

Democratic Services

Riverside, Temple Street, Keynsham, Bristol BS31 1LA
Telephone: (01225) 477000 *main switchboard*
Direct Lines - Tel: 01225 394942 Fax: 01225 394439
Web-site - www.bathnes.gov.uk

Your ref:

Our ref: CRS

Date: 3 January 2012

E-mail: Democratic_Services@bathnes.gov.uk

To: All Members of the Cabinet

Councillor Paul Crossley	Leader of the Council
Councillor Nathan Hartley	Deputy Leader of the Council and Cabinet Member for Early Years, Children and Youth
Councillor David Bellotti	Cabinet Member for Community Resources
Councillor Simon Allen	Cabinet Member for Wellbeing
Councillor Tim Ball	Cabinet Member for Homes and Planning
Councillor Cherry Beath	Cabinet Member for Sustainable Development
Councillor David Dixon	Cabinet Member for Neighbourhoods
Councillor Roger Symonds	Cabinet Member for Transport

Chief Executive and other appropriate officers
Press and Public

Dear Member

Cabinet: Wednesday, 11th January, 2012

You are invited to attend a meeting of the **Cabinet**, to be held on **Wednesday, 11th January, 2012** at **6.30 pm** in the **Council Chamber - Guildhall, Bath**.

The agenda is set out overleaf.

Yours sincerely

Col Spring
for Chief Executive

The decisions taken at this meeting of the Cabinet are subject to the Council's call-in procedures. Within 5 clear working days of publication of decisions, at least 10 Councillors may signify in writing to the Chief Executive their wish for a decision to be called-in for review. If a decision is not called-in, it will be implemented after the expiry of the 5 clear working day period.

If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.

This Agenda and all accompanying reports are printed on recycled paper

NOTES:

- 1. Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Col Spring who is available by telephoning Bath 01225 394942 or by calling at the Riverside Offices Keynsham (during normal office hours).
- 2. Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays, notice must normally be received in Democratic Services by 4.30pm the previous Friday but Bank Holidays will cause this to be brought forward).

The public may also ask a question to which a written answer will be given. Questions must be submitted in writing to Democratic Services at least two full working days in advance of the meeting (this means that for meetings held on Wednesdays, notice must normally be received in Democratic Services by 4.30pm the previous Friday but Bank Holidays will cause this to be brought forward). If an answer cannot be prepared in time for the meeting it will be sent out within five days afterwards. Further details of the scheme can be obtained by contacting Col Spring as above.

- 3. Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime details can be obtained by contacting Col Spring as above.

Appendices to reports are available for inspection as follows:-

Public Access points - Riverside - Keynsham, Guildhall - Bath, Hollies - Midsomer Norton, and Bath Central, Keynsham and Midsomer Norton public libraries.

For Councillors and Officers papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Rooms.

- 4. Attendance Register:** Members should sign the Register which will be circulated at the meeting.
- 5. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.**
- 6. Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

Arrangements are in place for the safe evacuation of disabled people.

- 7. Officer Support to the Cabinet**
Cabinet meetings will be supported by the Director's Group.
- 8. Recorded votes**
A recorded vote will be taken on each item.

Cabinet - Wednesday, 11th January, 2012

in the Council Chamber - Guildhall, Bath

A G E N D A

1. WELCOME AND INTRODUCTIONS

2. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 6

3. APOLOGIES FOR ABSENCE

4. DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

To receive any declarations from Members/Officers of personal or prejudicial interests in respect of matters for consideration at this meeting. Members who have an interest to declare are asked to:

- a) State the Item Number in which they have the interest;*
- b) The nature of the interest;*
- c) Whether the interest is personal, or personal and prejudicial.*

Any Member who is unsure about the above should seek advice from the Monitoring Officer prior to the meeting in order to expedite matters at the meeting itself.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

6. QUESTIONS FROM PUBLIC AND COUNCILLORS

At the time of publication, no items had been submitted

7. STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

At the time of publication, no items had been notified

8. MINUTES OF PREVIOUS CABINET MEETING (Pages 7 - 14)

To be confirmed as a correct record and signed by the Chair

9. CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

This is a standard agenda item, to cover any reports originally placed on the Weekly list for single Member decision making, which have subsequently been the subject of a Cabinet Member requisition to the full Cabinet, under the Council's procedural rules

10. CONSIDERATION OF MATTERS REFERRED BY POLICY DEVELOPMENT AND SCRUTINY BODIES

This is a standing agenda item (Constitution rule 21, part 4D – Executive Procedure Rules) for matters referred by Policy Development and Scrutiny bodies. The Chair(person) of the relevant PDS body will have the right to attend and at the discretion of the Leader to speak to the item, but not vote

11. SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING (Pages 15 - 18)

The Leader and Cabinet have indicated that most decisions will be taken by the full Cabinet, at its public meetings. This report lists any Cabinet Single Member decisions taken and published since the last Cabinet meeting.

12. RADSTOCK TOWN CENTRE HIGHWAY INFRASTRUCTURE IMPROVEMENTS (Pages 19 - 64)

To consider the modifications required to the advertised Traffic Regulation Orders required for the proposed Radstock Regeneration and Highway Improvement Scheme in conjunction with the Norton Radstock Regeneration Project to be implemented, and either agree, modify or remove some of the proposed elements following further public consultation on the revised proposal.

The scheme is dependent on securing HCA capital grant of £800k, which will be put at risk if the scheme is delayed beyond the current programme to let the highway works contract by the end of March 2012.

13. PROPOSED KINGSMEAD SQUARE CYCLE LINK, BATH

It is proposed that the section of the paved footway between Monmouth Street and Kingsmead Square is converted to a cycle track, to allow it to be used by both cyclists and pedestrians, providing important links in the Strategic Cycle Network for Bath.

In order to convert a footway to cycle track, the footway must be removed under Section 66(4) of the Highways Act 1980 and a cycle track 'constructed' under Section 65(1) of the Act. No physical construction is necessary but there needs to be clear evidence that the power has been exercised.

Note: *The papers were not available at the time of despatch and will be despatched under separate cover in due course*

14. LAND AT WESTON RECREATION GROUND, WESTON, BATH (Pages 65 - 70)

Lovell Partnerships Ltd are renovating the Southlands Estate on behalf of Somer Community Housing Trust – in this connection, an area on the Weston Recreation Ground is required as a site compound for approximately 6 months

15. BATH & NORTH EAST SOMERSET LOCAL SAFEGUARDING ADULTS BOARD ANNUAL REPORT APRIL 2010 - MARCH 2011 (Pages 71 - 126)

The Local Safeguarding Adults Board (LSAB) has produced an annual report which outlines the work its multi-agency partners carried out during 2010-2011. The report requires the approval of the cabinet.

16. PROPOSED ARRANGEMENTS FOR DELIVERING HEALTHWATCH IN BATH AND NE SOMERSET 2012 - 2015 (Pages 127 - 132)

The contract with Scout Enterprises Ltd to host the delivery of the Local Involvement Network (LINK) ends on 31st March 2012. Policy & Partnerships has considered various options to ensure that our statutory obligation to continue delivery of the LINK to 30 September 2012 and commission a HealthWatch body to commence operating on 1 October 2012 -2015 is achieved.

17. PERFORMANCE REWARD GRANT - MAIN FUND (Pages 133 - 142)

This report sets out the current position on delivering the LSP's Performance Reward Grant Main Fund valued at £1M. This - together with the associated small grants fund - forms the Local Strategic Partnership's £1.3M component of the Council's £2m Community Enablement Fund, the arrangements for which were agreed by Cabinet in March 2011. The LSP is charged with the management of this fund, and there is an understanding with lead LSP partners about this, but the technical release of the funding relies on Cabinet and any delegation arrangements it creates.

18. ANNUAL REPORT ON THE COUNCIL'S DUTIES IN RESPECT OF PRIVATE FOSTERING ARRANGEMENTS

This report details the duties of the Council, working in cooperation with partner agencies, in respect of private fostering arrangements and notifications in accordance with Regulations, National Minimum Standards, and Guidance which came into force on 1st July 2005 as Section 44 of the Children Act 2004 and detailed in The Children (Private Arrangements for Fostering) Regulations 2005.

Note: *The papers were not available at the time of despatch and will be despatched under separate cover in due course*

19. POSITIVE ACTIVITIES FOR LOOKED AFTER CHILDREN (Pages 143 - 172)

Positive activities for looked after children and small grants awards using the underspend from the swimming money allocated in 2009/10.

This page is intentionally left blank

BATH AND NORTH EAST SOMERSET

CABINET

Wednesday, 7th December, 2011

The decisions contained within these minutes may not be implemented until the expiry of the 5 working day call-in period which will run from 8th to 15th December. These minutes are draft until confirmed as a correct record at the next meeting.

Present:

Councillor Paul Crossley	Leader of the Council
Councillor Nathan Hartley	Deputy Leader of the Council and Cabinet Member for Early Years, Children and Youth
Councillor David Bellotti	Cabinet Member for Community Resources
Councillor Simon Allen	Cabinet Member for Wellbeing
Councillor Tim Ball	Cabinet Member for Homes and Planning
Councillor Cherry Beath	Cabinet Member for Sustainable Development
Councillor David Dixon	Cabinet Member for Neighbourhoods
Councillor Roger Symonds	Cabinet Member for Transport

107 WELCOME AND INTRODUCTIONS

The Chair was taken by Councillor Paul Crossley, Leader of the Council.
The Chair welcomed everyone to the meeting.

108 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the evacuation procedure as set out in the Agenda.

109 APOLOGIES FOR ABSENCE

There were no apologies for absence.

110 DECLARATIONS OF INTEREST UNDER THE LOCAL GOVERNMENT ACT 1972

There were none.

111 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There was none.

112 QUESTIONS FROM PUBLIC AND COUNCILLORS

There were 9 questions from the following people: Councillors John Bull, Patrick Anketell-Jones (2), Martin Veal (2), Francine Haeberling, Tim Warren, Eleanor Jackson (2).

[Copies of the questions and response, including supplementary questions and responses if any, have been placed on the Minute book as Appendix 1 and are available on the Council's website.]

113 STATEMENTS, DEPUTATIONS OR PETITIONS FROM PUBLIC OR COUNCILLORS

There were 7 notices of intention to make a statement at the meeting. Four statements were about items on the agenda.

Amanda Leon (Radstock Action Group) made a statement [*a copy of which is attached as Appendix 3 to the Minutes and on the Council's website*] welcoming the changes to the proposals but saying that all the major objections were ignored by Cabinet. She felt that the new proposals were concerned only with increasing the flow of traffic through the town, not with improving the town for those who live there.

George Bailey (Radstock Action Group) had prepared a statement which Amanda Leon read on his behalf [*a copy of which is attached as Appendix 4 to the Minutes and on the Council's website*]. He felt that the new proposals had come too far into the consultation period to enable effective consultation on them.

John Sprately made a statement saying that the computer modelling needed independent expert scrutiny. He questioned some of the figures, costs and traffic times quoted in the proposals. He stressed that local businesses and jobs were at risk.

114 MINUTES OF PREVIOUS CABINET MEETING

On a motion from Councillor Paul Crossley, seconded by Councillor Nathan Hartley, it was

RESOLVED that the minutes of the meeting held on Wednesday 9th November 2011 be confirmed as a correct record and signed by the Chair.

115 CONSIDERATION OF SINGLE MEMBER ITEMS REQUISITIONED TO CABINET

There were none.

116 CONSIDERATION OF MATTERS REFERRED BY OVERVIEW AND SCRUTINY BODIES

The Chair announced that the Economic and Community Development Policy Development and Scrutiny Panel had met on 5th December to consider the Call-in of Cabinet Decision E2328 on Broadband Provision. The Panel had agreed to make some recommendations to Cabinet and the Chair of the Panel had referred the Panel's recommendations, for consideration by Cabinet. He drew attention to the summary of the Panel's recommendations, a copy of which had been put into the public gallery before the meeting [*and are attached as Appendix 2 to these Minutes and on the Council's website*].

Councillor Robin Moss, Chair of the Panel, introduced the Panel's recommendations to Cabinet. He observed that the Panel had unanimously supported the recommendations. He felt that the strong response to the decision indicated that there had been inadequate consultation prior to the decision.

Councillor Cherry Beath thanked the Panel for their hard work, and all contributors for their considerable input to the debate. She emphasised that there was no disagreement on the importance of this issue – only of the means to achieve the best

outcome. She believed that some of the suggestions warranted consideration, but would need proper technical advice before this could be done, so she made a proposal to Cabinet, the effect of which would be that Cabinet would reconsider the issue at a future meeting.

On a motion from Councillor Cherry Beath, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously)

(1) To NOTE recommendations made by the Economic and Community Development Policy Development and Scrutiny Panel from its meeting of 5th December 2011;

(2) To AGREE that further technical information would be required before reconsidering the issue;

(3) To ASK that a new report be presented to Cabinet in due course to enable Cabinet to make a further decision with all the information available.

117 SINGLE MEMBER CABINET DECISIONS TAKEN SINCE PREVIOUS CABINET MEETING

There were none.

118 PROVISION STRATEGY FOR PUBLIC TOILETS IN BATH & NE SOMERSET

Councillor Eleanor Jackson made a statement [*a copy of which is attached to the Minutes as Appendix 5 and on the Council's website*] in which she made the case for the importance of public toilets for workers, shoppers and visitors to the area.

Councillor David Dixon, in proposing the item, said that the proposal was for a 15-year rolling strategy. Cabinet were determined to safeguard the provision. He agreed with Councillor Jackson that toilet provision was essential to the local community and to the economy. He was particularly keen to engage with developers so that the provision or replacement of local toilets could be agreed as part of any development. He emphasised that when toilets were being upgraded, they were being made compliant with the Disability Discrimination Act.

Councillor Paul Crossley seconded the proposal.

Councillor David Bellotti referred to paragraph 3.9 of the report and emphasised that the strategy was subject to an annual revenue review.

Councillor Roger Symonds was pleased to note that the toilets in the coach park would also be improved, because for some visitors this was their first impression of Bath.

On a motion from Councillor David Dixon, seconded by Councillor Paul Crossley, it was

RESOLVED (unanimously)

(1) to ADOPT the Provision Strategy for Public Toilets in Bath & North East Somerset, 2011-2026, with reviews to be carried out every 5 years.

119 OLYMPICS / CULTURAL OLYMPIAD 2012

Councillor David Dixon, in proposing the item, said that 2012 would be an exciting year and the Council would be embracing all the challenges. He outlined some of the planned events and activities and thanked Lynda Deane and Ann Cullis, who had worked so hard to prepare for the Olympiad. He moved the proposals.

Councillor Cherry Beath seconded the proposal and observed that not all the planned events involved physical activity; many were cultural and educational.

Councillor Simon Allen was particularly pleased that the area would be heavily involved in the Paralympic events.

Councillor Paul Crossley said that he would be inviting all Councillors to join him in the challenge to contribute towards the grand total of 2,012km in running, cycling, swimming, walking and other activities. He also expressed how delighted he was that Bath would be looking after the British Paralympics Team for the next 5 years. He observed that this would require renewed efforts to ensure the accessibility of local venues.

On a motion from Councillor David Dixon, seconded by Councillor Cherry Beath, it was

RESOLVED (unanimously)

(1) To ENGAGE in the National celebrations of the Olympic and Paralympic Games and the ambitions of the London Organising Committee of the Olympic Games and the Government to leave a legacy for future generations;

(2) To EMBRACE all the plans outlined in this Report and support the activities proposed positively;

(3) To ENCOURAGE all Councillors to enthuse and engage their own communities in the planned programme of events and challenges and participate fully in the opportunities and benefits offered by 2012;

(4) To ENCOURAGE all Council staff to adopt an Olympics message in their email signature from January 2012 and to participate in the activities associated with this Report, in line with the Council's Health, Safety and Wellbeing Policy;

(5) To APPOINT the Leader of the Council as the Olympics Champion and as the figurehead for 2012 locally.

120 LOCAL SUSTAINABLE TRANSPORT FUND MAJOR BID

Councillor Charles Gerrish made an *ad hoc* statement supporting the recommendations and welcoming the inclusion of the proposed cycle route from Batheaston to Bath Spa.

Councillor Roger Symonds, in proposing the item, acknowledged the huge amount of work already done by Councillor Gerrish when he had been the responsible Cabinet member. He advised Cabinet that the proposals had been adopted, that morning, by the West of England Partnership subject to approval by Cabinet tonight. He was delighted that the Partnership had already reached the shortlist of 9 applicants for funding. He emphasised that sustainable economic growth was a crucial part of the bid and referred to paragraph 5.5 of the report in support of this. He felt that it was this emphasis on growth which would make the bid attractive to government.

Councillor Nathan Hartley seconded the proposal. He congratulated Councillor Symonds and the authors of the bid for their hard work. He emphasised that it would be essential to work with local partner authorities in the matter of transport.

Councillor David Bellotti warmly supported the proposals, subject to approval in the budget. He referred to Appendix 3 of the report, and emphasised that the inclusion by Cabinet of 20mph schemes had made the bid viable.

On a motion from Councillor Roger Symonds, seconded by Councillor Nathan Hartley, it was

RESOLVED (unanimously)

(1) To ACCEPT the £750,000 awarded through the Local Sustainable Transport Fund Key Component bid;

(2) To APPROVE the West of England joint bid for £25.5 million (WEST) from the DfT Local Sustainable Transport Fund, SUBJECT to approval of the Council's matched funding elements as part of the Revenue Budget and Capital Programme in February 2012.

121 KEYNSHAM REGENERATION SCHEME AND WORKPLACES PROGRAMME

The Keynsham Regeneration Project team showed a 3-dimensional visual impression of the proposed development. The Chair thanked the team for their presentation.

Gill Hellier (Keynsham resident) made a statement welcoming the redevelopment plans for Keynsham and asking the Cabinet to approve the proposals, along with the road improvements.

Sheila Crocombe (Keynsham resident) made a statement [*a copy of which is attached as Appendix 6 to the Minutes and on the Council's website*]. She made particular mention of the first floor space and One Stop Shop and said that she was disappointed that the new space would be a replacement Council Chamber. She hoped that Cabinet would consider the needs of the thriving Keynsham Film Club, which needed a projector and screen.

Roger Busby (Keynsham Civic Society) made a statement [*a copy of which is attached as Appendix 7 to the Minutes and on the Council's website*]. He felt that the designs did not reflect the historic market town and did not meet the needs for sustainability, particularly because the roofs were not inclined enough to take advantage of the solar power options.

Councillor Cherry Beath asked Mr Busby whether he was aware that the proposed buildings included state of the art energy saving elements. Mr Busby said he was aware of this, but that he had been referring to the lack of a District Energy Scheme.

Councillor Charles Gerrish in an *ad hoc* statement welcomed the proposals and was pleased to see the savings which had been achieved. He acknowledged the merits of the preferred option for funding. He felt in paragraph 5.6 the report should refer to "negotiations" with the current head tenant, not "discussions". He also expressed some concern over the lack of clarity about interim Library facilities.

Councillor Tony Clarke made an *ad hoc* statement congratulating the Cabinet for pushing forward with the scheme, which he felt would bring about a significant improvement in the built environment.

The Chair asked all Cabinet members to confirm that they had read Appendix 4 (Leasing Strategy) and the Public Interest Test document which accompanied it. All confirmed this. The Chair then proposed that Appendix 4 was exempt from publication, by virtue of paragraph 3, Part 1 of Schedule 12A of the Local Government Act 1972. This was seconded by Councillor Cherry Beath and Cabinet

agreed unanimously. The Chair reminded Cabinet members that if they wished to refer to the Appendix during the debate, they must first vote to exclude the public from the meeting. All Cabinet members agreed that they did not wish to refer to the Appendix.

Councillor David Bellotti, in proposing the item, said that the existing accommodation was expensive, wasteful and inadequate. He explained that the plans were in due course to have One Stop Shops at Lewis House Bath, Hollies Midsomer Norton, and in Keynsham at the newly built offices. He explained that the proposals had been amended to reduce the cost and maximise the income by involving police, health, citizens advice and others to rent space in the buildings. It was not possible at that point to mention a number of others with whom negotiations were taking place.

Councillor Bellotti explained that the funding option being recommended was for funding from capital receipts and existing cash flow, without the need for additional external borrowing. He agreed with others that there were financial risks in any large project, but the Council was working with a construction delivery partner and the contract would minimise the risk to the Council.

He explained that as a result of the public consultation, a number of changes had been made including changes to the materials, the shape of the buildings and a larger car park. He stressed that the Cabinet were committed to the development as a community provision. He also explained that the Cabinet were considering possible extensions to the main project, which might involve a riverside retirement living complex.

Councillor Cherry Beath seconded the proposal and said that the Council had a long term commitment to the regeneration of Keynsham. She wanted to see retailers moving into the town as soon as possible and was excited about the prospect of a thriving, modern town centre.

Councillor Paul Crossley welcomed the proposals as an excellent piece of work. He confirmed that Cabinet were seeking solutions for the Fire Brigade, swimming pool and others.

On a motion from Councillor Paul Crossley, seconded by Councillor Cherry Beath, it was

RESOLVED (unanimously)

(1) To AGREE that appendix 4 (Leasing Strategy) of the report is EXEMPT from publication by virtue of paragraph 3, Part 1 or Schedule 12A of the Local Government Act 1972.

On a motion from Councillor David Bellotti, seconded by Councillor Cherry Beath, it was

RESOLVED (unanimously)

(2) To PROCEED in line with the planned accommodation model detailed within the report including the planned partnership arrangements;

(3) To PROCEED with submission of a full planning application for the Keynsham Town Centre Regeneration in January 2012 after further consultation;

(4) To PROCEED with the appointment of a delivery partner for the Keynsham Town Centre Regeneration in line with arrangements in contract standing orders;

(5) To PROCEED with financing Option 5 – Internal Borrowing backed by cash flow and capital receipts as the preferred option to provide the operational Capital Funding Requirement for this project, SUBJECT to the agreement by Full Council as

part of the Revenue Budget and Capital Programme, and the Prudential Borrowing Limits in February 2012;

(6) To ADOPT the changes to the Keynsham Town Centre Regeneration scheme to reflect the public consultation as detailed in the report;

(7) To GIVE a 6 month notice to the current retail tenants in order to gain vacant possession in line with the current programme, this notice period to enable trading to continue over Christmas 2011 and into early summer 2012;

(8) To NOTE that options that are being pursued in respect of the future redevelopment of Riverside;

(9) To NOTE the progress of negotiations to secure tenants for the retail units including draft heads of terms with the anchor tenant;

(10) To NOTE the strong support for the Keynsham Regeneration scheme from the consultation undertaken.

The meeting ended at 7.55 pm

Chair _____

Date Confirmed and Signed _____

Prepared by Democratic Services

This page is intentionally left blank

Bath & North East Somerset Council

Cabinet Single-Member Decisions

published 2-Dec-11 to 30-Dec-11

Further details of each decision can be seen on the Council's Single-member Decision Register at <http://democracy.bathnes.gov.uk/mgDelegatedDecisions.aspx?&DM=244X>

Date	Decision Maker
Reference	Title

05-Dec-11 Cllr Simon Allen

E2343 Joint Annual Complaints Report, Health & Adult Social Care

The Cabinet Member agreed to adopt the report

29-Dec-11 Cllr Paul Crossley

E2335 (Rule 16) Victoria Bridge - Project Plan

The Cabinet Member took an urgent decision to enable work to proceed on the bridge. Details of the decision are attached as Appendix 1

This page is intentionally left blank

Single Member Cabinet Decision

Executive Forward Plan Reference	E2335
----------------------------------------	--------------

Victoria Bridge Emergency Repairs – Rule 16 – Special Urgency

Decision maker/s	Cllr Paul Crossley, Leader of the Council
The Issue	<p>Following structural inspections carried out in 2010 Victoria Bridge was closed to pedestrians and cyclists in the interests of public safety. Recent (September 2011) structural monitoring of the bridge recorded cracking within critical structural members necessitating the commissioning and undertaking of emergency works to stabilise and protect the bridge from the risk of collapse. These works included attaching straps to the bridge and the provision of a truss which also enables the bridge to be brought back into use.</p> <p><i>This Decision ratified the work undertaken and approved the sources of funding associated with the emergency works and was taken under 'Rule 16 - Special Urgency' provisions in the Council's Constitution on the basis that the decision could not reasonably be deferred due to the serious risk that the Bridge could fail unless emergency action was taken. This course of action was agreed by the Deputy Chair of the Planning Transport & Environment PDS Panel, Chief Executive, Monitoring Officer and Section 151 Officer.</i></p>
Decision Date	29 th December 2011
The decision	<p>The Cabinet Member agrees that:</p> <p>(1) The decision to undertake the emergency works be ratified;</p> <p>(2) The remaining emergency works as set out in the report be completed;</p> <p>(3) The following sources of funding are used for this purpose:</p> <ul style="list-style-type: none"> • The extra 2011/12 Structural Maintenance capital grant totalling £191,000, and • The Corporate Capital Contingency totalling £357,600
Rationale for decision	<p>As the Bridge has an historic value, provides an important route for pedestrians (including a route to school) and is a key gateway to the Western Riverside development the Council needs to take emergency action to protect public safety and ensure the bridge does not suffer a catastrophic failure.</p>
Financial and budget implications	<p>The total estimated capital cost of the emergency works in 2011/12, based upon the truss being purchased and the ramps hired, is £846,810 as set out in the attached report (at paragraph 3.1)</p> <p>Reprioritising the current Structural Maintenance Capital Programme for 2011/12 provided a £200,000 contribution to the cost of the emergency works. The Peer Review costs were funded from Growth Points grant and the Monitoring and Phase 1 works are funded from the revenue budget.</p> <p>This decision funds the balance of the costs from an additional grant of £191,000 from the DfT for structural maintenance work and</p>

	£357,600 from the Council's Capital Contingency (which stands at £2.4 million). This represents an appropriate use of the capital contingency which is reviewed each year as part of the budget approval process.
Issues considered	Social Inclusion; Customer Focus; Sustainability; Property; Young People; Equality (age, race, disability, religion/belief, gender, sexual orientation); Corporate; Health & Safety; Other Legal Considerations
Consultation undertaken	Cabinet colleagues; Other B&NES Services; Other Public Sector Bodies; Section 151 Finance Officer; Chief Executive; Monitoring Officer.
How consultation was carried out	The officers listed above have been consulted on the report and their comments have been included in the body of the report. Informal consultation with Cabinet members has taken place prior to a decision being made and local residents have been kept informed of proposed works in order to minimise inconvenience.
Other options considered	Deferring emergency works was ruled out in view of the additional risk of a bridge collapse due to either very strong winds, heavy snowfall or freezing temperatures during the winter period

Signatures of Decision Makers	
Date of Signature	29 th December 2011

This decision was taken under Special Urgency (Rule 16) and is not subject to Call-in. It will be implemented immediately

Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	11 January 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2344
TITLE:	Radstock Town Centre Highway Infrastructure Improvements	
WARD:	Radstock	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix A Radstock Regeneration and Highway Improvement Scheme		
Appendix B Draft Traffic Regulation Orders (B1, B2, B3, B4)		
Appendix C Summary of comments received		
Appendix D Objections to Advertised Traffic Regulation Orders		

1 THE ISSUE

- 1.1 To consider the modifications required to the advertised Traffic Regulation Orders required for the proposed Radstock Regeneration and Highway Improvement Scheme in conjunction with the Norton Radstock Regeneration Project to be implemented, and either agree, modify or remove some of the proposed elements following further public consultation on the revised proposal.

2 RECOMMENDATION

The Cabinet agrees that:

- 2.1 The Radstock Regeneration and Highway Scheme be implemented as illustrated in Appendix A
- 2.2 The proposed BATH AND NORTH EAST SOMERSET COUNCIL (FROME ROAD, RADSTOCK) (BUS LANE) ORDER 201* is abandoned (Appendix B1)
- 2.3 The BATH AND NORTH EAST SOMERSET COUNCIL (VARIOUS ROADS, RADSTOCK) (ONE WAY TRAFFIC) (PROHIBITION OF RIGHT HAND TURN) ORDER 201- is made as modified so that Frome Road is removed from Schedule 1 and Church Street is removed from Schedule 2. (Appendix B2)
- 2.4 The BATH AND NORTH EAST SOMERSET COUNCIL ROAD TRAFFIC REGULATION ACT 1984 ALTERATION TO PEDESTRIAN CROSSING – WELLS ROAD (A367) is implemented (Appendix B3)

2.5 The BATH AND NORTH EAST SOMERSET COUNCIL (VARIOUS ROADS, RADSTOCK) (AUTHORISED PARKING PLACES) ORDER 201- is made as advertised. (Appendix B4)

3 FINANCIAL IMPLICATIONS

- 3.1 Funding for the Highway works have been secured through a £800k grant from the Homes & Communities Agency. With the benefit of this grant, if Cabinet agree this report, the work is programmed to commence in Spring 2012.
- 3.2 The proposed modifications to the TRO's and further improvements will significantly reduce the cost of the original scheme by retaining the existing double mini-roundabouts and thereby avoiding the cost of providing a new mini-roundabout.
- 3.3 The budget available for scheme is £1.2m including the HCA grant. The scheme is currently estimated within budget, with a contingency of £79k. Additional expenditure above this contingency sum will need to be met from the Local Transport Plan Capital Programme Block.
- 3.4 Additional maintenance costs arising from the construction of the proposed link road and two additional zebra crossings will be provided for in the Medium Term Financial Plan. The additional annual electrical costs for the two zebra crossings and link road street lighting is approximately £960/per annum.

4 CORPORATE PRIORITIES

- *Building communities where people feel safe and secure*
- *Sustainable growth*
- *Improving the availability of Affordable Housing*
- *Improving transport and the public realm*

5 THE REPORT

5.1 The statutory consultation process for all the various elements of the regeneration works was carried out in June and July 2011. Following objections received during the statutory consultation period and representations made at the Cabinet meeting on 14th September 2011, the Council decided to defer a decision pending further work to consider whether modifications could be made to the scheme to overcome specific concerns.

The modified scheme

- 5.2 As a result of extensive traffic modelling work a modified scheme was advertised in the Journal on 30th November 2011, inviting residents and businesses to provide feedback via a questionnaire.
- 5.3 Some 5,000 leaflets explaining the modifications with the questionnaire were delivered to local businesses and homes in the Radstock and Westfield wards.
- 5.4 In addition an exhibition attended by 103 people was held in the Radstock Methodist Church Hall on 9th and 10th December 2011.

5.5 A total of 300 completed questionnaires were returned, representing a response rate of 6.0%

5.6 A summary of the responses to the proposed modifications is shown in Table A below:

TABLE A

	Yes	No	No Opinion
Do you support the retention of the double mini-roundabout at the Frome Road/A367 junction?	50%	40%	4%
Do you support the removal of the proposed bus gate at the Frome Road/A367 junction and the retention of two-way flow on Frome Road	76%	12%	6%
Do you support the replacement of the proposed signalised junction at the link with The Street with a new mini-roundabout?	58%	26%	7%
Do you support the removal of the proposed ban on right turns out of Church Street	61%	25%	7%

5.7 The feedback to the proposed modifications is positive with a majority of respondents in favour of each of the measures proposed. A summary of other comments received is shown in Appendix C.

