Panel. To invite an Officer and the Portfolio Holder.	
(19) Council Procedure Rules – reports on Outside Organisations	September 2011	Completed - Recommendation from the Constitution and Member Services Scrutiny Standing Panel – July 2011	
(20) Mental Health Services in the District.	Sometime in 2012	To consider the state of the Mental Health Services in the District	NEW

Standing Panels			
Housing Standing Panel (Chairman – Cllr S Murray)			
Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) Presentation by Mears on proposed approach to Repairs Management Contract	July 2011	COMPLETED	19 July 2011; 25 October; 28 November 2011 Extra-Ordinary Joint Meeting with Finance & Performance Management Scrutiny Standing Panel; 31 January 2012; Extra-Ordinary meeting on 5 March 2012; and 13 March
(2) Annual Report on the HomeOption Choice Based Lettings Scheme	July 2011	COMPLETED	
(3) HouseMark Benchmarking Report of Housing Services	July 2011	COMPLETED	
(4) Annual Ethnic Monitoring Review of Housing Applicants	July 2011	COMPLETED	
(5) Housing Performance Indicators – 2010/11 Out-turn (Tenant-Selected & KPIs)	July 2011	COMPLETED	
(6) 12-Month Progress Report on Housing Strategy Action Plan 2010/11	July 2011	COMPLETED	
(7) Housing Strategy Action Plan 2011/12	July 2011	COMPLETED	
(8) Performance against Housing Service Standards and Review	July 2011	COMPLETED	
(9) Six-monthly Progress report on Housing Business Plan Action Plan	October 2011	COMPLETED	

(10) Approach to future Council house-building Programme	October 2011	COMPLETED	
(11) HRA 30-Year Financial Plan in Preparation for HRA Self-Financing	October 2011	COMPLETED	
(12) Briefing on the proposed Council rent increase for 2010/11	January 2012	Not Required – Following detailed consideration of the HRA Financial Plan and associated rent increases, this is not required this year.	
(13) Housing Service Strategy on Empty Properties (Review and update)	October 2011	On agenda for 5 March 2012 (deferred from earlier meeting due to officer workload and to spread the workload of the Scrutiny Panel)	
(14) Review of Private Sector Housing Strategy	January 2012	On agenda for 5 March 2012 meeting (deferred from earlier meeting due to officer workload and to spread the workload of the Scrutiny Panel)	
(15) Six monthly Progress report on Housing Strategy Action Plan 2011/12	January 2012	On agenda for 5 March 2012 meeting (deferred from earlier meeting due to officer workload and to spread the workload of the Scrutiny Panel)	
(16) Feed-in Tariff Scheme for Council Housing Stock	March 2012	Considered on 25 October 2011 – but requires further consideration at 13 March 2012 meeting	
(17) Housing Service Strategy on Repairs and Maintenance (New)	October 2011	Deferred to 13 March 2012 meeting – Due to officer workload and to spread the workload of the Scrutiny Panel	
(18) Housing Service Strategy on Energy Efficiency (Review and update)	October 2011	Deferred to 13 March 2012 meeting – Due to officer workload and to spread the workload of the Scrutiny Panel	
(19) Housing Service Strategy on Home Ownership (Review and update)	January 2012	Deferred to 13 March 2012 meeting – Due to officer workload and to spread the workload of the Scrutiny Panel	

(20) Housing Service Strategy on Housing and Estate Management (Review and update)	March 2012	Not yet due – Scheduled for 13 March 2012 meeting	
(21) Housing Service Strategy on Rent Administration (Review and update)	March 2012	Not yet due – Scheduled for 13 March 2012 meeting	
(22) 12 Monthly Progress report on Housing Business Plan Action Plan	March 2012	Not yet due – Scheduled for 13 March 2012 meeting	
(23) Housing Service Strategy on Older Peoples Housing (Review and Update)	March 2012	Not yet due – Scheduled for 13 March 2012 meeting	
(24) HRA Business Plan 2012/13	March 2012	Not yet due – Scheduled for 13 March 2012	
(25) Annual Review of the Housing Allocations Scheme	October 2011	Deferred to October 2012 – To await the Commencement Order for this part of the Localism Act and publication (and consideration by officers) of the final version of the new Code of Guidance on Allocations.	
Items added after the original Work Programme was agreed			
(26) Provision of smoke detectors in Communal blocks or Council properties	October 2011	Completed – 31 January 2012	
(27) Consideration of Council response to CLG Consultation paper <i>“Reinvigorating the Right to Buy and one for one replacement.”</i>	January 2012	COMPLETED – 31 January 2012	

(28) Presentation and review of the success of the Council's Social Housing Fraud Pilot Scheme and consideration of recommendations to the Cabinet	January 2012	COMPLETED – 31 January 2012	
(29) Outcome report on the implementation of new licences for park home sites	October 2011	Deferred for a special meeting at a later date – This had been delayed from the originally scheduled date, due to the resignation of both the Technical Officer (Private Sector) and the Environmental Health Officer undertaking the site inspections, which has delayed the programme, and to await the outcome of liaison meeting with site owners and representatives of residents associations, held before Christmas. A report was included on the Scrutiny Panel's Agenda for its meeting on 31 January 2012, but was deferred to a special meeting of the Scrutiny Panel to allow the Essex Fire Authority to provide detailed written advice on the fire safety aspects of the issue.	
(30) Consideration and recommendations to Cabinet of proposed housing service improvements and service enhancements, as a result of the additional resources available from HRA self financing	March 2012	On agenda for 5 March 2012 meeting	
(31) Consideration of Council response to CLG Consultation paper " <i>Allocation of accommodation: guidance for local housing authorities in England.</i> "	March 2012	Not yet due – Scheduled for 13 March 2012 meeting	

(32) Homelessness Strategy – revision and update	March 2012	Not yet due – Scheduled for 13 March 2012 meeting	
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Constitution and Member Services Standing Panel (Chairman – Cllr D Stallan)			
Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) New panel meeting dates for 2011/12	June 2011	COMPLETED	30 June 2011; 27 July; 4 October; 8 November; 23 January 2012 Cancelled; and 20 February 2012
(2) Review of Referendum/Elections – May 2011	June 2011	COMPLETED	
(3) Complaints Panel – Terms of Reference	June 2011	COMPLETED	
(4) Substitutions at Meetings	June 2011	COMPLETED	
(5) Council Meetings – Member reports on outside bodies	July 2011	COMPLETED	
(6) Report of District Remuneration Panel	4 October 2011	COMPLETED	

(7) Statutory Review of Polling Stations	4 October 2011	COMPLETED	
(8) Review of Membership of Audit and Governance Committee – Deputy Portfolio Holders	8 November 2011	COMPLETED	
(9) Reporting at Council meetings by Scrutiny Panel Chairmen	8 November 2011	COMPLETED	
(10) Member's Despatch - Review	8 November 2011	COMPLETED (Follow up report regarding circulation of agenda – 23 January 2012)	
(11) Report on Webcasting	20 February 2012	COMPLETED	
(12) Planning/Covenants – Council Responsibilities	20 February 2012	COMPLETED	
(13) Circulation of Agenda – Follow Up	20 February 2012	COMPLETED Follow up consultation	
(14) Housing Appeals and Review Panel – Terms of Reference	20 February 2012	COMPLETED To be reviewed in 6 months	
(15) Housing Appeals and Review Panel Order of Business	20 February 2012	COMPLETED To be reviewed in 6 months	
(16) Review of Petitions – Change in Legal Requirements	TBA	Localism Bill now law.	
(17) Review of Officer Delegation	20 February 2012	COMPLETED	
(18) Review of Financial Regulations	20 February 2012	COMPLETED	
(19) Review of Annual Council arrangements	20 February 2012	Following discussion this item will be discussed in 2012/13.	
(20) Review of Member Representation on Outside Bodies	20 February 2012	COMPLETED To be referred to consultation to 2012/13.	