5.8 The least popular measure with 50% in favour and 40% against was the retention of double mini-roundabout. Many of those against retaining the double mini-roundabouts commented that they were more in favour of a larger single roundabout. The estimated cost of constructing a single roundabout is £1.4m, excluding land acquisition costs, exceeding the £1.2m budget and traffic signals would not provide sufficient capacity because of the high number of stages required to avoid conflicting movements.

5.9 Furthermore the traffic modelling work indicates that the scheme will improve the flow of traffic through the double mini-roundabout and avoids the disruption that would be created during the construction of larger single roundabout. However the Council will review the operation and signing of the double mini-roundabout following completion of the scheme to consider what further improvements can be made.

5.10 Additional comments were made during the consultation on many of those aspects of the original proposals which remained substantially unchanged:

- The impact of the link road on traffic through The Street, two way traffic on The Street and reversing the flow of traffic on Fortescue Road on businesses, the post office depot and location of bus stops.
- the impact of parking restrictions on trade, including disabled access
- HGV movements
- the removal of the Jubilee oak tree

5.11 The proposed link road together with two-way traffic on The Street remains necessary to provide additional highway capacity to support the regeneration proposals and reduce traffic congestion in the area. In consequence the bus stops in The Street will need to be relocated nearby on the proposed link road. The

distance between the bus stops and Radco supermarket will be about 200m, well within walking distance for most people.

5.12 Two-way traffic on The Street also necessitates that the flow of traffic in Fortescue Road be reversed to overcome severely restricted visibility to the right of the junction. However, reversing the flow has the advantage of reducing through traffic on Fortescue Road and creating a more pedestrian friendly environment. Discussions have taken place with the manager of the Royal Mail depot who has confirmed that the future of the depot is not threatened by the proposed reversal of traffic flow.

5.13 These and other comments were also raised by objectors to the draft Traffic Regulation Orders scheme which need to be formally considered by cabinet before making a decision.

Objections to draft Traffic Regulation Orders

5.14 The 35 objections were received to the advertised Traffic Regulation Orders (Appendix D) are summarised as follows:

i). Proposal will kill off local trade.

- People will no longer want to pop in to buy items on impulse,
- The number of parking spaces has been greatly reduced,
- There is not enough crossing points on the design to make it safe,
- Deliveries to local shops will be affected by the increased traffic.

A. The overall effect of the proposals is to reduce the number of parking spaces by about 16 or 4% of the total parking stock, including Radco and Waterloo Road car parks. Whilst no modifications to the advertised parking order are proposed at this stage, work will continue with the Radstock Traders Association and Radstock Town Council to review parking provision with the aim of increasing the supply of short stay parking in the town and improving access to disabled parking pays. This may include, for example, measures to allow shoppers to park for free for a limited period whilst discouraging all day commuter parking by commuters. The Radstock Traders Association has also suggested a number of options to increase parking provision and signage to car parks which will form part of these discussions.

Access to local shops and deliveries will be retained and local trading will not be affected. Journey times under the modified scheme will generally be reduced at peak times improving accessibility to the town for visitors, including bus users. Additional pedestrian crossing facilities proposed will further improve access and safety for pedestrians. During construction an additional car parking 14 spaces will be provided at the Radstock Working Men's Club and Institute.

ii) Proposal will add to congestion in the town centre.

A. Extensive traffic modelling indicates that the modified scheme will significantly reduce congestion in and around the town centre by removing the proposed one way bus lane in Frome Road and maintaining two way traffic flow.

iii). The proposed 360° turning manoeuvres will be dangerous to other road users and pedestrians.

A. The need to undertake U turns from Church Street has been removed as a result of the proposed modifications to the Traffic Regulation Order and the Road Safety Audit undertaken has not raised concerns with these the U turns from Fortescue Road.

iv) It will produce greater air pollution in an already polluted town centre.

A. A significant change in air quality is not expected. The proposed modifications will improve the flow of traffic thereby reducing pollution caused by queuing traffic.

v) The proposal will mean the loss of the Jubilee oak tree, a significant local monument.

A. Thorough consideration has been given to how the oak tree could be retained as part of the scheme and subsequent work on the modified proposals scheme. Unfortunately, this is not possible because a roundabout at this location is required which is essential to the scheme. However, a replacement tree/s in an appropriate location selected in consultation with the local community will be provided. Arboricultural advice indicates that relocation of the tree is not a viable option.

vi). Increased vibrations from extra vehicles could damage the historic buildings and cellars in the area.

A. Road construction details will be employed in accordance with current design guidance. There is no evidence that vibrations from vehicles cause structural damage to buildings. A 7.5 tonne weight restriction is also proposed as part of further improvements (see 5.11 below) to reduce the environmental impact of the scheme on historic building and cellars.

vii) No provisions have been made to include the expected increase in cyclists using the NCN 24 cycle route through the area.

A. Completion of the development will include a more direct access to NCN 24 through the development access roads. Crossing points and an area wide 20mph speed limit is also proposed to further improve safety to cyclists (see 5.15 below)

viii). No-one can explain how the proposals will be of benefit to the residents and businesses.

A. Residents will benefit from the expected economic improvements associated with the regeneration proposals. Access to the shops will be maintained at all times. There will be clear signage to ensure that people are aware that it is business as usual. The proposed highway improvements will also reduce rat running by improving the flow of traffic on the major routes.

ix). The proposals are in breach of the Local Plan.

A. The scheme has planning consent. As part of the planning process, consideration would have been given to the Local Plan.

As part of the responses to the advertised Traffic Regulation Orders, a petition was received opposing the diversion of the Frome Road through the middle of Radstock, and another one in support of the removal of the two mini-roundabouts to replace them with one big one. They also showed support for an idea to move the electricity sub-

station, which has been suggested by Radstock Action Group as needed in order to install a single larger roundabout.

A.The suggested layout would be too expensive to implement, costing in excess of £1.4m excluding land acquisition costs.

Proposed further improvements

5.15 In addition to the proposed modifications to the Traffic Regulation Orders, feedback was invited on further improvements to the scheme as follows;

- Additional zebra crossings
- Area wide 20mph speed limit
- 7.5 tonne weight restriction on the link road
- Speed table on Frome Road

5.16 The responses are summarised in Table B below:

TABLE B

	Yes	No	No Opinion
Do you support the introduction of a 20mph Speed Limit across the central network?	69%	22%	3%
Do you support the introduction of a 7.5t weight restriction on the new road link?	68%	22%	4%
Do you support the introduction of new pedestrian crossings on the Street and Frome Road	74%	15%	4%

5.17 Overall the responses to the further improvements were positive and it is proposed to advertise these proposals for statutory consultation.

5.18 During the consultation a petition signed by 304 petitioners was received from St Nicholas C of E School headed as follows:

Whilst there is a review of speed limits in Radstock we wish to petition Bath and North East Somerset Council to reduce the speed limit to 20 miles per hour on Kilmersdon Road in front of St Nicholas C of E Primary. We would also like to request that the road crossings are clearly specified at the junction of The Street, Fortescue Road and Church Road.

5.19 Introducing a 20mph speed limit on Kilmersdon Road lies outside the scope of this particular scheme, but the council has a £500k project to implement 20mph speed limits in the district over the next 3 years, particularly outside schools and St Nicholas School will be included in this project.

5.20 As part of the further improvements to the scheme, Zebra crossings are proposed across the link road and The Street, which will improve crossing facilities in the area of Church Road.

6 RISK MANAGEMENT

6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment (WIP) related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

7.1 A proportionate equalities impact assessment has been carried out and there are no implications for the groups with protected characteristics.

8 RATIONALE

8.1 The proposed Radstock Regeneration and Highway Improvement Scheme is needed to support the regeneration of the town by providing additional highway capacity to support housing and economic growth.

9 OTHER OPTIONS CONSIDERED

9.1 A number of alternative options were evaluated as part of extensive traffic modelling work the result of which concluded that the modified proposal achieved the greatest benefit. The additional cost of replacing the proposed mini-roundabout with a single large conventional roundabout is estimated to cost of £1.4m and is not affordable from the available budget.

10 CONSULTATION

10.1 *Ward Councillor; Cabinet members; Town Council; Service Users; Local Residents; Community Interest Groups; Stakeholders/Partners; Section 151 Finance Officer; Chief Executive; Monitoring Officer*

10.2 Consultation on the original scheme was carried out as part of the planning process (application 06/02880/EOUT) and via e-mail and public notices for the TRO advertisement Process.

10.3 The consultation on the proposed modifications to the TRO's and further improvements is described in Section 5 above.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

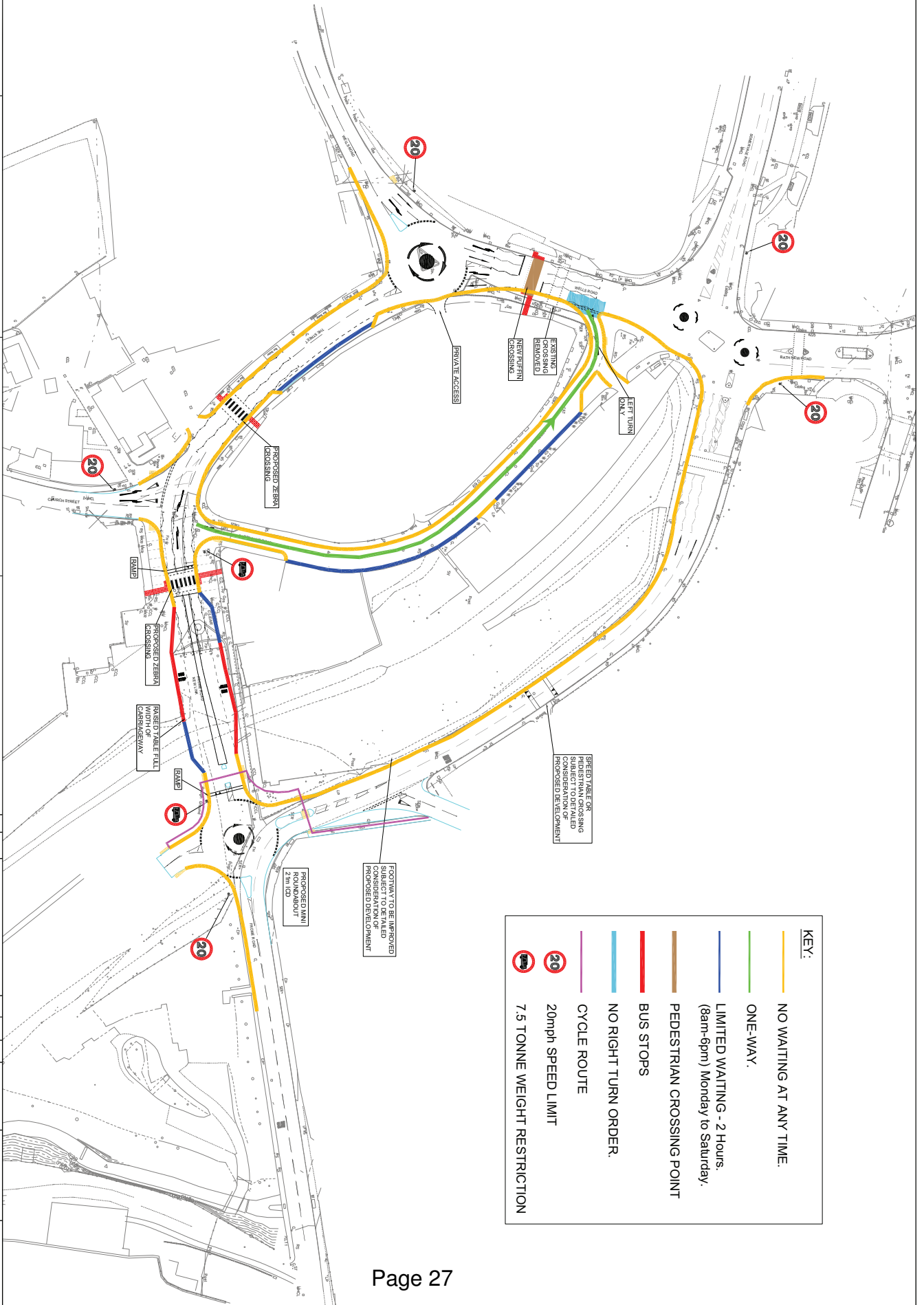
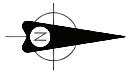
11.1 *Social Inclusion; Customer Focus; Sustainability; Other Legal Considerations*

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	<i>Adrian.Clarke@BathNES.gov.uk 01225 395223</i>
Sponsoring Cabinet Member	<i>Councillor Roger Symonds</i>
Background papers	http://www.bathnes.gov.uk/ENVIRONMENTANDPLANNING/MAJ

Please contact the report author if you need to access this report in an alternative format



KEY:

- NO WAITING AT ANY TIME.
- ONE-WAY.
- LIMITED WAITING - 2 Hours. (8am-6pm) Monday to Saturday.
- PEDESTRIAN CROSSING POINT
- BUS STOPS
- NO RIGHT TURN ORDER.
- CYCLE ROUTE
- 20 20mph SPEED LIMIT
- 20 7.5 TONNE WEIGHT RESTRICTION

Bath & North East Somerset Council
 KEVIN POKER
 SERVICE MANAGER – HIGHWAYS AND PARKING
 ENVIRONMENTAL SERVICES

PRODUCED BY
 DESIGN GROUP

SCALE TITLE
 RADSTOCK REGENERATION AND
 HIGHWAY IMPROVEMENT SCHEME

DRAWING TITLE
 PROPOSED MODIFICATIONS TO
 TRAFFIC REGULATION ORDERS
 AND FURTHER IMPROVEMENTS

REV. DATE
 PRELIMINARY

DATE NOV 11
 SCALE 1:500
 DRAWN BY DMJ
 CHECKED
 APPROVED BY
 CLIENT REF. TC8308/07

This page is intentionally left blank

BATH AND NORTH EAST SOMERSET COUNCIL

(FROME ROAD, RADSTOCK) (BUS LANE) ORDER 201*

The Bath and North East Somerset Council (hereinafter referred to as "the Council") in exercise of its powers under sections 1(1), 2(1) to (3) and 4(1) and 4(2) of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 as amended (hereinafter referred to as "the Act of 1984"), and of all other enabling powers, after consultation with the chief officer of police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following order:-

1. This order shall come into operation on the ***** and may be cited as the Bath and North East Somerset Council (Frome Road, Radstock) (Bus Lane) Order 201*.

Definitions

2. In this order:-

"**bus**" means motor vehicles constructed or adapted to carry more than 8 passengers (exclusive of driver) and local buses not so constructed or adapted to carry more than 8 passengers (exclusive of driver);

"**bus lane**" means an area of road which may be used only by buses (or a particular description of bus) and some other class or classes of vehicular traffic, as provided in this Order;

"**doctor**" means a legally qualified medical practitioner as defined in section 52 of the Medical Act 1956;

"**local bus**" means a public service vehicle used in provision of a local service not being an excursion or tour;

"**local service**" has the same meaning given in section 2 of the Transport Act 1985;

"**pedal cycle**" means a unicycle, bicycle, tricycle, or cycle having four or more wheels, not being in any case mechanically propelled unless it is an electrically assisted pedal cycle of such class as is to be treated as not being a motor vehicle for the purposes of the Act of 1984".

"**public service vehicle**" has the same meaning as in section 1(1)(a) of the Public Passenger Vehicles Act 1981.

Bus lanes

3. Subject to Articles 4 and 5, a vehicle other than a bus or pedal cycle must not be in a bus lane specified in the Schedule at any time.

Exemptions

4. Article 3 does not apply to a vehicle that is in a bus lane under the direction or with the permission of a police constable in uniform.
5. Article 3 does not apply to a vehicle that is in a bus lane if it is necessary for the vehicle:-
 - (i) to be used to remove an obstruction;
 - (ii) to be used by an ambulance, fire or police authority, provided that the vehicle is clearly distinguishable as such;
 - (iii) to be used by a doctor responding to an emergency call provided that the vehicle is displaying a green flashing light;
 - (iv) to be used for the maintenance, improvement or reconstruction of the bus lane;
 - (v) to be used for the laying, erection, alteration or repair of a sewer, main, pipe or apparatus for the supply of water, gas, electricity or telecommunication apparatus in or on land adjacent to the bus lane, providing prior written authority from the Highway Authority has been gained; or
 - (vi) to gain access to or egress from off-street loading or garaging premises adjacent to or accessible only from the bus lane.

Given under the Common Seal of the Bath and North East Somerset Council the ** day of ** 20**.

The COMMON SEAL of the
BATH AND NORTH EAST SOMERSET
COUNCIL

was hereunto affixed
in the presence of:-

Authorised signatory

Schedule
Bus Lane - 24 hours a day, every day

Column 1

**Frome Road,
Radstock**

Column 2

From the extended kerb line of its junction with County Bridge to a point 20 metres due east.

This page is intentionally left blank

BATH AND NORTH EAST SOMERSET COUNCIL APPENDIX B2

(VARIOUS ROADS, RADSTOCK) (ONE WAY TRAFFIC)
(PROHIBITION OF RIGHT HAND TURN) ORDER 201-

The Bath and North East Somerset Council (hereinafter referred to as “the Council”) in exercise of its powers under sections 1(1), 2(1) to (3), 4(1) of the Road Traffic Regulation Act 1984 as amended (hereinafter referred to as “the Act of 1984”) and of all other enabling powers, after consultation with the chief officer of police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order: -

1. This Order shall come into operation on the ** **** 200* and may be cited as the Bath and North East Somerset Council (Various Roads, Radstock) (One Way Traffic) (Prohibition of Right Hand Turn) Order 201-.
2. Save as provided in Article 3, no person shall, except upon the direction or with the permission of a police constable in uniform cause or permit any vehicle to proceed in the lengths of road specified in column 1 of Schedule 1 and described in column 2 of that Schedule, otherwise than in the direction specified in column 3 of that Schedule.
3. Article 2 of this Order shall not apply to the driving of any mechanical road cleansing vehicle between the hours of 7.30 a.m. and 8.30 a.m.
4. No person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle proceeding in that length of road described in column 1 of Schedule 2 to make a right turn into the road specified in relation to that road in column 2 of that Schedule.
5. The County of Somerset (Fortescue Road and The Street, Radstock) (One Way) Order 1966 is hereby revoked.

Given under the Common Seal of the Bath and North East Somerset Council the **** day of ***** 200-.

THE COMMON SEAL of
BATH AND NORTH EAST
SOMERSET COUNCIL
was hereunto affixed in the
presence of:-

Authorised signatory

SCHEDULE 1

One Way Traffic

1	2	3
Fortescue Road	Between its junction with the A367 Wells Road and its junction with Victoria Square	From south to north
Frome Road	From the extended kerbline of its junction with County Bridge to a point 20 metres due east	From east to west

SCHEDULE 2

Prohibition of Right Hand Turn

1	2
Church Street	Victoria Square
Fortescue Road	A367 Wells Road

BATH AND NORTH EAST SOMERSET COUNCIL APPENDIX B3

ROAD TRAFFIC REGULATION ACT 1984

ALTERATION TO PEDESTRIAN CROSSING – WELLS ROAD (A367), RADSTOCK

NOTICE is hereby given that Bath and North East Somerset Council proposes to exercise its powers conferred by section 23 of the Road Traffic Regulation Act 1984 as amended, by the alteration of the pedestrian crossing on **Wells Road (A367) Radstock**, by relocating the current crossing to the position as specified in the schedule to this notice.

A copy of the map together with a statement of reasons may be inspected at The Hollies, Midsomer Norton and at the offices below during normal office hours.

Objections and representations with respect to the proposal, together with the grounds on which they are made must be sent by **21st July 2011**, either in writing to the Transportation Team at the address below, or by email to transportation@bathnes.gov.uk. Please quote the title of the scheme; **Alteration to Pedestrian Crossing, Wells Road (A367), Radstock** and the reference **PEV7571/AC**. For any queries concerning this proposal please telephone **01225 394208**. Please note that all representations received may be considered in public by the Council and that the substance of any representation together with the name and address of the person making it could become available for public inspection.

Transportation Team,
Floor 2, Riverside,
Temple Street,
Keynsham,
Bristol BS31 1LA
Dated: 30th June 2011



David Trigwell
Divisional Director
Planning and Transport Development

SCHEDULE

Road

New Location

Wells Road (A367), Radstock

Approximately 40 metres south of the extended southern kerbline of Somervale Road

This page is intentionally left blank

**(VARIOUS ROADS, RADSTOCK) (PROHIBITION OF WAITING)
(AUTHORISED PARKING PLACES) ORDER 201-**

The Bath and North East Somerset Council (hereinafter referred to as “the Council”) in exercise of its powers under sections 1(1), 2(1) to (3), 4(1) to 4(3), 32 and 122A of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 as amended (hereinafter referred to as “the Act of 1984”) and of all other enabling powers, after consultation with the chief officer of police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order: -

PART I

General

1. This Order shall come into operation on the ** ***** 201* and may be cited as the Bath and North East Somerset Council (Various Roads, Radstock) (Prohibition of Waiting) (Authorised Parking Places) Order 201-.
2. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them: -
 - “delivering” and “collecting” in relation to any goods includes checking the goods for the purpose of their delivery or collection;
 - "disabled person's badge" has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;
 - "disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 2000;
 - “goods” includes postal packets of any description;
 - "hackney carriage" has the same meaning as in Section 38 of the Town Police Clauses Act 1847;
 - "parking disc" means a disc, issued by a local authority and capable of showing the quarter hour period during which a period of waiting begins;
 - "public service vehicle" has the same meaning as in the Section 1(1)(a) of the Public Passenger Vehicles Act 1981;
 - "relevant position" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
 - “road” means any road (whether described by a single name or by a combination of names) or any length or side of a length or end of a road.

"vehicle" includes part of a vehicle.

- (2) For the purposes of this Order, a vehicle shall be regarded as displaying a disabled person's badge in the relevant position if the badge is exhibited in the manner referred to in relation to the display of a disabled person's badge in Regulation 4 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
- (3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
- (4) Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.

PART II

Prohibition of Waiting

3. Save as provided in Article 4, no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to wait at any time in any of the lengths of road as specified in Schedule 1.
4. (1) Nothing in Article 3 shall render it unlawful to cause or permit any vehicle to wait in the lengths of road as described in Schedule 1 for so long as may be reasonably necessary:-
 - (a) to enable a person to board or alight from the vehicle;
 - (b) to enable the vehicle, if it cannot conveniently be used for such purpose in any road not being a road described in Schedule 1, to be used in connection with any of the following operations, namely -
 - (i) building, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said lengths of road or sides of road; or
 - (iv) the laying, erection, alteration or repair in or in land adjacent to the said lengths of road or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in the Telecommunications Act 1984;
 - (c) to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority, the Environment Agency, a water undertaker or sewerage undertaker in pursuance of statutory powers or duties;

- (d) to enable the vehicle, if it is a universal service provider, to be used for the delivery or collection of postal packets as defined in Section 125(1) Postal Services Act 2000;
 - (e) if a person in control of the vehicle is required by law to stop, or is obliged to do so in order to avoid an accident, or is prevented from proceeding by circumstances outside his control; or
 - (f) to enable the vehicle to wait at or near to any premises situated on or adjacent to the said lengths of road for so long as such waiting by that vehicle is reasonably necessary in connection with a wedding or funeral.
- (2) Nothing in Article 3 shall render it unlawful for any person to cause or permit any vehicle to wait in any length of road as specified in Schedule 1 for so long as may be reasonably necessary for the purpose of loading or unloading his personal luggage on to or from the vehicle or to enable goods to be loaded on to or unloaded from the vehicle or to be delivered or collected at premises adjacent to that road, if in any such case the vehicle cannot conveniently be loaded or unloaded or the goods delivered or collected in any road not being a length of road described in Schedule 1, or if the premises do not include an off-street loading area adequate for use by the vehicle.
5. The restrictions imposed by Article 3 shall not apply to the following vehicles, that is to say:-
- (a) any vehicle when it is being used for fire brigade, ambulance or police purposes;
 - (b) hackney carriages whilst waiting at an authorised stand for hackney carriages;
 - (c) public service vehicles operating stage carriage services whilst waiting at a bus stop;
 - (d) vehicles waiting in a specified part of any length of road as described in Schedule 1 in accordance with a special authorisation so to do given by the Council or any person duly authorised by the Council;
 - (e) any disabled person's vehicle which lawfully displays in the relevant position a valid disabled person's badge shall be exempted for a period of three hours subject to the conditions that:
 - (i) the period of exempted waiting does not begin less than one hour after a previous period of exempted waiting by the same vehicle in the same road on the same day;
 - (ii) a parking disc is displayed in the relevant position on the vehicle marked to show the quarter hour period during which the period of exempted waiting began.

PART III

Authorisation of Parking Places

6. (1) Each of the parts of a carriageway of a road specified in column 2 of Schedule 2, and unless stated otherwise, bounded on one side of that length by the edge of the carriageway of that road and having a width throughout of 1.8 metres, is authorised as a parking place.
- (2) The Council shall indicate the limits of each parking place by appropriate carriageway markings and appropriate traffic signs.
- (3) The permitted hours for any parking place specified in Schedule 2 is between 8 a.m. and 6 p.m., from Monday to Saturday inclusive.
7. (1) Each parking place referred to in column 2 of Schedule 2 may be used, subject to the provisions of this order, for waiting during the permitted hours by such vehicles as are passenger vehicles, car derived vans, goods vehicles, motor cycles or invalid carriages.
- (2) Save as provided in paragraph (4) of this Article, the driver of a vehicle shall not permit it to wait in a parking place specified in Schedule 2 during the permitted hours continuously for more than the period stated in column 5 of that Schedule, in relation to that parking place.
- (3) Save as provided in paragraph (4) of this Article, when a vehicle has been taken away from a parking place specified in Schedule 2, within the permitted hours, the driver shall not permit the vehicle to return to wait again in that parking place within the time limit specified in column 4 of that Schedule, in relation to that parking place.
- (4) Nothing in Paragraph (2) or Paragraph (3) shall apply to a vehicle waiting in a parking place during the permitted hours -
 - (a) if it is a disabled person's vehicle which displays in the relevant position a disabled person's badge; or
 - (b) at a time when any public transport facilities are not available or of emergency and the parking place is a parking place which the Council or any person duly authorised by them may have decided can be used without limitation of time.
8. Save as provided in Article 11 every vehicle left in a parking place in accordance with the provisions of this Order shall so stand so that:
 - (i) every part of the vehicle is within the markings of the parking place

- (ii) according to any special measures specified for that parking place in column 3 of Schedule 2.

Power to Suspend use of Parking Places

9. (1) When parking place may be suspended

A police constable in uniform, a civil enforcement officer or any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary.

(2) Duties of person suspending parking place

Any person suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) of this Article shall place or cause to be placed in or adjacent to that part or those parts of the parking place a traffic sign or traffic signs indicating that waiting is prohibited.

(3) Prohibition of use of suspended parking places

Save as provided in Article 11 no person shall cause or permit a vehicle to be left in any part of a parking place during such period as either there is a hood or cover indicating that the use of the parking place is suspended or there is in or adjacent to that part of the parking place a traffic sign placed in pursuance of paragraph (2) of this Article:-

Provided that nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for fire brigade, ambulance or police purposes or any vehicle being used for any purpose specified in Article 12(1)(b), (d) or (e) to be left in that part of the parking place during such period as is referred to in the above paragraph, and this paragraph shall also not apply to any other vehicle left as stated in this proviso if that vehicle is left with the permission (i) of the person suspending the use of the parking place or the part thereof in pursuance of paragraph (1) of this Article, or (ii) of a police constable in uniform, or (iii) of a civil enforcement officer.

Restriction of Use of Vehicles at Parking Places

10. (1) Sales of goods and services

Save as provided in Article 11 no person shall use any vehicle, while it is in a parking place during the permitted hours, in connection with the sale of the vehicle or of any other article to any person in or near the parking place or in connection with the selling or offering for sale of his skill in handicraft or his services in any other capacity:

Provided that nothing in this Article shall prevent the sale of goods from a vehicle

- (a) if the vehicle is one which may be left in a parking place in accordance with Article 7 or Article 8 and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected; or
- (b) if the vehicle is one to which the provisions of Article 12(1) (h) or (j) apply.

(2) Running of vehicle engines

Save as provided in Article 11 the driver of a vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.

Suspension of Parking Places

11. (1) General provisions

Nothing in Article 7, Article 8, paragraph (3) of Article 9 or Article 10 shall apply to any vehicle, builders skip or receptacle, building materials or any scaffolding which may overhang the parking place or part thereof which has been suspended, provided that the vehicle, builders skip or receptacle, building materials or scaffolding is or are left in accordance with a prior agreement entered into with the Council for that period and further provided that the provisions of that agreement with regard to the manner of standing and position of the vehicle, builders skip or receptacle, building materials or scaffolding have been adhered to.

(2) Charge payable

An hourly charge may be paid for any agreement made under paragraph (1). The hourly charge shall be specified by the Council at the time that the agreement referred to in this Article is entered into and will be imposed at the discretion of the Council but in any case will not exceed the notional hourly charge normally payable at that parking place plus an appropriate administration fee.

Restriction of Waiting of Special Category of Vehicles in Parking Places

12. (1) Without prejudice to the foregoing provisions of this order with respect to vehicles which are left in a parking place in accordance with those provisions, any other vehicle may wait during the permitted hours anywhere on the carriageway in a parking place, other than a parking place or part of a parking place the use of which has been suspended, if -

- (a) the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle;

- (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
- (c) the vehicle is a vehicle used for fire brigade purposes or an ambulance, a vehicle (other than a passenger vehicle) in the service of a local authority being used in pursuance of statutory powers or duties, or the vehicle is a vehicle owned by a police authority and is being used for police purposes;
- (d) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
- (e) the vehicle not being a passenger vehicle is in the service of or employed by the Royal Mail and is waiting while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle, or, having been unloaded therefrom, are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the parking place in which the vehicle is waiting;
- (f) the vehicle not being a passenger vehicle is waiting only for so long as may be reasonably necessary to enable it to be used for the purpose of any building operation, demolition or excavation in or adjacent to the parking place, or the maintenance, improvement or reconstruction of the road or the cleansing of gullies in or adjacent to the parking place, or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in the Telecommunications Act 1984 or the placing, maintenance or removal of any traffic sign or pay and display machine.
- (g) the vehicle not being a passenger vehicle is in actual use in connection with the removal of furniture from one office, dwelling house or other premises to another, or the removal of furniture from such premises to a depository or to such premises from a depository;
- (h) the vehicle is waiting in a parking place otherwise than in a loading bay and goods are being sold or offered for sale from the vehicle by a person who is licensed by the Council to sell goods from a stationary pitch situated in the parking place;
- (i) the vehicle is waiting only for so long as is necessary to enable it to be used in connection with posting or removing advertising material in the form of posters on or from, or cleaning windows or chimneys in, premises adjacent to the parking place in which the vehicle is waiting;
or

- (j) in any other case the vehicle is waiting only for so long as is necessary for the purpose of delivering or collecting goods or merchandise, including so far as a Bank is concerned, cash which cannot reasonably be carried by hand, or other valuables or valuable securities which cannot reasonably be carried by hand, or loading or unloading goods from the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle not being a goods vehicle does not wait for such purpose for more than thirty minutes or such longer period a police constable in uniform or a civil enforcement officer may authorise, or being a goods vehicle does not wait for more than thirty minutes or such longer period as aforesaid if it is in any part of a parking place not being a loading bay.
- (2) Except as provided by this order, the driver of a vehicle shall not cause or permit the vehicle to wait in a parking place during the permitted hours.
- (3) Nothing in the foregoing provisions of this Article shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under Section 25 of the Act of 1984.

Manner of Waiting by Special Categories of Vehicle in Parking Places

13. A person causing or permitting a vehicle to wait in a parking place by virtue of the provisions of sub-paragraph Article (e), (f), (g), (h), (i) or (j) in paragraph (1) of the last preceding Article shall take all such steps as are necessary to ensure -
- (a) in the case of a parking place in relation to which special provisions as to the manner of standing of vehicles in that place are specified in column 4 of Schedule 2 to this order that vehicle shall so stand -
 - (i) unless the length of the vehicle precludes compliance with this sub-paragraph, in accordance with those provisions and so that every part of the vehicle is within the limits of the parking place, or
 - (ii) if the length of the vehicle does preclude compliance with the last preceding sub-paragraph that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than three hundred millimetres; and
 - (b) in the case of any other parking place, that the longitudinal axis of the vehicle is to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than three hundred millimetres.

Installation of traffic signs

14. The Council may -
- (a) place and maintain traffic signs indicating the limits of each parking place;

- (b) place and maintain in or in the vicinity of each parking place traffic signs indicating that such parking places may be used during the permitted hours for the leaving only of the vehicles referred to in Article 7; and
- (c) carry out such other work as is authorised by this Part of this order or is reasonably required for the purposes of the satisfactory operation of a parking place.

PART IV

Variation and Revocation of Existing Orders

10. The County Council of Avon (Wells Road Area, Radstock, District of Wansdyke) (Prohibition and Restriction of Waiting) Order 1983 is varied and shall have effect as though:

- (i) The following items are removed from Schedule 2 to that Order:

SCHEDULE 2

No Waiting at any Time

Fortescue Road

East side	-	from its junction with Wells Road to a point 16 metres south-east of its junction with Wells Road.
-----------	---	----------------------------------------------------------------------------------------------------

Frome Road

South and West side	-	from its junction with Wells Road to a point 140 metres west of the junction with Mill Road.
---------------------	---	----------------------------------------------------------------------------------------------

The Street

North-East side	-	from its junction with Fortescue Road in a north-westerly direction for a distance of 14 metres.
-----------------	---	--------------------------------------------------------------------------------------------------

South-West side	-	from its junction with Wells Road in a south-easterly direction for a distance of 90 metres.
-----------------	---	----------------------------------------------------------------------------------------------

- (ii) The following item is removed from Schedule 3 to that Order:

SCHEDULE 3

No Waiting 8:00 a.m. to 6:00 p.m. Monday to Saturday (inclusive)

Fortescue Road

East side - from a point 74 metres south-east of its junction with Wells Road to its junction with Victoria Square.

and

(iii) The following items are removed from Schedule 4 to that Order:

SCHEDULE 4

Limited Waiting (30 minutes in any one hourly period)
8:00 a.m. to 6:00 p.m. Monday to Saturday (inclusive)

Fortescue Road

West side - from a point 16 metres south-east of its junction with Wells Road to a point 74 metres south east of its junction with Wells Road.

The Street

North-East side - from its junction with Wells Road to a point 14 metres north-west of its junction with Fortescue Road.

Victoria Square

North side - from its junction with Fortescue Road in an easterly direction for a distance of 20 metres.

South side - from its junction with The Street in an easterly direction for a distance of 24 metres.

Given under the Common Seal of the Bath and North East Somerset Council the **** day of ***** 201-.

THE COMMON SEAL of
BATH AND NORTH EAST
SOMERSET COUNCIL
was hereunto affixed in the
presence of:-

Authorised signatory

SCHEDULE 1

No Waiting at Any Time

Fortescue Road

North East side

- (i) From its junction with Victoria Square, for a distance of 25 metres in a generally northerly direction
- (ii) From a point approximately 81 metres north of its junction with Victoria Square, for a distance of 7 metres in a generally north westerly direction
- (iii) From a point approximately 122 metres north of its junction with Victoria Square to its junction with A367 Wells Road

A362 Frome Road

North side

From the extended kerb line of its junction with County Bridge for a distance of 20 metres in an easterly direction

West side

From its junction with Wells Road to its junction with Victoria Square

South side

From its junction with the un-named road to the south of A362 Frome Road and Victoria Square to a point 140 metres west of its junction with Mill Road

The Street

South side

From its junction with Wells Road to its junction with Church Street

North side

- (i) From its junction with Fortescue Road for a distance of approximately 40 metres in a generally north westerly direction
- (ii) From a point approximately 73 metres from its junction with Fortescue Road to its junction with A367 Wells Road

Victoria Square

North side

- (i) From its junction with Fortescue Road for a distance of 23 metres in a generally easterly direction
- (ii) From a point 73 metres east of the projected eastern kerbline of Fortescue Road to its junction with A362 Frome Road

South side

- (i) From its junction with Church Street for a distance of 24 metres in a generally easterly direction

- (ii) From a point 73 metres east of the projected eastern kerbline of Fortescue Road to its junction with A362 Frome Road

Un-named Road to south of junction between A362 Frome Road and Victoria Square

West side From its junction with Victoria Square for a distance of approximately 15 metres in a generally southerly direction

East side From its junction with A362 Frome Road for a distance of approximately 12 metres in a generally southerly direction

SCHEDULE 2
Parking Places on Roads (Limited Waiting)

In relation to a parking place referred to in this Schedule the expression ‘permitted hours’ means the period between 8.00 am and 6.00 pm Monday to Saturday.

Number of parking place	Designated parking place	Special manner of standing of vehicle	No return within	Maximum Waiting Period
1	2	3	4	5
	All that part of the north east side of Fortescue Road which extends from a point approximately 25 metres from its junction with The Street, for a distance of 56 metres in a generally northerly direction		4 hours	2 hours
	All that part of the north east side of Fortescue Road which extends from a point approximately 88 metres from its junction with The Street, for a distance of 34 metres in a generally north westerly direction		4 hours	2 hours
	All that part of the north east side of The Street which extends from a point approximately 40 metres from its junction with Fortescue Road, for a distance of 33 metres in a generally north westerly direction		4 hours	2 hours
	All that part of the northern side of Victoria Square which extends from a point approximately 17 metres east of the projected eastern kerbline of Fortescue Road, for a distance of 14 metres in a generally easterly direction		4 hours	2 hours

	All that part of the southern side of Victoria Square which extends from a point approximately 55 metres east of the projected eastern kerblines of Fortescue Road, for a distance of 14 metres in a generally easterly direction		4 hours	2 hours
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	---------	---------

This page is intentionally left blank

APPENDIX C: SUMMARY OF COMMENTS RECEIVED

Ref	Comments received from feedback form, emails and letters	Number received
A	Either support no change or against modified scheme	47
B	Replace mini-roundabouts with large single roundabout or traffic signals.	58
C	Concerns about the link road, 2 way flow in The Street, reversal of flow in Fortescue Road and relocation of bus stops	44
D	Concerns about loss of parking spaces on local businesses	21
E	Alternative highway proposals (eg one way systems, bypass, flyover)	15
F	HGV's	11
G	Reinstate Frome-Radstock rail link	7
H	Against development proposals	4
I	Cycling/Pedestrians	4
J	Disruption during construction	3
K	Road safety concerns	8
L	Concerned about removal of Jubilee Oak Tree	4

This page is intentionally left blank

Radstock Regeneration TRO Responses

No.	Name	Date	Comments	Specific Objection	Summary points									Further comments received from objectors on modified TRO's	
					i	ii	iii	iv	v	vi	vii	viii	ix		
1	Dawn Milsom	08/07/11	Objecting. Locals have always objected strongly to the scheme, but the Council seems determined to proceed. Realises we think we are revitalising the area, we will actually kill it.	It will kill off local trade as vehicles can no longer stop to shop. She also pointed out that Wells Hill is already congested at rush hour, and the proposal will only add to these problems.	✓	✓									
2	Tim Jennings Somerbus	18/07/11	Thinks new layout will damage trade, and increase the volume of traffic in the town, specifically The Street.	Thinks new layout will damage trade, and increase the volume of traffic in the town. Doesn't think the buses will be able to do the required turning moves required. The increased turning loop will also affect the timing of the buses, which will need to be rescheduled.	✓	✓	✓								Objects to TRO's because major disadvantages remain. Moving the bus stops much further away from Coop on the link road will make bus travel more difficult. Concerned about disruption, including impact on bus services, and loss of trade while construction takes place. Construction needs to take place at night to minimise this. Urges the current road system to be left alone.
3	Don Morris Co-Operative Society	15/07/11	There is no reliable available information for the Council to confirm or deny how the proposals will affect delays/congestion in the town, as the modelling took each element in isolation, and not combined.	Citing DMRB 2007, he objects to how dangerous the u-turning traffic will be to the other vehicles. Also, he thinks that the design does not take into account how each bit will have a knock-on affect to the next.			✓								
4	Mr W.C. Chivers	15/07/11	He has sent a couple of petitions in. First is in support of repositioning the sub-station and conversion of the mini roundabouts into one larger one. The second is in opposition to the creation of the new road by diverting the Frome Road.	No need to relocate the crossing as the main route is moving over to the Frome Road. No need to make The Street one way if it isn't being altered. No need to make part of Frome Road one way, just move the road over to coincide it with the new large roundabout. No requirement to ban turning into Victoria Square, Radstock should be left as a small town, and not a through road.		✓									Continues objection to TRO's. Disputes £1.4m cost of constructing single roundabout. Concerned reversing flow in Fortescue Road threatens the Post Office. Destroying Jubilee tree would be devastating. More parking spaces, including disabled parking spaces, are needed not less

Page 55

Radstock Regeneration TRO Responses

No.	Name	Date	Comments	Specific Objection	Summary points									Further comments received from objectors on modified TRO's	
					i	ii	iii	iv	v	vi	vii	viii	ix		
5	Mr C.J. Chivers	15/07/11	Copy of a letter sent to the local press. Sent the same information/petition as above. Building more houses will create more traffic, which the locals do not need or want. Current councillors will implement this and then leave office, leaving the town messed up beyond repair.	See above comments.		✓									
6	M. Boulton	15/07/11	Objecting as the proposed works are at variance to sections in the Local Plan.	Proposal does not comply with sections T13, T15, T16(i), T16(ii), T16(v), T16(vi), T16(x), T20, D9(1), D9(2) of the Local plan, 2007.									✓	Opposes the new planned road scheme because it does not address the problems caused by aggressive drivers jumping the lights at the signalised crossing, poor signage and school traffic.	
7	Diana Walker	17/07/11	Doesn't think that the Council will listen to her objections, but thought that she should voice them anyway.	The proposed layout makes shopping in Radstock a lot harder, while also hampering the flow of traffic in a serious way, instead of helping it. Traffic will come to a complete standstill while people try to negotiate the roundabouts. The NRR land should have been kept as a natural habitat and play area, and used to encourage wildlife.	✓	✓	✓							Proposed housing development will increase congestion to Bath and Midsomer Norton. The only item in favour of is the new roundabout on the junction of Wells Road and The Street.	
8	Elizabeth Button	20/07/11	Changes will have a detrimental effect on the older part of the town and will not improve the traffic flow. Realises that more houses are needed.	Two way traffic along The Street will make it harder to cross for pedestrians. Parking will also be harder outside the chemist and doctors.	✓	✓									

Page 54

Radstock Regeneration TRO Responses

No.	Name	Date	Comments	Specific Objection	Summary points									Further comments received from objectors on modified TRO's	
					i	ii	iii	iv	v	vi	vii	viii	ix		
9	Emily Gregory	20/07/11	Generally not against change, and thinks that something needs to be done to alleviate the problems, but doesn't think this is the answer. She does approve of replacing the double mini-roundabout with one large one though.	Changes to Frome Road will not work for HGV's, because of the amount of room needed to turn. Cars from Haydon will also cause hold-ups for the same reason. Reducing parking will badly affect passing trade.		✓									Objects to the revised proposals and wants the a single large roundabout to replace the double mini-roundabouts. The new mini-roundabout at the junction of The Street will not work and the old oak tree will be sacrificed.
10	Jeffrey Blake	20/07/11	Objects to the proposal for several reasons.	The proposal will: threaten or remove the livelihood of trader in The Street and Fortescue Road; will not improve traffic flow; will increase local journey times; and is impassable for large vehicles at one point, and doesn't explain itself well enough for those who want to turn right from Fortescue Road into Church Street. There is also no traffic study available for the public to have a look at	✓	✓									
11	Ray Conneely Massey Wilcox	20/07/11	Considers the proposal to be bad for Radstock.	Accessing Haydon Industrial Estate from the Frome Road would mean having to perform a U turn, which would be made more dangerous with the heavy traffic; two-way traffic along The Street would increase the danger to pedestrians; and also that the bus lane should allow use from HGV's, which would solve the problem of the U turn previously mentioned.		✓	✓								
12	Tony Marion	20/07/11	He is worried about the safety of local children who walk to school.	Children going to St. Nicholas Primary School would have to cross two-way traffic along The Street, with no pedestrian crossing point.	✓										Objects to the proposal to reduce parking spaces which will effect the towns businesses

Page 55

No.	Name	Date	Comments	Specific Objection	Summary points									Further comments received from objectors on modified TRO's			
					i	ii	iii	iv	v	vi	vii	viii	ix				
13	Deborah Porter	21/07/11	The objection is submitted on behalf of the Somer Valley Friends of the Earth	She has submitted a large number of objections. They range from the proposal not complying with the requirements of the Local Plan; lack of consideration of the sheer volume of traffic that will use the new layout, and the knock-on effects this will have; increased pollution in the area due to the increased amount of traffic; to the lack of on-street parking in the proposed layout.	✓	✓		✓									
14	Phil Martin	21/07/11	The orders need to be stopped until a more coherent approach has been agreed with local residents.	Buses will have problems turning right for Bath, how do you intend to sort this out. Also, how do cars accessing Frome Road turn around if they cant exit through the bus lane - why isn't the whole road a bus lane? If HGV's are being forced to perform a 360° turn, what is going to make the queuing traffic clear enough space to enable it to do it.			✓										Opposes the current plans because the new road scuppers the possibility of re-instatement of the railway and changes The Street to two way traffic.
15	Hayley & Simon Arter	21/07/11	Strongly objects to the changes.	The Arters' have sent in a very long list of objects, which is split into four categories.	✓	✓	✓	✓		✓							

Page 56

No.	Name	Date	Comments	Specific Objection	Summary points									Further comments received from objectors on modified TRO's	
					i	ii	iii	iv	v	vi	vii	viii	ix		
16	Caroline Green	21/07/11	She is concerned that the proposal will bring danger to pedestrians, kill off the local shops and destroy the heart of Radstock.	Objects to the proposed two-way traffic on The Street, as it will cause congestion, make crossing the road impossible, and makes using the rear access to the shops impossible. Also the proposed turning manoeuvre will bring traffic to a standstill, and could cause damage to the historic buildings. Most places are changing to divert traffic away from town centres, so why is Radstock going the other way.	✓	✓	✓				✓				
17	Amanda Leon Radstock Action Group	21/07/11	Strongly objects to the changes.	The Action Group have submitted a very long list of objects, split into each individual TRO.	✓	✓	✓				✓		✓		Link road unnecessary now that Frome Road is to remain open. Parking restrictions, two way traffic in The Street, reversing the flow in Fortescue Road will make town less accessible for deliveries and less attractive. Bus stops will be further away from the shops. The link road will but paid to the reinstatement of the Radstock/Frome rail link. The proposed weight limit on the link road will be imposible to enforce. Loss of public garden and Jubilee Oak disregard views of local people. Concerned about additional surface water run off and flood risk. Suggest a moratorium on all decisions relating to town.

Page 57

Radstock Regeneration TRO Responses

No.	Name	Date	Comments	Specific Objection	Summary points									Further comments received from objectors on modified TRO's		
					i	ii	iii	iv	v	vi	vii	viii	ix			
18	John Spratley	21/07/11	Totally opposed to the scheme; its design, ideology, funding and lack of local in-put.	He thinks the scheme has been drawn up by those who have no knowledge of Radstock, its physical infrastructure, or its traffic patterns and pedestrian usage. Because of this, it is ill conceived, without any consultation to local residents, traders and road user businesses. He also objects to the cost of the scheme, and relies on considerable public subsidy.	✓	✓										Objects to the modified scheme because of the impact of businesses and especially the Roayl Mail Delivery Office, damage to Victoria Hall, destruction to the Jubilee Oak Tree. Wants computer modelling and cost estimates to subject to independent verification.
19a	Andrew Jolliffe	21/07/11	Objection to increasing the waiting limit on the parking spaces.	Objects to extending the permitted parking from 30 minutes to 2 hours. There is currently not enough parking, and this will only make the situation worse.	✓											Objects to modified scheme oparticularly because of the negative impact on traders
19b	Andrew Jolliffe	21/07/11	Objections to the two-way proposal for The Street.	The Street isn't wide enough to accommodate two-way traffic, and the turning manoeuvre will make things very difficult for all vehicles, and a more difficult trading environment in the town.		✓	✓									Objects to TRO's because of the negative impact on traders
19c	Andrew Jolliffe	21/07/11	Objection to relocating the Wells Road pedestrian crossing.	Doesn't appear to add anything to the scheme, only increased journey time and driver frustration.	✓											Objects to TRO's particularly because of the negative impact on traders
20	Nigel Cook Demonic Dermagraphic	21/07/11	Objects to the reversal of the one-way system on Fortescue Road as it will affect his business.	Reversing the flow of traffic will affect businesses on Fortescue Road. When people can't find a parking space, they go on and park in the Victoria Hall car park. With the new proposal, they would just carry on and go somewhere else.	✓								✓			Against the change in direction to Fortescue Road, The Street to 2 Way and the link road

No.	Name	Date	Comments	Specific Objection	Summary points									Further comments received from objectors on modified TRO's	
					i	ii	iii	iv	v	vi	vii	viii	ix		
21	J Davison	21/07/11	A feature of the NRR plan is to promote it as a major cycle route (NCN 24), but this seems to have been overlooked.	Relocating the pedestrian crossing makes things even harder for pedestrians than at present. More thought needs to be put into making the area more walker friendly than it is now. There is also no provision for cycle parking to cope with the expected increase in cycle traffic to the area.	✓							✓			
22	Doug Benson	21/07/11	Mr Benson has submitted a large number of objections and observations to all parts of the scheme.	Various points raised, including - The Street - the proposed two-way traffic will increase the risks to pedestrians and cyclist; the road isn't wide enough to safely let two larger vehicle pass; delivery vehicles servicing the Working Men's Club will struggle to get out onto the road; the camber of the road isn't designed to be used in both directions; the buildings are not designed to withstand the extra traffic vibrations. Fortescue Road - cars going to Bath are forced to turn left, go through the pedestrian crossing, perform a 360° turn, and then go through the crossing again, which will cause mass congestion. General points (including, but not limited to) - lots of standing traffic causes greater air pollution; no-one can explain how this road proposal will benefit the people of Radstock.	✓	✓	✓				✓		✓		Approves of keeping the double mini-roundabout open together with the double mini-roundabout and a 20mph speed limit, but objects to the link road and other changes proposed, including the loss of the Jubilee Oak and parking.

No.	Name	Date	Comments	Specific Objection	Summary points									Further comments received from objectors on modified TRO's	
					i	ii	iii	iv	v	vi	vii	viii	ix		
23	George Bailey	21/07/11	Mr Bailey has submitted a large number of objections and observations to all parts of the scheme.	Mr Bailey has submitted exactly the same list of objections and observations as Mr Benson.	✓	✓	✓				✓		✓		Continues to object on the following grounds i) the increase in traffic in The Street, a conservation area, and does not think the charges are necessary; ii) proposed 7.5 t weight limit on the grounds that there is no indication of how this will be in enforced; iii) sufficient land should be reserved for future rail including car parking.iv) no quantitative targets have been set or risk analysis performed
24	Jenny Hutton	21/07/11	Resident of Haydon objecting to various knock-on effects from the scheme.	Objects to the increase in traffic onto The Street, making it dangerous for pedestrians and drivers trying to access the A367. Objects to the removal of the Jubilee Oak. Objects to the right turn ban on Church Lane/The Street, as it will mean those existing Church Lane will have to turn around on the A367 and come back along The Street in order to go down Fortescue Road.		✓	✓		✓						Proposals are an improvement over the previous scheme but wants to keep Jubilee Oak. Can't see what is gained by reversing flow in Fortescue Road and The Street 2 way
25	Rupert Bevan	21/07/11	Mr & Mrs Bevan are objecting principally to the environmental effects that the scheme would have on local residents, but also the effect on pedestrians.	Objects to the increase in air pollution that the double roundabouts will cause, due to the standing traffic. Also objects to the reduction in on-street parking, which will help to kill off the town centre.	✓			✓							Continues to object to the proposals.Suggests a moratorium until own plans completed to integrate traffic, housing and railway into one comprehensive scheme.

Page 60

Radstock Regeneration TRO Responses

No.	Name	Date	Comments	Specific Objection	Summary points									Further comments received from objectors on modified TRO's	
					i	ii	iii	iv	v	vi	vii	viii	ix		
26	Rebecca Owen	21/07/11	The majority of people living in Radstock have opposed the scheme. Please do not ignore the views of the people who live in the town.	Objects to turning the centre of town into a giant roundabout. The proposal will also affect the activities which go on throughout the day due to the reduction in on-street parking. The Victoria Hall and the underground cellars in the vicinity will also be compromised structurally with the increase in HGV traffic driving past it.	✓					✓					
27a	Sue Burchell (on behalf of) Irene Burchell	21/07/11	Objection to the Bus Lane	The bus lane blocks off the road for everyone else's, causing road blocks due to the volume of traffic going elsewhere. If there was another emergency like the Writhlington School fire, the emergency services would struggle to get through.		✓									Does not consider that the proposed changes will improve the flow of traffic.
27b	Sue Burchell (on behalf of) Irene Burchell	21/07/11	Objection to pedestrian crossing alterations	New location will increase the walking distance for the disabled to cross the road into Radco. The new turning manoeuvre will make it very dangerous for pedestrians standing on the pavement if an HGV is trying to turn. The crossing time on the current set-up does not give an adequate time for the elderly to cross the road; if there are tailbacks caused by the new roundabouts, pedestrians will never get across the road safely.	✓		✓								

Page 61

No.	Name	Date	Comments	Specific Objection	Summary points									Further comments received from objectors on modified TRO's
					i	ii	iii	iv	v	vi	vii	viii	ix	
27c	Sue Burchell (on behalf of) Irene Burchell	21/07/11	Objections to one-way order and also the prohibition of right hand turn order	Objects because removing the one-way restriction will create unnecessary dangers to pedestrians and school children using the areas, and the Victorian buildings were not designed to withstand all the extra heavy vehicles close by, and the cellars could also collapse under the added stresses; reversing the one-way on Fortescue Road seems to do nothing but slow down the traffic trying to go through Radstock, and for no apparent benefit - the ultimate result of which will be the killing off of the heart of the town.	✓					✓		✓		
27c	Sue Burchell (on behalf of) Irene Burchell	21/07/11	Objection to prohibition of waiting.	Objection is based on the fact that the number of spaces has been significantly reduced, so if you allow people to park longer in the ones that are left, where is everyone else meant to park?	✓									

Page 62

No.	Name	Date	Comments	Specific Objection	Summary points									Further comments received from objectors on modified TRO's	
					i	ii	iii	iv	v	vi	vii	viii	ix		
28	Meadow View Residents' Action Group	22/07/11	The objection letter contains extra information on pollution monitoring results for various local roads over the last 6 years.	Objects to: the dispersal of the bus stops (no longer possible to choose which bus to take); the removal of parking spaces (small shops need nearby parking to flourish); the removal of the 'Stag' oak tree (planted to mark the jubilee and also marks the place where a local man died); two-way traffic in The Street (its dangerous to pedestrians); the damage the extra traffic will cause to the buildings via traffic vibrations. Most of all they object to the way the scheme is being implemented without regard to existing traffic counts, common sense or academically accredited research.	✓	✓			✓	✓					

No.	Name	Date	Comments	Specific Objection	Summary points									Further comments received from objectors on modified TRO's	
					i	ii	iii	iv	v	vi	vii	viii	ix		
29	Dr E.M. Jackson (Ward Cllr)	25/07/11	States that the proposal is both 'unworkable and not fit for purpose'	Objects that the proposal is in breach of the agreed Local Plan. Objects that the revised layout will make deliveries to the shops on The Street impossible, and will ultimately kill off the businesses. Objects to the removal of the Jubilee Oak, and has suggested that it would be possible to relocate it in Jubilee Park. She has also made comment about the increase in air pollution in the area, which the stacking traffic will make worse.				✓	✓				✓		<p>The road system should not be altered at all unless the houses are going to be built and a full planning permission in place.</p> <p>Questions the time saving benefits and considers bus services will take longer. Adequate parking is essential for a retail and business economy and the disabled. Questions the rationale for not constructing a larger roundabout to replace the double mini-roundabout. Reversing the flow of traffic in Fortescue Rd creates difficulties for Post Office vehicles and requires a U turn around oak tree roundabout. Concerned about impact on trade as a result of disruption during construction. Destroying the oak tree is a sacrilege. The proposed weight restriction will be unenforceable. The new road scheme should be shelved until such time a Site 1 is re-designed.</p>

Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	11 January 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2348
TITLE:	Land at Weston Recreation Ground, Weston, Bath	
WARD:	Weston	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
<ul style="list-style-type: none"> 1. Site Plan 		

1 THE ISSUE

1.1 This issue relates to land which is subject to a Trust, where the Council is the Trustee. The authority for discharging the responsibility of a trust is an executive function until or unless it is otherwise delegated. In this instance no such discharge of responsibility exists and accordingly the decision remains a Cabinet function.

1.2 Lovell Partnerships Ltd are renovating the Southlands Estate on behalf of Somer Community Housing Trust – in this connection, an area on the Weston Recreation Ground is required as a site compound for approximately 6 months.

2 RECOMMENDATION

The Cabinet agrees that:

2.1 Lovell Partnerships Ltd are granted a licence to allow them to use this land as a site compound for approximately 6 months.

3 FINANCIAL IMPLICATIONS

2.2 Financial implications – the Council will charge a licence fee and surveyors fees.

The Council will seek to recover all costs.

4 CORPORATE PRIORITIES

- *Building communities where people feel safe and secure*

5 THE REPORT

- a. Weston Recreation Ground is held by Weston Recreation Ground Trust on a 1000 year lease and the Council acts as the Corporate Trustee.
- b. Lovell Partnerships Ltd are renovating the Southlands Estate on behalf of Somer Community Housing Trust – in this connection, a site compound of approximately 200sqms is required. This will be used for the storage of building materials – mainly bricks and blocks, and a licence will be issued by Property Services to regularise the use. The licence fee will benefit the Trust, the surveyors fees will be reimbursed to Property Services.

6 RISK MANAGEMENT

- a. The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

- a. A proportionate equalities impact assessment has not been carried out as it is not relevant in this particular case.

8 RATIONALE

- a. The recommendation made in section 2 is not detrimental to the Trust and the loss of land is only on a temporary basis. There is also the benefit of the licence fee to the Trust.

9 OTHER OPTIONS CONSIDERED

- a. None.

10 CONSULTATION

- a. *Ward Councillors - Cllr Colin Barrett, Cllr Malcolm Lees, Cllr Caroline Roberts and Lorraine Brinkhurst have been informed of this proposal*

Cabinet members; Cllr Paul Crossley, Cllr David Bellotti have been consulted over this proposal

Section 151 Finance Officer has been consulted

Environmental Services, Parks – have been consulted over this proposal.

b. The consultation was carried out by email.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

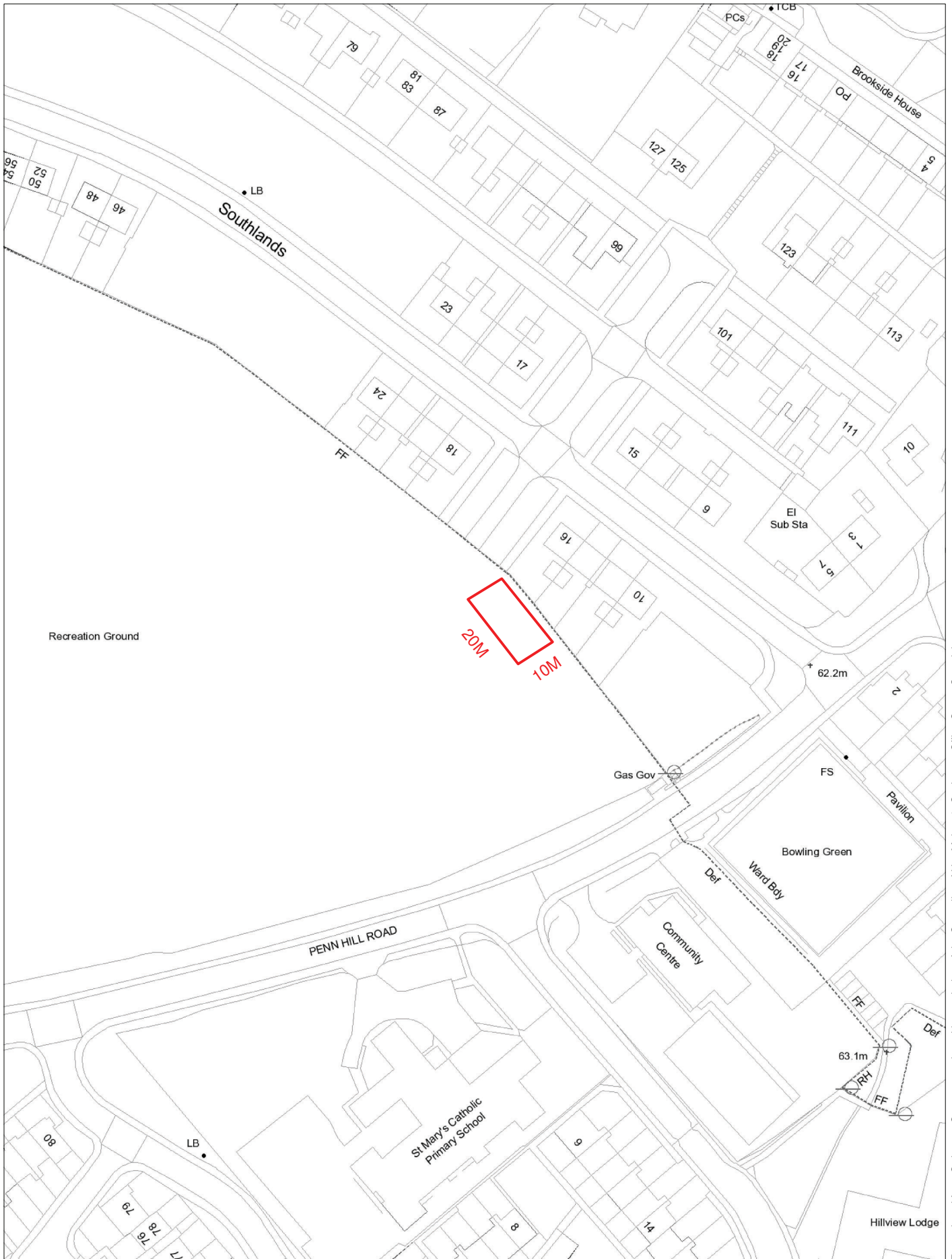
a. Property. The permission for the temporary use of this land by Lovell Partnerships will facilitate the improvement plans for the Southlands Estate for the benefit of local residents. The subject compound area should not greatly interfere with the use of the Recreation Ground.

12 ADVICE SOUGHT

a. The Council's Monitoring Officer (Property Law Manager) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	Alison White 01225 396679
Sponsoring Cabinet Member	Councillor David Bellotti
Background papers	None
Please contact the report author if you need to access this report in an alternative format	

This page is intentionally left blank



Reproduced from Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationary Office Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. License No. 100023334

Site of proposed compound at Southlands
1:1250 November 2011

This page is intentionally left blank

Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	11th January 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2298
TITLE:	Local Safeguarding Adults Board Annual Report 2010-2011	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1 Local Safeguarding Adults Board Annual Report 2010-2011		

1 THE ISSUE

1.1 The Local Safeguarding Adults Board (LSAB) has produced an annual report which outlines the work its multi-agency partners carried out during 2010-2011. The report requires the approval of the cabinet.

2 RECOMMENDATION

2.1 The Cabinet agrees the approval of the report.

3 FINANCIAL IMPLICATIONS

3.1 None

4 CORPORATE PRIORITIES

4.1 Building communities where people feel safe and secure; promoting the independence of older people; improving life chances of disadvantaged teenagers and young people.

5 THE REPORT

5.1 The LSAB Annual Report 2010-2011 provides an overview of changes to national policy relating to safeguarding adults at risk; outlines the Boards activity during this period; analyses the case activity that has taken place and outcomes for service users; reports progress on learning points identified in the 2009-2010 annual report and identifies new priorities for 2011-2012.

6 RISK MANAGEMENT

6.1 The report author, Lead Cabinet member and Local Safeguarding Adults Board have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

7.1 An Equalities Impact Assessment has not been carried out on the report itself and is not believed to be required. Equalities issues and impact assessments are carried out on policies and protocols that the LSAB approve.

8 RATIONALE

8.1 The rationale for approving the report is that there is firstly a requirement to approve and publish a report and this report itself has been fully considered by the LSAB and members have contributed to it and are thus in support of it.

9 OTHER OPTIONS CONSIDERED

9.1 None.

10 CONSULTATION

10.1 Cabinet members; Other B&NES Services; Service Users Organisation; Community Interest Groups; Stakeholders/Partners (including Carers Centre; Care Home representative and Health and Wellbeing Network representative); Other Public Sector Bodies (including Police; Probation; Fire and Rescue; AWP; RUH and RNHRD); Strategic Director for People and Communities Department

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 Human Rights

12 ADVICE SOUGHT

12.1 The Council's Strategic Director People and Communities Department; Divisional Director for Safeguarding Adults at Risk and Practice Development.

Contact person	Lesley Hutchinson (01225) 396339
Sponsoring Cabinet Member	Councillor Simon Allen
Background papers	None
Please contact the report author if you need to access this report in an alternative format	



Annual Report

2010 – 2011



Chair's Forward

Safeguarding arrangements in Bath and North East Somerset (B&NES) have continued to be robustly monitored by the Local Safeguarding Adults Board (LSAB) during 2010/2011. The LSAB have been instrumental in securing improvements across organisations for adults at risk and have demonstrated a strong commitment to partnership working to facilitate this.

Highlights during the year include the launch of a new Multi-Agency Safeguarding Adults Policy and Procedure and a Multi-Agency Training Strategy; improved governance arrangements and a move from Partnership to Board; a mail shot to over 600 agencies and a sub-regional poster campaign; the piloting of a training course for service users in safeguarding and risk enablement and finally the securing of an Independent Chair for 2011/2012.

Multi-agency working has been maintained at each sub group despite this creating capacity issues for smaller organisations, this demonstrates the importance LSAB members place on safeguarding our vulnerable population.

This annual report highlights accomplishments and lessons learned during 2010/2011. It reflects on the progress made against lessons learnt in 2009/2010. Improvements need to continue during 2011/2012 to ensure we safeguard our population to the best of the Boards ability.

I will pass the chairing responsibility of the LSAB to the new Chair – Robin Cowen and wish him well in this, in the knowledge that safeguarding arrangements are strengthening year on year in B&NES.

Finally I would like to pay tribute to Chris Lester who sadly died in January 2011. Chris worked for Freeways and was an enthusiastic and dedicated member of the LSAB and its sub groups. Chris' energy and interest in safeguarding adults was always impressive and his contribution to our work in B&NES will not be forgotten.

Janet Rowse
Acting Chief Executive
Health and Wellbeing Partnership

and

Chair
Local Safeguarding Adults Board

Contents

Chair's Forward	3
1. Introduction	5
2. Overview of National Context for Safeguarding Adults 2010/11	5
3. B&NES Local Safeguarding Adults Board Activity during 2010/2011	11
4. Analysis of Safeguarding Case Activity (2010/2011)	19
5. Progress on Learning Points from Safeguarding Adults Work During 2009/2010	31
6. Learning Points Identified for 2011/12	32
7. Safeguarding Adults Strategic Plan for 2009/11	33
Appendices	
1. Members of Local Safeguarding Adults Board	34
2. Members of Local Safeguarding Adults Board sub groups	36
3. Safeguarding Assurance Indicators	38
4. Safeguarding Training Courses and No. of Attendees	39
5. Breakdown of Referrals by Gender, Age and Ethnicity 2009/10	44
6. Safeguarding Reports from Partner Agencies	45
Tables	
1. Safeguarding Training Levels	16
2. Number of Staff Trained by CH&SCS and Organisation Type	17
3. Percentage of Male and Female Referrals for 2008 to 2011	22
4. Safeguarding Adults Referrals by Age and Gender	22
5. Safeguarding Adult Referrals 2005-2010 by Service User Group	23
6. Outcome Determinate of Alleged Abuse 2010/2011	26
7. Number of Referrals, Alleged Perpetrator and Outcome 2010/2011	27
8. Outcome at Procedural Stage for Terminated Cases 2010/2011	27
9. Terminated Cases and Procedural Timescales 2010/2011	30
Charts	
1. Safeguarding Referrals 2005-2011	20
2. Monthly Safeguarding Referrals for April 2009 – March 2011	21
3. Referral Cases by Age and Gender 2009/10 and 2010/2011	23
4. 2010/2011 Referral Breakdown by Service User Group	24
5. Distribution of Type of Abuse at Referral	25

Section 1: Introduction

- 1.1 The B&NES Safeguarding Adults Inter-Agency Partnership revised and formally agreed new governance arrangements in June 2010 (these arrangements are discussed in detail in section 3). From June 2010 the new name of B&NES Local Safeguarding Adults Board (LSAB) was adopted.
- 1.2 The LSAB is the strategic body that oversees multi agency working to assure that adults at risk from abuse are safeguarded effectively.
- 1.3 The LSAB is committed to ensuring that all agencies in B&NES and the wider community work together to minimise the risk of abuse and neglect to vulnerable adults.
- 1.4 This annual report summarises the LSAB's activities that has taken place from April 2010 to March 2011 and highlights the commitment to multi agency working including robust performance management and quality assurance.

Section 2: Overview of National Context for Safeguarding Adults 2010/2011

- 2.1 The profile of safeguarding adults continues to be raised. Not only has the Government continued to increase the focus on safeguarding adults, the media has also focussed the wider communities attention on adult abuse via the BBC airing the Panorama documentary in May 2011 about Winterbourne View Hospital ran by Castlebeck, a large national health and social care provider.
- 2.2 As stated in last years' Annual Report; in 2008, the government announced a formal review of 'No Secrets', including a consultation on how safeguarding of vulnerable adults should be organised for maximum effectiveness. On the 17th July 2009 the Department of Health produced **Safeguarding Adults: Report on the Consultation of the review of No Secrets**. The report highlighted key messages including the need for Safeguarding arrangements to be built on empowerment; awareness that safeguarding adults work is not the same as child protection and that participation/representation of people who lack capacity is important to safeguarding. The Government responded in Jan 2010 stating safeguarding adults boards were to be placed on a statutory footing; new safeguarding legislation would be produced and new multi-agency guidance was to be produced in Autumn 2010.
- 2.3 On the 24th February 2010 the Law Commission published **Consultation Paper No. 192 into Adults Social Care**. The Law Commission made provisional proposals for adult safeguarding in part 12 of the paper and focused on two issues:-
 - The existing legal framework for safeguarding adults and how this could be expressed in proposed statute.
 - The development of policy and how this could be facilitated in the proposed statute.

The law commission consultation ended on 1st July 2010 and the final report with recommendations was published as **Law Commission No. 326 Adult Social Care** (10th May 2011). Seven safeguarding recommendations are made in part 9 of the report, all are significant but the following three are highlighted for their specific impact on current arrangements:

Recommendation 39: The statute should:

- (1) provide clearly that local social services authorities have the lead co-ordinating responsibility for safeguarding;
- (2) place a duty on local social services authorities to investigate adult protection cases, or cause an investigation to be made by other agencies, in individual cases; and
- (3) place a duty on the Secretary of State and Welsh Ministers to make regulations prescribing the process for adult protection investigations. (p113)

Recommendation 40: Adults at risk should be those who appear to:

- (1) have health or social care needs, including carers (irrespective of whether or not those needs are being met by services);
- (2) be at risk of harm; and
- (3) be unable to safeguard themselves as a result of their health or social care needs.

In addition, the statute should provide that the duty to investigate should apply only in cases where the local authority believes it is necessary.

Harm should be defined as including but not limited to:

- (1) ill treatment (including sexual abuse, exploitation and forms of ill treatment which are not physical);
- (2) the impairment of health (physical or mental) or development (physical, intellectual, emotional, social or behavioural);
- (3) self-harm and neglect; or
- (4) unlawful conduct which adversely affects property, rights or interests (for example, financial abuse). (p120)

Note: the definition of adult at risk proposes a change to the current definition and includes self harm (no identified perpetrator). Several recent Serious Case Reviews have requested self harm is included in safeguarding adults policies.

Recommendation 44: Adult safeguarding boards should be placed on a statutory footing. In order to achieve this, the statute should:

- (1) give the local social services authority the lead role in establishing and maintaining adult safeguarding boards;
- (2) specify the following functions for adult safeguarding boards:
 - (a) to keep under review the procedures and practices of public bodies which relate to safeguarding adults;
 - (b) to give information or advice, or make proposals, to any public body on the exercise of functions which relate to safeguarding adults;
 - (c) to improve the skills and knowledge of professionals who have responsibilities relating to safeguarding adults; and
 - (d) to produce a report every two years on the exercise of the board's functions;
- (3) give the Secretary of State and the Welsh Ministers a regulation-making power to add to this list;
- (4) To require each of the following to nominate a board member who has the appropriate skills and knowledge:
 - (a) local social service authority;

(b) the NHS; and
(c) the police;

(5) give the Secretary of State and the Welsh Ministers a regulation-making power to add to this list;

(6) give the Care Quality Commission, the Care and Social Services Inspectorate Wales and the Healthcare Inspectorate Wales a power to nominate an appropriate representative to attend meetings;

(7) give the local social services authority a power to appoint any other person with the necessary skills and knowledge relevant to the board, and responsibility for appointing the chair; and

(8) provide that adult safeguarding boards should commission serious case reviews and establish a duty to contribute to these reviews.

The code of practice should provide guidance on when information can and should be shared with adult safeguarding boards. (p137)

Recommendation 45: The enhanced duty to co-operate should include specific provision to promote co-operation between relevant organisations in adult protection cases. (p138)

2.4 Post the election the Coalition Government produced a **Statement Of Government Policy On Adult Safeguarding** (May 2011) this document builds on “No Secrets”, which will remain as statutory guidance until at least 2013. It clearly sets out the Government intention to seek to legislate for Safeguarding Adults Boards (SABs), making existing Boards statutory. It also sets down six principles to govern the actions of adult safeguarding boards:

- Empowerment – taking a person-centred approach, whereby users feel involved and informed.
- Protection – delivering support to victims to allow them to take action.
- Prevention – responding quickly to suspected cases.
- Proportionality – ensuring outcomes are appropriate for the individual.
- Partnership – information is shared appropriately and the individual is involved.
- Accountability – all agencies have a clear role.

2.5 In November 2010 **A vision for adult social care: Capable communities and active citizens** (DH) was published, setting out a new direction for adult social care, putting personalised services and outcomes centre stage. Chapter six on Protection makes it clear that safeguarding is everybody’s business and that safeguarding is central to personalisation. It makes it clear that services should protect people when they are unable to protect themselves, and that this should not be at the cost of people’s right to make decisions about how they live their lives.

2.6 **Practical approaches to safeguarding and personalisation** (November 2010) published by the Department of Health highlights best practice on how self-directed support can help to prevent or reduce the risk of harm and abuse and shows how Councils are integrating safeguarding and personalisation. The South West Region has developed its own **Safeguarding and Personalisation Framework** (launched May 2010 and revised January 2011) identifying Bath People First as good practice.

- 2.7 In April 2011 the Association of Directors of Adult Social Services produced **Safeguarding Adults 2011 Advice Note**, this note provides the ADASS view on outcomes; supports the Law Commission's proposal to amend the No Secrets definition of 'vulnerable adults' to 'adults at risk'; promotes the use of the terms 'harm' and 'significant harm'; emphasizes the role Local Government should play in providing strategic leadership for the '*safety for all agenda*'; supports the recommendation for Boards to be on a statutory footing and the duty of partners to co-operate (highlighting GP consortia now Clinical Commissioning Groups) and requests a clear link be made with Health and Wellbeing Boards described in NHS White Paper **Equity and Excellence: Liberating the NHS** (July 2010). The advice note suggests that whilst waiting for legislative changes the Boards could consider structural options and suggests

'...a Safeguarding Adults Board can operate across Council boundaries; the Safeguarding Adults Boards and Local Children's Safeguarding Board can merge; or linkages and consistency of approach can be achieved through joint Chairing.' (p5)

The note also addresses the safeguarding and personalisation agenda; states the need for a focus on achieving outcomes for individuals and evidencing these rather than processes; highlights the importance of preventive work; the promotion of harm across the wider community and the development of the workforce and offers the **National Competence Framework for Safeguarding Adults** developed by Learn to Care and Bournemouth University (September 2010).

- 2.8 In April 2010 the CfPS and I&DeA published **Adult Safeguarding Scrutiny Guide**; a guide for Overview and Scrutiny Committees (OSCs) and Independent Chairs of Safeguarding Adults Boards. It sets out how OSCs can contribute to '*better safeguarding in this complex and sensitive area of public service*' (page 3).

- 2.9 In February 2011, the Parliamentary and Health Services Ombudsman publicised a report about primary and secondary care settings entitled **Care and compassion? Report of the Health Service Ombudsman on ten investigations into NHS care of older people**. The report reviewed cases using the NHS Constitution (2009) as a baseline measure and re-emphasised the importance of treating users of the NHS with respect, dignity and compassion. The investigations revealed

"an attitude – both personal and institutional – which fails to recognise the humanity and individuality of the people concerned and to respond to them with sensitivity, compassion and professionalism". (p7)

The report presented a picture of NHS provision that was failing to meet even the most basic of standards of care. The failings were considered totally unacceptable and required organisations to review their core principles. Many of the concerns raised in these investigations should have been dealt with through safeguarding.

- 2.10 In addition to the Department of Health guidance document **Clinical Governance and Adult Safeguarding: An Integrated process** (February 2010) further guidance has been produced in March 2011 to support the health community develop and improve arrangements for safeguarding adults:
- **Safeguarding Adults: The Role of Managers and Boards**
 - **Safeguarding Adults: The Role of the NHS Commissioner**

- **Safeguarding Adults: The Role of Health Practitioners**

2.11 The Mental Capacity Act 2005 **Deprivation of Liberty Safeguards (DoLS)** came into force on the 1st April 2009. The most significant case in 2010/2011 that has influenced practice through case law was arguably one involving two sisters aged 17 and 18 (at the time of the original judgement) and known as Mig & Meg. In short, both sisters have profound learning disabilities; one is cared for in a foster care arrangement while the other is in a supported living placement. It was argued in the Court of Protection by the Official Solicitor that their care arrangements were so restrictive that they amounted to a deprivation of their liberty. This argument was rejected in both the initial judgement and in a subsequent Appeal judgement (although for slightly different reasons). Although neither sister was cared for in a care home or hospital setting the judgement is still highly relevant in terms of defining what is a 'deprivation of liberty'. A Department of Health (DH) Briefing from 7th March 2011 (gateway reference 15723) analysed the judgment as follows:

*'An important distinction appears to be emerging in these judgments that people living in their own homes or tenancies, care homes or in "acute" hospitals will, whilst being restrained in their best interests, typically not be deprived of their liberty as those "normal" regimes will typically not achieve that threshold in delivering the treatment or care to which they are unable to consent. If however, their family or carers are indicating that they do not want the person to be there and more importantly, if the person himself is indicating that he doesn't wish to be there, then the question of their confinement arises and the question of deprivation of liberty is now engaged. Other factors to consider are the use of medication, social contact, and whether the person goes out of the home regularly to college, day centre or place of occupation'. **Summary of two cases on the meaning of deprivation of liberty: the "MIG and MEG" case and the "A and C" case.** (DH March 2011)*

2.12 Manthorpe and Martineau published their research into 22 adult serious case review reports. The research analysis documented in **Serious Case Reviews in Adult Safeguarding in England: An Analysis of a Sample of Reports** (British Journal of Social Work, September 2010, p1–18) concluded that though the purpose of reviews was understood thresholds and activities for carrying out an SCR were not consistent; lessons learned were not effectively disseminated and there was often a lack of transparency about their purpose and activity. The report recommends a standardised approach be taken. In May 2011 Somerset County Council published the **Parkfields Serious Case Review** commissioned in 2010 by the local Safeguarding Adults Board and carried out by independent chair Margaret Sheather. The report of the multi-agency review into events surrounding the Parkfields care home makes 21 recommendations to further improve safeguarding arrangements. Similarly children safeguarding SCRs have essential learning which translates to Adults such as **Serious Case Review Baby Peter** (Local Safeguarding Childrens Board Haringey, February 2009).

2.13 The **Independent Safeguarding Authority (ISA)** has responsibility for managing the **Vetting and Barring Scheme** which was launched in October 2009. The Scheme was due to start in July 2010 but was halted when the coalition government came into power and announced in June 2010 that it would be reviewed along with the Criminal Records regime. In February 2011, the review recommendations were published and include:

- to implement a barring function of a state body to help employers protect those at risk from people who seek to do them harm via work or volunteering roles
- the Criminal Records Bureau (CRB) and ISA to be merged
- a new barring regime to cover only those who may have regular or close contact with vulnerable groups applied to both paid and unpaid roles with automatic barring for those serious offences which provide a clear and direct indication of risk
- no requirement for people to register with the scheme and there will be no ongoing monitoring
- criminal records disclosures will continue to be available to employers and voluntary bodies but should be revised to become portable through the introduction of a system which allows for continuous updating
- the Government should raise awareness of safeguarding issues and should widely promote the part everyone has to play in ensuring proper safeguarding amongst employers, volunteer organisations, families and the wider community

2.14 The **Health and Social Care Act 2008** requires organisations to maintain registration with the Care Quality Commission (CQC) and in order to do this they are required to demonstrate compliance with the **Guidance about Compliance: Essential Standards of Quality and Safety** (March 2010). Safeguarding and safety is one of the key areas which require compliance, in particular, Outcome 7: Safeguarding people who use services from abuse. However, Outcomes 9, 10, 11, 12, 13, 14 and 17 also ensure service users safety. In July 2010 CQC produced **Our safeguarding protocol. The Care Quality Commission's commitment to safeguarding**. This protocol sets out CQC's core functions for safeguarding adults and children regarding registration, compliance and assessment of quality; the role of CQC in local safeguarding procedures and the management of safeguarding information received by CQC.

2.15 **The Prevent Strategy 2011** (a revision to the original Home Office Prevent Strategy published in 2007 and part of CONTEST, the governments counter terrorism strategy) sets out how agencies (led by the Home Office with Community Safety Partnerships) can focus on working with individuals and communities who may be vulnerable to the threat of violent extremism and terrorism. Safeguarding arrangements are identified as one mechanism to reduce the risk of terrorist acts by identifying people who may be at risk of radicalisation due to their 'vulnerability'. **Building Partnerships, Staying Safe. The prevention of violent extremism – pilot programme: guidance for healthcare organisations** (DH Dec 2009) advises health organisations how healthcare agencies can work together to address the Prevent agenda. The initial focus is on adults with mental health problems.

2.16 The Department of Health launched the new **Adult Social Care Outcomes Framework** (ASCOF), in March 2011. The framework has four domains with Domain four relating to safeguarding. Two outcomes have been proposed, however the most relevant one for adult safeguarding is yet to be finalised.

2.17 A significant amount of work has been commissioned via the South West region Association of Directors of Adult Social Services (ADASS) including but not exclusively:

- ADASS **South West Safeguarding Adults Thresholds Guidance** March 2011

- South West ***Out of Area Arrangements and Cross Border Issues*** arrangements August 2010
- South West ***Cross Boundary Information Sharing Protocol*** June 2011
- ADASS South West Region ***A Safeguarding and Personalisation Framework*** May 2010
- ADASS South West Region ***Safeguarding Self- Assessment Quality and Performance Framework*** Autumn 2011

Section 3: B&NES Local Safeguarding Adults Board Activity during 2010/2011

3.1 Aims and Principles

3.2 The Local Safeguarding Adults Board (LSAB) continued to meet on a quarterly basis during 2010/11 to deliver its aims and principles. One the LSAB aims is to achieve effective and consistent inter- agency working to ensure that Safeguarding Adults work is effective, responsive and co-ordinated.

3.3 Members of the LSAB during 2010 to 2011 are listed in Appendix 1.

3.3 The LSAB works together to the following principles which are outlined in the B&NES Safeguarding Adults Strategic Plan:-

- Every individual has a right to live a life free from abuse
- Safeguarding adults is a shared responsibility of all agencies
- High quality multi-agency working is essential to good safeguarding
- All adults have the right to independence that involves a degree of risk
- B&NES Council holds the lead responsibility for safeguarding adults

3.4 The Safeguarding Adults Strategic Plan has been operational since September 2009 and is available at the weblink below:

<http://www.bathnes.gov.uk/SiteCollectionDocuments/HealthandSocialCare/SafeguardingAdultsStrategyinBANES2009-2011.pdf>

3.5 The plan concentrates on four work stream themes:-

Theme 1: Governance, Leadership and Delivery Arrangements

Theme 2: Awareness, Engagement and Communications

Theme 3: Quality Assurance, Audit and Performance Management

Theme 4: Training and Development

Each theme has a multi agency working group with Terms of Reference also available on the website. Theme 1 however is separated out into three working groups these are; Policy and Procedure sub-group, Safeguarding and Personalisation sub-group and the Mental Capacity Act Local Implementation Group (MCALIN). The membership lists for the groups are set out in Appendix 2.

3.6 Theme 1: Governance, Leadership and Delivery Arrangement Work Carried Out During 2010/11

3.7 Governance and Leadership

- 3.8 Revised Terms of Reference were discussed in March 2010 and finalised and adopted in June 2010. The revision included: changing the title from the Safeguarding Adults Inter-Agency Partnership to the Local Safeguarding Adults Board; broadening the membership (including Cabinet Member); agreement for an Independent Chair to be recruited; extension from two to three hour meetings to cover business; reporting lines; resourcing and a role description for Board members. The LSAB Terms of Reference are available on the B&NES Council website.
- 3.9 Throughout 2010/2011 the LSAB was chaired by Janet Rowse Acting Chief Executive Health and Wellbeing Partnership; recruitment for an Independent Chair was completed by March 2011. Robin Cowen was successfully appointed as the new Independent Chair of the LSAB.
- 3.10 Throughout 2010/2011 the LSAB through the Service Improvement and Development Team (the commissioning arm of the Health and Wellbeing Partnership) reports on a bi-monthly basis to the Partnership Board for Health and Wellbeing (PBH&WB). Membership of the PBH&WB includes the Chair of the PCT, Leader of the Council, Cabinet Members, PCT Non Executives, Chief Executive of Health and Wellbeing Partnership, Council Chief Executive, Chair of the Professional Executive Committee, PCT, Joint Director of Public Health and Strategic Director for Children's Services.
- 3.11 Safeguarding concerns continue to be raised with the Local Strategic Partnership through the Acting Chief Executive of the Health and Wellbeing Partnership and Chief Executive of the Council.
- 3.12 A new Multi-Agency Safeguarding Adults Policy and Procedure was launched in April 2010. The launch was successful with approximately 200 people attending, with a further 130 people attending agency specific launch events.
- 3.13 Progress of the Delivery arrangements sub groups during 2010/2011 is reported below.
- 3.14 Policy and Procedure sub group progress**
- The group struggled with multi agency representation during the early part of 2010; the existing Chair stepped down due to capacity issues but remained an active member of the LSAB; an interim Chair was appointed and the work plan was revised
 - The group considered Part 12 on Safeguarding Adults of the Law Commission Adult Social Care proposal and responded on behalf of the LSAB
 - The group reviewed the South West Out of Area Arrangements protocol and recommended the LSAB adopt this
 - The group reviewed the effectiveness of MARAC and MAPPA arrangements from a safeguarding perspective and agreed new arrangements with the Police in February 2011
 - The Cornwall Trigger Protocol was considered and the LSAB agreed they would like to develop a local one for B&NES
 - Work commenced on the development of a Threshold Statement; this work was superseded by South West Regional Threshold Guidance

- A new work plan for 2011/2012 was agreed to: finalise a multi-agency Trigger Protocol; revised SCR Protocol; develop local Thresholds guidance based on the work of the South West and develop guidance about service users consent.

3.18 Safeguarding and Personalisation sub group progress

3.19 The Safeguarding and Personalisation sub group (formerly Safeguarding and Personal Budgets sub group) completed the following work in 2010/2011:

- Continued to implement the recommendations set out in the South West Regional Safeguarding and Personalisation Framework (revised January 2011)
- Commissioned an independent trainer to deliver training sessions on innovative support planning and enabling risk taking. The training was delivered in May 2011
- Welcomed the training provided by Bath People First and the Shaw Trust for 15 service users on safeguarding and risk taking (piloted in January 2011)
- Developed guidance for service users, carers and voluntary /independent sector providers about personalisation and safeguarding
- Revised the safeguarding elements in the Personal Budgets Manual to ensure risk and empowerment are considered appropriately and throughout the process

3.20 Mental Capacity Act Local Implementation (MCA LIN) group progress

3.21 The LSAB agreed it would monitor the progress and work of the MCA LIN from October 2010; it agreed to report any issues to the Partnership Board for Health and Wellbeing. During 2010 to 2011 the MCA LIN have:

- Refreshed the Terms of Reference for the group and have strengthened the membership
- Ensured MCA and DOLS training was provided during a period of staff change
- Increased capacity to provide advice and support for MCA and DoLS queries and processing and successfully appointment a new post holder in January 2011
- Reviewed existing MCA and DoLS training provided and redesign this with a new plan ready for implementation in April 2011
- Shared recent case law and looked at how practice in B&NES needs to adapt to this
- Developed support for Mental Health Assessors and Best Interest Assessors
- Reviewed the information on B&NES Council and NHS Banes websites
- Produced a separate annual report of the Deprivation of Liberty Safeguarding for 2010/2011. Highlighting how the authority performs in comparison to other Local Authorities

3.22 The LSAB received an annual report (2010/2011) on DoLS in July 2011. The report highlighted concerns about the low number of DoLS referrals (15) in comparison to other LA areas in the South West with B&NES having received the lowest number of applications per 100,000 population. 15 applications is a considerable increase on the 3 applications received in 2009-2010. However further assurance is required that Care Homes and Hospitals are aware of their responsibilities in accordance with this.

3.24 Theme 2: Awareness, Engagement and Communication Work Carried Out During 2010/2011

3.25 The multi-agency **Awareness, Engagement and Communication sub group** have continued to progress its work plan for the LSAB during 2010/ 2011 and the following has been accomplished during this period:

- The LSAB launched a new Multi-Agency Safeguarding Adults Policy and set of Procedures. This was launched in April 2010; approximately 330 stakeholders attended a variety of events
- LSAB logo proposed and agreed
- Agreement with sub regional partners to use the same safeguarding posters with localised contact information. The posters are to be used as part of an advertising campaign to raise awareness across organisational boundaries
- A database of organisation's / agencies to send safeguarding promotional information to has been set up and a mail shot to over 600 organisations / agencies has taken place
- A review of the effectiveness of service user feedback mechanisms has taken place and a report shared with the LSAB; a new proposal to refine service user feedback is being discussed
- Bookmarks have been designed, printed and distributed with safeguarding information on one side and personal budgets information on the other
- A variety of safeguarding articles and adverts have been published throughout the year including an article in Council Connect magazine (delivered to every household in B&NES in September 2010); an advert in RUH Volunteer magazine; a briefing in Inside Out (B&NES Council staff magazine); an article in Primary Care Newsletter (distributed to all GP practices) and the posters have been included from September 2010 onwards on the Connect TV one hour loop series in B&NES Council offices, leisure centres and libraries to raise awareness
- A full colour pull up banner featuring one of the poster images has been made and is available for members to use at events and meetings to promote safeguarding
- A variety of forums have been attended and presentations on safeguarding given for example at the Carers Forum, the Mental Health Forum and Community Health and Social Care Services Service User Panel
- A specific workshop for BME providers on adult safeguarding has been held and all local agencies were represented
- Bath People First and the Shaw Trust ran pilot training and awareness raising programme for service users on safeguarding and risk enablement. This was successful with 15 service users attending four sessions. Funding was secured for additional programmes to be ran in 2011-2012. This training will be included in the Training Strategy (see 3.32)
- The second Elected Members Event on safeguarding was ran; it was attended by Councillors, PCT Executives and Board members and members of the GP consortium and was run in partnership with Local Safeguarding Children's Board members. The focus was on updating attendees on safeguarding development and policies; looking at shared issues for adults and children; and considering how whole community engagement in safeguarding [adults and children] can be achieved. The event was positively evaluated and further such events will be planned

- The Police, Probation and AWP delivered a safeguarding and community awareness workshop in April 2010
- A Multi-Agency Communication and Media Protocol has been proposed. However, it is anticipated to be finalised in 2011-2012

3.26 The LSAB agreed that the sub group move from a short life to a substantive sub group of the LSAB.

3.27 **Theme 3: Quality Assurance, Audit and Performance Management Work Carried Out During 2010/2011**

3.28 The multi-agency **Quality Assurance, Audit and Performance Management sub group** has undertaken the work outlined below during 2010/2011 and reported back to the LSAB its progress at each meeting:

- Reviewed the Self Assessment Assurance Framework returns provided by each agency that sits on the Board; self assessments were scrutinised and constructive criticism provided.
- Proposed and agreed (through the LSAB) a set of safeguarding assurance indicators; these have been included in all health and social care commissioned services contracts (Appendix 3)
- Agreed and implemented a monthly review of safeguarding alerts from the RUH and RNHRD to AWP and Community Health and Social Care Services to assure all alerts are received and recorded
- Reviewed progress against actions identified in the 2009/2010 Annual Report
- Developed and implemented a multi-agency safeguarding adults audit tool (based on that used by the LSCB) to assure multi agency practice and identify lessons to be learned
- Reviewed each LSAB members Safeguarding Adults Policy and Procedure to assure they dovetail with the overarching new LSAB Multi-Agency Policy and Procedure
- Reviewed a selection of cross department / agency strategies and work streams to ensure they include reference to safeguarding vulnerable adults for example the Carers Strategy

3.29 **Theme 4: Training and Development Work Carried Out During 2010/2011**

3.30 A complete review of Safeguarding Adults training was undertaken in 2010-2011 and a new Safeguarding Adults Training Strategy has been written to take into account competencies being developed at national and regional level. A comprehensive training programme has also been developed.

3.31 The Strategy is based on the model of Children's Services safeguarding training and content and competencies at each level have been designed to avoid duplication.

3.32 The Training Strategy is based on the following levels as set out in table 1 below

3.33 Table 1: Safeguarding Adults Training Levels

Level	Course	Target Group
Core Induction	Introduction to Adult Safeguarding Issues	All new staff
Level 1	Preparatory Training (eg, through e-learning packages)	
Level 2a	Safeguarding Adults Awareness Training to include: Policy and Procedures, MCA & DOLS awareness, Dignity in Care etc	All 'relevant' frontline staff
Level 2b	Update Safeguarding Adults / Refresher Training to include: updated procedures and developments	All 'relevant' staff who require a 2-year update
Level 3a	Carrying out Safeguarding Investigation Training	Practitioners likely to carry out investigations and those who co-ordinate investigations
Level 3b	Managing Safeguarding Processes (Role of Co-ordinator)	
	Effective Minute Taking	Administrative staff supporting the Safeguarding Adults procedures
Proposed development of:		
Level 4	Strategic Managers Safeguarding Adults Training	Chief Executives, Directors, Non-Executive Directors, Independent Chair and Operation Managers, Elected Members (not exhaustive)
Level 5	Service User Training in Safeguarding and Risk Enablement *	Service users

3.34 The Training Strategy was adopted by the LSAB in December 2010.

3.35 Multi-agency attendance at the Training and Development group has been limited and the LSAB have been asked to address to ensure commitment for 2011-2012 **(Learning point 1)**

3.36 Safeguarding adults training courses have been provided by CH&SCS throughout the period and 1134 staff have been trained from a range of organisations as listed below in table two below. Appendix 4 provides the detail of the course provided and the number of attendees by organisation type.

3.37 **Table 2: Number of Staff Trained by CH&SCS and Organisation Type**

Organisation Type	No. Staff Trained
AWP	2
Independent and Voluntary Sector Providers	331
General Practices	12
NHS Other	22
PCT Commissioning	6
CH&SCS (PCT provider)	380
Council Commissioning	8
CH&SCS (Council provider)	359
Total	1134

Note: Organisations also provide their own staff training and these figures are not captured in this report.

3.38 **Additional Work Carried Out by the LSAB during 2010/2011**

3.39 The LSAB considered a review report commissioned by B&NES Council Chief Executive Officer into B&NES Council's Safeguarding Arrangements; the report was commissioned to assure the Council that safeguarding activity was managed effectively by the Health & Wellbeing Partnership (i.e. the integration of B&NES Council Adult Social Services & Housing with B&NES Primary Care Trust). It was a follow up review to one carried out in 2009 and made recommendations for improvements. An action plan was put in place to address the recommendations.

3.40 A number of LSAB members routinely attended the Local Safeguarding Children's Board and continue to provide feedback to the LSAB on issues that arise which are relevant for working with vulnerable adults.

3.41 B&NES Council participated in a serious case review carried out by North Somerset Council. The case involved a North Somerset's residential home for adults with learning disability, in which residents from neighbouring authorities were placed – hence the involvement of B&NES. A serious case review report was issued at beginning of 2010 and the findings of that report required B&NES Council to develop and implement an action plan. The report findings and action plan were discussed with the LSAB to provide assurance that lessons learned had been implemented.

3.42 A serious case review application was made to the LSAB in October 2010. The application was approved and the serious case review commenced. The outcome will be reported is expected in 2011 and will be reported in 2011/2012 annual report.

3.43 The **Airedale Enquiry** report for the Yorkshire and Humber Strategic Health Authority in June 2010 was considered by the LSAB. The LSAB requested the RUH and police work together to consider the recommendations for any improvements required to local practice.

- 3.44 The Head of the Public Protection Unit for Avon and Somerset Police outlined proposals brought about by the coalition Government's spending review. The Police assured the LSAB that the changes would in no way compromise safeguarding the public in this area. The LSAB await the draft proposal documentation from the Police regarding these changes in order to assess the impact.
- 3.45 The LSAB considered the Care Quality Commissions inspection report findings in relation to the management of safeguarding adults for B&NES Councils during 2009 – 2010 as part of the **Performance Assessment of Adult Social Services**. The Care Quality Commission reported that safeguarding arrangements were seen to be 'performing well' and above the requirements laid down by them. CQC did identify some areas for improvement, which B&NES Council were already aware of such as the recommendation to appoint an Independent Chair to the LSAB. The LSAB reviewed the current arrangements and how it could move from being rated as 'performing well' to 'excellent'. Although annual inspections are no longer carried out in the same way by the Care Quality Commission the LSAB agreed that the Care Quality Commission standards were a good target and should be progressed. An action plan to achieve this was agreed. An Independent Chair for the LSAB was successfully appointed and attending / part chaired the March 2011 meeting (see 3.9).
- 3.46 The **PREVENT Strategy 2011** (see 2.15) was considered by the LSAB and members were tasked with considering local arrangements to ensure that local systems are in place to meet B&NES Council and NHS Banes responsibilities with this. Local arrangements are to be finalised.
- 3.47 The LSAB considered a briefing on an independent review into the management of a whole home safeguarding investigation carried out by Community Health and Social Care Services. The review made five recommendations for improvements which the LSAB discussed; the LSAB requested that the progress of the recommendations be reported back at its meeting in the Autumn of 2011.
- 3.48 Freeways (LSAB voluntary sector provider representative) presented a report of a safeguarding mapping research project they had undertaken in Bristol to share the learning and findings with B&NES LSAB. The LSAB identified areas that echoed for B&NES and agreed to consider ways to improve services as a response to this.
- 3.49 The LSAB considered **Care and compassion? Report of the Health Service Ombudsman on ten investigations into NHS care of older people** (February 2011) (see 2.9) and members have been asked to consider the implications for their agencies.
- 3.50 LSAB members have attended, participated and represented the LSAB at a range of workshops and events to develop their understanding of safeguarding issues that relate to LSAB activity such as the following regional events: Safer Communities and Adult Safeguarding (March 2011); PREVENT and Safeguarding (March 2011); Service User Involvement (April 2011).
- 3.51 B&NES Council along with three South West Authorities have helped develop and facilitate the South West Safeguarding Adults 'Community of Practice' a dedicated

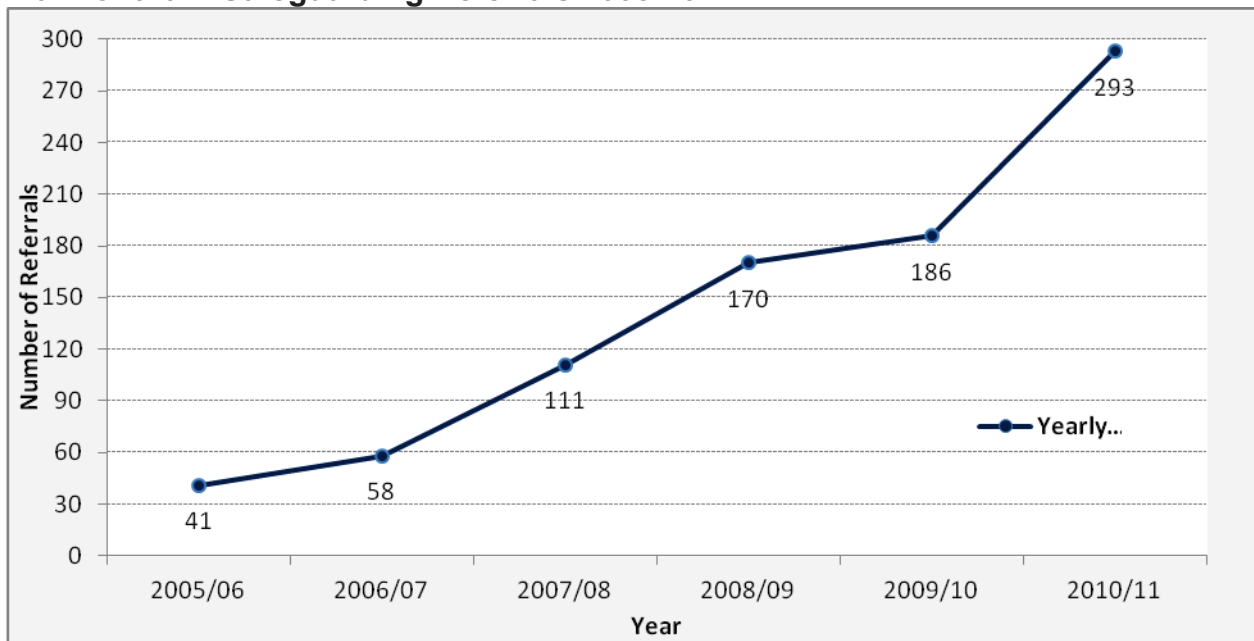
web based resource for sharing experience and knowledge across the region with safeguarding leads from a variety of organisations.

- 3.52 **Community Safety** in B&NES remain on the LSAB agenda and it continues to ensure safeguarding vulnerable adults is considered in strategic planning and operational decisions. For example, the Police Community Safety Team have continued to lead the work on doorstep crime, which is specifically targeted at the vulnerable and through the Doorstep Crime Forum and have maintained the No Cold Calling Zones around sheltered housing areas within Bath. Safeguarding concerns are routinely raised by the Partnership Against Domestic Violence and Abuse (PADVA), at MARAC and MAPPA meetings and at the Partnership Against Hate Crime (PAHC). Representatives from the LSAB are members of each Community Safety forum / meeting.
- 3.53 The Community Safety Plan 2009-2012 is cross cutting with most services and links to the Local Strategic Partnership, the Local Area Agreement, Safeguarding Adults and Children, Policing Plan, Fire safety, etc. The Council Community Safety Team have continued to monitor the progress and delivery of the Independent Domestic Violence Adviser (IDVA) service, which from April 2009 was extended to support domestic violence victims of same sex couples; and a range of support services (SARI, EACH and Victim Support) for victims of hate crimes who are instrumental in the work of the B&NES Partnership Against Hate Crime (PAHC). A Responsible Authorities Group action plan is in place to focus on 'increased protection of the most vulnerable victims of crime (domestic violence, sexual abuse and hate crime)' - this covers all victims (adults and children) of domestic violence, sexual abuse and hate crime. Domestic homicide is also being considered and the overlap with the serious case review protocol.
- 3.54 The Community Safety Zone in Radstock and Midsomer Norton continues to offer safe places for people with learning disabilities experiencing Hate Crime incidents when out and about in their community. The Community Safety Zone project which was led by the Norton Radstock Network for people with learning disabilities, has now been extended to Keynsham and is being introduced into Bath. Working with the Police and community safety agencies the format of the Community Safety Zones has now changed a little, with Easy Read/Accessible reporting forms being handed straight to the Police, however, the essence of the Zones remain: that being a safe place with trained staff who can offer reassurance and support at a time when someone with a learning disability experiences a Hate incident or crime. Safe havens are places where disabled people can go if they need support, reassurance or assistance while they are travelling independently. Bath People First ensure that any business offering a safe haven is given training and monitored regularly and work in partnership with local Police Community Support Officers to provide this.

Section 4: Analysis of Safeguarding Case Activity (2010/2011)

- 4.1 There has been a year on year increase in safeguarding referrals and this pattern has continued for 2010/2011.
- 4.2 During 2010/2011 293 safeguarding referrals have been made an increase of 58% from the 186 received in the previous year.

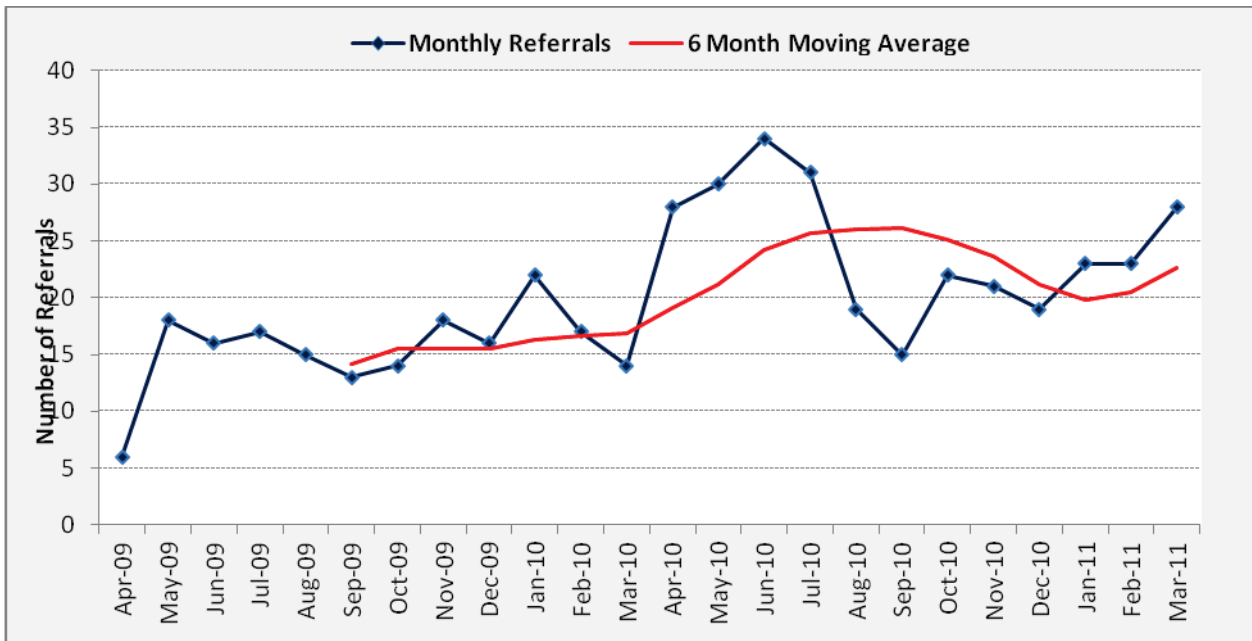
4.3 Chart 1: Safeguarding Referrals 2005-2011



4.4 B&NES Council participated in a six month pilot of the Abuse of Vulnerable Adults (AVA) data collection administered by the NHS Information Centre from October 2009 to March 2010 in order to prepare for the mandatory collection in 2010/2011. All South West authorities have submitted a full years AVA return for 2010/2011. Where possible the information gathered from returns will be included as benchmarking information for analysis in the annual report.

4.5 When compared to other South West Local Authorities referrals rates per 100,000 populations for 18+ years the average is 17.7 referrals, and B&NES receives 14.1; although B&NES remains lower than the average, out of 15 authorities B&NES is ninth and the average is skewed by one authority that has a very high rate in comparison to all other South West authorities. Were this authorities data removed from the comparison the average would be reduced and B&NES would be closer to it.

4.6 Chart 2: Monthly Safeguarding Referrals from April 2009 – March 2011



- 4.7 The chart above shows a month by month breakdown of the number of safeguarding referrals received and reflects an increasing monthly average since August 2009. A spike in referrals was received in April – July 2010 and this relates to a specific residential home for adults with Learning Difficulties. A significant amount of work has been undertaken in relation to this to assure the service users safety and an independent review has been carried out and reported to the LSAB.
- 4.8 Repeat referrals for B&NES during 2010/2011 were 7% of the actual number of referrals which is less than the South West authorities average of 11%. B&NES is working to further reduce the number of repeat referrals and has audited all repeat referrals during 2010/2011 to ensure that service users were safe, to try and identify any lessons learned to reduce the number. As stated in 4.7 the CH&SCS Learning Difficulties Service received a number of repeat referrals for service users at one particular residential home. However, as stated above, a significant amount of work has been undertaken to ensure service user safety. The Health and Wellbeing Partnership Board also pay close attention to this.
- 4.9 The percentage of male and female referrals for 2010/2011 when compared to 2009/2010 and 2008/2009 is very similar showing the gender profile to be almost identical for the three years with a slight increase in the number of females being referred. **Table 3** below sets this out:

No. of Referrals by Gender			
Gender	08/09	09/10	10/11
Male	65 (39.4%)	76 (40.9%)	113 (38.6%)
Female	100 (60.6%)	110 (59.1%)	180 (61.4%)
Total	165*	186	293

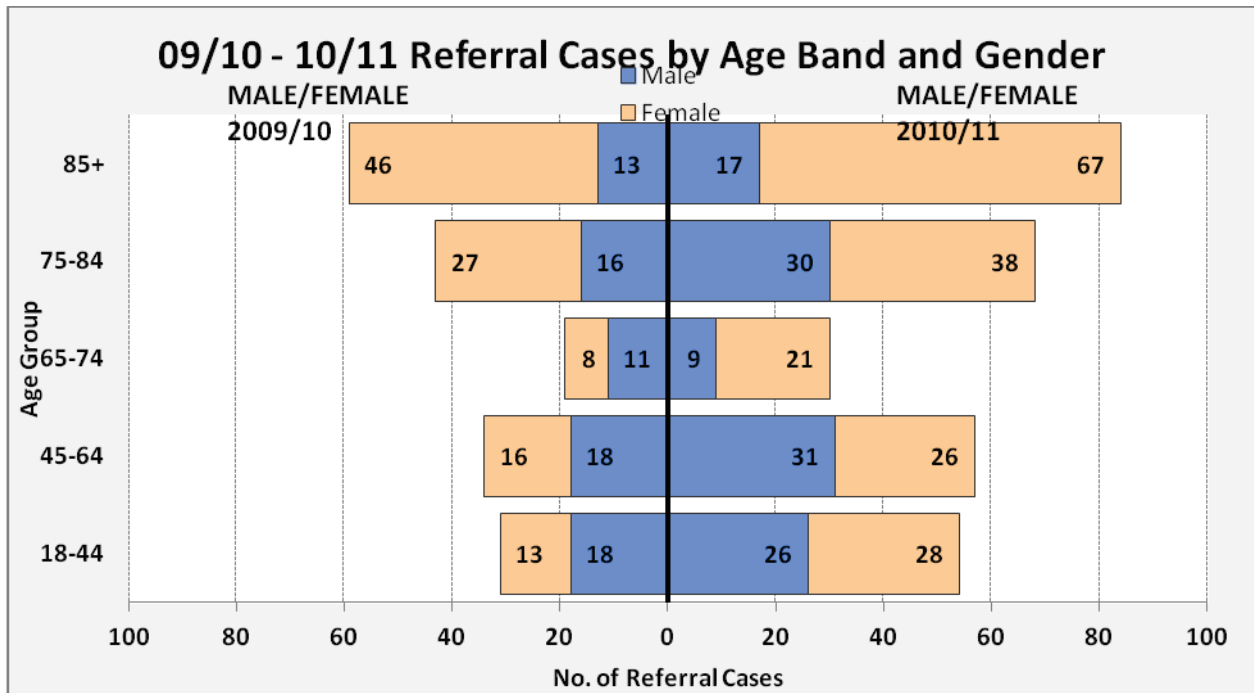
* Note: the 2008/2009 figure of 165 reflected above indicates there were five fewer safeguarding adults' cases than reported in 4.3 above. The 165 figure was reported prior to a significant data cleansing exercise being undertaken which found a further five cases which required including. The LSAB have not gone back retrospectively to amend the 2008/2009 report as it was correct at the time of publication.

4.8 A more detailed breakdown of referral ages and gender is highlighted in table and chart below and indicates a rise in the number of females aged 18-64 years being referred, however the male referral rate has remained similar.

4.9 Table 4: Referral by Age and Gender

Gender	No. of Referrals by Age					
	18-64			65+		
	08/09	09/10	10/11	08/09	09/10	10/11
Male	34 (20.6%)	36 (19.4%)	57 (19.5%)	31 (18.7%)	40 (21.5%)	56 (19.1%)
Female	23 (13.9%)	29 (15.6%)	54 (18.4%)	77 (46.6%)	81 (43.5%)	126 (43%)
Total	57 (34.5%)	65 (34.9%)	111 (37.9%)	108 (65.5%)	121 (65%)	182 (62.1%)

4.10 Chart 3: 2009/2010 - 2010/2011 Referral Cases by Age Band and Gender



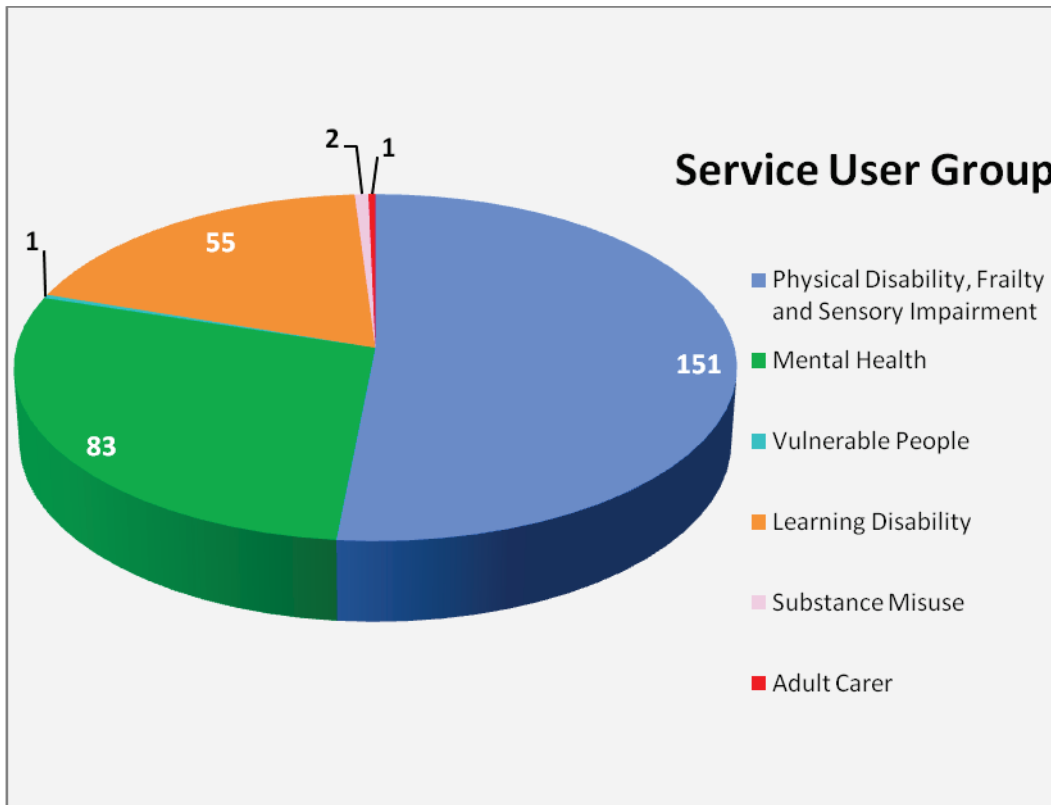
4.11 A comparison of the referrals by ethnicity for the last three years is also very similar white British being the ethnicity of 93.2% of referrals. Additional work has been undertaken to raise awareness amongst BME groups during 2010-2011. However specific focus was not given until January 2011 and figures for the following year may show an increase as a result of this. A full breakdown of referrals by gender, age and ethnicity for 09/10 can be found in Appendix 4.

4.12 Table 5: Safeguarding Adult Referrals 2005 - 2010 by Service User Group

	2005/6	2006/7	2007/8	2008/9	2009/10
Older people	23	33	53	119	121
People with learning disabilities	11	12	33	21	34
People with physical and/or sensory disabilities	2	9	14	15	19
People who use mental health services	5	4	11	7	9
People who use HIV /AIDS services	0	0	0	0	0
People who use drug services	0	0	0	3	3
Carers	0	0	0	5	0
Total of above	41	58	111	170	186
Year on year % change		41%	91%	53%	9%

4.13 Reporting in relation to service user groups changed to fit the AVA categories and the Chart below shows the break down for 2010/2011.

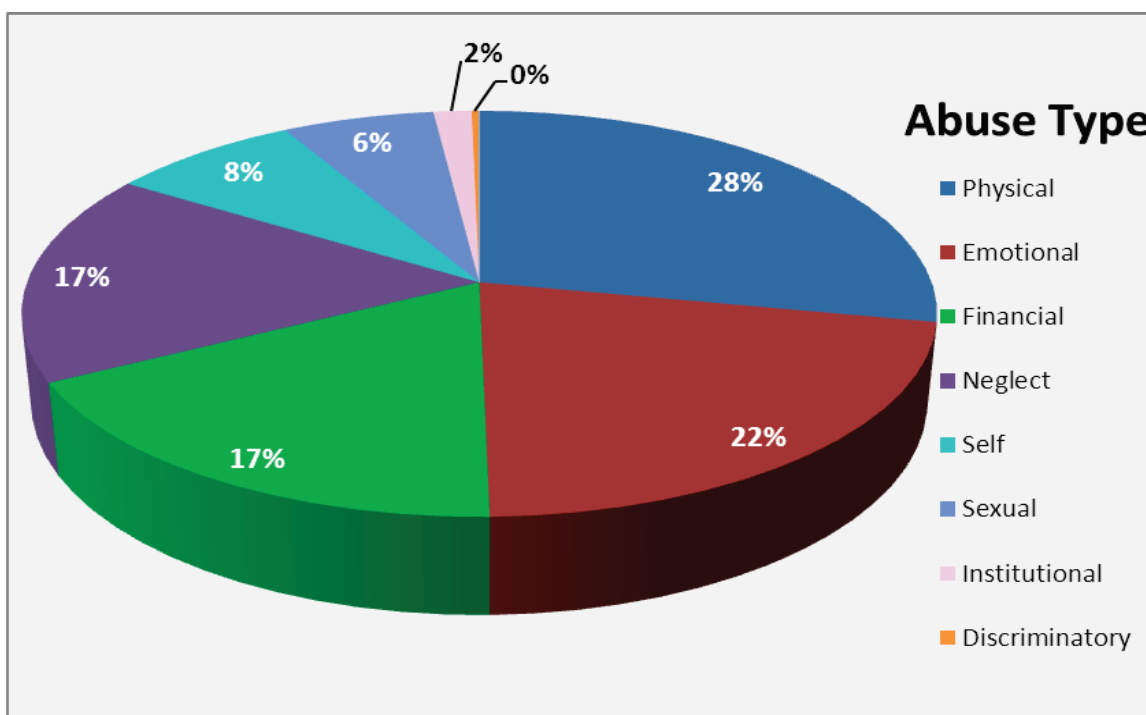
4.14 Chart 4: 2010-2011 Referral Breakdown by Service User Group



- 4.15 The chart indicates that the number of mental health service users referred for safeguarding has significantly increased. This is indeed the case, however it must be noted that the figure of 83 includes both adults of working age and older adults with mental health problems, whereas older adults with mental health problems are instead included in the category for older people in table 5 above. However, a significant amount of focus has been given to safeguarding adults work within Avon and Wilshire Mental Health Partnership Trust and this is reflected in the figures. CQC had commented that the mental health figures were out of kilter with other areas and needed addressing which is what has taken place.
- 4.16 Of significant note is the increase in referrals for adults with learning difficulties. This figure is expected to rise further into 2011/2012 with the impact of the BBC Panorama programme raising awareness.
- 4.17 Of further note is the number of substance misuse referrals. A recommendation is made to work with the Drug and Alcohol Services to raise awareness during 2011/2012. **(Learning point 2)**
- 4.18 Although the number of adult carer referrals is small there is consistently good engagement with carers' organisations and a number of awareness raising activities have taken place during 2010-2011, such as the dissemination of the bookmark to carers, a presentation to the Carers Forum and an article in a local magazine specifically about carers. A recommendation is for the LSAB to keep a watching brief on this. **(Learning point 3)**

- 4.19 When compared to other South West authorities the proportion of referrals for service user groups is not out of kilter; however, of note mental health referrals are higher than the average across the South West.
- 4.20 From the 293 referrals, 28 (10%) were for service users that were in receipt of a direct payment. A rise in the take up of direct payments from the Council is anticipated and it would be useful for the LSAB to analyse safeguarding direct payment cases that occur during 2011-2012 to ascertain whether any additional preventative work is required. **(Learning point 4)**. 31 (11%) out of the 293 referrals were for service users that are fund their care themselves.
- 4.21 39 safeguarding cases were open on 1st April 2010, a further 293 referrals were received during the financial year. Therefore CH&SCS and AWP supported a total of 332 service users during the period.
- 4.22 281 cases were terminated/closed during the period (99% more that in 2009-2010).
- 4.23 Of the terminated cases this year, there has been a change from the last two years in the type of abuse that is most frequently reported. Previously emotional abuse was most frequently reported with financial abuse and then physical abuse being the second and third most reported reasons. In 2010/2011 referral concerns were highest for physical abuse. Of note is also the significant rise proportionately in neglect referrals. The chart below shows the distribution of type of abuse at referral stage. Other South West authorities are broadly similar in the distribution of abuse type.

4.24 **Chart 5: Distribution of Type of Abuse at Referral Stage**



4.25 Table 6 below sets out the outcome of the referral by abuse type. When comparing the outcome of the abuse type and whether the abuse was partly or fully substantiated the following was concluded.

4.26 Table 6: Outcome Determinate of Alleged Abuse 2010/2011

Type of Abuse	NFA	No Case To Answer	Not Determined / Inconclusive	Not Substantiated	Partly Substantiated	Substantiated	Total
Physical	24	10	9	14	10	23	90
Emotional	21	7	9	12	12	8	69
Financial	10	4	11	12	6	13	56
Neglect	11	5	5	6	10	17	54
Self	5	1	3	5	3	8	25
Sexual	3	3	2	6	3	3	20
Institutional	2			1	2		5
Discriminatory	1						1
Total	77	30	39	56	46	72	320

Note: more than one type of abuse can be reported as part of the referral for the service user.

4.27 10% of cases with physical abuse concerns were fully or partly substantiated. This is similar to last year where 11% of cases identified that physical abuse had occurred. The percentage of cases partly or fully substantiated for other types of abuse is also broadly similar to 2009/2010.

4.28 The following locations indicated where the alleged abuse took place with the service users own home being the place where the majority of concerns were reported:

- I. Service users own home
- II. Residential and nursing care homes (temporary and permanent placements)
- III. Health settings
- IV. Supported accommodation
- V. Alleged perpetrators home

4.29 As was the case in 2008/2009 and 2009/2010, the largest group of alleged perpetrators were paid staff with 27% of the allegations being about a paid workers in 2010/2011. In 37% of these cases the allegation required no further action / there was no case to answer; 6% had an outcome of Not Determined / Inconclusive and 20% were Not Substantiated. This leaves the remaining 20% as partially or fully substantiated for 2010/2011. The table below identifies the perpetrator for cases with the outcome of partly or fully substantiated cases.

4.30 **Table 7: Alleged Perpetrator and Outcome (Partly or Fully Substantiated) 2010/2011**

Perpetrator and % of all closed cases 2010/2011		Closed Cases with the Outcome of Partly or Fully Substantiated	
		2009/2010	2010/2011
Partner	7%	2%	3%
Other family member	20%	2%	6%
Neighbour/friend	8%	0%	1%
Paid staff (including care home, day care, domiciliary care, other social and health professionals)	27%	10%	10%
Other vulnerable people	7%	2%	2%
Self	9%	3%	3%
Other	15%	3%	5%
Not known	7%	1%	2%
Total	100%	23%	32%

Note: Self relates to service users that have neglected themselves. B&NES have historically sometimes included cases of self neglect within safeguarding procedures. The decision to invoke the safeguarding procedure in these cases is done on a case by case basis. **(Learning point 5)**

4.31 The table below describes the stage within the safeguarding procedure at which the case was terminated and the conclusion of the termination/closure.

4.32 **Table 8: Outcome at Procedural Stage for Terminated Cases 2010/2011**

Termination stage	Outcome						Total
	NFA	No Case to Answer	Not Determined / Inconclusive	Not Substantiated	Partly Substantiated	Substantiated	
Decision	73	5	1	1	1	0	81 (29%)
Strategy	0	22	12	18	15	23	90 (32%)
Assessment	0	0	6	12	10	9	37 (13%)
Planning meeting	0	0	4	5	8	12	29 (10%)
Review	0	0	6	11	10	17	44 (16%)
Total	73	27	29	47	44	61	281

4.33 When comparing the point at which cases were terminated, in 2008/2009, 50% of cases were closed at the decision stage, whereas in 2009/2010, 19% of cases were closed at the decision stage, this figure rose again this period to 29%. There is no benchmarking data available to compare whether B&NES is low or high regarding this. Given the significant amount of awareness raising undertaken in 2010/2011 the increase in referrals was expected and it provides assurance that safeguarding procedures are being considered and activated by referrers; the LSAB would rather

referrals be received and a safeguarding threshold decision be made not to proceed rather than safeguarding referrals not being made.

4.34 The number of cases that were not substantiated has further reduced this period; in 2008/2009, 53% of cases had this outcome; in 2009/2010 it was 31.5% of cases, and in 2010/2011 this has reduced further to 17%. When compared to approximately 50 local authorities across the country the average is 30%. B&NES is clearly below this, however when you include those cases with the outcome of No Further Action and No Case to Answer this increases to 45%. The next available AVA benchmarking data will help provide further comparison and will determine whether any analysis needs to be undertaken.

4.35 Proportionately adults with learning difficulties had the highest number of cases with the outcome of substantiated. This was also true for a significant number of other South West authorities, however full analysis of this is not available. **(Learning point 6)**

4.36 The Health and Wellbeing Partnership seek regular assurance that cases with the outcome of Not Determined and Inconclusive are being monitored; AWP and CH&SCS provide reports on each of these cases on a monthly basis to the B&NES Commissioner in order to provide that assurance. As table 8 indicates 10% of cases had this outcome during 2010/2011. Upon auditing the reason for the case outcome, in the majority of cases, these were coded correctly. In a small number of cases it was the Commissioners view that the case would have been more appropriately coded as Partly Substantiated; recoding has not taken place, however the auditing of these cases will continue in 2011/2012.

4.37 The Police continued to play a significant role in safeguarding vulnerable adults in B&NES during 2010-2011 and although there has been a decrease in police involvement, the number of police referrals has increased from last year and the police have submitted referral information to B&NES Council on a monthly basis. They have been regular participants of the LSAB, the Policy and Procedure sub group and the Quality Assurance, Audit and Performance Management sub group. No regional data was available to compare the level of police involvement with.

Year	% of total cases Police involved in
2010/2011	32%
2009/2010	38%
2008/2009	36%
2007/2008	31%

4.38 The types of actions listed below are those that have resulted from the safeguarding adult's procedures being followed in relation to protection for the service users:

- action taken by the Council to protect the service user via the court
- service user supported through the provision of community care services
- increased monitoring from health and social care (including financial monitoring)
- move to a different care setting

4.39 The following types of actions have been taken regarding the perpetrator:

- assessment under the NHS and Community Care Act 1990

- continued monitoring
- referral for counselling / treatment
- criminal proceedings or other police action
- disciplinary action
- action by CQC

- 4.40 A multi-agency Pressure Ulcers Protocol is in place; when a grade 3 or 4 pressure ulcer occurs safeguarding procedures must be considered. In 2010-2011 there were 19 in patient pressure ulcers at grade 3 or 4 reported. New arrangements are in place for reporting these as Serious Incidents to the Strategic Health Authority. Analysis of the reported pressure ulcers is required to understand the local position and whether focussed work with community and acute providers is required. **(Learning point 7)**
- 4.41 CH&SCS and AWP have routinely been asking service users whether they feel safe after they have been through the safeguarding procedure. However responses to this have been limited and further work is needed to assure the LSAB that service user feedback is part of the procedure. CH&SCS have approached a small number of service users that have been through the safeguarding procedure to try and gather further feedback however the response was limited for a number of reasons. CH&SCS provided a report to the Awareness, Engagement and Communications group on this with recommendations on what could be done differently. **(Learning point 8)**
- 4.42 Compliance with safeguarding procedural timescales continues to be monitored on a monthly basis by the Commissioner. The LSAB and Health and Wellbeing Partnership Board receive regular reports on this. The table below describes progress against the procedural timescales during the period.

4.43 Table 9: Terminated Cases and Procedural Timescales 2010/2011

Procedural Descriptor	Data Source	Target	10/11 YTD % and actual number of cases			2009 / 2010 Performance
			Mar 11			
			Total no. outside of timescale	Total no. that could be completed on time	% completed on time	
2 a No. of decisions made within 2 days of referral	CH&SC Services	98%	6	215 (1 referral received March 31 st)	97%	84%
	AWP		9 (1 case in Jan 11)	55	84%	89%
	Both		15	270	91% ↑	85%
2 b No. of strategies discussions/ meetings held within 5 days of referral	CH&SC Services	98%	15	134	89%	67%
	AWP		6	59	90%	100%
	Both		21	193	90% ↑	73%
2 c No. of assessment / investigations completed in 28 days of referral	CH&SC Services	98%	11	66	83%	77%
	AWP		11	37	70%	80%
	Both		22	103	77% ↓	78%
2 d No. of planning meetings held within 2 weeks of completed assessment	CH&SC Services	98%	1	41	98%	83%
	AWP		11	35	69%	100%
	Both		12	69	84% ↓	85%
2 e No of reviews held within 12 weeks of planning meeting	CH&SC Services	98%	2	31	94%	88%
	AWP		3	17	82%	100%
	Both		5	48	88% ↓	90%

Note: Amber 80-98%
Red 80%>

4.44 CH&SCS and AWP continue to be charged with coordinating safeguarding cases and meeting procedural timescale targets. Significant management time has been given to this throughout 2010/2011, however it remains a challenge, and on some occasions timescales have not been achieved. Detail exception reports have been provided on each procedural breach during 2010/11. Evidence from these cases

indicated that there can be practicable and best practice reasons for timescales to be breached, for example when all parties are not able to attend a strategy meeting within five days or when an investigation report cannot be completed within 28 days as information is outstanding. In light of the above the LSAB will consider reducing the targets for 2011/2012.

Section 5: Progress on Learning Points Identified in 2009/2010

5.1 **Learning Point 1:** CH&SC Services and the Partnership are developing a Safeguarding Training Strategy. The strategy will consider engagement of the independent and voluntary sector in training and other types of learning packages.

Progress: Complete - The LSAB have agreed a Multi-Agency Safeguarding Adults Training Strategy

5.2 **Learning Point 2:** Continue to raise awareness of safeguarding issues with B&OME communities.

Progress: Complete – A workshop with BME community groups was held in January 2011 and actions agreed to facilitate awareness raising.

5.3 **Learning Point 3:** Request and analyse benchmarking information from other South West Authorities on referral patterns and outcomes.

Progress: Complete – Benchmarking information has been received and analysed. Benchmarking information will be more robust for the 2011/2012 annual report as all LA's are required to submit AVA data.

5.4 **Learning Point 4:** Exception reports to be monitored and themes understood regarding breaches to procedural timescales.

Progress: Complete – breach reports monitored on a monthly basis. From the information provided some of the breaches are valid and for good practice reasons. The procedural timescales will be adjusted to reflect this.

5.5 **Learning Point 5:** Compare referral data for 2008/09 and 2009/10 and monitor progress for 2010/11 throughout the year to identify agencies where proportion of referrals are lower than would be expected and intervene.

Progress: Complete – this has taken place through the Quality Assurance, Audit and Performance Management work group.

5.6 **Learning Point 6:** Repeat referrals for 2009/10 to be audited and any learning shared with the SAIAP.

Progress: Complete – learning has been shared with the LSAB and the Partnership Board for Health and Wellbeing

5.7 **Learning Point 7:** Work with the Awareness, Engagement and Communication sub group to plan mechanisms to raise awareness of discriminatory abuse.

Progress: Not Complete – work has not progressed in this area and will be carried over for 2010/2011 (**Learning point 9**)

5.8 **Learning Point 8:** Request from CH&SCS and AWP a view on the decrease in number of cases recorded as partly or fully substantiated. The Safeguarding Adults Inter-Agency Partnership Quality Assurance, Audit and Performance Management work stream will consider the explanation and report back to the SAIAP.

Progress: Partially Complete – CH&SCS and AWP have looked into this but it is not clear why the numbers have decreased. Benchmarking information will be available for 2010/2011 from the South West and further analysis will be undertaken when data is available.

5.9 **Learning Point 9:** Learning will continue about the reasons for breaches to procedural timescales, CH&SCS and AWP will continue to provide exception reports on each breach. The learning will be shared with the SAIAP via the Quality Assurance, Audit and Performance Management work stream.

Progress: Complete – feedback has been provided to the QAAPM group, however it has also routinely been discussed with the Commissioner and with Health and Wellbeing Partnership Board as well.

Section 6: Learning Points Identified for 2010/2011

6.1 **Learning point 1:** Review Training and Development sub group membership and engagement.

6.2 **Learning point 2:** Work with Drug and Alcohol services to raise awareness and ensure appropriate referrals are being made. Understand the interface with community safety arrangements.

6.3 **Learning point 3:** Raise awareness of safeguarding amongst carers through Carer organisations and the carers forum.

6.4 **Learning point 4:** 10% of referrals were for service users that were in receipt of a direct payment. A rise in the take up of direct payments from the Council is anticipated and it would be useful for the LSAB to analyse safeguarding direct payment cases that occur during 2011-2012 to ascertain whether there are any trends in safeguarding activity; particularly whether there is an increase in financial abuse cases.

6.5 **Learning point 5:** LSAB to discuss the relationship between self neglect and Safeguarding and develop local policy.

- 6.5 **Learning point 6:** Undertake detailed analysis of referrals and outcome by service user group.
- 6.6 **Learning point 7:** Analyse pressure ulcer cases both in patient and community cases that have resulted in safeguarding procedures being invoked.
- 6.7 **Learning point 8:** Awareness, Engagement and Communications group to propose a strategy for gathering service user feedback and improve the current position.
- 6.8 **Learning point 9:** Raise awareness of discriminatory abuse.

Section 7: Progress of Safeguarding Strategic Plan for 2010/11

- 7.1 Each sub group has a revised work plan that has been reviewed at each LSAB meeting throughout 2010/2011 ensuring the LSAB work plan is on track and the direction of travel maintained.
- 7.2 The Strategic Plan is due to be reviewed in 2011 and a draft will be prepared and ready for LSAB discussion no later than March 2012.

Author:

Lesley Hutchinson
Assistant Director Safeguarding and Personalisation
Health and Wellbeing Partnership
Dec 2011

Appendix 1

**SAFEGUARDING ADULTS INTER-AGENCY PARTNERSHIP
Membership as at 22nd March 2011**

NAME	ORGANISATION
ARAYAN Shirley	Principal Norton/Radstock College
COWEN Robin	Independent Chair designate (appointed March 2011)
DAY Kevin	Senior Probation Officer Avon & Somerset Wiltshire Probation Service
DEAN Mark	Head of Public Protection & Safeguard Avon & Wiltshire Partnership Mental Health NHS Trust
EADE Rachael	Practice Manager B&NES GP consortia
EVANS Julie	Director of Customer Services (Housing & Support) Somerset Community Housing Trust
GILL Dave	DCI B&NES CID Avon & Somerset Constabulary
GRAY Jo	Managing Director Community, Health and Social Care Services, B&NES
HILLIS Alison	Acting Chief Officer The Care Network
HUTCHISON Sonia	Chief Executive Officer Carers Centre (B&NES)
HUTCHINSON Lesley	Assistant Director Safeguarding and Personalisation, B&NES Council
HOWARD Damaris	Operational Director Freeways Trust
KNIVETON Myriam	Area Business Manager Stonham West Regional Office
LESTER Chris (until January 2011)	Executive Director Freeways Trust
LEWIS Mary	Executive Lead Nurse & Asst Director of Clinical Effectiveness, NHS B&NES
LOOSLEY David	PCT non-Executive Director NHS BANES (Associate Member of LSAB)
McDONALD Rayna	Director of Operations & Clinical Practice RNHRD
McCANN Denis	Unitary Manager Bath & North East Somerset Avon Fire & Rescue Service
MEEK Isla	Regional Manager Four Seasons Health Care
PRITCHARD Vic Cllr	Cabinet Member for Adult Social Services & Housing B&NES Council
RIZK Meri	Manager B&NES People First

ROWSE Janet [Chair]	Acting Chief Executive NHS B&NES and Director of Adult Health, Social Care & Housing (B&NES Council and NHS Banes)
SMITH Sue	Clinical Standards Manager GWAS (Associate Member of LSAB)
THEED Jenny	Divisional Director CH&SC Services NHS BANES
THOMPSON Francesca	Director of Nursing Royal United Hospital, NHS Trust, Bath
TOZER Clare	Personal Assistant to Lesley Hutchinson & note-taker for LSAB B&NES Council
TRETHEWEY David	Divisional Director Policy & Partnerships, B&NES Council
WESSELL Geoff	Det Superintendent PPU Avon & Somerset Constabulary

Appendix 2

Membership List of Local Safeguarding Adults Board sub groups (as at March 2011)

Safeguarding Adults Training and Development sub group

Meet approx: Monthly/6wkly

Chair: Jenny Theed

Jenny Theed (CH&SCS)
Chiquita Cusens (CH&SCS)
Hugh Jupp (AWP)
Simon Ibbunson (RNHRD)
Patricia Mills (RUH)
Maria Wallen (CH&SCS)
Shirley Arayan (Norton/Radstock College)
Myriam Kniveton (Stonham West Regional Offices)

Policy & Procedures sub-group

Meet: bi monthly

Chair: Lesley Hutchinson

Lesley Hutchinson (B&NES Council)
Mark Dean (Assistant Director - AWP)
Simon Brickwood (Avon & Somerset Police PPU)
Chiquita Cusens (CH&SCS)
Rebecca Jones (B&NES Council)
Sue Leathers (RUH)
Hugh Jupp (AWP)
Sue Sherrin (Bath IMCA Service)
George Evans (CH&SCS)
Lindsay Smith (CH&SCS)
Rebecca Potter (B&NES Council)
Sally Cook (Bath Mind)
Lynne Scragg (Bath College)

Awareness, Engagement and Communications Work Stream

Meet approx: bi-monthly

Chair: Mary Lewis

Mary Lewis (NHS B&NES)
Lesley Hutchinson (B&NES Council)
Stuart Ullathorne (CH&SCS)
Shirley Arayan (Norton/Radstock College)
Sonia Hutchison (Carers Centre)
Helen Robinson-Gordon (RUH)
Meri Rizk (B&NES People First)
Chris Lester (Freeways Trust representing Care and Support West until January 2011)
Simon Whitby (Avon & Somerset Constabulary)
Mary-Anne Darlow (RNHRD)
Mel Hodgson (B&NES Council)
Martha Cox (NHS Banes)
Helen Robinson-Gordon (RUH)

Quality Assurance, Audit & Performance Management Work Stream

Meet approx: bi-monthly

Chair: Denis McCann (Avon Fire & Rescue)

Denis McCann (Avon Fire & Rescue)

Mary Lewis (NHS B&NES)

Lesley Hutchinson (B&NES Council)

Jenny Theed (Community Health and Social Care Services)

Mark Dean (AWP)

Mike Williams (Avon & Somerset PPU)

Amanda Pacey (RNHRD)

Rob Eliot (RUH)

Julie Evans (Somerset Community Housing Trust)

Geoff Watson (CH&SCS)

Mental Capacity Act Local Implementation Group

Meet: Quarterly

Chair: Lesley Hutchinson

Tom Lochhead (B&NES Council)

Sally-Ann Parry (CH&SCS)

Louise Russell (RNHRD)

Pam Dunn (Carewatch)

Debbie Incedon (B&NES Council Legal)

Steve Knight (CH&SCS)

Rosemary Carol (CH&SCS)

Gemma Box (RUH)

Karen Webb (Four Seasons)

Maria Wallen (NHS B&NES)

Dr Rajpal (CH&SCS)

Dr Harrison (AWP)

Safeguarding & Personal Budgets sub-group

Meet: Quarterly

Chair: Lesley Hutchinson

Lesley Hutchinson (B&NES Council)

Chris East (Community Health and Social Care Services)

Christine Campbell (B&NES Council)

Jeff Saffin (Community Health and Social Care Services)

Sandrine Humphreys (Community Health and Social Care Services)

Steve Meredew (Community Health and Social Care Services)

Clare Gray (Shaw Trust)

Meri Rizk (B&NES People First)

Jenny Shrubsall

Appendix 3: LSAB SAFEGUARDING INDICATORS 2010/2011

1. CRB checks for all relevant staff (target 100%)
2. All public facing staff have safeguarding alerters training and refresher training (target varies depending on the agency)
3. Safeguarding adults included as part of new staff induction programme
4. Sufficient staff have undertaken safeguarding investigators training
5. Raising awareness and communicating with all stakeholders about adult abuse
6. Safeguarding discussed routinely in supervision
7. Participation in work of the Safeguarding Adults Inter-Agency Partnership
8. Procedural Timescale Indicators (CH&SCS and AWP only)
 - No. of decisions made within 2 days of referral (target 98%)
 - No. of strategies discussions/ meetings held within 5 days of referral (target 98%)
 - No. of assessment / investigations completed in 28 days of referral (target 98%)
 - No. of planning meetings held within 2 weeks of completed assessment (target 98%)
 - No of reviews held within 12 weeks of planning meeting (target 98%)

Appendix 4: Training Courses Provided, Number of Attendees and Organisation Type 01/04/2010 to 31/03/2011

CourseTitle	CourseDate	Employer	Total
Core Induction	06/04/2010	NHS Other	1
		PCT PROVIDER	11
		SS PROVIDER	1
Core Induction Total			13
Core Induction - Day Two	05/05/2010	PCT PROVIDER	8
		SS PROVIDER	1
	02/06/2010	NHS Other	1
		PCT PROVIDER	8
		SS PROVIDER	2
	06/07/2010	IND	1
		NHS Other	1
		PCT PROVIDER	6
		SS PROVIDER	4
	03/08/2010	IND	1
		Other B&NES	1
		PCT PROVIDER	13
		SS PROVIDER	3
	07/09/2010	NHS Other	1
	PCT PROVIDER	8	
	SS PROVIDER	1	
05/10/2010	NHS Other	1	
	PCT		
	COMMISSIONING	1	
	PCT PROVIDER	14	
	SS PROVIDER	2	
02/11/2010	NHS Other	1	
	PCT PROVIDER	13	
	SS PROVIDER	2	
07/12/2010	NHS Other	1	
	PCT PROVIDER	7	
	SS PROVIDER	1	
	Vol	2	
11/01/2011	GP	1	
	PCT		
	COMMISSIONING	1	
	PCT PROVIDER	13	
	SS PROVIDER	4	
15/02/2011	NHS Other	2	
	PCT PROVIDER	6	
	SS PROVIDER	1	
15/03/2011	NHS Other	1	
	PCT		
	COMMISSIONING	1	
	PCT PROVIDER	8	
	SS PROVIDER	1	
Core Induction - Day Two Total			144
Deprivation of Liberty Safeguards Part 1	16/07/2010	IND	5
		PCT PROVIDER	2
		SS PROVIDER	11
	03/09/2010	IND	8
		Other B&NES	1
		PCT PROVIDER	2
		SS PROVIDER	5

	25/02/2011	SS PROVIDER	11
	21/03/2011	IND	3
		Other B&NES	1
		PCT PROVIDER	2
		SS PROVIDER	5
Deprivation of Liberty Safeguards Part 1 Total			56
H&S Update Day (Adult) (A) - Safeguarding Adults and Child Protection	12/04/2010	PCT PROVIDER	4
	29/04/2010	IND	1
		NHS Other	1
		PCT PROVIDER	6
		SS PROVIDER	2
	27/05/2010	PCT PROVIDER	6
	14/06/2010	PCT PROVIDER	11
	07/07/2010	NHS Other	1
PCT PROVIDER		11	
11/08/2010	IND	2	
	Other B&NES	1	
	PCT PROVIDER	11	
	30/09/2010	PCT PROVIDER	9
H&S Update Day (Adult) (A) - Safeguarding Adults and Child Protection Total			66
Mental Capacity Act Part 1	16/07/2010	IND	4
		SS PROVIDER	6
	03/09/2010	IND	4
		PCT PROVIDER	1
		SS COMMISSIONING SS PROVIDER	2 9
25/02/2011	PCT PROVIDER SS PROVIDER	3 13	
21/03/2011	PCT PROVIDER SS PROVIDER	2 12	
Mental Capacity Act Part 1 Total			56
Safeguarding Adults & Children Update Training (Level 2B)	10/01/2011	IND	8
		PCT PROVIDER	6
		SS PROVIDER	9
	14/02/2011	IND	4
		PCT PROVIDER	7
		SS PROVIDER	11
07/03/2011	IND	14	
	PCT PROVIDER	5	
	SS PROVIDER	3	
	Vol	1	
Safeguarding Adults & Children Update Training (Level 2B) Total			68
Safeguarding Adults Awareness Training (Alerter, Policies & Procedures) (Level 2A)	29/11/2010	IND	14
		Other B&NES	1
		PCT PROVIDER	3
	09/12/2010	IND	7
		PCT PROVIDER	4
		SS PROVIDER	4
10/01/2011	GP	9	
	IND	5	

		PCT COMMISSIONING	1
		PCT PROVIDER	3
		SS PROVIDER	2
	14/02/2011	IND	6
		PCT PROVIDER	4
		SS COMMISSIONING	1
		SS PROVIDER	5
		Vol	2
	07/03/2011	GP	1
		IND	6
		PCT PROVIDER	3
		SS PROVIDER	6
Safeguarding Adults Awareness Training (Alerters, Policies & Procedures) (Level 2A) Total			87
Safeguarding Adults from Abuse - Alerters	15/04/2010	IND	8
		PCT PROVIDER	10
		SS PROVIDER	13
	19/04/2010	IND	6
		PCT COMMISSIONING	1
		PCT PROVIDER	4
		SS PROVIDER	13
		Vol	1
	20/04/2010	IND	4
		PCT PROVIDER	2
		SS PROVIDER	4
		Vol	1
	19/05/2010	SS PROVIDER	32
	24/05/2010	IND	13
		NHS Other	1
		PCT PROVIDER	9
		SS COMMISSIONING	1
		SS PROVIDER	10
	21/06/2010	IND	13
		PCT PROVIDER	2
		SS PROVIDER	18
		Vol	1
	23/06/2010	IND	11
		PCT PROVIDER	8
		SS PROVIDER	8
		Vol	1
	28/06/2010	IND	9
		Other B&NES	1
		PCT PROVIDER	2
		SS PROVIDER	12
	02/07/2010	IND	10
		Other B&NES	1
		PCT PROVIDER	3
		SS PROVIDER	6
	15/07/2010	IND	11
		Other B&NES	1
		PCT PROVIDER	8
		SS PROVIDER	7
	28/07/2010	AWP	1
		IND	21

		Other B&NES	2
		PCT PROVIDER	5
		SS PROVIDER	2
		Vol	1
	04/08/2010	IND	33
		Other B&NES	2
		PCT PROVIDER	7
		SS	
		COMMISSIONING	2
		SS PROVIDER	12
		Vol	2
	24/08/2010	IND	10
		PCT PROVIDER	5
		SS PROVIDER	11
	13/09/2010	IND	15
		PCT	
		COMMISSIONING	1
		PCT PROVIDER	10
		SS PROVIDER	4
	17/09/2010	IND	10
		Other B&NES	2
		PCT PROVIDER	4
		SS PROVIDER	6
		Vol	1
	01/10/2010	IND	14
		PCT PROVIDER	4
		SS PROVIDER	8
Safeguarding Adults from Abuse - Alerters Total			461
Safeguarding Adults from Abuse - Investigators	30/06/2010	IND	7
		SS PROVIDER	8
	09/08/2010	AWP	1
		IND	4
		SS	
		COMMISSIONING	1
		SS PROVIDER	7
	16/09/2010	IND	7
		SS	
		COMMISSIONING	1
		SS PROVIDER	6
Safeguarding Adults from Abuse - Investigators Total			42
Safeguarding Adults from Abuse -Investigators & Coordinators (Level 3A&3B)	13/12/2010	PCT PROVIDER	1
		SS PROVIDER	9
	25/03/2011	IND	3
		PCT PROVIDER	1
		SS PROVIDER	4
Safeguarding Adults from Abuse -Investigators & Coordinators (Level 3A&3B) Total			18
Safeguarding Adults Level (2B)	29/11/2010	IND	7
	09/12/2010	GP	1
		IND	7
		PCT PROVIDER	3
		SS PROVIDER	4
Safeguarding Adults Level (2B) Total			22
Safeguarding Children (Level 3) & Adults (Level 2A)	22/07/2010	PCT PROVIDER	24

Safeguarding Children (Level 3) & Adults (Level 2A) Total			24
Safeguarding Children Level 2 Advanced	15/07/2010	PCT PROVIDER	2
	16/07/2010	PCT PROVIDER	3
Safeguarding Children Level 2 Advanced Total			5
Safeguarding Minute Taking	17/11/2010	PCT PROVIDER	6
		SS PROVIDER	6
	11/01/2011	PCT PROVIDER	10
		SS PROVIDER	3
24/02/2011	PCT PROVIDER	1	
	SS PROVIDER	9	
Safeguarding Minute Taking Total			35
Safeguarding Update (School Nurses)	12/10/2010	PCT PROVIDER	25
Safeguarding Update (School Nurses) Total			25
Student Nurse Induction	14/03/2011	IND	2
		NHS Other	9
		PCT PROVIDER	1
Student Nurse Induction Total			12
Grand Total			1134

Appendix 5: Breakdown of Referrals by Gender, Age and Ethnicity 2010/2011

Ethnicity	No. of referrals by Gender		No. of referrals by Age Band					No. by ethnicity	
			18-44	45-64	65-74	75-84	85+		
White British	Male	106	24	30	9	27	16	273	93.2%
	Female	167	22	25	21	35	64		
White Other	Male	2		1			1	4	1.4%
	Female	2	1				1	1	1.2%
Black/Brit-African	Male							1	0.3%
	Female	1		1					
Black/Brit-Carib	Male							1	0.3%
	Female	1				1			
Asian/Brit-Indian	Male							2	0.7%
	Female	2	1			1			
Mix White/Black-Carib	Male	1						1	0.3%
	Female								
Info not yet obtained	Male	4	2			2		11	3.8%
	Female	7	4			1	2		
Total	Male	113	26	31	9	30	17	17	20.2%
	Female	180	28	26	21	38	67	67	79.8%
Total	293	54	57	30	68	84	84	84	28.7%

Appendix 6: Safeguarding Reports from Partner Agencies

Carers' Centre (Bath & North East Somerset)

The Carers' Centre Bath and North East Somerset represents carers and voluntary carers' organisations on the Safeguarding Adults Partnership Board. This has been achieved more effectively this year by communicating safeguarding updates at the Voluntary Sector Carers Provider Forum through a presentation and regular updates and gaining feedback from carers provider services. This medium was used to ensure all carers organisations had information about the new Bath and North East Somerset policies and procedures and were made aware of their duty to update their organisations policies and procedures in line with Bath and North East Somerset's policies and procedures which the Carers' Centre has done.

The Carers' Centre Bath and North East Somerset has represented carers views on the Safeguarding Adults Awareness, Engagement & Communications Sub-Group. This has led to the improved communications of safeguarding to carers using our regular newsletter which goes to over a thousand carers and over 2000 copies are distributed to other professionals, agencies and public spaces. Literature is available at the Centre on safeguarding and staff and volunteers have a rolling programme of safeguarding training. The safeguarding banner and literature has been taken to events with carers. This has been encouraged to be done by all organisations providing services to carers through the Voluntary Sector Carers Provider Forum and literature has been made available to these providers to disseminate.

Sonia Hutchison
Chief Executive Carers Centre
Bath & North East Somerset

Avon & Somerset Constabulary (PPU)

According to BANES PPU records, between 01/04/2010 and 31/03/2011 the police received 73 Safeguarding Adults referrals. Of these 73 referrals, relating to physical abuse, sexual abuse, financial abuse as well as other safeguarding concerns, the police took the investigative lead on 8 investigations.

The Public Protection Unit continues to take the lead responsibility for Safeguarding Adults referrals to the police within Bath & North East Somerset. The Public Protection Unit is lead by a Detective Inspector who supervises three Detective Sergeants and a number of Police Officers and Police staff, who are responsible for investigations relating to Child Abuse; Domestic Violence, Vulnerable Adults and managing Dangerous Offenders in the community.

The Police have continued to give professional advice as part of the inter-agency protocol, have increased attendance at strategy meetings and have, where appropriate, formally investigated criminal offences that have been disclosed.

As a result of new procedures introduced every Safeguarding Adults referral to the Police continues to generate a Guardian Crime report or a Guardian Intelligence report, enabling further intelligence research to be carried out in the future if there are further concerns raised relating to the identified parties.

Ds Simon Brickwood (Police Single Point of Contact for Safeguarding Adults concerns) has continued to increase awareness of Vulnerable Adults concerns to all BANES Police

Staff. Work has also commenced aimed at increasing the number of police referrals of vulnerable adults concerns.

All BANES Police Staff are subject to CRB checks at the time of employment and BANES Police Staff have during the year, completed a number of Safeguarding Training E learning packages, in relation to Domestic Violence, Child abuse and Hate crime. There is cross over within this training of a number of aspects of Vulnerable Adult abuse in relation to age, mental illness and physical disability.

The majority of Detective Sergeants within BANES have completed Investigators training. Further training opportunities are always considered when staff are aligned to different roles.

Police supervision of safeguarding is robust and a hierarchical review process for all vulnerable adults' crimes exists, to ensure appropriate supervision of the investigations takes place.

There are nominated Police Representatives on the Local Safeguarding Adults Board as well as the identified sub groups. The work completed on the Q/A sub group has been particularly enlightening, in respect of a multi agency quality review process of safeguarding referrals, which has identified some opportunities to improve working practice.

The dedicated Duty Desk Referral system continues to provide a more professional response to referrals from other agencies similar to procedures relating to Child Abuse Investigations. This continues to provide a timelier sharing of information between the professional agencies.

Mike Williams
Detective Inspector
Public Protection Unit
Avon & Somerset Constabulary

Royal United Hospital (RUH) NHS Trust, Bath

The Royal United Hospital Safeguarding Adults multi agency group has been established for 5 years and consists of the following internal group members:-

Francesca Thompson
Director of Nursing Executive Lead for Safeguarding Adults

Sue Leathers
Matron for Older Persons and Operational Lead for Safeguarding Adults

Neil Boyland
Matron for Critical Care and Operational Lead for Safeguarding Adults

Kate Purser
Tissue Viability Nurse and Operational Lead for Safeguarding adults

Gemma Box
Sister in Quality Improvement Lead for mental health and Learning Disabilities

Safeguarding Adults 2010/11 programme of work:-

- Training at staff induction compliance is currently being validated at 86.96%
- Staff refresher training via mandatory core skills compliance is currently 58.2%
- CRB checks compliance is 100% at year end
- Attendance at LSAB 100%
- 100% root cause analysis undertaken of the most serious pressure ulcers at grade 3 and 4 and 100% screened for safeguarding referral
- Supervision in place for operational leads

Safeguarding Adults progress and areas of focus for 2011/12:-

- Collating evidence of CQC Outcome 7 linked into the clinical audit programme. Evidence is monitored via the internal governance assurance systems in place
- Highly satisfactory outcome to learning disabilities acute hospital peer review
- CQC responsive visit with regard to patients with learning disability and dementia highlighted 2 minor concerns in outcomes 1 and 4
- Appointment of a Sister in Quality improvement with a lead in mental health and Learning disabilities
- 2011/12 will see an increased investment in dedicated safeguarding roles for both adults and children
- 2011/12 dementia action plan in preparation for acute hospital peer review and addressing CQC visit
- Continued pilot participation in the Department of Health Confidential inquiry into deaths with learning disabilities
- Highlight the Nursing and Midwifery Council materials in relation to the safeguarding of adults
- Mandatory training review underway which will include a training needs analysis for safeguarding adults. This has been completed for children
- Active RUH participation in the communications group enabling a community wide strategy and associated materials to be adopted

Francesca Thompson
Director of Nursing
RUH

Royal National Hospital for Rheumatic Diseases (RNHRD) Bath

- **Compliance re CRB checks for all staff** 100% achieved
- **All public facing staff have safeguarding alerters training and refresher training:** As at end of quarter 4 62% of staff have received training. The target set by BANES is 80%
- **Safeguarding adults included as part of new staff induction programme:** We have included a Safeguarding DVD at induction for all new starters.
- **Sufficient staff have undertaken safeguarding investigators training:**

Currently 4 members of staff have been trained as investigators for safeguarding this includes Matrons and Head of Nursing. This has been agreed as an adequate number to meet the needs of the organisation.

- **Raising awareness and communicating with all stakeholders about adult abuse:** Recent actions include
 - Access to Safeguarding information on the Mintranet has been updated and a separate link being set up on the front page to ensure easy access.
 - Review of intranet to increase accessibility of information re safeguarding internally
 - NMC DVD circulated to clinical areas and shown at ward meetings etc.
 - The BANES poster and awareness material has been distributed to staff and all clinical areas, certain notice boards are being targeted in clinical areas for poster display.
 - A link to the via the Stop Abuse logo to BANES site is proposed to be added to the new website.
- **Safeguarding discussed routinely in supervision:**
All supervisors aware of the need to routinely discuss safeguarding in supervision.
- **Participation in work of the Safeguarding Adults Inter-Agency Partnership:**
The Director of Operations and Clinical Practice is the executive on the board with responsibility for safeguarding and attends the local Inter-Agency Partnership Board.
- The trust has representation on 3 of the 4 the sub-committees of the partnership board.
 - Simon Ibbunson Patient Safety co-ordinator – Training sub –committee
 - Amanda Pacey, Head of Nursing – Quality and Audit committee
 - Mary-Anne Darlow, Clinical Pathway Manager – Public Awareness and Communications
- Partnership and sub committees all attended regularly by the Trust and actions feedback as required to clinical areas and the Trust Safeguarding committee.

Rayna McDonald
Director of Operations and Clinical Practice and DIPC
RNHRD

Avon Fire & Rescue Service

Avon Fire & Rescue Service continues to actively engage in the Safeguarding Adults agenda, both from an operational perspective where we generate alerts, and also the management perspective where we are represented on the Local Safeguarding Adults Board.

We also provide a degree of independence from the care professions as we chair the Quality Assurance Audit and Performance Management Group which reports directly to the LSAB on associated issues.

Whilst still a relative newcomer to this discipline Avon Fire & Rescue Service have taken the individual unitary perspectives, including BaNES and we are using this to define and prescribe the holistic corporate agenda.

As we are not a care provider there will always remain some aspects of Safeguarding Adults that we do not get involved with on a regular basis, and our emergency response and community safety activities are the most likely route where we will contact vulnerable individuals. The focus of Avon Fire & Rescue in safeguarding activity is on generating alerts, and following up on these.

Every Avon Fire & Rescue Service work group in BaNES has received direct briefing on Safeguarding Adults, along with reference and publicity materials, while the delivery of formal 'Alerter' Training has yet to be completed by our People Development Department.

In considering the specific QA Indicators:-

- **100% CRB checks in place for staff requiring them** - *Key intervention staff from the central teams have been identified and appropriate CRB Checks are in place for them.*
- **Safeguarding adults included as part of new staff induction program** – *This has yet to be completed, as we are not care providers front line staff will not normally work unsupervised with vulnerable individuals, their input will be via awareness and any alerter training until this can be adopted.*
- **Public facing staff to undertake Alerter's Training and refresher training every 2 years** – *Refresher training will be scheduled on completion of training interventions for 'Alerter Training'*
- **'Relevant' staff to undertake Investigators Training** – *As we are not care providers, and don't manage vulnerable individuals, then this would normally not apply to the Fire & Rescue Service as we would refer and Alert rather than investigate.*
- **Participation in investigation/strategy discussions** – *whilst we are generating Alerts this has not been required of us to date, and is unlikely as we aren't in a carer/client relationship with vulnerable individuals.*
- **Safeguarding discussed routinely in supervision** – *this is not applicable to our operations as we don't supervise vulnerable persons*
- **Participation in Safeguarding Adults Inter-Agency Partnership Work** – *this is in place as we attend the LSAB the LSCB and we chair the QAAPM.*
- **Raising awareness and communicating with all stakeholders about adult abuse** – *information has been provided to every work group in BaNES along with publicity materials.*

During the next year we are looking to complete the provision of Alerter training to our front line staff by our People Development department, and to continue with developing policy

and procedures, to ensure Safeguarding of both Adults and Children is understood and is effective.

Denis McCann
Unitary Manager (B&NES)
Avon Fire & Rescue Service

Freeways and Representative for Voluntary Organisations (Care Forum)

This year has seen the very sudden and sad death of Chris Lester, our executive director, who is a great loss to the Board, Freeways and voluntary organisations as a champion and loud voice for safeguarding adults in B&NES and the old Avon area. As Acting Director for Freeways I have now joined the Board to carry on that commitment.

Recently the media has been full of the terrible abuse that took place at Winterbourne View and as a provider I feel it is very important that some clear messages come out quickly to reassure carers, the public and service users. The Panorama programme sadly made no mention of 'safeguarding' or 'safeguarding boards' and no reference to staff training. One positive solution is to see this as an opportunity to raise the profile of safeguarding and protecting adults at risk through awareness raising on how carers, individuals and the public report concerns and the need to believe and report all concerns raised by service users until an investigation proves otherwise. Within my own organisation we ensure that all staff are aware of 'whistle blowing' policies, a group of our service users have written our 'Anti – Bullying' Policy in an accessible format, and we meet all of the B&NES QA indicators:

1. All staff are CRB checked and all staff are now rechecked every 5 years (rather than 3) subject to risk assessment
2. All new staff undertake a robust induction programme within the first 6 months and this includes safeguarding.
3. All support staff undertake annual refresher training, this exceeds the indicator of every 2 years
4. We do not undertake any Investigator training as this is not relevant
5. We have participated in 3 investigations/strategy meetings this year in safeguarding alerts/concerns that we have raised.
6. Safeguarding is discussed with all staff in supervisions, team meetings and Freeways own Quality Audit visits.
7. We participate in interagency work and take part in 2 sub groups of the Board.
8. We discuss safeguarding with all stakeholders and are involved in 3 of the 4 local Safeguarding Adults Boards, local forums etc.

With the increase in personal budgets, independent living and risk enablement it is vital that providers, individuals, their carers, commissioners and practitioners all continue to work in partnership and take a shared responsibility when things go wrong, whilst campaigning to ensure that all appropriate measures are in place and monitored to safeguard adults at risk. From our experience B&NES have been very consistent in their response to alerts and worked holistically and creatively in their solution.

Damaris Howard
Acting Director Residential Services
Freeways

Bath and North East Somerset People First - a voice for disabled people is involved in Safeguarding Adults from a service user perspective. It has been vital to ensure that safeguarding is embedded in all decision making, but not by restricting people's choices. We have worked with disabled people to produce documents on Personal Budgets and offering ideas for good practice on keeping safe. We have run training courses in partnership with Shaw Trust to ensure disabled people have an awareness of what abuse is and understand the procedure that would happen once an alert is made. We have produced an easy read safeguarding booklet and leaflet for the Council.

We have had an input into the terms of reference for the LSAB to ensure adults at risk have the **right** to feel empowered within the safeguarding procedure and be offered support if needed. Also to

- ensure service users are involved in all aspects of safeguarding planning, training, quality and monitoring
- ensure barriers to inclusion are overcome
- ensure adults at risk are given the opportunity to look at options even if they differ from a professional's choice
- involvement in levels of risk taking and decisions
- ensure there is enough time for service users to make informed decisions and not be rushed.

We have an accessible safeguarding policy and continue to be involved in meeting both individuals and organisations of disabled people to hear their views and needs on keeping safe. We are involved in two sub-groups: Safeguarding and Personalisation, and the Awareness, Engagement & Communications group.

Our main focus will continue to be about empowering disabled people to be included and understand how to recognise early signs of possible abuse as prevention is our top priority.

QA Indicators for ALL services:

- 100% CRB checks in place for staff requiring them: Yes
- Safeguarding adults included as part of new staff induction programme: Yes
- Public facing staff to undertake Alerters Training and refresher training every 2 years: Yes, manager to cascade to staff
- 'Relevant' staff to undertake Investigators Training: n/a
- Participation in investigation/strategy discussions: when required
- Safeguarding discussed routinely in supervision: Yes
- Participation in Safeguarding Adults Inter-Agency Partnership Work: Yes
- Raising awareness and communicating with all stakeholders about adult abuse: Yes

Meri Rizk
Manager
Bath & North East Somerset People First

2010/2011 has seen further development work as AWP continues to seek to meet its duties to safeguard adults

As an organisation working with adults and older people with mental illness, many of which are very vulnerable, AWP has implemented major changes this year, including:

- Continued development of Trust wide documents, templates and intranet based information to ensure effective management of safeguarding adult alerts
- Maintaining trust wide data collection and performance reporting of safeguarding adult activity, both internally and to local safeguarding adult Boards.
- Improvements to rates of staff training to increase understanding and practice in safeguarding adults
- Developing monitoring to ensure that our workforce is checked and monitored on an on going basis to ensure that they are safe to work with vulnerable adults
- Updating the Trust Policies to Safeguard Adults to reflect local and national policy and guidance changes, and regulatory requirements

These changes have raised the profile of adult safeguarding in the trust, and this has been supported by the continued work of a dedicated safeguarding team, working to support and advise practitioners in their safeguarding practice in Bath and North East Somerset

AWP has taken an active role in the Bath and North East Somerset Safeguarding Adults Board and its work, including relevant reviews of practice and performance.

In 2011/2012, AWP looks forward to playing a continuing role in working with the Bath and North East Somerset Safeguarding Adult Board to improve the performance management and assurance of the effective safeguarding of vulnerable people with mental illness from abuse, and to responding to the challenges and opportunities presented by the proposed new national guidance and legislation to safeguard adults.

Mark Dean
Assistant Director and Head of Safeguarding
Avon and Wiltshire Mental Health Partnership NHS Trust

This page is intentionally left blank

Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	11 January 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2350
TITLE:	Proposed Arrangements for Delivering HealthWatch In Bath and North East Somerset 2012 - 2015	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1 – Implementation of HealthWatch in Bath & North East Somerset		

1 THE ISSUE

1.1 The contract with Scout Enterprises Ltd to host the delivery of the Local Involvement Network (LINK) ends on 31 March 2012. Policy & Partnerships has considered various options to ensure that our statutory obligation to continue delivery of the LINK to 30 September 2012 and commission a HealthWatch body to commence operating on 1 October 2012 -2015 is achieved.

2 RECOMMENDATION

2.1 The Cabinet agrees:

To note that we have a legal obligation as stated in the Local Government and Public Involvement in health Act 2007. The option laid out below will promote a smooth transition from LINK to HealthWatch.

- (1) to extend the contract of Scout Enterprises Ltd until 30 June 2012; (This arrangement has been agreed with Scout Enterprise on their current terms and conditions)
- (2) to procure a HealthWatch provider from 1 July 2012, who will act as LINK Host organisation from 1 July 2012 – 30 September 2012.
- (3) David Trethewey, Policy and Partnerships is the Officer delegated to award the contract.

3 FINANCIAL IMPLICATIONS

3.1 A sum of £71,000 has been allocated for the financial year 1 April 2012 – 30 March 2013; £21,940 to fund an extension to the current contract with Scout enterprises and the sum of £49,060 for commissioning the new HealthWatch body (with provision for the newly procured service to act as LINK Host pending the launch of HealthWatch).

A decision on any additional funding to local authorities, to support the delivery of HealthWatch, has yet to be made by the DH.

4 CORPORATE PRIORITIES

- *Building communities where people feel safe and secure*
- *Promoting the independence of older people*
- *Improving life chances of disadvantaged teenagers and young people*
- *Improving transport and the public realm*

5 THE REPORT

5.1 HealthWatch is being established under the provisions of the Health and Social Care Act, the Bill for which currently progressing through parliament.

5.2 Local authorities have the freedom to choose how HealthWatch may be provided, and it is the intention to commission the provision of HealthWatch in B&NES from a suitable provider as assessed through an open procurement process. To determine what would be an appropriate specification for Bath & North East Somerset a public consultation process took place between May and July 2011. Stakeholders included the partnership board, the Local Involvement Network (LINK), the Health and Wellbeing network (including service users and carers), voluntary sector providers, GPs, Council and NHS officers. (Please refer to Appendix 1 for full report)

6 RISK MANAGEMENT

6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

7.1 An Equalities Impact Assessment has been carried out to ensure that the specification for the provision of the HealthWatch service is fully compliant with all existing Equality legislation.

8 RATIONALE

8.1 The council has a statutory duty to continue the provision of a Host organisation service to the LINK until it is replaced by HealthWatch on 1 October 2012. Since the contract with the current provider will expire on 31 March 2012, we are examining ways in which we can continue to carry out our statutory responsibility from 1 April 2012 – 30 September 2012.

9 OTHER OPTIONS CONSIDERED

9.1 We have considered the following options for the period 1 April 2012 – 30 September 2012:

- (1) Doing nothing, i.e. not providing Host services to the LINK. This would mean not fulfilling our statutory obligations, and is therefore not a viable option.
- (2) Providing a Host service in-house. Under the existing legislation this is not permissible, and is therefore not a viable option.
- (3) Commissioning an alternative provider for the period. As there would be both procurement and TUPE (Transfer of Employment (Protection of Undertakings)) issues involved, it is considered that this option would be disproportionately time-consuming.
- (4) Extending the current Host organisation's contract for the period 1 April – 30 September 2012. Whilst this is the simplest solution, it would mean that there would be no time for a handover from the LINK Host to the HealthWatch provider. In addition, if a HealthWatch provider were procured before 1 October, we would be paying for both the HealthWatch provider and the LINK Host organisation.
- (5) Extending the current Host organisation's contract from 1 April 2012 – 30 June 2012, whilst commissioning a HealthWatch provider to start on 1 July 2012; they will act as LINK Host from 1 July – 30 September 2012. This will give sufficient time for a handover, and will optimise the available financial resources for this period. This is our preferred option.

10 CONSULTATION

10.1 Stakeholders included the partnership board, the Local Involvement Network (LINK), the Health and Wellbeing network (including service users and carers), voluntary sector providers, GPs, Council and NHS officers. A seminar was held with partnership board members, three public meetings took place, information was published in Connect, and public pages were created on the Council website where all documents are made available for scrutiny.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 Social Inclusion; Customer Focus; Sustainability; Human Resources; Other Legal Considerations

12 ADVICE SOUGHT

12.1 Cllr Simon Allen and Ashley Ayre, Strategic Director, have had the opportunity to input to this report and have cleared it for publication.

Contact person	Susan Bowen, Funding and Programmes Manager, x7278
Cabinet Sponsor	Councillor Simon Allen
Background papers	Local Government and Public Involvement in Health Act 2007 Health and Social Care Bill
Please contact the report author if you need to access this report in an alternative format	

This page is intentionally left blank

HealthWatch Update Brief

Appendix 1 – Implementation of HealthWatch in Bath & North East Somerset

Local authorities have the freedom to choose how HealthWatch may be provided, and it is the intention to commission the provision of HealthWatch in B&NES from a suitable provider as assessed through an open procurement process. To determine what would be an appropriate specification for Bath & North East Somerset a public consultation process took place between May and July 2011. Stakeholders included the partnership board, the Local Involvement Network (LINK), the health and wellbeing network (including service users and carers), voluntary sector providers, GPs, Council and NHS officers. A seminar was held with partnership board members, three public meetings took place, information was published in Connect, and public pages were created on the Council website where all documents are made available for scrutiny.

The purpose of the consultation was to agree the vision for HealthWatch and to set the principles upon which procurement will now take place.

The vision was approved by the partnership board at its seminar and subsequent public meeting on June 15th. The vision was supported by all stakeholders in subsequent meetings.

At the final public meeting on July 5th the findings of the consultation were presented and were supported as being a fair account of the issues raised during the consultation and as an appropriate set of information to take forward into the procurement process.

During the consultation there has been strong recognition for a joined up agenda between the three elements of health and social care development: HealthWatch as the consumer voice, Policy Development and Scrutiny (PD&S) as the democratic body that oversees local developments, and the Health and Wellbeing Board as local strategic commissioners overseeing health and wellbeing plans and the quality of local provision. The vision is to collaborate on an agreed set of priorities whereby each element of the local system can focus on a common agenda of interest. With these aims in mind there has been consensus on the desirability of HealthWatch having strong links and integration with the Council's PD&S function and the request that a representative of HealthWatch is included within the membership of the panel.

The specification for the HealthWatch tender was drawn up as a result of the consultations referred to above, and we are now in a strong position to procure a provider well before HealthWatch comes into operation on 1st July 2012.

This page is intentionally left blank

Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	11 January 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2334
TITLE:	Performance Reward Grant: Main Fund	
WARD:	All	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>APPENDIX: Proposals from the LSP Board relating to the Performance Reward Grant: Main Fund</p>		

1. THE ISSUE

- 1.1 This report sets out the current position on delivering the LSP's Performance Reward Grant Main Fund valued at £1M. This - together with the associated small grants fund - forms the Local Strategic Partnership's £1.3M component of the Council's £2m Community Enablement Fund, the arrangements for which were agreed by Cabinet in March 2011.
- 1.2 The LSP is charged with the management of this fund, and there is an understanding with lead LSP partners about this, but the technical release of the funding relies on Cabinet and any delegation arrangements it creates.

2. RECOMMENDATION

The Cabinet agrees that:

- 2.1 The recommendations of the LSP Board set out in the Appendix in relation to next steps for the Performance Reward Grant Main Fund be endorsed
- 2.2 That Cabinet receive further recommendations at its April meeting relating to funding for specific projects and to establish monitoring arrangements
- 2.3 Progress on other elements of the Community Enablement Fund be noted and a further report on the element of the Fund designed to help disadvantaged communities, regeneration and localism projects be brought to the February Cabinet meeting

3. FINANCIAL IMPLICATIONS

- 3.1 This report relates to the release of £1m of Performance Reward Grant which is available to the Council for investment in local projects and initiatives.

- 3.2 The fund is contained in the 2011-12 budgets under the heading of community enablement. Depending on the timing of spending within each of the projects there will be a need to transfer the funding into the next financial year (2012/13) and possibly further.
- 3.3 The release of funding will be agreed by Cabinet in April in the light of recommendations of the LSP Board following the bidding process set out in the Appendix. £400,000 is available for capital and £600,000 for revenue expenditure. The funding drawdown, outcomes and monitoring will be subject to grant conditions designed to secure effective financial control and value for money. It is proposed that there be a minimum bid application in this process of £25,000.

4. CORPORATE PRIORITIES

- 4.1 The aim of the Programme is to build the capacity of communities to address issues set out in the Sustainable Community Strategy.

5. THE REPORT

- 5.1 As a result of the Council and partners delivering the Local Area Agreement, the Partnership received £1.3m of "Performance Reward Grant". The Council budget report in February 2011 noted that the Local Strategic Partnership would manage this funding which would be invested in building capacity in the community.
- 5.2 The £1.3m was divided into two funds: £300,000 of small grants aimed at local projects (with a maximum grant per project of £5000) to be available as soon as possible and £1m for longer term investment (the "Main Fund").
- 5.3 The Cabinet in March 2011 noted that this budget will be managed through LSP governance arrangements as part of an overall approach to Community Enablement/Empowerment. The key principles of the Main Fund were noted as:
- to build capacity in the community
 - to be one-off funding only
 - to Pump Prime activity which becomes sustainable in its own right
 - to reduce the need for future funding and be built around Invest to Save principles
 - to have an exit strategy in place
 - to include realistic milestones
- 5.4 For the £1m Main Fund the partnership developed an "Outcomes Framework", linked to the Sustainable Community Strategy, to guide thinking about allocation. From 11th July to 30th September ideas were submitted in Project Outline Proposals (or "POPs"). This engagement included a facilitated ideas-sharing day on 22 September 2011 designed to encourage people to work together to develop sustainable proposals and to advise on the commissioning framework. The outputs of this workshop can be summarised as
- "Do less but do it well"
 - "Common themes not project ideas"
 - "Focus on identified need"
 - "Flexibility on the outcomes framework"
 - "Community hubs"

- “ Partnership Working”
- “ Recognition of local expertise”
- “ Recognise that “new and innovative” isn’t always what’s needed”

5.5 This process enabled Project Outline Proposals to be developed and ideas shared informally. The LSP Board now proposes that the Programme be moved to a bidding stage which would lead to award of grants for specific projects. The feedback identified above has been used to shape this process, including informing the scoring criteria and developing the overall themes. The LSP Board proposes that bids be invited on the basis of the proposed scoring/weighting in Appendix One. In particular, this weighting draws on the feedback received so far which has stressed the need for significant weight to be placed on links with the local community in assessing proposals.

5.6 Applications will be requested to identify the particular theme they are contributing to from those set out in the Appendix. However, to ensure flexibility, specific funding allocations between the themes are not proposed. Instead, all Project Bids will be scored against the criteria but it is proposed that each theme area will see projects funded to at least £100,000, subject to a minimum score being achieved by these projects. It should also be noted that overall agreed projects will need to be within the revenue-capital split in the fund- ie, £400,000 capital and £600,000 revenue. The LSP Board in making its recommendations to Cabinet will consider the overall aims of the Programme in building community capacity across Bath and North East Somerset.

5.7 The process and timetable for this is set out in the Appendix with the LSP Board making specific recommendations to the Cabinet meeting in April for release of funding.

5.8 As well as the Main Fund detailed in this report, the Community Enablement Fund also comprises

- **A two-year £300,000 “small grants” fund, currently capped at £5000 per grant.** 33 awards have been made so far totalling £136,328. The LSP Board recognises that this is a valuable scheme for local groups, and recommends only that from April 2012 the scheme be amended to allow grants of up to £10,000 in exceptional circumstances.
- **The Youth Enablement Fund (£120,000).** This enables voluntary sector groups to apply for funding to provide positive activities for young people, through the development and/or delivery of youth provision in Bath & North East Somerset, in line with the Localism agenda. 22 groups have received funding for a total of 24 projects, and a total of £89,539 has been either spent or allocated to date. Further information can be found at [Youth Enablement Fund](#)
- **The Ward Councillors’ Initiative (£130,000).** In 2011/12 this provides a sum of £2,000 to each Ward Councillor to enable them to respond quickly to local community needs where a small amount of financial support can make a big difference. Each Ward Councillor will be allocated £3,000 for 2012-13 and 2013-14. There will be no allocation for 2014-15.
- **A fund designed to help disadvantaged communities, regeneration and localism projects (£336,000).** The LSP Board’s recommendations reflect the community-focused nature of the LSP’s work and its desire for the Main Fund to

focus on investment in local community capacity. In establishing the overall Community Enablement Fund, the Council recognised that it would also need to take some key “enabling” measures to maximise opportunities and ensure that Council itself is playing its full part in delivering the “Big Society”. This might include:

- (1) Support for Community Budgets: the Council is in Phase Two of the national roll-out
- (2) Further investment in community assets to promote local involvement and maximise opportunities
- (3) Investment in relevant Council services such as our one-stop shops and other local services and community facilities, to ensure community involvement and appropriate multi-use
- (4) Investment in Businesses Cases on a “risk-sharing” and “invest to save basis
- (5) Match funding for national initiatives where this meets local aims
- (6) Support for implementing the provisions contained in the Localism Act
- (7) Additional investment in existing funds such as the Youth Enablement Fund

5.9 A further report will be brought to the Cabinet in February setting out more detail on how this fund is to be allocated.

6.RISK MANAGEMENT

6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance. Risks were identified to the LSP Board and plans for mitigation identified.

7.EQUALITIES

7.1 A proportionate equalities impact assessment has been carried out and the duty upon the Council under the Equality Act 2011 has been fully considered. There are no adverse impacts on protected characteristics identified through this process. However, an opportunity had been identified to progress the Council's public sector equalities duty through this process by adding a specific criterion on identifying need and promoting equalities and this is proposed in the report.

8.RATIONALE

8.1 The rationale for this decision is that following from the Project Outline Proposal process there is now an opportunity to undertake a bidding process through which schemes can be scored and projects recommended by the LSP Board.

9.OTHER OPTIONS CONSIDERED

9.1 The alternative option of undertaking a series of procurement exercises with detailed specifications relating to the outcomes required and with specific funding allocations was considered. This has been rejected on grounds of inflexibility and

the desire of the LSP Board to encourage organisations to pursue a wide range of proposals to meet the criteria of the scheme

10 CONSULTATION

10.1 Cabinet members; Parish Council; Stakeholders/Partners; Other Public Sector Bodies; Section 151 Finance Officer; Chief Executive; Monitoring Officer

10.2 A detailed report with proposals in relation to the Main Programme was made to the LSP Board on 17th November and 13th December. The Board includes representatives from Somer Community Housing Trust, Police, and Council as well as voluntary and community sector representation and representation from town and parish councils. The Board agreed to recommend to the Cabinet the process set out in this report.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 *Social Inclusion; Customer Focus; Sustainability; Property; Young People; Corporate;*

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

Contact person	<i>Andy Thomas, 01225 394322</i>
Sponsoring Cabinet Member	<i>Councillor Paul Crossley</i>
Background papers	<i>Report to LSP Board, 17th November 2011 and 13th December 2011; Report of Main Fund workshop held 23rd September 2011</i>
Please contact the report author if you need to access this report in an alternative format	

This page is intentionally left blank

APPENDIX: PROPOSED PROCESS FOR PERFORMANCE REWARD GRANT MAIN FUND

1. PERFORMANCE REWARD PROGRAMME: MAIN FUND- TIMETABLE

Stage	Activities
Preparation	<ul style="list-style-type: none"> • Cabinet - 11 January 2012 – to agree next steps for process
Applications invited	<ul style="list-style-type: none"> • Programme opens to bidding 24th January 2012 • The closing date for applications will be 5th March 2012
Applications assessed	<ul style="list-style-type: none"> • Applications will be scored under each of the project headings/funding allocations.
Award of funding	<ul style="list-style-type: none"> • LSP Board March/April 2012 to make recommendations • Report to Cabinet, April 2012 • Issue funding agreements • Projects begin May 2012

B. PERFORMANCE REWARD FUND MAIN FUND- PROPOSED SCORING

Evidence that the project...	Proposed Weight	Comments
...has significant impact in delivering the theme identified	20%	To be scored against Programme themes below
...is led by and embedded in the local community and works with other partners	20%	Designed to ensure local links are valued and collaboration encouraged- this is in response to feedback from the workshop
...helps the community help itself	10%	Would consider issues such as volunteer time attracted and is central to the LSP's approach to the theme
...is clear about who will benefit from the project/need	10%	Would seek evidence of community needs to be addressed and opportunities to promote equalities- response to feedback from workshop
...provides measurable milestones for delivery	10%	Would examine the realism of delivery, milestones, risks, etc
...can sustain itself in the long run	10%	Would examine long-term business models and revenue generation over 5 years
...is innovative	5%	Would examine comparative innovation at both local and national level but the weighting is relatively low to recognise development of existing projects
...reduces costs and makes better use of resources	5%	Would seek specific examples of impact on cost reduction
...attracts additional funding and support	5%	Scoring would seek evidence of levered-in funding
...provides value for money	5%	Scoring would take into account the funding requested compared to a "target amount" of £100,000 to set against the benefits

NOTES

- Each theme area will see projects funded to a minimum of £100,000, subject to a minimum overall and theme score being achieved by these projects.
- Bids of below £25,000 will not be accepted

C. PERFORMANCE REWARD PROGRAMME: MAIN FUND- PROGRAMME THEMES

THEME A: Renewing our community assets

- The POP process identified a number of “standalone” proposals for upgrading community facilities.
- Project Bids will be invited under this Theme to upgrade community facilities and support new ways of working in relation to community assets such as community halls, local facilities, etc.
- Given the Council’s interest in ensuring best outcomes from its own assets, this amount could be further “topped up” if agreed from the Council’s Community Empowerment Fund.

THEME B: A resilient voluntary and community sector

- The POP process identified many ideas to help voluntary and community organisations become more sustainable and resilient.
- Project Bids will be invited under this Theme to equip our voluntary and community organisations in Bath and North East Somerset for the challenges and opportunities which face them. This would include:
 - investment to support local voluntary and community groups to get the help they need to better meet local needs- including fundraising, volunteering and other support needed to become more resilient and self-sufficient
 - acting as a catalyst for volunteering and social action
 - gaining access to funding and encouraging groups to work together
 - delivery of innovative projects that support the “Big Society” agenda

THEME C: A Low carbon future

- A number of POPs identified the need to support our communities to move to low-carbon lifestyles, and to ensure that the benefits of renewable energy production stay local.
- Project Bids will be invited under this theme to directly deliver renewable energy and/or energy efficiency projects across the district, as well as help development of relevant projects by other groups. This would
 - contribute to achievement of Core Strategy renewable energy targets
 - retain benefits within the district
 - Increasing capacity in the community through joint working
 - Contribute to local Green Deal provision

THEME D: Transforming local services

- Many POPs identified significant potential to work with local people to “redesign” services, listening to communities and focusing in particular on the needs of the most vulnerable.
- Project Bids will be invited under this theme to exemplify this approach and potentially act as a “pilot” for new ways of working. This also fits clearly with the Council’s support for “community budgets. Projects would be invited to:
 - identify an area or community of focus- either at geographical level or a group with shared needs and common experiences
 - be clear about the needs of this community over the longer-term and across the full range of services, including underlying causes
 - bring together voluntary, community and public services working closely with local people to improve outcomes
 - identify improvements over time and where possible “cashing out” benefits

THEME E: Jobs, business, growth

- Lack of suitable business space, particularly for small and emerging businesses, has been consistently highlighted as a constraint on our area achieving its full potential. The situation is even more urgent given the current situation with regard to the national economy
- Project Bids will be invited under this theme for physical space for start-ups, microbusinesses and self-employed people to locate in Bath and North East Somerset and to support graduate retention.

THEME F: Listening to the users of health and social care services

- Sustaining high-quality health and social care continues to provide a number of challenges, particularly focused on the need to ensure prevention and- increasingly- to involve users in their own care. The introduction of HealthWatch will provide a further dimension to public involvement
- It is proposed that Project Bids be invited under this theme that contribute to this aim.

This page is intentionally left blank

Bath & North East Somerset Council		
MEETING:	Cabinet	
MEETING DATE:	11 January 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E2347
TITLE:	Positive Activities & Looked After Children Funding	
WARD:	All	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Appendix 1 Partnerships paper</p> <p>Appendix 2 Information detailing the grants awarded in the September and November</p> <p>Appendix 3 Equality Impact statements for the Virtual School for Children in Care</p> <p>Appendix 4 Impact statement for the Youth Enablement Grant</p>		

1 THE ISSUE

- 1.1 In March 2010 as noted in the medium term plan the Cabinet set aside £75,000 for “funding for the youth service to support an increased emphasis on empowering and supporting the development of local community activities, including a pilot grant scheme to support community organisations providing targeted youth activities. Of this amount £25,000 will also be used to provide free swimming for disadvantaged children.” especially those looked after.
- 1.2 Although the Youth Service has been very successful allocating funds through the small grants scheme called the Youth Enablement Fund (there is a separate report to cabinet re this). We have not been able to allocate all of the swimming funds, as looked after children are already well supported in this field. Only £2,000 has been spent to date. Therefore we are requesting a change of use of the allocated funds.
- 1.3 Through consultation with The Bath and North East Somerset In Care Council, it has been identified that there is a lack of understanding of in care issues in schools, both among fellow pupils and staff. This is considered to be a major barrier to Children in Care making good progress in school. We wish to address this through a Personal Social and Health Education (PSHE) project for schools, which will include the production of a short DVD together with a range of other support packages. We would like £10,000 to develop these resources. There is a

great deal of support for this work see the partnership paper Appendix 1 for details.

- 1.4 Through consultation with Voluntary Sector Youth Groups we have identified that the Youth Enablement Fund is very popular and gaining a lot of local interest, with the first two rounds allocating almost £90,000. We would like to add the remaining budget £13,000 to this process so the third round would have approx. £45,000 to allocate.

2 RECOMMENDATION

The Cabinet agrees that:

- 2.1 Only £2,000 is used to support swimming and the remaining funding is used to support the two projects identified below.
- 2.2 That is £10,000 is allocated to support the Looked after Children PSHE Project
- 2.3 That is £13,000 is allocated to support the Youth Enablement Grant process in February 2012

3 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications for this work other than a change of use of funding already allocated in 2010.
- 3.2 Bath Spa University has committed £10,000 to the Looked After Children PSHE Project

4 CORPORATE PRIORITIES

- *Building communities where people feel safe and secure*
- *Improving life chances of disadvantaged teenagers and young people*
- *Sustainable growth*

5 THE REPORT

- 5.1 The Bath and North East Somerset In Care Council has identified a lack of understanding of in care issues in schools, both among fellow pupils and staff, as a major barrier to Children in Care making good progress in school. Common problems are bullying, the impact of comments, feelings of insecurity and low expectations. The consequence of this and other social factors is that children in care are among the very lowest performing groups at Key Stage 4 both nationally and locally.
- 5.2 In response to this, the In Care Council is working with the Bath and North East Somerset Virtual School for Children in Care, Bath Spa University Centre for Education Policy in Practice, ASDAN, the PSHE Association, Vision Works, the Who Cares Trust and the NUT to produce a teaching pack for schools. This will comprise a series of around five Personal Social and Health Education (PSHE) lessons aimed at children in Year 5 and another series aimed at children in Year 9

- 5.3 The lessons will be based on filmed short scenarios devised and scripted by the In Care Council. Each scenario will exemplify a problem children in care can face in school and will be the stimulus for class discussion and learning. Ideas for lesson activities will be generated by the In Care Council and turned into lesson plans by Vision Works and the PSHE Association. The scenarios will also be used to produce a training pack for school staff.
- 5.4 Through the Youth Service Review changes to the Youth Service mean that there are areas within Bath & North East Somerset that have predominantly targeted provision, or do not have access to statutory youth provision. There are also areas where youth provision is sporadic, or provided by groups who have limited funding in the present economic climate and are therefore decreasing their open access hours.
- 5.5 The Youth Enablement Fund is a Small Grants programme that enables voluntary sector groups to apply for funding to deliver youth provision in Bath & North East Somerset. Groups complete a straightforward application form (Please see web link as listed at the bottom of this report) and decisions to allocate funding are made by a Panel. The Funding Panel is supported and Chaired by The Principal Youth Officer, other members include: a Finance Officer, up to 2 young people, and a representative from the Voluntary Sector. Grants of up to £5k are available, and recipients are supported throughout the process by the Voluntary Sector Development Worker, which has enabled several new/developing groups/charities to access this funding.
- 5.6 The Small Grants programme has received 43 applications to date. 22 groups have received funding for a total of 24 projects, and a total of £89,539 has been either spent or allocated to date. Information detailing the grants awarded in the September and November rounds can be found in the Appendix 4.
- 5.7 The success of this funding programme, and feedback from a number of voluntary sector organisations, mean that we are confident that we will receive a large number of applications in February, and we can therefore be confident that additional funds of £13,000 would be allocated if made available. This would also mean that money available in the February 2012 round would replicate the amounts allocated in previous funding rounds.

6 RISK MANAGEMENT

- 6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

7 EQUALITIES

- 7.1 Equality Impact statement has been carried out using the corporate guidelines for the Virtual School for Children in Care – this PSHE Project forms part of that work – and the duty upon the Council under the Equality Act 2011 has been fully considered. This process identified no adverse impacts on protected characteristics. The Equalities Impact Assessment is identified through this process. The Equalities Impact Assessment is attached as Appendix 2.
- 7.2 A proportionate Equalities Impact Assessment has been carried out using the corporate guidelines and the duty upon the Council under the Equality Act 2011

has been fully considered. This process identified no adverse impacts on protected characteristics. The Equalities Impact Assessment is attached as Appendix 3.

8 RATIONALE

- 8.1 This PSHE Project was initiated by the Bath and North East Somerset In Care Council. In its role as corporate parent, it is appropriate for the Bath and North East Somerset Council to support the In Care Council in their work in promoting a better understanding of the lives and needs of young people in care.
- 8.2 The Youth Enablement Fund Small Grants programme has provided grants to the voluntary sector in Bath and North East Somerset, resulting in developed youth provision in the region. There is a robust system in place for decision-making, safeguarding, monitoring, and on-going support, and to date, following Panel decisions, we have only received positive support from the Voluntary youth sector regarding this process. The decision-making Panel includes young people and the voluntary sector, so we can feel confident that the views of those who will benefit from the grants are taken into consideration throughout the decision-making process.
- 8.3 There continues to be a lot of interest in the funding scheme, including groups who have been awarded funding for youth consultation and hope to apply for funding projects requested by young people during the consultation. Additional funding for this project would enable us to award a similar amount of grant funding in the February round, and would further develop youth provision in Bath and North East Somerset.
- 8.4 The Youth Service is delivering a core “Youth Offer” to young people in the area however as part of the Localisms Bill we are also supporting and enabling new provision to be set up by local people and supporting and working in partnership with larger organisations to deliver a wider youth offer to meet needs and fill in gaps in provision. A slightly larger Youth Enablement Grants fund will enable us to continue to support this work into 2012.

9 OTHER OPTIONS CONSIDERED

- 9.1 For the recommendation that is £10,000 is allocated to support the Looked after Children PSHE Project

Sponsorship from organisations involved with the project – Bath Spa University is committing £10000 to this project; other organisations are devoting a considerable amount of support ‘in kind’, particularly through giving time to the project without charge. Sponsorship from charities such as the Who Cares Trust – these charities have other significant financial commitments, so we decided not to pursue this option.

- 9.2 For the recommendation that £13,000 is allocated to support the Youth Enablement Grant process in February 2012

If the decision is not supported then The Youth Enablement Fund will stand as it is but the third round will have a smaller funding pot to give out in February, however the work will be limited.

10 CONSULTATION

10.1 In Care Council; through In Care Council meetings throughout 2011.

10.2 Members of staff, young people, Trade Union and the Voluntary Sector Youth Groups, as key stakeholders were consulted about the Youth Enablement Fund as part of the Youth Service Review during 2010 / 11.

11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 Looked after children and the support / enablement of the Voluntary Sector are both important areas of work to support in the future and help to meet some of the key corporate priorities.

12 ADVICE SOUGHT

12.1 The Council's Monitoring Officer and Tim Richens as the Section 151 Officer have been consulted. (Divisional Director Finance) have had the opportunity to input to this report and have cleared it for publication

12.2 Ashley Ayre Director of Children's Services and Tony Parker Divisional Director Learning and Inclusion Service has approved this report to be taken forward.

12.3 Cllr Nathan Hartley has had the opportunity to input to this report and have cleared it to go to the Cabinet.

Contact person	<i>Michael Gorman – Head of Bath and North East Somerset Virtual School for Children in Care</i> <i>Tel: 07530 263232 Michael.Gorman@bathnes.gov.uk</i> <i>And Paula Bromley – Principal Youth Officer</i> <i>Tel : 01225 396984 paula_bromley@bathnes.gov.uk</i>
Sponsoring Cabinet Member	<i>Councillor Nathan Hartley</i>
Background papers	The Youth Enablement Fund Information is held on a Council web page The web link is: http://www.bathnes.gov.uk/communityandliving/fundingcommissioning/performanceaward/Pages/youthenablementfund.aspx
Please contact the report author if you need to access this report in an alternative format	

This page is intentionally left blank

Appendix 1 Partnership Paper

The Bath and North East Somerset In Care Council Partners in this project

Bath and North East Somerset In Care Council

Bath and North East Somerset Virtual School for Children in Care

Bath Spa University Centre for Education Policy in Practice

ASDAN – a Bristol based company that produces and accredits courses on life skills for primary and secondary schools

The PSHE Association – a national organisation that promotes PSHE in schools

Vision Works – a Wiltshire based company that produces resources for schools for use in PSHE lessons

The Who Cares Trust – a national charity that promotes the rights and needs of children and young people in care

National Union of Teachers

This page is intentionally left blank

Applicant	Project	Outcome	
September			
Bath Area Play Project	Odd Down Youth Club	£2,450	
Bath YFC	Twerton Youth Café	£4,900	
Batheaston Youth Club	Enhanced access and activities	£5110 (special conditions apply)	
CSV	Community Café	£2,000	
Mentoring Plus	Evening Activities	£4,000	
Off the Record	When there's something on your mind...'	£4,000	
Peasedown St John Scout Group	Mountain Activities Project	£1,750	
Percy Community Centre	Young Stars	£4,339	
Resource Futures	Green Vision	£4,941	
Somer Valley FM	Teen Spirit	£3,640	
St Philip & St James Church	Youth Work	£4,000	
Weston All Saints Church	Weston Youth Partnership	£4,000	£45,130
November			
Art at the Heart of the RUH	Animate Me!	£4,990	
Bath City Farm	Green Life Skills Project	£5,000	
Bath City FC Community Sports Foundation	5 A Side Leagues	£3,000	
Bath City Sound	Bath City Sound	£4000 (special conditions apply)	
Bath Fringe	Youth Street Theatre Project	£3,904	
Bath Youth For Christ	Southdown Youth Project	£3,000	
Chew Valley Youth Trust	Broad Consultation	£2,500	
Garraway Club	Garraway Continuation Project	£1,000	
Keynsham & District Mencap Society	Enrichment Programme for Jnr Clubs	£3,380	
Off the Record	Young Carers Action Group	£3,635	
Paulton Parish Council (holding)	Youth Action in Paulton	£5,000	
Suited & Booted	Club Flix Seniors	£5,000	£44,409
			£89,539 Total

This page is intentionally left blank

**Bath and North East Somerset Council
Equality Impact Assessment Toolkit
Virtual School for Children in Care**

This toolkit or worksheet has been developed to use as a guide when conducting an Equalities Impact Assessment (EIA) on a policy, service or function *. It includes questions that need to be answered by the person/team conducting the EIA, plus questions that could be asked of key stakeholders during consultation phases. It is intended that this is used as a working document throughout the EIA process: the final written report of the EIA should follow the same format and cover each of the sections within it.

It is important to consider all available information that could help determine both whether the policy could have any potential adverse impact and whether it meets the particular needs of different equalities groups. Please attach examples of any monitoring information, research and consultation reports that you have used to assess the potential impact upon the six equalities strands.

* Throughout the document the term 'policy' has been used to include service, function or strategy.

NB - Only fill in the sections that are relevant

Title of policy being assessed	Virtual School for Children in Care (referred to in this document as VS)
Name of directorate and service	Children's Service
Name and role of officers completing the EIA	Michael Gorman, headteacher of Virtual School

Contact telephone number	01225 477000
Date of assessment period	May 2011

1. Identify the aims of the policy and how it is implemented.			
	Key questions	Answers / Notes	Actions required
1.1	Is this a new a new policy or a review of an existing one?	The VS was set up in September 2009 building on existing work to support the education of children in care	
1.2	What is its aim?	Improve educational for all children and young people in and moving on from care.	
1.3	Whose needs is it designed to meet?	Children and young people in and moving on from care.	
1.4	Who defines or defined the policy? (e.g is it a national requirement?). How much room for review is there?	This is a local implementation plan arising from national Care Matters programme.	
1.5	Who implements the policy?	Managers, staff and partners of B&NES Children's Service including schools.	
1.6	Are there any areas of the policy where those carrying it out can exercise discretion? If so is	The strategy sets out plans for service development. There is	Review of policies, procedures and guidance as part of the strategy.

	there clear guidance on this?	significant room for discretion of staff, managers and partners in carrying out the plans at the point of service delivery for individual young people. There is a framework of written policies, procedures and guidance which is regularly updated and will be reviewed as part of the strategy. These can be viewed on the VS webpage at www.bathnes.gov.uk – Virtual School can be found under V in the A-Z	
1.7	What could stop the policy from meeting its aims? (see 1.2)	Outcomes for children and young people in and moving on from care will be affected by a number of factors including the level and complexity of all of the children's needs, the range and quality of services provided to meet those needs and the opportunities available to young people generally amongst other factors. The impact of the strategy will depend on the extent to which the services provided/ improved under the strategy are able to improve long term outcomes including achievements and participation in education, employment and training.	Monitoring and review of outcomes achieved, feeding into future updates of the policy.

1.8	Do the aims of this policy link to or conflict with any other policies of the Council?	The VS is linked particularly to the Children and Young People's Plan (CYPP), and sets out in more detail how the aims of the CYPP will be achieved for children and young people in and moving on from care. It should not conflict with other strategies or policies of the Council.	
1.9	Is responsibility for the implementation of this policy shared with other bodies?	Yes – the VS is owned by all partners in the CYPP including the Council, schools and other partners acting together as the corporate parent.	
2. Consideration of available data, research and information			
	Key questions	Answers / Notes	Actions required
2.1	What do you already know about people who use and deliver the policy?	We have extensive knowledge of children and young people in and moving on from care.	
2.2	What quantitative data do you already have? (e.g census data, staff data, customer profile data etc)	There is considerable quantitative data about this group of young people held on Carefirst and EMS in particular.	
2.3	What qualitative data do you already have? (e.g results of customer satisfaction surveys, results of previous consultations, staff survey findings etc).	Children and young people have been consulted in a number of ways over the last few years including the in care council.	
2.4	What additional information is needed to check	There is a continuing needs to	Systematic collection and use of the

	that all equality groups' needs are met? (see section 4). Do you need to collect more data, carry out consultation at this stage?	collect accurate data on educational outcomes.	education outcome and progress data.
2.5	How are you going to go about getting the extra information that is required?	Ensure qualitative data through links with schools and Personal; Education Plans	See above

3. Formal consultation (include within this section any consultation you are planning along with the results of any consultation you undertake)

	Key questions	Answers/notes	Actions required
3.1	Who do you need to consult with?	Children and young people in and moving on from care, staff, partners, elected Members.	
3.2	What method of consultation can be used?	A range of methods.	Work with the in care council to consult with young people. Continue to consult partners through Children in Care Quality Assurance and Strategy Group (CCQASG) and Virtual School Strategic Board Continue to consult elected Members through Corporate Parenting Members Group and

			Overview and Scrutiny Panel. Identify mechanism for consulting staff on this strategy.
3.3	What consultation was actually carried out as part of this EIA and with which groups?	None specifically on the EIA.	
3.4	What were the main issues arising from the consultation?	None.	

4. Assessment of impact

	Based upon any data you have analysed, or the results of consultation or research, use the spaces below to list how the policy will or does actually work in practice for each equalities strand: 1. Consider whether the policy meets any particular needs of each of the six equalities groups. 2. Identify any differential impact (positive or adverse) for each of the six equalities groups 3. Include any examples of how the policy or service helps to promote race, disability and gender equality.		
		Impact or potential impact (negative, positive or neutral)	
4.1	Gender – identify the impact/potential impact of the policy on women, men and transgender people	In March 2007 56% of children in care nationally were male, 44% female. In B&NES 58% children in care were male, 42% female – broadly in line with the national figures. Boys are more likely than girls both locally and nationally to be in residential placements – although the number of children in residential placements from B&NES is lower than the national level. More work is required both locally and nationally to analyse educational attainment and other outcome measures for children in care by gender.	
4.2	Disability - identify the impact/potential impact of the policy on disabled people (ensure	Children with statements of special educational need are over-represented in care both locally and nationally. 3% of all children nationally have	

	consideration of a range of impairments including visual and hearing impairments, mobility impairments, learning disability etc)	statements. 28% of children in care nationally have a statement, while locally the level is 27% (May 2011). Effective planning to support the education of children with SEN statements is essential to raising aspirations and standards.	
4.3	Age – identify the impact/potential impact of the policy on different age groups	The VS is intended to benefit children and young people in care (0-18).	
4.4	Race – identify the impact/potential impact on different black and minority ethnic groups	Black and minority children are over-represented in care both nationally and locally. Nationally a quarter of children in care were from a BME background in March 2007. In March 2008 18% of children in care in B&NES were from BME groups.	
4.5	Sexual orientation - identify the impact/potential impact of the policy on lesbians, gay men, bisexual and heterosexual people	There are no data about the extent to which young people in and moving on from care in B&NES are lesbian, gay, bisexual or transgender and no reason to believe this is different from the wider population of young people.	
4.6	Religion/belief – identify the impact/potential impact of the policy on people of different religious/faith groups and also upon those with no religion.	There is no evidence either nationally or locally about the number of children in care of different religions.	
	Key questions	Answers/notes	Actions required
4.7	Have you identified any areas in which the policy is discriminatory? If you answer yes to this please refer to legal services on whether this is justifiable within legislation.	None	
4.8	If you have identified any adverse impact(s) can it be avoided, can we make changes, can we lessen it etc? (NB: If you have identified a differential or adverse impact that amounts to unlawful discrimination, then you are duty bound to act to ensure that the Council acts lawfully by changing the policy)	None identified	

	or proposal in question).		
4.9	Is there any additional action you can take to meet the needs of the six equalities groups above?	Improve monitoring of outcomes by equalities groups as far as achievable.	

5.	Internal processes for the organisation – to be explored at the end of the EIA process.		
Making a decision in the light of data, alternatives and consultations			
	Key questions	Answers/notes	Actions required
5.1	How will the organisation's decision making process be used to take this forward?	This EIA will feed into the monitoring and review of the VS development plan.	Systematic monitoring and analysis of outcomes by equalities group and feed into future updates of this strategy.
Monitoring for adverse impact in the future			
	Key questions	Answers/notes	Actions required
5.2	What have we found out in completing this EIA? What can we learn for the future?	Equalities impact appears largely as expected – i.e. this strategy, by improving outcomes for all children in care particularly through improved personalisation should improve outcomes for all equalities groups amongst these children and young	Continue systematic monitoring.

		people.	
5.3	Who will carry out monitoring?	Head of the VS together with management information colleagues, CCQASG and VSSB (Virtual School Strategic Board) panel	
5.4	What needs to be monitored?	All education outcome measures against gender, SEN/disability status, ethnicity. Young people's views.	
5.5	What method(s) of monitoring will be used?	Quantitative – through analysis of data. Quantitative – through children in care council when established.	
5.6	Will the monitoring information be published?	Annual report by the VS (October)	Publish annual report.
Publication of results of the equality impact assessment			
	Key questions	Answers/notes	Actions required
5.7	Who will write up the EIA report?	Michael Gorman, headteacher of Virtual School	
5.8	How will the results of the EIA be published?		

6. Bath and North East Somerset Council Equality Impact Assessment Improvement Plan

Please list actions that you plan to take as a result of this assessment (continue on separate sheets as necessary). These actions need to be built into the service planning framework and targets should be measurable, achievable, realistic and time bound.

Title of service/function or policy being assessed: Virtual School

Name and role of officers completing assessment: Michael Gorman, headteacher of Virtual School

Date assessment completed: 31/5/11

Issues identified	Actions required	Progress milestones	Officer responsible	By when
<p>Monitoring and review of outcomes achieved, feeding into development plan and report of the VS.</p> <p>Please see development plan for more detail</p>	<p>Publish development plan and annual report.</p>	<ul style="list-style-type: none"> • Development plan based on financial year • Report each October 	<p>Michael Gorman</p>	<p>See column 3</p>

Once you have completed this form, use it as a basis for writing a report of the Equality Impact Assessment. Keep a copy of the form and report as a record of the processes you have been through in carrying out the EIA. Email one copy to the Equalities Team (equality@bathnes.gov.uk), and post a copy on the shared drive [J:\Keynsham_S_Drive\Corporate Equality Group](#)

Equality Impact Assessment / Equality Analysis

Title of service or policy	Youth Service- Equalities Impact Assessment Statement Youth Enablement Fund
Name of directorate and service	Children's service - Youth Service
Name and role of officers completing the EIA	Paula Bromley -Principal Youth Officer
Date of assessment	December 2011

Equality Impact Assessment (or 'Equality Analysis') is a process of systematically analysing a new or existing policy or service to identify what impact or likely impact it will have on different groups within the community. The primary concern is to identify any discriminatory or negative consequences for a particular group or sector of the community. Equality impact Assessments (EIAs) can be carried out in relation to service delivery as well as employment policies and strategies.

This toolkit has been developed to use as a framework when carrying out an Equality Impact Assessment (EIA) or Equality Analysis on a policy, service or function. It is intended that this is used as a working document throughout the process, with a final version including the action plan section being published on the Council's and NHS Bath and North East Somerset's websites.

1.	Identify the aims of the policy or service and how it is implemented.	
	Key questions	Answers / Notes
1.1	Briefly describe purpose of the service/policy including <ul style="list-style-type: none"> ● How the service/policy is delivered and by whom ● If responsibility for its implementation is shared with other departments or organisations ● Intended outcomes 	This service will be access by Voluntary Youth Groups to support Positive Activities for young people in Bath & North East Somerset aged 11 to 25 yrs. old. The outcomes of the funds is to increase provision in the area and to enable groups to bridge a gap between funding that has been cut by the Council and finding new funding streams.
1.2	Provide brief details of the scope of the policy or service being reviewed, for example: <ul style="list-style-type: none"> ● Is it a new service/policy or review of an existing one? ● Is it a national requirement?). ● How much room for review is there? 	This is a new service to the youth service, which links to the Localism Bill and enabling agenda for the Council.
1.3	Do the aims of this policy link to or conflict with any other policies of the Council?	No

2. Consideration of available data, research and information

Monitoring data and other information should be used to help you analyse whether you are delivering a fair and equal service. Please consider the availability of the following as potential sources:

- **Demographic** data and other statistics, including census findings
- Recent **research** findings (local and national)
- Results from **consultation or engagement** you have undertaken
- Service user **monitoring data** (including ethnicity, gender, disability, religion/belief, sexual orientation and age)
- Information from **relevant groups** or agencies, for example trade unions and voluntary/community organisations
- Analysis of records of enquiries about your service, or **complaints** or **compliments** about them
- Recommendations of **external inspections** or audit reports

	Key questions	Data, research and information that you can refer to
2.1	What is the equalities profile of the team delivering the service/policy?	We have a mixed staff team of male and females at across the service however the majority of staff are white British.
2.2	What equalities training have staff received?	The lead officer has undertaken most of the Council equality courses and been on other equality training courses throughout her career. All staff are trained in line with the Council procedures.
2.3	What is the equalities profile of service users?	The Service users are 13 plus in age and will be mixture of male and females at both sites. The Youth Enablement Fund is aimed at young people 11 to 25 years old.

2.4	What other data do you have in terms of service users or staff? (E.g. results of customer satisfaction surveys, consultation findings). Are there any gaps?	We do not currently have details of staff and service users; this is something I am talking to The Equalities Officer about gaining at present.	
2.5	What engagement or consultation has been undertaken as part of this EIA and with whom? What were the results?	Young people have been engaged about the full range of services provided and the programme of activities on offer. The youth service carries out a bi annual user's survey. All of the grant funded groups will have monitoring visits and young people will be asked about their thoughts as part of the process.	
2.6	If you are planning to undertake any consultation in the future regarding this service or policy, how will you include equalities considerations within this?	There are no plans to do any more formal consultation however young people are always encouraged to feed back their ideas, and all of the grant funded groups will have monitoring visits and young people will be asked about their thoughts as part of the process.	
3. Assessment of impact: 'Equality analysis'			
	Based upon any data you have considered, or the results of consultation or research, use the spaces below to demonstrate you have analysed how the service or policy: <ul style="list-style-type: none"> • Meets any particular needs of equalities groups or helps promote equality in some way. • Could have a negative or adverse impact for any of the equalities groups 		
		Examples of what the service has done to promote equality	Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this
3.1	Gender – identify the impact/potential impact of the policy on women and men. (Are there any issues regarding pregnancy and maternity?)	Young women are fully involved in the programme and the centre will be designed to be fully inclusive and offer a range of activities specifically targeting young women.	No adverse impacts have been identified

3.2	Transgender – – identify the impact/potential impact of the policy on transgender people		No adverse impacts have been identified
3.3	Disability - identify the impact/potential impact of the policy on disabled people (ensure consideration of a range of impairments including both physical and mental impairments)		No adverse impacts have been identified
3.4	Age – identify the impact/potential impact of the policy on different age groups	The Youth Enablement Fund is aimed at young people 11 to 25 years old.	
3.5	Race – identify the impact/potential impact on different black and minority ethnic groups		No adverse impacts have been identified
		Examples of what the service has done to promote equality	Examples of potential negative or adverse impact and what steps have been or could be taken to address this
3.6	Sexual orientation - identify the impact/potential impact of the policy on lesbians, gay, bisexual & heterosexual people		No adverse impacts have been identified
3.7	Religion/belief – identify the impact/potential impact of the policy on people of different religious/faith groups and also upon those with no religion.		No adverse impacts have been identified
3.8	Socio-economically disadvantaged – identify the impact on people who are disadvantaged	Whiteway and Twerton areas of Bath is the most significantly	

	<p>due to factors like family background, educational attainment, neighbourhood, employment status can influence life chances</p>	<p>deprived area in Bath and North east Somerset. Health inequalities, low attainment at school, unemployment, high burglary rates all impact on the area.</p> <p>Rural villages in Bath and North East Somerset are either isolated or they are commuter village and poorer families have located there over the years as they have been priced out of other areas and if they do not have transport access to services are very difficult.</p> <p>Groups in these areas have been encouraged to put in bids.</p>	
3.9	<p>Rural communities – identify the impact / potential impact on people living in rural communities</p>	<p>Transport links from the village to Bath are regular but not affordable to many of the young people we work with and this is a barrier for young people accessing services.</p>	

4. Bath and North East Somerset Council & NHS B&NES Equality Impact Assessment Improvement Plan

Please list actions that you plan to take as a result of this assessment. These actions should be based upon the analysis of data and engagement, any gaps in the data you have identified, and any steps you will be taking to address any negative impacts or remove barriers. The actions need to be built into your service planning framework. Actions/targets should be measurable, achievable, realistic and time framed.

Issues identified	Actions required	Progress milestones	Officer responsible	By when
<ul style="list-style-type: none"> • Relevant and up to date information that is good to have alongside access to other services. 	The PYO to discuss this with the Equalities Officer to see what data can be access.	Data identified and used to support the work in the future.	PYO	February 2012
Monitoring of grants considered in line with Equalities agenda.	The Voluntary Sector Worker to support and encourage grants from groups who work with minority & vulnerable young people.	Grants will be supporting more vulnerable young people to have better outcomes. Support to the narrowing the gap agenda	VSW	August 2012

5. Sign off and publishing

Once you have completed this form, it needs to be 'approved' by your Divisional Director or their nominated officer. Following this sign off, send a copy to the Equalities Team (equality@bathnes.gov.uk), who will publish it on the Council's and/or NHS B&NES' website. Keep a copy for your own records.

Signed off by: Paula Bromley
senior officer)

(Divisional Director or nominated

Date: 15th December 2011