Safer, Cleaner, Greener Standing Panel (Chairman Mrs M Sartin)			
Work Programme 2011-12/13			
Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) Safer, Cleaner, Greener strategy			7 July 2011;
(a) Enforcement activity – half yearly report	(a) To January 2012 meeting	(a) Report went to January '12 meeting.	11 October – cancelled;
(b) Half yearly report on Strategy Action Plan	(b) To January 2012 meeting	(b) Report went to the January '12 meeting.	17 October – Extra-Ordinary Meeting
(c) Agree action plan for 2012/13	(c) To January 2012 meeting	(c) Deferred to 10 April 2012 meeting.	10 January 2012; 21 February; and 10 April 2012
			Crime and Disorder

Safer, Cleaner, Greener Standing Panel (Chairman Mrs M Sartin)			
Work Programme 2011-12/13			
Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
<p>(2) Community Safety</p> <p>(a) CCTV action plan – half yearly report</p> <p>(b) Receive reports from Community Safety Scrutiny meetings</p> <p>(c) Progress against strategic assessment</p> <p>(d) Progress towards appointment of Police & Crime Commissioner.</p> <p>(e) Monitoring of Police resources relative to the Olympic Games</p>	<p>(a) To January 2012 meeting</p> <p>(b) To January 2012 and April 2012 meetings</p> <p>(c) To January 2012 meeting</p> <p>(d) To report when information available</p> <p>(e) To report when information available</p>	<p>(a) Update went to the January '12 meeting. Half yearly review to 30 October 2012 meeting.</p> <p>(b) Verbal update to 21 February 2012 meeting.</p> <p>(c) Verbal update to 21 Feb 2012 meeting.</p> <p>(d) Presentation to 21 February 2012 meeting.</p> <p>(e) Data not yet available and may not be made available because of security considerations.</p>	<p>Scrutiny meetings – the 2 meeting dates are October 2011 and February 2012</p>
<p>(3) Essex Waste Partnership Inter Authority Agreement</p> <p>(a) Receive notes/minutes of Member Partnership Board</p>	<p>(a) To receive notes/minutes when available</p>	<p>(a) Notes of a meeting be held in August 2011. went to January 2012 meeting.</p>	

Safer, Cleaner, Greener Standing Panel (Chairman Mrs M Sartin)			
Work Programme 2011-12/13			
Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(b) Receive notes/minutes of Inter Authority Member Group	(b) To receive notes/ minutes when available	(b) Draft Notes (unapproved) of meetings held on 7 June '11 submitted to 17 October meeting.	
(4) Waste Management Partnership Board (a) Receive minutes of Partnership Board	(a) To receive notes / minutes when available	(a) January 2012 meeting cancelled due to unforeseen circumstances. Meetings for 2012 have been scheduled for 1 March, 30 April, 2 July, 3 September and 5 November.	
(5) Green and Carbon Reduction Measures (a) Nottingham declaration Progress against pledges – half yearly reports (b) Carbon Reduction Strategy update	(a) January 2012. (b) January 2012.	(a) Report went to January 2012 meeting. (b) Report went to 2012 meeting.	

Safer, Cleaner, Greener Standing Panel (Chairman Mrs M Sartin)			
Work Programme 2011-12/13			
Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(6) Bobbingworth Tip (a) Receive reports on availability for public access (b) Receive notes/minutes of management/liaison group	(a) (b) To January 2012 meeting	(a) Nature Reserve formally opened on 15 July 2011. (b) Notes of meeting held on 2 Nov. 2011 to January 2011 meeting.	
(7) Ad hoc report asked for on improving recycling in flats and houses of multiple occupation	April 2012	Report proposed for 10 April meeting	
(8) Ad hoc report asked for on the use of Solar Panels on Council owned properties.	TBA	Under further consideration pending changes by government to feed-in tariffs.	
(9) Roding River Catchment Environment Agency Consultation	17 October 2011	Completed - Extra ordinary Panel meeting to discuss the EA consultation on the Roding River. Previously discussed by the Planning Services Standing Panel in September.	

Safer, Cleaner, Greener Standing Panel (Chairman Mrs M Sartin)			
Work Programme 2011-12/13			
Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(10) Roding River Catchment Environment Agency Consultation	TBA	To receive an updating report on the wider implications, once known, of the EA strategy on flood management in the Roding catchment area.	NEW
(11) Revised SITA Contract	April 2013	To scrutinise how the new SITA contract would be framed for 2014. Contract extension with Sita now completed and sealed. Contract now in place until 4 November 2014. A procurement exercise for a new contract will need to commence around 18 months in advance of the end date (i.e. May 2013). Review programme dates towards the end of the current year.	NEW

Planning Services Standing Panel (Chairman – Cllr H Ulkun)			
Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
1. To consider and Review Measures taken to Improve Performance within the Directorate (BP Section 3 (a))	<ul style="list-style-type: none"> a) Summary review presented b) CIPFA Benchmarking report c) Other updates 	<ul style="list-style-type: none"> 7th Feb 2012 - COMPLETED 24th April 2012 TBA 	14 June 2011; 13 September; 3 October 20 December; 7 February 2012; and 24 April
2. To consider and Review Business Processes, Value for Money and Staffing arrangements for the Directorate (BP Section 3 (b))	<ul style="list-style-type: none"> a) To consider the Financial Review (Bus Plan Section 3 (b)). b) To consider the Business and Environmental Review (Appendix Business Plan) c) To consider the Directorate Value for Money statement (Business Plan Section 4 (f)). d) To consider the Business Plan 	<ul style="list-style-type: none"> 7th February 2012 7th February 2012 7th February 2012 24th April 2012 	
3. To monitor and receive reports/updates on the delivery of the Local Plan (BP Section 3 (c))	<ul style="list-style-type: none"> a) To report on the progress of the Local Plan b) To provide further updates on the Local Plan 	<ul style="list-style-type: none"> TBA TBA 	

<p>4. To monitor and receive reports/updates on the Planning Electronic Document Management System (BP Section 3 (d))</p>	<p>a) To submit Electronic Records Management Progress Plan (Appendix Business Plan)</p> <p>b) To receive further updates</p>	<p>7th February 2012</p> <p>TBA</p>	
<p>5. To establish whether there are any resource implications arising out of the topics under review and advise Cabinet for inclusion in the Budget Process each year;</p>	<p>a) To provide reports/updates as and when required</p>	<p>TBA</p>	
<p>6. To report to the Overview and Scrutiny Committee at appropriate intervals on the above.</p>	<p>a) Any recent meeting of the Chairman and Vice Chairman of the Area and District Committees Invitation Panel.</p>	<p>TBA</p>	

Finance and Performance Management Standing Panel (Chairman – Cllr D Jacobs)			
Item	Report Deadline / Priority	Progress / Comments	Programme of Future Meetings
(1) Key Performance Indicators – Performance Outturn 2010/11	Outturn KPI performance report considered at the first meeting of the Scrutiny Panel in each municipal year.	Completed - KPI outturn report for 2010/11 to be considered at the meeting held on 21 June 2011.	21 June 2011; 20 September; 15 November; 16 January 2012 – jointly with Cabinet Cttee; and 20 March
(2) Key Performance Indicators – Performance Monitoring 2011/12	KPI performance report to be considered on a quarterly basis.	Quarterly KPI performance report for 2011/12 to be considered at the meetings to be held in September 2011(qtr 1), November 2011 (qtr 2) and March 2012 (qtr 3).	
(3) Key Performance Indicators – Development of indicators set for 2012/13	Draft indicator set to be considered on the basis of third quarter KPI performance for 2011/12.	KPI proposals to be considered at the meeting to be held on 20 March 2012.	
(4) Quarterly Financial Monitoring	Reports to be considered on a quarterly basis.	First quarter information to be considered September '11, 2 nd quarter in November '11 and 3 rd quarter figures at the March '12 meeting.	
(5) Annual Consultation Plan	Report considered on an annual basis. Report went to the June '11 meeting.	Completed - Consultation Plan considered at first meeting of each municipal year. Report last went to the June 2011 meeting,	

(6) Detailed Portfolio Budgets	Had last been considered at the January 2011 meeting of the Cabinet Finance Committee.	Considered at the January '12 of the Cabinet Finance Committee – Annual review of the Portfolio Holders Budgets. To go again to the January 2012 meeting.	
(7) Medium Term Financial Strategy	To go to the January 2012 meeting	To review the Council's medium term financial strategy - January 2012.	
(8) Equality and Diversity - Monitoring and Progress	Progress report considered at the first meeting of the Scrutiny Panel in each municipal year.	Completed - Progress report for the 2010/11 to be considered at the meeting to be held on 21 June 2011.	
(9) Capital Outturn 2010/11 and use of transitional relief in 2010/11	Went to the June '11 meeting	Completed - Last considered at the June 2011 meeting	
(10) Provisional revenue Outturn 2010/11	Went to the June '11 meeting	Completed - Last considered at the June 2011 meeting	
(11) Fees and Charges	To consider at the November 11 meeting	Completed - Last went to November 2011 meeting.	
(12) Sickness Absence	Quarterly Reports	Quarterly Figures of the Council's Sickness Absence figures. Last Considered at the June, September and November 2011 meetings.	
(13) Value for Money & Data Quality Strategies.	September 2011	Completed – September 2011. Progress made against the Council's VFM and Data Quality Strategy.	

Task and Finish Panels

Senior Recruitment Task and Finish Panel (Chairman – Cllr K Angold-Stephens)

Item	Report Deadline / Priority		Programme of Future Meetings
First meeting to define Terms of Reference.	March 2012	First meeting held on 10 November 2011 Second meeting held on 15 December 2011. Final Report went to January 2012 O&S Meeting and then on to February 2012 Council Meeting.	40 November 2011; 15 December 2011; 12 January 2012

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**Request by Member for Scrutiny Review
2012/13 Work Programme**



Please complete the form below to request consideration of your issue by the
Overview and Scrutiny Committee

Proposers Name:	Date of Request
Supporting Councillors (if any):	
Summary of Issue you wish to be scrutinised:	
NOTE: ENTRIES BELOW RELATE TO ISSUE CATEGORIES OF THE PICK PROCESS. PLEASE REFER TO THE EXPLANATORY NOTES TO THIS FORM FOR FURTHER INFORMATION	
Public Interest Justification:	

Impact on the social, economic and environmental well-being of the area:

Council Performance in this area (if known: Red, Amber, Green):

Keep in Context (are other reviews taking place in this area?)

Office Use:

Pick score:	Considered By OSCC:
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**Request by Member for Scrutiny Review
2012/13 Work Programme**



Please complete the form below to request consideration of your issue by the
Overview and Scrutiny Committee

Proposers Name: Cllr K Angold-Stephens	Date of Request: 31, January 2012
Supporting Councillors (if any):	
Summary of Issue you wish to be scrutinised: That the County Portfolio Holder for Highways (Tracy Chapman) be invited to the Overview and Scrutiny Committee to speak about the changes that have been made in the past year and how she sees it panning out in the future, particularly the relationship between Highways, the District and the Public, and the funding Situation.	
NOTE: ENTRIES BELOW RELATE TO ISSUE CATEGORIES OF THE PICK PROCESS. PLEASE REFER TO THE EXPLANATORY NOTES TO THIS FORM FOR FURTHER INFORMATION	
Public Interest Justification: To consider the current and future situation of the District's Highways, their upkeep and funding.	

Impact on the social, economic and environmental well-being of the area:	
As above.	
Council Performance in this area (if known: Red, Amber, Green):	
Not applicable	
Keep in Context (are other reviews taking place in this area?)	
No	
Office Use:	
Pick score:	Considered By OSCC: