Cabinet Agenda



5.00 pm Tuesday, 9 October 2018 Committee Room No. 2, Town Hall, Darlington. DL1 5QT

Members and Members of the Public are welcome to attend this Meeting.

- 1. Introductions/Attendance at Meeting.
- 2. Declarations of Interest.
- 3. To hear relevant representation (from Members and the General Public) on items on this Cabient Agenda
- To approve the Minutes of the Meeting of this Cabinet held on Tuesday 6 November 2018 (Pages 1 - 6)
- 5. Matters Referred to Cabinet There are no matters referred back for reconsideration to this Meeting.
- 6. Issues Arising from Scrutiny Committees There are no issues referred from the Scrutiny Committees to this Meeting, other than where they have been specifically consulted on an issue and their comments are included in the contents of the relevant report on this agenda
- 7. Key Decisions:-
 - (a) Special Educational Needs Strategy and Funding Report of the Director of Children and Adults (Pages 7 54)
 - (b) Special Educational Needs and Disability (SEND) Home to School Transport Repiort of the Director of Children and Adults (Pages 55 70)
 - (c) Procurement Plan Update Report of the Managing Director (Pages 71 88)
 - (d) Christmas Parking Offer 2018 Report of the Director of Economic Growth and Neighbourhood Services (Pages 89 92)

- 8. Review of Outcome of Complaints Made to Ombudsman Report of the Managing Director, Director of Children and Adults Services and Director of Economic Growth and Neighbourhood Services (Pages 93 98)
- Complaints, Compliments and Comments Annual Reports 2017/18 Report of the Managing Director, Director of Children and Adults Services and Director of Economic Growth and Neighbourhood Services (Pages 99 - 222)
- 10. Proposed Waiting Restrictions on Alderman Best Way Objections Report of the Director of Economic Growth and Neighbourhood Services (Pages 223 238)
- 11. Membership Changes
- 12. SUPPLEMENTARY ITEM(S) which in the opinion of the Chair of this Committee are of an urgent nature and can be discussed at this meeting.
- 13. Questions.

Luke Swinhoe
Assistant Director Law and Governance

The Sinks

Monday, 1 October 2018

Town Hall Darlington.

Membership

Councillors Crumbie, Harker, C L B Hughes, McEwan, S Richmond, A J Scott and Wallis

If you need this information in a different language or format or you have any other queries on this agenda please contact Lynne Wood, Elections Manager, Resources Group, during normal office hours 8.30 a.m. to 4.45 p.m. Mondays to Thursdays and 8.30 a.m. to 4.15 p.m. Fridays (e-mail Lynne.Wod@darlington.gov.uk or telephone 01325 405803).

Agenda Item 4

ITEM NO. 4

DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE MONDAY 24 SEPTEMBER 2018

CABINET

11 September 2018

PRESENT – Councillor Harker (in the Chair); Councillors, C L B Hughes, McEwan, S Richmond, A J Scott and Wallis. (6)

INVITEES – Councillors Curry, Haszeldine and Mrs Scott. (3)

ALSO IN ATTENDANCE – Councillors Coultas, Knowles and C Taylor. (3)

- **C45. REPRESENTATIONS** In respect of Minutes C49 and C50(1) below, representations were made by Members and members of the public in attendance at the meeting.
- **C46. DECLARATIONS OF INTEREST** In respect of Minute C51(1) below, the Assistant Director Law and Governance reported at the meeting that the Managing Director, Darlington Borough Council, had granted all Cabinet Members, as they were trustees of the Crown Street Library, a dispensation, under Section 33(d) of the Localism Act 2011, to allow them to participate fully at meetings of Cabinet, when the Crown Street Library was being considered.
- **C47. MINUTES** Submitted The Minutes (previously circulated) of the meeting of this Cabinet held on 10 July 2018.

RESOLVED – That the Minutes be confirmed as a correct record.

REASON – They represent an accurate record of the meeting.

- **C48. MATTERS REFERRED TO CABINET -** There were no matters referred back for re-consideration to this meeting.
- C49. ISSUES ARISING FROM SCRUTINY CHILD HEALTHY WEIGHT AND ORAL HYGIENE The Chair of the Children and Young People Scrutiny Committee submitted a report (previously circulated) presenting the interim recommendations from the Joint Review Group, established by the Children and Young People Scrutiny Committee, to examine Child Healthy Weight and Oral Hygiene, and any associated Mental Health links, and seeking approval to those recommendations.

The submitted report outlined the background to the establishment of the Review Group, which was a joint review with the Health and Partnerships Scrutiny Committee; stated that the group was continuing to meet; and that following a series of briefings and information provided by dental health and public health professionals, the group had agreed to make an interim recommendation in relation to fluoridation.

The Chair of the Children and Young People Scrutiny Committee in presenting the report stated that a scoping exercise would be undertaken with other Local Authorities and bodies across the Tees Valley to inform any consideration of a water fluoridation scheme in Darlington and/or the Tees Valley, and that no decision was to be made at this stage.

The Cabinet Members with the Children and Young People Portfolio and the Health and Partnerships Portfolio thanked the Children and Young People Scrutiny Committee and the Health and Partnerships Scrutiny Committee for the work that had been undertaken to date and re-affirmed that approval was only being given to the undertaking a technical appraisal.

RESOLVED – That the report from the Children and Young People Scrutiny Committee, as appended to the submitted report, be noted, and it be agreed that a technical appraisal be carried out, to inform any consideration of a water fluoridation scheme in Darlington and/or the Tees Valley.

REASON - To enable a technical appraisal to be carried out to inform any consideration of a water fluoridation scheme in Darlington and/or Tees Valley.

C50. KEY DECISIONS - (1) Review of Decision to Relocate the Central Library Service – The Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Managing Director and the Director of Economic Growth and Neighbourhood Services (previously circulated) requesting that consideration be given to the implications of not implementing the agreed decision to relocate the central library from Crown Street to the Dolphin Centre, in the context of the rapidly changing Town Centre environment and the better financial position of the Council in comparison to when the original decision was taken.

The submitted report provided an update on the relocation of the central library; stated that Cabinet had requested officers to look at options to the original decision to relocate the central library to the Dolphin Centre and develop, in outline, an alternative to the relocation; outlined the implications of not implementing the original decision; alternative uses for the space allocated for the library in the Dolphin Centre; financial and HR implications; risks; and outlined the outcome of the consultation undertaken.

In presenting the report the Cabinet Member with the Leisure and Local Environment Portfolio outlined the reasons for no longer relocating the central library and made particular reference to the changing Town Centre environment since the original decision was made.

Members of the public in attendance at the meeting welcomed the decision to no longer relocate the central library from Crown Street to the Dolphin Centre and requested to be involved in any future proposals for the library.

Discussion ensued on Cockerton Library; the need to improve facilities at the Dolphin Centre for relocated services; the Town Centre in general; the heritage of the Crown Street Library building; and the impact on Young People of the move not taking place.

RESOLVED - It was agreed that :-

- (a) the central library be retained at the Crown Street Building, and:-
 - the development of plans for the refurbishment of the Crown Street building and to refresh the internal design and service standards, be approved;
 - (ii) a consultation on the internal redesign and service standards for the Crown Street Library (to run in October/November 2018), be approved;
 - (iii) the space earmarked for a relocated central library service at the Dolphin Centre and Bennet House, be released, for other uses;
 - (iv) the development of a quick picks library service point at the Dolphin Centre, be approved; and
 - (v) it be noted that the Library Service Plan would need to be amended and updated to take account of the above proposals and that it was planned to bring a revised Library Service Plan to Cabinet in January 2019 and thereafter to take this to Council for approval; and
- (b) further reports be received about the library service as may be necessary.

REASONS – (a) To allow Cabinet to consider options relating to the library service.

- (b) To meet the statutory obligation to provide a comprehensive and efficient library service.
- (2) Introduction of Charging and Local Eligibility Criteria for the Self-Build Register The Cabinet Member with Economy and Regeneration Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) advising Members of the statutory duties associated with the Self-Build and Custom Housebuilding Act 2015 (as Amended), one of the duties of which was a requirement to provide serviced self-build plots to meet an identified need.

The submitted report stated that currently there was no fee to register which meant persons could have their name on more than one register in the tees valley or wider, which could result in an over-estimation of need in the wider area and ultimately place a burden on several local authorities to provide serviced plots which would not all be required; if left uncontrolled, the current arrangements could see wide interest in building self-build housing from persons with no local connection; and that the introduction of a charge, albeit modest, would allow the authority to recover a small part of the cost of managing the register and associated work involved.

Particular references were made to the launch of the self-build register in 2016, which met the initial duty of the Act; the duties placed on Local Authorities; the Self-Build Register; meeting the duty; policies in the Local Plan; undeveloped plots; self-build on proposed sites; and financial, legal and HR implications.

RESOLVED – (a) That the requirements of the Self-Build and Custom Housebuilding Act 2015 (as Amended), the need for the this Council to publish a self-build register and

meet its duty to grant planning permission for sufficient serviced plots within the Borough, as detailed within the submitted report, be noted.

- (b) That the introduction of the charging schedule (to be reviewed on a regular basis), as set out in the submitted report, for inclusion on Part 1 of the Self-Build Register, be agreed.
- (c) That the introduction of the eligibility criteria for inclusion on Part 1 of the Self-Build Register, as set out in the submitted report, be agreed.
- **REASONS** (a) The provision of self-build plots is a requirement as set out in the Self-Build and Custom Housebuilding Act 2015 (as Amended). In terms of the provision of such plots these should be directed towards genuine need within the Borough.
- (b) The introduction of a charge, albeit modest, also allows the authority to recover a small part of the cost of managing the register and associated work involved.
- (c) Housing land is a finite resource and it is considered that without restrictions on who can apply to be on the register, persons could have their name on more than one register in the Tees Valley or wider. This could result in an over-estimation of need in the wider area. If left uncontrolled, could see wide interest in building self-build housing from persons with no local connection.
- C51. TREASURY MANAGEMENT ANNUAL REPORT AND OUTTURN PRUDENTIAL INDICATORS 2017/18 The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Managing Director (previously circulated) providing Members with important information regarding the regulation and management of the Council's borrowing, investments and cash-flow and seeking approval of the Prudential Indicators for 2017/18 in accordance with the Prudential Code.

It was reported that the financial year 2017/18 presented similar circumstances to 2016/17 with regard to treasury management and the main implications of this for this Council were included in the submitted report.

The submitted report summarised the capital expenditure and financing for 2017/18; the Council's underlying borrowing need; the Treasury position as at 31 March, 2018; prudential indicators and compliance issues; the economic background for 2017/18; treasury management activity during 2017/18; performance and risk benchmarking; and stated that the report had been examined by the Council's Audit Committee at its meeting on 26 July 2018.

It was also reported that the Council's treasury management activity during 2017/18 had been carried out in accordance with Council policy and legal limits, financing costs had been reduced during the year and a saving of £0.600 million had been achieved from the original Medium-Term Financial Plan due to the inclusion and purchase of property fund units in the investment portfolio, with the interest received reduced due to additional interest payments on debt and additional brokerage fees.

- **RESOLVED –** (a) That the outturn 2017/18 Prudential Indicators, as detailed within the submitted report and those detailed in Appendix 1 of the submitted report, be noted.
- (b) That the Treasury Management Annual Report for 2017/18, as detailed within the submitted report, be noted.
- (c) That the report be forwarded to Council, in order for the 2017/18 Prudential Indicators to be noted.
- **REASONS-** (a) In order to comply with the Prudential Code for Capital Finance in Local Authorities.
- (b) To inform members of the Performance of the Treasury Management function.
- (c) To comply with the requirements of the Local Government Act 2003.
- **C52. TEES VALLEY WASTE MANAGEMENT STRATEGY -** The Cabinet Member with the Leisure and Local Environment Portfolio introduced the report of the Director of Economic Growth and Neighbourhood Services (previously circulated) requesting that consideration be given to entering into consultation on the Joint Waste Management Strategy (JWMS) (also previously circulated) for the Tees Valley.

The submitted report stated that the five Tees Valley Authorities were currently developing an outline business case for options on future waste treatment/disposal post 2025 when existing contractual arrangements would come to an end; as part of the process, the JWMS for Tees Valley needed to be reviewed, refreshed and updated to take account of current policy direction; the existing JWMS covered the period up to 2025; and that the Council had agreed that the new refreshed JWMS would cover the period from 2025 to 2035.

- **RESOLVED** (a) That the draft Joint Waste Management Strategy (JWMS) and supporting documents, as appended to the submitted report, be endorsed.
- (b) That public consultation be approved from 1 October 2018 for eight weeks.
- **REASON -** To enable the Council to consult on the JWMS.
- **C53. MEMBERSHIP CHANGES –** There were no membership changes reported at the meeting.
- **C54. EXCLUSION OF THE PUBLIC RESOLVED -** That, pursuant to Sections 100A(4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraph 3 of Part I of Schedule 12A to the Act.
- C55. DELIVERY OF NEW HOMES AT STAG HOUSE FARM JOINT VENTURE PROPOSAL AND LAND DISPOSAL (EXCLUSION PARAGRAPH NO 3) The Cabinet Member with the Efficiency and Resources Portfolio introduced the report of the Managing Director and the Director of Economic Growth and Neighbourhood Services (previously circulated) advising Members of the proposed changes to the

disposal terms of Stag House Farm and seeking approval from Members to proceed with the disposal.

- **RESOLVED** (a) That the changes to the sale terms, as detailed in the submitted report, be noted.
- (b) That the disposals, on the revised terms as outlined in the submitted report, be agreed, and the Director of Economic Growth and Neighbourhood Services be granted Delegated Authority in consultation with the Portfolio holders to finalise negotiations in line with the terms reported.
- **REASONS** (a) To deliver a Capital Receipt and income for the Council.
- (b) To assist in the delivery of the Economic Strategy by accelerating the building of new homes.

DECISIONS DATED – FRIDAY 14 SEPTEMBER 2018

Agenda Item 7(a)

CABINET9 OCTOBER 2018

ITEM NO.	
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SPECIAL EDUCATIONAL NEEDS STRATEGY AND FUNDING

Responsible Cabinet Member Councillor Cyndi Hughes, Children and Young People Portfolio

Responsible Director
Suzanne Joyner, Director of Children and Adults Services

SUMMARY REPORT

Purpose of the Report

1. This report asks Cabinet to consider the content of the updated Special Educational Needs and Disabilities (SEND strategy (2019-2022) (Appendix 3) which summarises the strategic plan for delivering better outcomes for children and young people with special educational needs. The report also outlines proposed amendments to the application of the High Needs Block in relation to children and young people with Special Educational Needs and Disabilities (SEND).

Summary

- 2. This report seeks approval from Cabinet to commence consultation on the Special Educational Needs and Disabilities (SEND) Strategy 2019-2022 and related funding arrangements. The strategy proposes a local vision along with priorities for the future provision and development of services to support children with SEND.
- 3. The Government funds school via the Dedicated Schools Grant (DSG) to enable them to educate all children and young people including those with SEND.
- 4. The current funding model for children with SEND in Darlington does not follow best practice and lacks transparency and fairness. Amendments have been made with the agreement of schools to enable the "money to follow the child" but more changes are required to deliver a fair and transparent funding system.
- Expenditure on SEND within the DSG is projected to considerably overspend and action on an approach to funding and service provision are proposed as part of the amended strategy which will improve the transparency of the system and reduce overall costs.

Recommendation

It is recommended that Cabinet agree to a consultation on the revised SEND strategy and proposed amended funding arrangements.

Reasons

- 7. The recommendation is supported by the following reasons:
 - (a) The strategy provides a framework to drive the work of the SEND partnership in Darlington through to 2022 to deliver the best possible outcomes for children and young people with SEND and their families.
 - (b) To enable the proposed Special Educational Needs and Disabilities (SEND) Strategy 2019 -2022 and the proposed amended funding model to be further considered.

Suzanne Joyner, Director of Children and Adults Services

Background Papers

No background papers were used in the preparation of this report

Tony Murphy: Extension 5637

S17 Crime and Disorder	This report has no implications for Crime and Disorder
Health and Well Being	The SEND Strategy will contribute to improved outcomes for children and young people with special educational needs and/or a disability in the borough.
Carbon Impact	There are no issues which this report needs to address.
Diversity	The SEND Strategy will contribute to improved outcomes for children and young people with special educational needs and/or a disability in the borough
Wards Affected	Children and young people with SEND may live in any ward.
Groups Affected	Children and young people with special educational needs and/or disabilities
Budget and Policy Framework	This report does not represent a change to the budget and policy framework.
Key Decision	This is a key decision
Urgent Decision	Yes, so as not to delay start of consultation and meet various timescales.
One Darlington: Perfectly Placed	The report contributes to the Sustainable Community Strategy Priority 'the best start in life'.
Efficiency	There are no direct efficiencies to the Council from the information contained within this report.
Impact on Looked After Children and Care Leavers	The SEND Strategy will contribute to improved outcomes for children and young people with special educational needs and/or a disability in the borough a number of these children are Looked After Children or Care Leavers.

- 2 of 17 -

MAIN REPORT

The SEND Strategy

- 8. Darlington's Special Educational Needs Strategy 2017-2020 was approved by Cabinet on 5 December 2017. This updated version builds on progress to date, identifying what has been achieved and our priorities for action up to 2022.
- 9. The vision for the strategy is that it promotes inclusion, maximizes young people's opportunities to be independent and enables young people with special educational needs and disabilities to be recognized as fully integrated citizens with the ability to contribute to their local community.
- 10. The strategy has been written to respond to the key priorities set out in the SEND code of practice, and highlights local strategic aims associated with each priority area for implementation. These are set out below:
 - (a) Early identification of need ensuring that the right children and young people are in the right placement with the right support

 Early identification and intervention is essential to prevent underachievement and improve outcomes and improve children's life chances.
 - (b) Building capacity in mainstream settings to enable children and young people to be educated in appropriate settings locally
 Children and young people with SEND need to have good quality support in their mainstream and local settings so that they can achieve their academic potential and maintain their self-esteem and confidence.
 - (c) Ensuring that children and young people are educated in their local community and have an effective preparation for adulthood and access to work and leisure opportunities Being educated in their local area enables pupils with SEND greater independence and a sense of contributing and belonging to their local community. Children and young people with SEND tell us that they want to make friends locally and access local facilities with their families.
 - (d) Increasing achievement and improving outcomes for children and young people with SEND Address the underperformance in educational achievement across the Key Stages but particularly at Key Stage 4 through targeted interventions, appropriate curriculum, high quality training and effective quality assurance, monitoring and moderation.
 - (e) Focus on effective collaboration, co-production and communication Ensuring that all policies, practices are co-produced with all stakeholders and with the active involvement of parent/carers and children and young people.
 - (f) Achieving 'Best Value' (human, physical and financial resources) from all our services

Effective, efficient and co-ordinated services that meet the needs of children and young people with SEND and their families. With increasing demand we must ensure that the right resources are going to the right children in the right place.

- 11. The SEND Strategy sets out our vision in Darlington for a well-planned continuum of provision from birth to age 25 that meets the needs of children and young people with SEND and their families, and that we expect every early years setting, post 16 provider, mainstream school and academy to have the capacity and confidence to deliver effective provision.
- 12. The strategy aims to identify children with SEND at the earliest possible opportunity and provide them with the support they need to make good educational progress and achieve good outcomes so that they and their families feel well supported. It recognises the importance of providing good training for all staff, whichever setting they are working in, using the best expertise and knowledge, sharing best practice and by promoting a model of collaborative working and shared responsibility.
- 13. The strategy aims to ensure education, care and health services are delivered in an integrated way so that the experience of families accessing services is positive and children's and young people's learning and development, safety, well-being and health outcomes are well promoted alongside their educational progress and achievement.

SEND in Darlington

- 14. The most recent published national data (from January 2017, published in SEN in England in July 2017) shows that 3.3% of Darlington pupils have an Education, Health and Care Plan (EHCP). This is above the North East average of 3% and above the England average of 2.8%.
- 15. The published data shows the profile of primary need in Darlington is different to that seen nationally. Most notably a higher proportion of school age children have social, emotional and mental health needs (SEMH) identified as their primary need than is the case nationally (19.9% of pupils in Darlington compared to 15.7% across England and 16% across the North East) (Appendix 2 Figures 1 and 2).
- 16. The contrast is particularly stark in the data for pupils with SEMH placed in specialist provision. Across England 13% of pupils with SEMH as a primary need are placed in a special school compared to 28.8% in Darlington. Darlington has the 4th highest proportion of pupils with SEMH as a primary need placed in a special school in England.
- 17. The data indicates that there is a high number of pupils identified with SEMH as a primary need and that a high ratio of those pupils are being educated in special schools. This may not be the best way to achieve good outcomes for those children. The current lack of a clear local framework identifying what level of need can be supported at mainstream level contributes to the pressure for independent specialist placements (Appendix 2 Figure 3).

- 18. Darlington has seen a significant rise in the total number of EHCPs in the last 3 years (**Appendix 2 Figure 4**). The number of plans has risen from 385 in January 2013 to 683 in January 2018. This equates to a rise of 77% during this time.
- 19. The increasing levels of EHCPs are more significant since the profile of placements for pupils is skewed towards high cost provision. Darlington places a smaller proportion of young people with EHCPs in mainstream schools than is the case across England (**Appendix 2 Figure 5**). In England 41.9% pupils with EHCPs are placed in Mainstream schools compared with 30.6% in Darlington. Darlington also places a higher proportion of young people with EHCPs in Independent Special Schools (5.1% compared to 2.3% across the North East and 3.7% across England). The average cost of a placement at an independent special school is £70,000 per year.
- 20. This trend is more pronounced in relation to EHCPs issued in 2017. Darlington placed 9.8% of new EHCPs in Independent Special Schools in 2017 compared to 2.7% across the North East and 2.9% in England (Appendix 2 Figure 6). In 2017 Darlington had the 5th highest proportion of new EHCPs placed in Independent Special Schools in England.

Reviewing and Implementing the SEND strategy

- 21. The following work has been undertaken in parallel with the proposed changes to funding arrangements to manage demand both existing and new and on the High Needs Block:
 - (a) Strengthen mainstream SEN support. The introduction of a graduated response framework for schools to adopt in September 2018. This is necessary as practice and identification is not currently consistent across schools. The aim is to ensure there is a consistent approach to graduated, early SEN support. This is a key piece of work which will ensure that the descriptors are helpful, practical and clearly understood by providers, local authority officers and families.
 - (b) Review of existing EHCPs. A moderation exercise has been undertaken on all existing EHCP plans against the new graduated response framework. This information will be used in the annual review cycle for individual pupils with EHCPs to ensure support and placement arrangements match current levels of need. Wherever possible support will be put in place for the reintegration of young people back into mainstream settings.
 - (c) Steps to reverse the trend for increasing placements in the independent sector. A revised SEN panel has been introduced to ensure sufficient peer support and challenge for education providers and strengthened gatekeeping at LA level.
 - (d) **Review of current provision.** Review of current local resource based provision and outreach support is being undertaken to ensure as many Darlington young people as possible can be educated in their local community.

Developing Local Provision

- 22. The SEND strategy identifies the key priority of providing high quality local provision. One of the key drivers for the placement of pupils in high cost out of borough independent placements is the lack of suitable local specialist provision.
- 23. The strategy identifies key areas of consideration of commissioning local provision to meet need and manage demand.

Type of Need	Phase	Delivery
Pupils with Social,	Primary	Resource base in a primary schools
Emotional and Mental		setting
Health Needs (SEMH)		
Pupils with Social	Secondary	Resource base in a secondary setting
Emotional and Mental		or Alternative provision
Health Needs (SEMH)		·
Pupils with Moderate	Secondary	Resource base in a Secondary setting
Learning Difficulties		

Re-shaping of the High Needs Block Funding Mechanism

- 24. In order to ensure pupils with SEND in Darlington fulfil their potential the funding system that supports them needs to be transparent and targeted to meet a child's individually assessed and identified needs.
- 25. Under the current school funding framework, the Government allocates amounts to each local authority through the Dedicated Schools Grant (DSG), based on four blocks.
 - (a) Schools Block
 - (b) High Needs Block
 - (c) Early Years Block
 - (d) Central Schools Block

The allocations for the blocks in 2018/19 are as follows:

Block	Allocation £'000's
Schools	65,102
High Needs	12,020
Early Years	6,827
Central Schools	1,454
Total	85,403

Figures updated July 2018, pre recoupment

26. The High Needs Block caters for pupils with special educational need and disabilities (SEND). It funds Darlington special schools, SEN resource bases in

mainstream schools, pupil referral unit (PRU) and the provision of education to those pupils with complex or severe needs requiring support in a non-maintained or independent special school (NMI). It provides additional funding to primary and secondary schools for pupils with Education Health Care Plans (EHCPs). It also funds specialist support services (e.g. physical and sensory support, speech & language therapies.)

27. The high needs funding system supports provision for pupils and students with special educational needs and disabilities (SEND) from their early years to 25. The Children and Families Act 2014 extends local authorities' statutory duties relating to SEND across the 0 to 25 age range.

Darlington 17/18 Funding Model

- 28. The system for funding high needs provision in Darlington up to the end of the 17/18 academic year was both complex and unclear. There was a lack of transparency for schools and parents about how the funding system worked and the funding schools received was not allocated to an individual pupil's needs.
- 29. Guidance from the Education, Skills and Funding Agency (ESFA) states that schools and academies should have sufficient funding in their delegated budget to enable them to support pupils' SEND where required, up to a mandatory cost threshold of £6,000 per pupil (Element 1 & 2 below). Only when this threshold is crossed, can a school apply to the local authority for High Needs top up funding from the DSG (Element 3 below). This national policy change was introduced in 2014.
- 30. There are 3 ways schools are funded nationally to support pupils with SEND

Element 1	This is the core budget and it's used to provide education and support for all pupils in the school including those with SEND. Nationally this is set at around £4,000
Element 2	The notional SEND budget. Schools have a duty to identify, assess and make special provision for all children with special education needs and disabilities. Schools are expected to contribute £6000 to support a pupil with high needs
Element 3	"Top up" funding for a pupil with complex or exceptional needs is allocated to the school after a statutory assessment has been carried out and the pupil has been given an Education, Health and Care Plan (EHCP)

31. Nationally, most LAs have applied a "top up" level of funding to the notional £6,000 on an individual pupil basis since 2014. This funding is awarded per individual child and the amount depends on the pupil's level of assessed need. An EHC plan describes a pupil's needs, agreed outcomes and required provision and the top-up funding is directly linked to these. Nationally, most LAs operate a universal high

- needs banding system which is used to allocate the appropriate level of funding for each pupil.
- 32. Darlington's funding model did not follow this approach. Rather than applying a "top up" to the notional £6,000 funding a combination of a delegated lump sum and "top up" model was in place. Primary schools received a lump sum payment which replaces top up funding between £6,000 and £13,500 with additional "top up" funding applied. Secondary schools received a fully delegated lump sum model with no "top up" payments.

Darlington Funding Model				
Element 1	Core	Core budget		
Element 2	The notional	The notional SEND budget.		
Element 3	Primary	Secondary		
	Mixture of "top up" funding linked to pupil and delegated lump sum	Delegated lump sum payment to school. Funding does not follow individual		
	payment to school	pupil		

- 33. The maximum funding level of lump sum and top ups applied in Darlington is significantly higher than the equivalent top up levels for most other Local Authorities and was comparable to payment levels in inner London boroughs.
- 34. As the funding scheme did not apply a "money follows the child" model there was a wide variance between the funding a school received and the number of pupils at the school with an EHCP.
- 35. It is important that the funding system is as fair and equitable as possible. The demand for High Needs top up funding must be more closely linked to the needs of individual pupils and more financially predictable.
- 36. The Schools Forum is a statutory body whose purpose is to advise on matters relating to the authority's schools budget. Schools Forum has agreed to move to a fully "money follows the child" model with effect from the 2018/19 school year. There remains a need to revise the existing funding model to clarify resources available to schools and deliver an equitable and transparent allocation. It is proposed to move to a system introducing more specific top up funding arrangements, graduated to support the most profound level of individual need.

The amended funding model

- 37. The following proposals are designed to create a clearer, simpler high needs funding model that is more easily understood by parents, carers and professionals across the system. They are designed to simplify the current banding system and to deliver the necessary savings to the system to address the increasing demand.
- 38. It is proposed to introduce a ranges model based on national best practice in determining the needs of pupils with SEND. These are based on the four areas of the SEND Code of Practice (2014) and on the "golden thread" of the graduated approach of assess, plan, do and review that underpins SEND best practice.

- 39. This approach to assessing pupil needs will determine the "top up" funding that will be allocated to ensure that individual pupil needs are met in the most effective and efficient way. It is a "needs led approach" rather than purely allocating provision.
- 40. There will be greater emphasis on accountability and targeting of notional SEN funding and additional "top up" funding to meet needs. Allocations of "top up" funding in addition to the notional £6,000 per pupil SEND budget will require an evidence base of the assessment of need, the range of interventions in place and the impact and outcome. Schools will be required to demonstrate how they are spending the notional £6,000 SEN budget before further "top up" allocation will be considered.
- 41. The SEND ranges model, which has been developed with schools, health professionals and parent/carers, will provide a clear framework as to the level of provision which can reasonably be provided from within the resources available to mainstream schools. The application of the ranges will reduce the risk of inappropriate pupil placement in high cost specialist provision.
- 42. It is proposed to move to a single "universal" banding system (**Appendix 1**) for all mainstream schools in Darlington in line with the principle outlined in the SEND code of practice of "money follows the child." As this will be a significant shift for schools in the current system the changes will be applied through a transition period in the 2018/19 and 2019/20 academic years.

Financial Implications

Current Budget Position

- 43. There is considerable pressure on the High Needs Block (Appendix 2 Figure 7). In the past 3 years overspend in the HNB has been supported by a transfer from the schools block, however even with this there was still the requirement to carry forward £1.6m of overspend from 2017/18 into 2018/19. Due to changes in national policy leading to the introduction of a national funding formula the scope to move funding between the blocks of the DSG will be much more limited from 2021/22.
- 44. Darlington's HNB allocation for 2018/19 is £12.02M. An overspend of £1.78m is projected for this year based on the current profile of high needs expenditure. In addition to this, £1.6m of overspend has been carried forward from 2017/18, therefore a combined overspend of over £3m is expected at the end of the 2018/19 financial year. This level of expenditure against the HNB is financially unsustainable, therefore a more affordable system of funding high needs, in line with the level of funding Darlington receives from Central Government is essential.
- 45. The combination of the three key demands-increasing rates of ECHPs, the high level of mainstream top up payments and the types of placements for young people with EHCPs is placing considerable pressure on the High Needs Block.
- 46. From 2015/16 to 2017/18 spend on mainstream "top up" payments increased from £2,005,621 to £2,227,248. Spend on independent special school placements

Dedicated Schools Grant

- 47. The Department for Education (DfE) are intending to introduce revised national funding arrangements for all school funding blocks. The DfE's intention is for schools' budgets to be set on the basis of a single, national formula (a 'hard' formula) from 2021/2022. To ensure some transitional stability, local authorities can continue to set a local formula for schools in both 2019/20 and 2020/21.
- 48. The vast majority (99.5%) of the Schools Block is ring-fenced and must be distributed through a formula directly to schools. In consultation with their Schools Forum, local authorities can move 0.5% of funding into the High Needs Block. Local Authorities can make a request to the Secretary of State to move more than 0.5% of the School Block to support the High Needs Block.

Projected Savings

49. The chart below illustrates the projected savings to the mainstream top up spend by implementing the new funding model in comparison to the historic Darlington model (as outlined in paragraphs 24 to 29). (Note the figures are based on pupil characteristics during the 2017/18 term and are illustrative as the actual spend will be based on the actual pupils in school in each year).

	2018/19	2019/20	2020/21
Historic Expenditure	1,733,394	1,733,394	1,733,394
Historic Funding Model	577,798	0	0
Transitional Funding Model	1,166,848	545,148	0
New Funding Model	0	828,861	1,243291
Total	1,744,646	1,374,009	1,243,291
Savings	(11,252)	359,385	490,103

The savings are shown in financial years, system changes are introduced in academic years

- 50. The changes to the mainstream top up system are projected to save in the region of £490,000 once fully implemented, therefore a further £1.3m of savings will be required in the HNB in order to balance the budget in future years. Further changes to the delivery of high needs are currently being investigated to deliver the savings required to balance the budget in year and recover previous years overspends. A plan of high needs delivery changes proposals will be formulated during the Autumn 18 and Spring 19 terms.
- 51. With effect from 2019/20 the DfE intends to tighten the rules governing deficits in local authorities' overall DSG accounts, under which LAs have to explain to the DfE their plans for bringing DSG accounts back into balance.

52. In March 2019 the DfE will require a report from any LA that has a DSG deficit of more than 1% as of 31st March 2019. The report will need to have been discussed by our local Schools Forum. The report will outline the Local Authorities' plans to address the overspend over future years.

Legal Implications

- 53. Local authorities have a statutory duty to identify and assess the special educational needs of children and young people for whom they are responsible. Once a local authority becomes aware that the child/young person in their area has or may have special educational needs, the local authority must ensure that those children/young people receive support to help them in "achieving the best possible educational and other outcomes".
- 54. The Local Authority also has an Equality Duty under the Equality Act 2010 and an obligation to make reasonable adjustments for disabled persons when exercising its functions, including transport. An Equalities Impact Assessment (EIA) will need to be undertaken in relation to any proposed changes.

Consultation

- 55. It is proposed to consult on the revised SEND strategy and the proposed new funding arrangements from the 10 October to the 21 November 2018 and then to bring the matter back to Cabinet in February 2019. The consultation would include:
 - (a) consultation and co-production discussion with the Darlington Parents and Carers Forum (DPCF)
 - (b) online information and questionnaire
 - (c) a letter to all families on the SEN database
 - (d) a letter to Darlington education providers
 - (e) an information session at a scheduled Darlington Parents and Carers Forum

Appendix 1: Proposed Funding Model

2018/19 Transition Year 1

- 1. The current lump sums paid to schools will be phased out to adopt a wholly "money follows the child" model. It is acknowledged that the move to a new model in the 2018/19 academic year will have a significant effect on some schools, therefore in order to give schools more time to plan their budgets, there will be a transitional year starting from September 2018. Transitional protection arrangements will be put in place to ensure no school will lose more than 25% of the funding they would have received under the current system.
- 2. These proposals were presented to Schools Forum on 10th July 2018 and will be implemented from September 2018.

2019/20 Transition Year 2

- 3. The changes introduced in the 2018/19 will ensure that a universal banding model is in place in both primary and secondary phases. In order to achieve stability for the High Needs Block it is proposed that changes are made to the financial allocation to schools which is applied under the current banding model.
- 4. It is proposed to revise the level of top up applied and introduce a new banding linked to the new SEND ranges model which details the expected interventions across seven levels of need.

Range		Band	Additional
			"top up"
			Funding
1	Mainstream-AWPU	1	Nil
2	Mainstream-Notional	2	Nil
	SEN (£6,000)		
3	Mainstream-Notional	3	Nil
	SEN (£6,000)		
4	Mainstream/Resource	4a	£3,000
	Base	4b	£6,500
5	Resource	5a	£8,500
	Base/Specialist	5b	£10,000
	Placement		
6	Specialist	6a	£12,500
		6b	£15,000
7	Independent Special	7	Determined
	Placement		by need

5. Ranges 1 to 3 cover the support expected from the pupil funding and the notional SEN funding whilst Range 7 will only apply to independent specialist provision, unless there are exceptional circumstances.



Appendix 2: SEND data comparator graphs

Figure 1: Pupils in Primary School by primary type of need

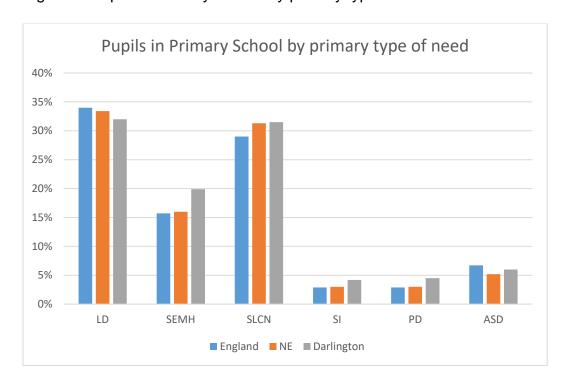


Figure 2: Pupils in Secondary School by primary type of need

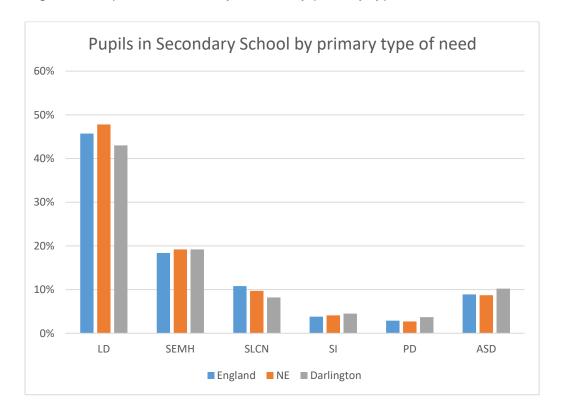


Figure 3: Pupils in Special School by primary type of need

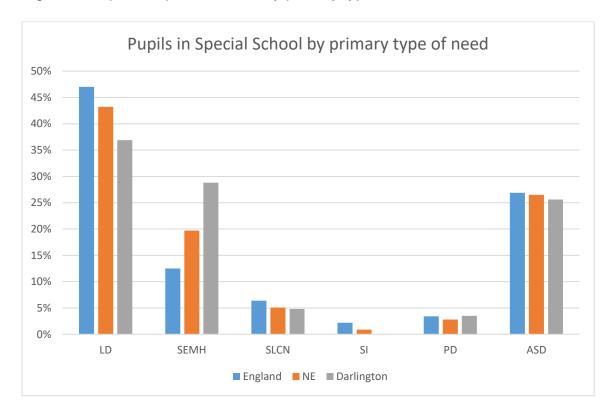


Figure 4: Number of statements or EHCPs in Darlington by year

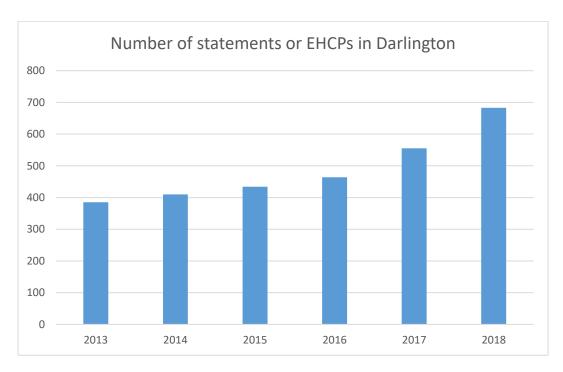


Figure 5: Placement of Pupils with ECHPs by type of provision

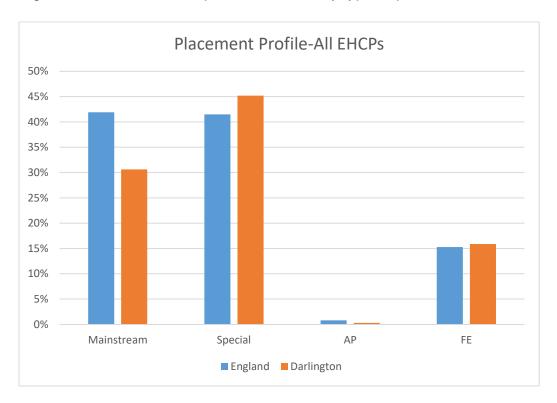


Figure 6: Placement of pupils with EHCPs by type of provision 2017

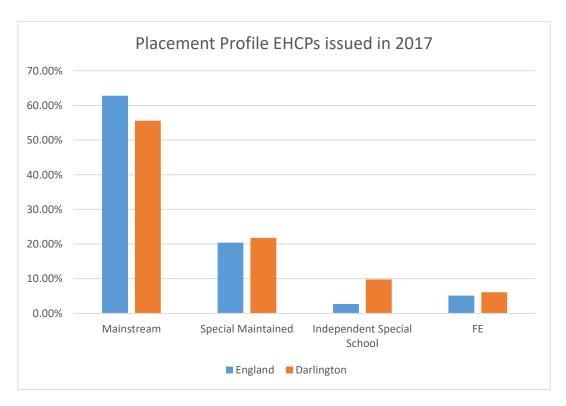


Figure 7: High Needs Block v Expenditure

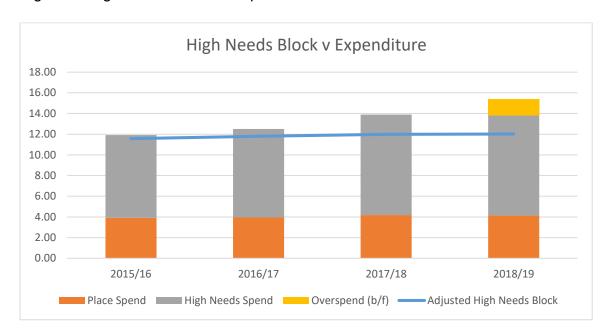
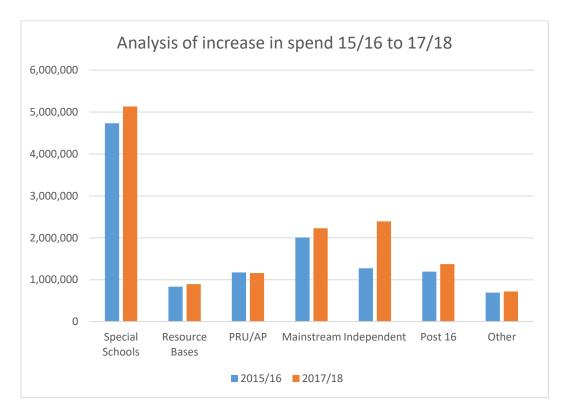


Figure 8: Analysis of increase in spend 15/16 to 17/18





Darlington Council Strategy for Special Educational Needs and/or Disability (SEND) 2019 - 2022



"THE BEST START IN LIFE"

OUR STRATEGY FOR IMPROVING OUTCOMES ACHIEVED BY CHILDREN AND YOUNG PEOPLE AGED 0-25 WITH SEND 2019 - 2022

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1. Executive Summary

Darlington's SEND Strategy 2019-2022 for improving outcomes for children and young people with SEND 0-25 giving them the 'best start in life' outlines the vision and key priorities for supporting Darlington's children and young people with SEND and their families.

Our vision for all children and young people with special education al needs and disabilities is that they have the right support and opportunities at the right time so that they become resilient, happy adults.

This is set within the national context and our statutory requirement to meet the needs of children and young people under the requirements of the Children and Families Act 2014 and our local context with the rising numbers of children who have a range of complex needs and the need to provide high quality and responsive services within financial constraints.

Darlington is fully committed to the children and young people with SEND and their families and strives to ensure that they receive the highest quality provision wherever possible. We have analysed our gaps in provision, used a range of data across services and settings and improved partnership working with a wide range of

stakeholders. We work closely with the Parent/Carer forum in all that we do.

We have identified our key objectives, priority actions, opportunities and challenges in meeting the growing needs and numbers of children and young people who have SEND. Our analysis of local need suggest we need to consider future commissioning to meet the following need:

- A revised role and remit for the Additional Resource Bases and outreach support in Primary and Secondary schools to reflect the growing numbers of children with communication and interaction, moderate learning difficulties and those with social, emotional and mental health needs.
- A greater emphasis on an integrated therapeutic approach to the work in the resource bases and across all settings.
- Multi-disciplinary Early Years Hub based in a primary school which has a remit for early identification and assessment to ensure that children can follow wherever possible mainstream provision across the Key Stages
- Increased emphasis on supporting children and young people who have mental health needs across all settings.

 Vocational provision in Key Stage 4 for those young people who find the demands of the curriculum difficult and for whom a more practical and vocational route is more appropriate.

It will be important that we have high quality specialist staff with the right skills, knowledge and experience in our settings who will be supported by a comprehensive workforce reform strategy across all services. We will need to align our services in line with our new SEND Ranges and to support schools and settings to effectively implement high quality interventions.

We will strive to ensure that there is equality of access to our services and that we have consistency and a continuum of high quality provision 0-25. Our children and young people with SEND and their families are pivotal to the success of this strategy. One of our key strategic objectives is effective collaboration, co-production and communication. We must always listen, communicate effectively and develop our current and future services together and in partnership – it is only then that we can truly develop the provision for which our children and young people with SEND richly deserve.



2. Introduction



The Children and Families Act 2014 introduced the biggest changes to Special Educational Needs and Disabilities (SEND) in a generation; a new statutory duty on the Local Authority (LA) to ensure that the views, wishes and feelings of children, young people and their parents/carers are at the centre of decision making and that they are given the right support and information in a timely manner to ensure they are able to participate in decisions which help them to achieve good outcomes.

Darlington's vision is to enable children and young people to have the best start in life. Our aspiration is that Darlington's children and young people aged 0-25 with SEND will aim high and achieve their full potential, grow up to be as independent as possible and become active citizens within their community. Our aim is to ensure that children and young people with SEND are well prepared for adulthood through access to employment, leisure and social activities that provide independence and high quality support for adult living. This document is our shared vision across Education, Health and Care in partnership and co -production with our families and young people. It sets out our next steps for improving outcomes and opportunities for every Darlington child and young person with SEND.

This strategy aims to meet the requirements of the Children and Families Act in a way that is ambitious, inclusive, realistic and person centred within a challenging financial context. It was developed with stakeholders responsible for implementing changes and with parents, carers and young people at the core.

Darlington was part of the Department for Education's Pathfinder programme which practice supported best in the implementation of the SEND reforms. Over the past year we have started to review all our provision for SEND to ensure that it is 'fit for purpose' and meeting the growing and complex needs of our young people. We have worked closely with schools, settings and services to engage all stakeholders and to start planning collectively and effectively together. We are using our analysis of our SEND data and views of our parents, carers and young people to 'future proof' our services and to recognise where our gaps are and to find solutions to our challenges. We have successfully developed and implemented our SEND Ranges across schools and services so that we can more accurately assess need and to ensure that we have a 'graduated response' to meeting those needs. We have engaged partners in the discussions around funding and the changes that need to be made to ensure that we can get 'best value' out of all our resources.

We have good links across our multidisciplinary services and recognise that we need to work more consistently. We are above the national average in our completion of Education Health and Care Plans (EHCPs) within the 20 week deadline but we need to improve our quality of plans, systems and processes and the involvement of parents and carers in the process.

All statements of special education need were successfully converted to Education, Health and Care Plans by the statutory March 2018 deadline.

Going forward we recognise that there is much to do to keep pace with demand, to improve the quality of provision further and to ensure that more children and young people can have the specialist support they need in local schools, post 16 providers, work placements and early years settings. We have a higher than average number of children and young people with EHCPs when compared with

both regional and national averages and our growth in the number of plans over the past 4 years has been high.

Children and young people with SEND are achieving well in the Early Years and in Key Stage 2 with children with an EHCP and SEN Support making better progress than the EHCP cohort nationally. Progress at key Stage 5 is good. However the performance at Key Stage 4 is a concern.

Some of our biggest challenges for this strategy are to ensure that we can improve support for children with Autism (ASD), Speech, Language and Communication Needs (SLCN) and Social, Emotional and Mental Health difficulties (SEMH), reduce the number of children with Moderate Learning Difficulties (MLD) in our special schools, increase our capacity in mainstream schools and in particular in our secondary schools to meet the needs of children and young people with SEND and to reduce our dependence on out of authority placements.

We must deliver this strategy in a way that is affordable and provides best value for money, whilst recognising the unprecedented increase in the number of children and young people supported by high needs funding and the corresponding increase in pressure on broader health and

care services for those aged 0-25 years and beyond.

Our Vision and Philosophy for SEND Support and Provision in Darlington

Where possible we believe that every Darlington child and young person should be supported in the community where they live. We will achieve this though access to good quality local Early Years provision, schools, post 16 settings, work based training providers and employers. In addition to the right learning opportunities children and young people with SEND should be offered access to appropriate health and care support in response to their diagnosed needs whilst recognising and understanding the specific needs of the families.

We are committed to the following key priorities in order to deliver our vision:

- Early identification of need ensuring that the right children and young people are in the right placement with the right support
- Building capacity in mainstream settings to reduce reliance on specialist and out of authority placements 0-25
- Ensuring that children and young people are educated in their local community and have an effective preparation for adulthood and access to work and leisure opportunities

- Increasing achievement and improving outcomes for children and young people with SEND
- Focus on effective collaboration, coproduction and communication
- Achieving 'Best Value' (human, physical and financial resources) from all our services

We are committed to safeguarding and protecting all children and young people with SEND. We want to provide a wellplanned continuum of provision from birth to 25 and beyond. This means high quality and well-integrated services across education, health and social care which work closely with young people, their parents and carers and where individual needs are met without unnecessary bureaucracy or delay. We want the journey from childhood to adolescence and through to adulthood to be a good experience for all with young people taking informed risks, making choices, being challenged and challenging boundaries as part of their growing up journey.

In order to deliver our vision and key priorities we will:

- Ensure a person centred approach to service delivery and that all our plans, services and policies are coproduced with families
- Have a local offer which helps children, young people and their families to plan and make choices about their support
- Ensure that the SEND Ranges are fully embeded and utilised in all settings and continue to focus on a 'Quality First' approach in our universal settings
- Provide systematic, proactive and appropriate early identification, early help and provision which will be available locally
- Ensure successful preparation for adulthood including supporting independence, independent living, training and employment

- Support the vision through effective workforce reform and outreach support services that are based on high quality interventions
- establish clear pathways and effective transition between and across services
- have a strong commitment at all levels to ensure effective partnership working and coproduction happens
- active involvement of all partners in developing excellent practice supporting each other to understand differing views, priorities, skills and talents
- have effective Joint Commissioning Strategies which will provide greater synergy between and across services and will ensure accountability at all levels
- Put in place funding and support that is allocated fairly and openly

4. Outcomes



The partnership between Education, Health and Social Care is strong and developing. Significant work has been undertaken to pull together data from various sources and to highlight where the gaps are in information so that this can be used to future proof services and provision.

The proportion of children and young people living in poverty is increasing and there is evidence of an increasing impact of alcohol on the population of Darlington. The proportional uptake of Free School Meals in Darlington is higher than the national average. Darlington has a significant Gypsy, Roma and Traveller (GRT) community with a higher than average number of pupils from this community being electively home educated.

Education/Attainment

Educational attainment is the foundation for opening future opportunities for all children and young people with SEND; however resilience, social networks and involvement in community activities are also key factors for a fulfilling and independent life.

In 2017, none of the small numbers of pupils with a statement/EHCP achieved a

Good Level of Development (GLD) in Darlington. However, pupils at SEN Support level achieved better than the national average at 34% (national 27%). Overall for pupils with SEN, this equated to a higher percentage of pupils achieving a GLD than similar pupils nationally. In 2017 a higher proportion of SEN pupils in Darlington met the expected standard of phonic decoding when compared with the national average. The gap between Darlington and national results was particularly high for pupils with a statement/EHCP.

Key Stages 1 and 2

Key Stage assessments for KS1 and KS2 were reformed in 2016 with resulting outcomes being measured by 'Expected Standards' rather than the previously measured national curriculum levels. When compared to the national average, SEN pupils in Darlington performed less favourably at KS1 in 2017. However, maths was stronger for pupils with a statement or EHCP and reading was a particular strength in Darlington. Writing was a weakness overall across those pupils with SEN support and those with a statement or EHCP. In contrast to KS1. the attainment of SEN pupils at KS2 was stronger in Darlington for 2017 compared

to the national average. This was the case in all subjects with the exception of writing for pupils with a statement or EHCP. The results for SEN support pupils were higher than those in the North East and Statistical Neighbours with a national ranking of 25. However, the attainment of pupils with a statement or EHCP were at average when compared to regional neighbours.

Key Stage 4

New attainment indicators, including Attainment 8 and progress 8 were introduced in 2015/16. All SEN pupils in Darlington performed less well than their national comparators in all measures. For pupils with a statement or EHCP, Ebacc Attainment and English and Maths (basics) are the only two measures where Darlington were above the national average. Those on SEN support fell well below national averages on all measures.

Post 16 – Attainment by age 19

In 2017 attainment at Level 2, including English and Maths, by age 19 improved for young people without SEN needs. Attainment also improved for those with SEN support, whilst there was a decline for those with a statement or EHCP. In 2017 performance at Level 2 for those

with a statement or EHCP was at 12.20 % and is below that of statistical neighbours (13.15%0 and national average (14.90%). For those with SEN support needs performance was at 27.0% which is well below our statistical neighbours at 35.65% and the national average at 37.0%. A similar pattern was seen for those whose attainment is at Level 3.

Preparation for Adulthood

Participation for 16 and 17 years olds

In 2017 (January) 91.58% of 16-17 year olds with SEN who were resident in Darlington were in education and training compared with 86.58% for our statistical neighbours and the national average being 87.52%. Darlington has a higher percentage of Post 16 students with EHCPs in Further Education provision compared with the national average. There is a higher than average percentage of Post 16 students with EHCPs in Post 16 specialist institutions than the North East and national averages.

In January 2018 Darlington was below its North East neighbours in the number of students with EHCPs undertaking supported internships (3), traineeships (0) and apprenticeships (0). Darlington however was the highest in the region in respect of students with EHCPs remaining in sixth form.

Employment Opportunities

Developing an improved process to ensure more effective tracking of students into sustained destinations and work is a priority. Young people with special educational needs and disabilities often struggle to get paid work when they leave education. This could be due to a lack of work experience opportunities and a lack of accessible information. There are a lack of work opportunities and career pathways for young people with SEND in Darlington. This remains a key priority in this strategic plan.

Good Health Outcomes

Young people with disabilities may experience greater vulnerability to secondary conditions, co-morbid conditions including for example age related conditions or illnesses. Barriers to good physical and mental health can include for example a lack of availability and access to leisure, cultural and other public facilities and transport. The JSNA has highlighted the significant emotional and mental health needs particularly in secondary for those students on SEN

support and those with EHCP's. Considerable work is being undertaken in this area across Health and Education. The Future in Mind programme has supported schools to be better skilled through the delivery of training in mindfulness and mental health first aid.



5. Achieving our Vision and Outcomes – The Key Enablers

1. Processes

- A well planned continuum of provision 0-25
- Effective EHCPs that accurately reflect the needs and targets for the child and or young person with individual needs being met without unnecessary bureaucracy and delay
- SEND panels and steering groups that meet regularly, have clarity over purpose, roles, remit and that are coherent with the child's needs at the centre
- Ensuring local SEND services are inclusive of and integrated with high quality NHS, community and voluntary services so that the experience of families accessing services is positive and children and young people's learning, development, safety, well-being and health outcomes are promoted alongside their educational progress and achievements
- Embed the use of the SEND Ranges across all settings
- 2. Infrastructure and Resources

- Business intelligence, systems of gathering data and ease of access to data will be key in delivering the strategy
- Effective monitoring, tracking and analysis of data and outcomes by stakeholders will be pivotal
- Strong strategic leadership across Education, Health and Social Care
- Utilising the SEND Capital grant and other SEND grants effectively in line with the SEND Strategy key Principles
- Effective partnership working with schools will be fundamental to develop more effective and innovative ways to use high needs funding in mainstream schools

3. People

- Effective workforce training and support from Early Years through to work based training providers and employers so that they have the capacity and skills to deliver a high quality provision
- A commitment from all to achieve the very best outcomes possible for children and young people which support inclusion, develop independence and successful preparation for adulthood

4. Joint strategic leadership and management

- Strong governance, clear commitment, accountability and challenge through the LA, schools governing bodies, SEND Steering Group, the Clinical Commissioning groups and the Health and Well Being Board
- A robust delivery plan that is published and effectively communicated and contributed to by all
- All teams and services working towards our strategy with budgets aligned to our strategic priorities



6. How the strategy was developed –Consultation & Data Analysis



Phase 1. Data and evidence gathering

Key hypothesis

- 1. Is our pattern of provision for children and young people with SEND suitable to meet changing needs?
- 2. Is this what parents and families want?
- 3. Is it affordable?

We have gathered and analysed:

- Data on the range of SEND in the area, recent trends and likely changes in the future
- Evidence on how effectively the current pattern of specialist educational provision meets needs in the area – through an analysis of resource base and specialist outreach provision
- Data on those children and young people who are in independent specialist provision and the reasons for this
- Patterns of attendance, punctuality and behaviours of children and young people with SEND including fixed term and permanent exclusions
- The needs of schools with regard to therapy requirements and what they commission already
- Our position with regard to the statutory requirements of the SEND Code of Practice

- The pattern of new assessments and the needs coming through from Early Years
- Health data and where the gaps are
- Comparisons within our NE region and how we compare with them and with national averages
- The various funding streams that support the services, resource bases, schools and specialist provision to assess an outline view of whether we are achieving 'best value'
- The various funding streams that are supporting mainstream provision
- Differing funding models that can be allocated to schools using the SEND Ranges as a guide

Close working partnerships have been established between schools, post 16 providers, services and the LA. The LA has led two key conferences on High Needs Funding and the findings of the review of the resource bases in schools and the outreach support services.

A core element was to gather evidence about what works well across the current system, areas for improvement and SEND provision mapping for the future across the whole life cycle from birth to young adulthood. The SEND Ranges have been developed to capture current evidenced based good practice and parent/carers, young people and

professionals views on what works well. All EHCPs have been moderated across all schools by the LA using the SEND ranges.

What Children Young People with SEND and their families have told us

'we want'

- To be listened to and have our views valued
- To have the needs of the whole family considered to help families have more choice and control to develop independence and resilience
- Competent and well trained staff with a good understanding of SEND
- Professionals to work collaboratively so that there is one conversation to support the family preventing duplication and fragmentation
- Help to navigate the system
- For children and young people with SEND to have a mentor to discuss how, where and when support should be provided
- Transparency about the range of services and support available and how to access them
- Clarity about accountability and what we can expect services to deliver

Phase 2: Analysis and shaping of emerging themes

Our analysis identified a number of common issues, falling into six overarching strategic themes and priorities and form the basis for this SEND Strategy:

- Early identification of need ensuring that the right children and young people with SEND are in the right placement with the right support
- Building capacity in mainstream settings to reduce reliance on specialist and out of are placement 0-25
- Ensuring that Children and Young people are educated in their local community and have an effective preparation for adulthood and access to work/leisure opportunities
- Increasing achievement and improving outcomes for all
- Ensuring effective collaboration, Coproduction and Communication
- Achieving Best Value for money across all our services: human, physical and financial

The SEND Strategic Partnership was established with key partners including parents, health, schools, and other stakeholders. Senior Officers visited a wide range of schools and settings to gather thoughts and ideas from staff and leaders as to ways forward for the future.

Phase 3: Engagement

The Local Authority have organised a number of engagement events to seek views from a wide range of key stakeholders on the vision and priorities

7. Population: some key facts

Darlington is a unitary authority and covers an area of approximately 200 square kilometres. Darlington's current population is 105,396, having risen by over 6% since 2001. Of this population, 39% are of working age (16-64 years old). Within this working age population 79% are economically active (in work or unemployed), 58% of these people work in the Borough and 21% commute out of the Borough to work.

Darlington is in the top 30% most deprived local authorities in England. It is ranked as the 97th most deprived area out of 326 on the index of multiple Deprivation 2015. The level of child poverty is worse than the England average with over 1 in 5 children under 16 years living in poverty. The concentration of children living in low income families is disproportionally evident in certain wards in the Borough. There are health issues in the borough relating to alcohol, smoking and diet resulting in differing life expectancies between electoral wards.

Darlington is an aspiring town with big ambitions for all of its children and young people to have the best start in life (Children and Young People's Plan 2017-2022). This plan supports the vision of creating the local sustainable community strategy 'One Darlington: Perfectly Placed' through building strong communities, growing the economy

and achieving best value from all its resources. (Darlington's Sustainable Community Strategy 2008-2026 revised in 2014)

Darlington and the other four Tees Valley local authorities have collaborated to establish a Tees Valley Combined Authority (TVCA). The TVCA unites the five local authorities on key decisions that affect the Tees Valley, helping to strengthen the area and accelerate economic growth. In almost all indices, Darlington's economy has outperformed regional and national growth trends. Recent trends show an improving picture regarding the skills and productivity of Darlington residents with an increase in employment rate, average earnings, coupled with dramatic reductions in the claimant count and unemployment rate.

SEND facts and Figures – as of August 2018

- There are currently 731 active EHCPs for those SEND pupils who are the responsibility of Darlington Borough Council (as opposed to those EHCP pupils in Darlington Schools) these are broken down as follows – Pre-school 14, Primary 245, Secondary 266 and Post 16 206
- Over the last three years there has been a significant rise IN assessments with

- currently 122 new requests to date this year as opposed to 161 for the whole year 2017 and 122 for 2016
- Darlington is above national and regional average for the numbers of EHCP's. The numbers have risen significantly since 2014 from 410 to 731
- The most prominent primary needs are Moderate Learning Difficulties (MLD) and Autism (ASD) followed by Social Emotional and Mental health needs (SEMH) and then Speech, Language and Communication Needs (SLCN)
- In the Early years the primary needs are mostly ASD and MLD in terms of those children with EHCPS. However, current caseloads for the Early Years Service show there is a high proportion of young children coming presenting with communication and interaction as their broad area of need with the majority having a social communication need
- In the primary phase ASD and MLD are the highest areas of need followed by SLCN and SEMH. In the secondary phase the highest need is SEMH particularly in Years 10 and 11 followed by MLD and ASD. However, in the Post 16 phase the number of SEMH pupils decline and ASD and MLD are again the highest need.
- The 2018 SEN2 published data shows that 39.1% of Darlington EHCP pupils

- were in a special school. This is 4.3% above the national average. 27% of Darlington EHCP pupils were in mainstream provision (excluding resource bases) and this is well below the national average of 34%.
- There is a high incidence of MLD secondary aged pupils in special school placements of which the moderation of plans against the SEND ranges LA indicate that many of these pupils could be catered for in mainstream provision
- There is a high incidence of SEMH secondary aged pupils in independent placements. Moderation of these pupils' EHCPs suggests a number of these pupils may only be in independent provision due to a lack of suitable local provision
- The numbers of EHCP pupils in independent provision is only 2% of the EHCP cohort but costs are disproportionally high for this group. An increase in numbers is expected
- New assessment requests reflect the current primary need profile of ASD, MLD and SEMH however there has been a spike in SLCN requests and those are generally from Early Years
- There is one secondary Resource Base which supports Social and Communication Difficulties including ASD. There is a significant demand for SEMH

- and MLD specialist provision in the secondary phase
- For those Post 16 young people with EHCPs who are engaging in education, over 72% are learning in the college sector, 15% are in special school and just under 6% are in the independent sector
- Darlington has a higher than average persistent absence rate and this includes pupils on SEN support. 48% of the pupils with fixed term exclusions had SEN and the number of days lost because of fixed term exclusions was higher for children with SEN than those without. Half of the SEN students excluded had a primary need of SEMH
- In line with national trends there has been a significant rise in the number of parents electing to educate their children at home

8. The Policy Context



Our priorities for Children with SEND are shaped by the Children's and Families Act 2014 and within that the SEND Code of Practice 0-25 years. The Act sets out the responsibility to improve services, life chances and choices for vulnerable children and to support families. It underpins wider reforms to ensure that all children and young people can succeed, no matter what their background. The Act extends the SEND system from birth to 25, giving children, young people and their parents/carers greater control and choice in decisions and ensuring that their needs are properly met.

The new approach to special educational needs and disability makes provision for:

- children and young people and their families to be at the heart of the system
- close co operation between all the services that support children and their families through joint planning and commissioning of services
- early identification of children and young people with SEN and/or disabilities (SEND)
- a clear and easy to understand local offer

- support provided in mainstream settings where possible for children with more complex needs
- a co ordinated assessment of needs and a new 0-25 Education, Health and Care plan for the first time giving new rights and protection for the 16-25 year olds in further education and training comparable to those in school.
- a clear focus on outcomes and planning for a clear pathway through education into adulthood, including paid employment
- a focus on living independently and participating in their community
- increased choice and opportunity overall and families to be able to express a preference and the offer of a personal budget for those children and young people who have an EHC plan.

The Local Policy context

Darlington's Children and Young People's Plan 2017-2022 – The Best Start in Life covers all services for children, young people and their families. For young people leaving care, responsibility extends beyond the age of 20. For those with learning difficulties it extend to the age of 25 to ensure the transition to adult

services is properly planned and delivered. The plan sets out the following vision:

We will improve the quality of life for all and reduce inequality by ensuring we have:

- children with the best start in life
- more business and more jobs
- a safe and caring community
- more people caring for our environment
- more people active and involved.
- Enough support for people when needed
- More people healthy and independent
- A place designed to thrive

To do this we will:

- Build strong communities
- Grow the economy
- Spend every pound wisely

We can only achieve our aspirations for the future if we recognise that children and young people are our future. We need to ensure that Darlington is a place where:

 Al children and young people are safe from harm

- All children and young people have the tools to do well at all levels of leaning and have the relevant kills to be prepared for life
- All children and young people enjoy a healthy life
- All children and young people enjoy growing up
- All children and young people are listened to

The SEND Reforms are an important cornerstone for this work and ensures that the Children and Young People's plan is realised and embeded in all that we do.

This **SEND Strategy** aims to ensure that:

- we have a collective and shared vision and an agreed action plan across all services in partnership with families and their children.
- we have an effective needs analysis evidence base across education, health and care to help us plan and decide how best to use our resources
- we are constantly listening to the views, aspirations and ambitions of children and young people and their parents and carers. We aim to ensure co-production with parent/carers and young people when we develop and commission person centred services

- resources are used where we can measure best value and where they make the biggest difference
- pathways for children and young people and their families are clear, easy to understand and support effective planning in preparation for adulthood
- all our provision settings and services are of high quality and are accessible across universal, targeted and specialist support.
- we have speedy resolution of problems and disagreements

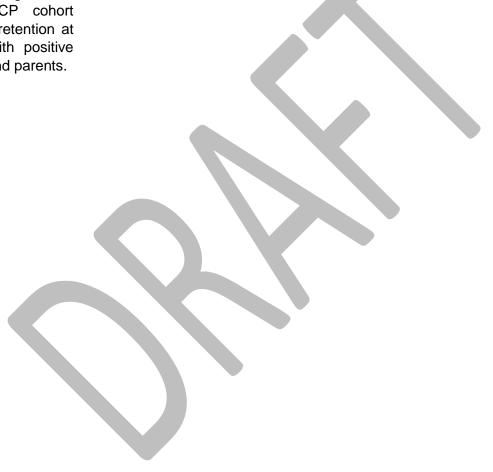
9. What We Have Achieved So Far – August 2018

Up to date our achievements include:

- Good performance on meeting the 20 week timescale for the completion of Education, Health and Care assessments
- Good working relationships and engagement between the LA and schools/colleges
- Effective training and support with SENCO's, Governors and other stakeholders
- The successful introduction of the SEND Ranges in schools and across settings and services supported by in depth high quality training and support
- Moderation of all EHCP's in all settings against the SEND Ranges which demonstrates excellent practice and commitment
- A review of the panels and an establishment of a vulnerable pupil panel. Panels have clear criteria and remit for operation
- A thorough review of the funding to schools and services which has been shared with schools and a plan/timeline in place for a revised funding formula to be in place next year

- Review of Resource Bases and outreach support services to ensure best value.
- A gap analysis with regards to our SEND data across Education, Health and Care
- Strong partnership working between Education, Health and Social Care with an increasingly effective sharing of information
- Parent/Carer feedback shows that the majority of parents feel that their views were taken into account by Education, Health and Care when their child is identified with SEND
- The quality and consistency of EHCPs is improving
- Joint commissioning statement of intent is in place and joint commissioning priorities are agreed
- Strong partnership with Health in developing a strategy for mental health in schools
- Designated Clinical Officer works closely across the partnership to support services in the identification and provision for of children and young people with SEND and in promoting the SEND agenda.
- Personal Education Plans for children looked after are an area of strength.

 Good Level of Development for SEND children in Early Years is 25% (national 23%), Key Stage 2 progress is strong with pupils with an EHCP and SEN support making better progress than the EHCP cohort nationally. Progress and retention at key Stage 5 is good with positive feedback from students and parents.



10. Our Challenges and Opportunities



We continue to face a number of challenges, many of which reflect the national position:

- Attainment and progress for children and young people with SEND requires improvement in Key Stage 4
- There are a rising number of students with SEMH identified as their primary need
- There are a significant number of children being diagnosed with ASD and this is putting pressure on services. Those with communication and interaction needs are growing fast and our services are not in the right shape to respond
- Our Resource Bases require a new remit and focus alongside effective outreach support provision
- A lack of provision in the secondary phase for pupils with an identified need of SEMH and MLD
- The need for mental health support at universal and targeted level is evident
- Significant rise on the number of EHCPs
- Need to have an increase in employment opportunities and supported employment practice Post 16 and increase access to supported internships and apprenticeships
- Access to personal health budgets
- The increase in demand for specialist placements has meant there is significant pressure on High Needs Block funding

 A rise in the number of parents choosing to electively home educate their children

We can also take advantage of the following opportunities:

- Strong working partnerships across services and with schools and colleges and stakeholders
- Strong commitment to joint working and joint commissioning
- The creation of more local services and reduction in external placements would allow us over time to invest in more preventative and early intervention services for children with SEND
- The SEND Capital Grant presents the opportunity to increase capacity
- The SEND Ranges gives us a good start to hold settings to account and to ensure that the interventions are part of a graduated response with accountability
- A reshaped funding process for SEND in Darlington will give greater accountability for spend with improved consistency of funding across the Borough and savings on out of area placements

11. Our Strategic Priorities for SEND in Darlington (20192022) and High Level Action Plans

SEND STRATEGY OBJECTIVE 1

Early identification of need ensuring that the right children and young people are in the right placement with the right support.

What outcomes do we want to see?

- The percentage of children with SEND assessed in Early Years as achieving a Good Level of Development to increase year on year
- Children are better able to engage with the school's curriculum and more likely to reach their full potential at school
- Children and young people with SEND achieve well at every stage of their learning
- There is effective transition from each setting and each key stage
- All agencies working together in partnership to ensure that early identification and assessments have clear synergy
- Clear, accessible and up to date information is available through effective Local Offer and informed staff

Why is this important?

 Parents and carers have told us that it is their most important priority for their

- children to get the help and support they need at the earliest opportunity.
- Early identification and intervention is essential to prevent underachievement and improve outcomes and improve children's life chances
- Delay in the above can give rise to further learning difficulties and subsequently to a loss of self-esteem, frustration in learning and possibly to behaviour/emotional difficulties

Key Priority Actions to achieve our objectives

- Ensure support and intervention services are fully engaged in delivering the SEND agenda
- 2. Consideration to be given to developing an Early Years Hub with specialist support to ensure that the LA identifies needs through a multi-disciplinary approach at the earliest stage
- All schools and settings to embed the SEND Ranges into practice and ensure that provision maps are detailed, costed and demonstrate the impact of interventions and pupil outcomes
- 4. Ensure the process of identification and assessment of need is effective and statutorily compliant and that effective training is in place across all services

- 5. Review panel structures to ensure that settings are held effectively to account
- That all outcomes in EHCPs and Annual Reviews are clear, measurable, achievable and in line with the SEND Ranges
- 7. Review the designation of all specialist settings (Resource Bases and schools/colleges/work placement and employment) and support services to ensure that children and young people access the right provision with the right support
- 8. Further develop the positive work with parents, carers and families in ensuring that provision for the most vulnerable groups is of the highest quality
- Parents, carers, families to receive high quality advice and support from SENDIASS to ensure their needs are being met
- Review the Local Offer to ensure that it is accessible, easy to manage and to navigate
- 11. Develop more effective communication between Education, Health and Social Care services so that the right provision is commissioned and there is a joint approach to future planning.

SEND STRATEGY OBJECTIVE 2

Building capacity in mainstream and specialist settings to reduce reliance on specialist out of area placements 0-25

What outcomes do we want to see?

- Most children with EHCPs attend and achieve well in high quality local provision and are able to remain with their families in their local communities
- Children remain in contact with local services, as a result of remaining within local provision and so have continuity of support.
- There is an enhanced range of local specialist provision and reduced reliance on external specialist placements
- Reduced costs on out of area placements so that these monies can be more effectively utilised developing local high quality provision

Why is this important?

- Children and their families tell us that they want high quality local services and choice
- Children and young people with SEND need to have good quality support in their mainstream and local settings so that they can achieve their academic

- potential and maintain their self-esteem and confidence
- Children and young people with SEND tell us that they want to make friends locally and access local facilities with their families

Key Priority Actions to achieve this objective

- 1. Ensure through joint commissioning intentions that Resource Bases meet the growing complexity and increasing numbers of children and young people presenting with communication and interaction, social emotional and mental health, cognition and learning needs with a strong multi-disciplinary therapeutic input from Early Years through to Post 16/Post 19
- 2. Put in place an effective workforce reform strategy that will include training, mentoring, coaching and an action research programme highlighting the sharing of best practice
- Review, further develop and effectively co-ordinate outreach services from specialist and multi-disciplinary settings to support mainstream provision 0-25
- All settings have targets and expectations that effective inclusion and equality permeates throughout the organisation

SEND STRATEGY OBJECTIVE 3

Ensuring that children and young people with SEND are educated in their own local community and have an effective preparation for adulthood including access to appropriate work, training and leisure opportunities.

What outcomes do we want to see?

- Not in Education, Employment or Training (NEET) figures for pupils with SEND are at a minimum
- The percentage of children and young people with EHC plans who are being educated in mainstream settings as opposed to specialist provision to increase
- Parents report increasing confidence in the ability of mainstream schools/colleges/work based training providers to meet their child's needs
- Provision available to all young people with SEND aged 16-25 to access purposeful activities (including education, work experience, supported employment, supported internships, apprenticeships, training including voluntary and community projects)
- All young people with SEND have a clear destination pathway and that are able to make appropriate progress, whatever their starting point

- All young people have access to work related learning activities, as appropriate to their level of ability, to enable them to work towards paid employment wherever possible
- Through partnership working and joint commissioning arrangements for Post 16 SEND services are delivered in a coordinated and personalised way

Why is this important?

- Improved sense of worth and value for each young person
- Gives a clear pathway of opportunities and choice
- Enables greater independence and sense of contributing to our local community

Key Priority Actions to achieve this objective

- Establish a clear pathway and effective transition arrangements 0-25 for all children and young people with SEND
- Develop a wide range of opportunities and choice focusing on work, suitable employment and leisure activities
- 3. Ensure that children and young people with SEND have opportunities to engage in independent travel training and access support for independent living

- 4. That schools and specialist settings have a curriculum that prepares young people for the world of work and making effective contributions to their community
- Close partnerships with work based training providers and employers to support their capacity to utilise the skills of young people with SEND

SEND STRATIGIC OBJECTIVE 4

Increasing achievement and improving all outcomes for children and young people with SEND

What outcomes do we want to see?

- Increase attainment and achievement across all Key Stages
- All children and young people with SEND make at least good progress relative to their starting points
- The overall gap between attainment of children and young people with SEND and all children to reduce
- The number of children with SEND being excluded from school to reduce
- Good attendance of children and young people with SEND
- Children and young people with SEND to make clear, evidence based progress against their EHC Plan outcomes

The following outcomes that form the focus of this objective are written from the young person's perspective are:

- I have information about my health provision clearly explained to me
- I am learning how to manage my own health and well being
- I feel I am involved in planning and decision making about my health
- I have effective support networks with friends and family and in my school/college
- My care is co-ordinated and connected so people understand my needs and jointly meet them so that I don't have to keep telling my story.

Why is this important?

 All children and young people with SEND will be able to achieve their full potential

Key Priority Actions to achieve this objective

1. Address the underperformance in educational achievement across the Key Stages but particularly at Key Stage 4 through targeted interventions, appropriate curriculum, high quality training and effective quality assurance, monitoring and moderation

- Implement and embed a quality assurance framework across the LA to ensure that all EHCPs are of high quality
- 3. Ensure that all settings have high quality first teaching
- 4. Embed the SEND Ranges to ensure that all settings have an effective graduated response
- Encourage schools to share best practice

SEND STRATEGY OBJECTIVE 5

Collaboration, Co-Production and Communication

What outcomes do we want to see?

- Transparency of all decision making
- Agreed common approaches
- A whole organisation/area approach where we all feel part of a team delivering the SEND Strategy

Why is this important?

- We want everyone to have 'trust' in all that we do
- We want all, but particularly parents, carers and young people to have confidence and respect in our future going forward together

Key Priority Actions to achieve this objective

- 1. Develop a communications policy in order to analyse and implement actions required to ensure that there is effective communication between all partners, parents, carers and young people
- Ensure that all partners are aware of best proactive and supporting each other in understanding different views, priorities, skills and talents
- 3. Ensuring that the pupil and young people's voice is heard at all level.
- Ensuring that all policies, practices are co-produced with all stakeholders and with the active involvement of the parent/carer forums and the children and young people
- 5. Demonstrate commitment at all levels to collaboration in partnership with parents, carers and families
- Review the effectiveness and impact of the Local Offer and make change as appropriate
- Hold schools and settings to account when the pupil and parent voice is not evidence in the assessment and review process
- 8. Provide on-going training and support to schools and other stakeholders in promoting pupil and parent engagemen.

9. Young leaders and Parent/Carer groups to collaborate to produce a charter on excellence in co-production

SEND STRTEGY OBJECTIVE 6

Achieving Best Value for money from all our services – human, physical and financial resources with clear agreed commissioning intentions

What outcomes do we want to see?

 Effective, efficient and co-ordinated services that meet the needs of children and young people with SEND and their families

Why is this important?

- The High Needs Budget is finite
- We must ensure best value from the public purse
- With the increased numbers of children and young people coming through with significant needs we must ensure that the right resources are going to the right children in the right place

Key Priority Actions to achieve this objective

 Joint Commissioning to provide increased targeted capacity for SEND within the Borough under the agreed commissioning intentions

- 2. Opportunity to pool budgets
- 3. Implement a new funding arrangement for SEND support in schools
- 4. Allocate the SEND Capital Grant in line with the SEND Strategy
- 5. Embed the SEND Ranges to ensure funding allocation for individual pupils in needs led



12. What Will Success for Children and Young People with SEND Look Like in 2021



The strategy will be deemed successful if:

- There are clear processes to identify children's needs early and partners communicate and co-ordinate services well
- We rely less on statutory assessment of children's special education needs and more on getting the right level of support when it is needed
- Reviews are thorough and lead to improvements in outcomes for the child or young person
- Children and young people with SEND can take part fully in all aspects of education, community, leisure and fun activities
- We meet children and young people's needs in mainstream settings wherever possible and when more specialist help is needed we are able to provide this in Darlington.
- We use appropriate evidence based interventions so all children and young people with SEND make good progress with their learning, achievements and social and emotional development over time.
- There is a well co-ordinated transition for children and young people at all key points

- Children and young people with SEND have high aspirations and we support them to be independent and well prepared for adult life
- We know that provision is improving outcomes; that aspirational yet realistic targets are agreed and progress towards them monitored; and that children and young people with SEND, and their parents and career have been involved in setting and reviewing goals and outcomes
- The Local Offer is informative and accessible
- Our SEND provision forms part of a clear continuous high quality pathway where children and young people can access the right support and determine their destinations
- Children and young people with SEND and their families tell us that they are satisfied with services and that their needs have been met appropriately
- Our workforce have the right skills and competencies to meet the needs of children and young people with SEND
- There are strong multi-disciplinary partnerships in place which have mutual trust and respect and where communication is truly effective and decision making transparent

13. Taking the SEND Review Strategy Forward Governance, Monitoring and Review

The delivery of our SEND Strategy is not the responsibility of a single agency or person. It is a partnership approach with collection accountability and collective responsibility owned by all stakeholders working with children, young people and their families. These include Health, Education, Social Care, work based training providers, employers, voluntary and community organisations and those responsible for the development of leisure and social activities.

Governance for the strategy will be provided by the Darlington Health and Wellbeing Board and the SEND Steering Group. The SEND Steering Group will provide the strategic drive, co-ordination and oversight by receiving regular performance and outcome indicator reports on progress against objectives.

The Health and Wellbeing Board will be responsible for ensuring that the SEND issues are embedded effectively throughout the relevant plans and in the delivery of the Health and Wellbeing Strategy.

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Agenda Item 7(b)

CABINET9 OCTOBER 2018

SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) - HOME TO SCHOOL TRANSPORT

Responsible Cabinet Member -Councillor Cyndi Hughes, Children and Young People Portfolio

Responsible Director Suzanne Joyner, Director of Children and Adults Services

SUMMARY REPORT

Purpose of the Report

 The purpose of this report is to seek Cabinet approval to consult on the attached SEND (Special Educational Needs and Disability) Travel Assistance Policy (Appendix 1) for pupils with SEND.

Summary

2. This report recommends a public consultation on a travel assistance policy. The proposed policy will help to ensure that travel assistance support can continue to be provided to all eligible children and young people in line with increasing demand. They also provide the opportunity to offer a more flexible range of options to families and improve the quality of the service provision. It will ensure children and young people with SEND do not miss out on the opportunity to develop independent travel skills. Independent travel skills gained in adolescence can be taken forward into adult life.

Recommendation

3. It is recommended that Cabinet agree to a consultation on the Travel Assistance Policy.

Reasons

- 4. The recommendation is supported by the following reasons :-
 - (a) This policy represents a conscious change strategically from a policy based upon provision of transport services to one that provides assistance with transport services. This is centred upon providing assistance where appropriate to help people help themselves; it is about promoting independence.

(b) To enable the proposed Travel Assistance Policy to be further considered prior to decisions being made on the changes being proposed.

Suzanne Joyner, Director of Children and Adults Services

Background Papers

There were no background papers used in the preparation of this report.

Tony Murphy X5637

S17 Crime and Disorder	This report has no implications for Crime and Disorder
Health and Well Being	The Travel Assistance Policy will contribute to improved outcomes for children and young people with special educational needs and/or a disability in the borough.
Carbon Impact	There are no issues which this report needs to address.
Diversity	The Travel Assistance Policy will contribute to improved outcomes for children and young people with special educational needs and/or a disability in the borough
Wards Affected	Children and young people with SEND may live in any ward.
Groups Affected	Children and young people with special educational needs and/or disabilities
Budget and Policy Framework	This report does not represent a change to the budget and policy framework.
Key Decision	This is a key decision
Urgent Decision	Yes, so as not to delay start of consultation and meet various timescales.
One Darlington: Perfectly Placed	The report contributes to the Sustainable Community Strategy Priority 'the best start in life'.
Efficiency	There are no direct efficiencies to the Council from the information contained within this report.
Impact on Looked After Children and Care Leavers	The Travel Assistance Policy will contribute to improved outcomes for children and young people with special educational needs and/or a disability in the borough a number of these children are Looked After Children or Care Leavers.

MAIN REPORT

Current Arrangements

- 5. Darlington Borough Council has a statutory responsibility to assist eligible children and young people of statutory school age to travel to school. Transport assistance is currently allocated at the point a pupil become in receipt of an Education, Health and Care Plan (EHCP). The mode of travel assistance is commonly in the form of door to door minibus or taxi.
- The current Home to School Transport policy does not provide for a review of travel support and once transport support is allocated it usually remains in place until the end of the young person's schooling.
- 7. There are two key consequences of current practice. Firstly, children and young people who have the potential to travel independently are not given the opportunity to do so and thereby are not equipped with the necessary skills to independently access their community and the workplace in adulthood. Secondly, over-provision has resulted in a significant projected overspend on the Council's Home to School Transport budget.

National Context

- 8. In 2016, the Association of Directors of Children's Services (ADCS) contacted all Directors of Children's Services to request information on home to school transport spend in 2015/16. The data received showed that local authorities across England spent approximately £1 billion on home to school transport during 2015/16.
- 9. The main findings of the ADCS survey were:
 - (a) Local Authorities (LAs) are transporting an increasing number of children with SEND (partly because of the SEND reforms and the extension of support to young people aged up to 25), many of whom have highly complex needs (health and behaviour) so require individual transport, escorts and specialist vehicles.
 - (b) There is a shortage of local mainstream school places and specialist educational provision and, as a result, LAs are required to transport children to educational facilities out of area. In addition, a lack of local foster care capacity is resulting in an increased number of out of area placements which require transport to school.
 - (c) The geographical nature of some local authorities, means that a significant number of children live outside of the 'statutory' walking distance. This is coupled with a lack of public transport so local authorities must provide other, more costly forms of transport.
 - (d) Differences in start and finish times for post-16 provision results in transport being designed around individual timetables, which is not cost effective.

- Similarly, where siblings attend different schools with the same start and finish times, parents are unable to transport both children and so look to the LA for transport support.
- (e) The lack of capacity in the transport market is driving up costs a lack of providers and therefore competition, a lack of specialist vehicles and an increased focus on quality.

Proposals

- 10. The key principles of the proposed new policy are outlined below.
 - (a) PROPOSAL ONE (Definition of Education Travel Assistance)
 - (i) It is proposed that the name of the Home to School Transport Policy for pupils with SEN be amended to 'Education Travel Assistance Policy'. The name change reflects the fact that travel assistance can be provided in a variety of ways, not just through the provision of 'transport' e.g. a bus or a taxi.
 - (b) PROPOSAL TWO (To formalise the annual application and review process)
 - (i) Currently travel assistance arrangements for children and young people are assessed and determined at the time they start at a new education setting. This means, for example, that a young person starting in Year 7 may have their travel assistance arrangements rolled forward until they finish in Year 11.
 - (ii) This approach does not always take account of the personal development of individual children and young people, opportunities to promote independence and any changing individual or family circumstances e.g. medical needs.
 - (iii) In allocating SEND home to school travel assistance, the approach of offering the most appropriate option to supporting independence is key and the best way of achieving this will be an annual review process. This approach will also ensure that any important information in relation to health needs, medication and emergency contact details is kept up todate. In the majority of cases where there has been no substantial change in circumstances, existing arrangements will carry forward but the process will facilitate more effective scrutiny and review of individual travel assistance arrangements. It will also enable families, currently in receipt of 'transport' to consider more flexible arrangements through a cash allowance or Direct Payment.
 - (iv) It is therefore proposed that transport assistance is reviewed on an annual basis with effect from the September following implementation of this policy. The Admissions and Transport Service will review all new applications and any other existing arrangements which have been identified for changes in circumstances or requiring a review.

- (c) PROPOSAL THREE (Personal travel assistance budget and cash allowance)
 - (i) Where a child or young person is eligible, care will be taken to ensure that travel assistance is provided to support independence in the most appropriate way possible. In the case of high volume routes, shared transport arrangements are likely to continue to be the most cost effective and sustainable solution under most circumstances. However, in the case of solo or ad-hoc arrangements a cash allowance or direct payment in the form of a Personal Travel Assistance Budget may provide greater flexibility for families and carers to make their own arrangements.
 - (ii) This would mean that every new application for travel would be considered for a cash allowance or, in cases of complex or exceptional needs, a direct payment in the form of a Personal Travel Assistance Budget. An example of complex needs could be an adult needing to accompany the pupil in a vehicle in addition to the driver. Other direct support may also be considered. Such support may be provided in the form of a travel pass for public transport, mileage allowance for parent / carer or shared transport.
- (d) PROPOSAL FOUR (Circumstances when travel assistance is not provided)
 - (i) Where a parent has requested an out of area placement for a pupil with an Education Health and Care Plan (EHCP) and the Council considers there is a nearer suitable placement which can meet the child's needs it is proposed that travel assistance will not be provided.
- (e) PROPOSAL FIVE (Independent Travel Training)
 - (i) Travel training gives people with special educational needs or disabilities the confidence and skills to travel on buses and trains. Help can also be provided for walking routes. Being able to travel on public transport is a key life skill. It lets you make choices about how you live, go about your daily life and fulfil your potential. Training can be individually tailored to the needs of the young person and include aspects like:
 - Confidence in using buses or trains
 - Personal safety
 - How to use timetables and buy tickets
 - Road safety, including how to cope with traffic on major roads
 - What to do when things go wrong (e.g. the bus is late) and
 - Money skills
 - (ii) Darlington Council has recruited through external grant funding a travel trainer to support young people to access independent travel where families and carers consider this to be appropriate to their needs.
 - (iii) It is recognised that it will be important to work with parent/carers and education settings to identity suitable young people for travel training and to work within the young person's time frame.

Financial Implications

- 11. The home to school transport budget related to SEND transport has been consistently overspent in recent years. The budget in 2017/18 was £1.121m and overspent by £0.454m. The budget 2018/19 was increased to £1.467m and is currently projected to be overspent by £0.108m.
- 12. There is likely to be an additional pressure on this budget arising from the September 2018 intake. The chart below shows the increase in spend for SEND pupils by type of placement since 2013/14.

Placement	17/18	16/17	15/16	14/15	13/14
	£'000's	£'000's	£'000's	£'000's	£'000's
Beaumont Hill	796	714	647	632	628
Academy					
Primary SEN	108	97	122	120	95
Secondary SEN	97	63	44	37	41
Out of borough SEN	359	150	102	65	63
Further Education	151	141	160	186	212
Marchbank	64	30	22	0	0
Total Spend	1,575	1,195	1,097	1,040	1,039

13. The table below illustrates the rise in the number of pupils with SEND transported to settings over the last three school years.

Placement	17 / 18	16/17	15/16	
	No. of Pupils	No. of Pupils	No. of Pupils	
Beaumont Hill Academy	177	161	153	
Primary SEN	21	18	15	
Secondary SEN	23	15	13	
Out of Borough SEN	39	23	19	
Further Education	38	21	60	
Marchbank	21	21	19	
Total	319	259	279	

- 14. Operational and service delivery changes are therefore imperative if services are to be effectively delivered and sustained within budget in future years.
- 15. Meeting the local authority's statutory duty is putting increasing pressure on the Council budget as the number of eligible children requiring travel assistance, the complexity of their needs and the cost of providing travel assistance increases.
- 16. It is therefore important that the Council works closely with parents, carers, schools and transport operators in the coming years to provide the best possible value for money in providing this support and to ensure that travel assistance is provided

through the most appropriate means in line with the strengths and abilities of the child or young person being supported. It may be necessary to consider transitional arrangements to ensure that pupils can access appropriate provision.

Projected Savings

17. It is difficult to undertake accurate projections from the introduction of the Travel Assistance Policy as the process of assessment and review is not currently in place. Other Local Authorities which have introduced similar schemes have a reported a saving of between 12% and 16% percent on their SEND transport spend in the first year of the scheme. If a similar reduction resulted in Darlington this would lead to a saving of £189k.

Legal Implications

- 18. Local authorities have a statutory duty to ensure that, for eligible children and young people with special educational needs, suitable travel arrangements are made, where necessary, to facilitate a child's attendance at school. The legislation governing this duty is section 508B of the Education Act 1996. The introduction of a Travel Assistance Policy will need to be in accordance with the Act and the statutory guidance for post 16, published by the Department for Education 2014.
- 19. All local authorities have a statutory duty to have in place arrangements for the provision of home to school travel assistance and transport for children and young people with Special Educational Needs and Disabilities (SEND) who meet the published eligibility criteria.
- 20. Under Section 7 of the Education Act 1996, parents of every child of compulsory school age must ensure their child receive full-time education. The duties and powers of local authorities to provide home to school travel assistance are covered in other sections of the Act and its amendments. The provision of travel assistance support incorporates consideration for children from low-income families.
- 21. Sections 508B and 508C of the Education Act 1996 (as amended) set out the local authority's duties and powers respectively, to make such suitable travel arrangements as the local authority considers necessary, to facilitate a child's attendance at school.
- 22. The Local Authority also has an Equality Duty under the Equality Act 2010 and an obligation to make reasonable adjustments for disabled persons when exercising its functions, including transport. An Equalities Impact Assessment will need to be undertaken in relation to any proposed changes.

Consultation

23. It is proposed to consult on the proposed changes from the 10 October to the 21 November 2018 and then to bring the matter back to Cabinet in February 2019. The consultation would include:

- (a) Consultation and co-production discussion with the Darlington Parents and Carers Forum (DPCF);
- (b) Online information and questionnaire;
- (c) A letter to all families on the SEN database (not just those in receipt of home to school travel assistance);
- (d) A letter to Darlington education providers;
- (e) An email to transport providers;
- (f) An information session at a scheduled Darlington Parents and Carers Forum.

SEND Travel Assistance Policy

Introduction

- Darlington Borough Council recognises the pressures faced by the parents of children with Special Educational Needs and undertakes to provide statutory transport services in accordance with the Department for Education Guidance on Home to School Travel.
- 2. This Policy has been written with the intention of removing ambiguity and reassuring parents that they will receive the services to which they are entitled. The Policy also aims to clarify eligibility, when and how transport may be provided, and what to do if parents do not agree with an outcome.

Scope

- 3. Children with an Education Health & Care Plan (EHCP), medical needs or disabilities.
- 4. Children aged 5-16 without a Education Care & Health Plan (EHCP) and with medical needs or disabilities.
- 5. Please note that whilst there is no statutory entitlement to travel assistance for children under 5, this Policy takes statutory school age to include those children who have taken up the legal right to start schooling from the start of term after a child's fourth birthday.

Core principles

- 6. Darlington Borough Council is committed to ensuring that each child can fulfil their potential and is supported to do so. The aim of this policy is to support all children with Special Education Needs (SEN) to lead lives which are as independent as possible. Where possible, children will be supported to achieve greater independence through the development of independent travel skills and the use of public transport. The Council will work closely with parents and schools and expects all parties to play a supportive role in the development of this key life skill.
- 7. The Council promotes sustainable modes of travel such as walking, cycling and use of integrated public transport and aims to reduce traffic congestion, the environmental impact of vehicle journeys and improve road safety. Where agreed, travel assistance for 'eligible children', will be provided in a safe manner that will take into account: the Council's statutory duties, the specific needs of the child, the legally recognised walking distances and appropriate use of its resources. Travel solutions provided will support initiatives that lead to reducing the volume and length of vehicle journeys.

- 8. The legal responsibility for ensuring that a child attends school lies with the parent or carer and this includes accompanying a child to school where necessary. In the event that parents are working or otherwise unavailable at the time their child travels to and from school it remains the parents' responsibility to make arrangements to ensure that their child attends school.
- 9. If both of the child's parents are, by reason of disability unable to ensure that their child attends school, or are unable to make suitable alternative arrangements, eligibility for travel assistance for the pupil will be considered on the individual circumstances, with regard to the Equality Act 2010.
- 10. The Council takes statutory school age to include those children who have taken up the legal right to start schooling from the start of term after a child's fourth birthday. Compulsory school age ceases on the last Friday in June in the school year in which the child reaches the age of 16.
- 11. Under the Education Act 1996 and the Education and Inspections Act 2006, local authorities have a duty to provide assistance with travel to and from qualifying schools/college for children aged 5-16 in certain circumstances. The Council has no duty to provide transport but 'shall make such arrangements for the provision of transport and otherwise as they consider necessary'. This gives the Council discretion to provide travel assistance. A duty only arises if transport is referred to on a child's EHCP or the Council requires a child to attend a school which is not within the DfE walking distance of the child's home.

Eligibility

- 12. Some children with SEN may experience problems with mobility or have other needs such that they are unable to access public transport safely. This policy is intended to provide clarity regarding eligibility for travel assistance.
- 13. The Council will assist parents with travel assistance in accordance with its statutory duties where children have significant SEN, a disability or mobility restrictions such that travel assistance is essential to access their specialist provision.
- 14. Having an EHCP does not mean that a pupil is automatically eligible for education travel assistance. Eligibility is assessed based on the individual needs of the pupil (taking into account their age and mobility).
- 15. In assessing any application for travel assistance, eligibility will be based on the needs of the eligible child, accompanied as necessary by a parent

- and will not normally take into account work or other family commitments such as the attendance of siblings at different schools.
- 16. No dispensation can be made for personal domestic arrangements or parents who are working at the time their children travel to and from school. Parents are expected to make full use of the separate legislation introduced to ensure flexibility for working parents or utilise the support of others to accompany their children as necessary.
- 17. Support services (such as pre and after school clubs at some schools) may be available to families to manage the conflicting priorities of their domestic arrangements. It is expected that parents will have explored alternative support services to assist them in meeting any conflicting priorities that may arise.
- 18. All decisions will be based upon clear medical / specialist advice and evidence of need for the eligible child only. Eligibility criteria will be kept under review and subject to legislative change; consultation with user groups from time to time and as services are developed.

Travel Assistance for Pupils with an Education, Health and Care Plan (EHCP)

- 19. Transport assistance will be provided where the pupil has an EHCP plan and;
 - a. has been assessed as requiring transport assistance to access their specialist provision and / or;
 - b. the Council has determined and named the special provision in the EHCP as being the nearest available special provision that is able to meet the child's needs and / or:
 - c. the child's health needs are such that upon written medical advice, (date within the last twelve months) travel assistance is necessary to access their specialist provision
- 20. Travel assistance can only be provided at the beginning and end of the normal school day, and only to the special provision named on the EHCP.
- 21. Where a child's health needs are such that upon written medical advice, (date within the last twelve months), the pupil is unable to attend the standard school day, consideration will be given to providing assistance outside of the standard school day. It is expected that parents will support the facilitation of these additional journeys as necessary.

SchoolTravel Assistance Options

22. Options that may be offered where travel assistance is agreed include:

- a. Reimbursement of agreed public transport costs, (where concessional fares or free transport appropriate for the age and disability of the young person is not available)
- b. Supported travel training and use of public transport
- c. Payment of a personal budget at the Council's standard rates for parents to transport their children to the special school
- d. Travel assistance via the Council's contracted transport providers with or without a passenger assistant. This may be on a shared basis and from a designated collection point which may or may not be the home address.
- 23. Darlington Borough Council supports the development of Children's travel skills and confidence to make journeys safely on their own. Darlington Borough Council currently offers an Independent Travel Training Programme in partnership with schools and parents to train and support some young people (for whom this could be a viable option) to access public transport and travel independently.
- 24. Assistance will be provided for as long as the child's needs are such that given all the circumstances they continue to require travel assistance to access their specialist provision. All transport assistance will be regularly reviewed and at least annually.

Circumstances when Travel Assistance is not provided

- 25. Please be aware that, in accordance with national guidelines, travel assistance is not provided in the following situations:
 - a. Where parents choose a school which is not the nearest suitable provision which the Council considers to be appropriate to meet the needs of the child or young person
 - b. In the event a child has to be taken to or from school outside of their normal school attendance times due to illness, any type of appointments including Doctors or any other specialists, interviews, assessment days, exclusion or for any other reason
 - Amended timetables due to behavior or suspension issues arising or a later collection following any form of detention or attendance at out of school time clubs
 - d. Attendance at school outside of the published School Term Timetable and daily timetable regardless of whether the pupil is travelling on their own
 - e. Parental attendance at annual reviews, meetings or any school events
 - f. Transport to and from work placements or any off site provision
- 26. It is the responsibility of the School to organise and provide pupil's transport for curriculum activities including examinations, during the school day. In these cases travel assistance will be provided at the beginning and end of the normal school times only.

Passenger Assistants

- 27. Following an assessment of need passenger assistants are provided where applicable. Any exceptional requirements will be based on evidenced need and discussions with schools and parents.
- 28. Where it would be unsafe for a child to travel without one, a passenger assistant will be considered subject to written medical / professional advice dated within the last twelve months. This is usually where a child exhibits severe challenging behavior or where the child has a severe or complex medical condition requiring continuous support.
- 29. Where a passenger assistant is necessary for complex health reasons, the Local Authority will work with health services to secure the appropriately qualified carer for transport purposes.
- 30. Parents or their nominees may be expected to accompany their child and undertake the role of passenger assistant where the pupil is the sole pupil attending a specific provision.
- 31. For all residential school placements parents will be expected to undertake the role of passenger assistant if necessary.

Young People Aged 16 - 19 with Special Educational Needs

- 32. Most pupils of this age would be expected to use public transport and travel independently in view of the beneficial effects of developing the pupil's life skills.
- 33. The Council accepts that for a small minority this may not be possible.

 Applications will be considered against the following criteria and the eligibility criteria outlined above:
 - a. The student is aged between 16 and 19 and is on a course of further education at a school or designated further education college recognised by the Department of Education
 - b. The course is deemed to be suitable and will provide an educational benefit to the student as assessed by the student's transition worker/adult placement officer, nominated by the local authority
 - Where the need and reasons for specific travel assistance has been identified / evidenced in the student's Education Health and Care Plan (EHCP) or Transition Plan

Students over the age of 19 with SEN attending Further Education Colleges

34. There is no duty for local authorities to provide travel assistance to students over the age of 19 except where they are completing a course that they have already started before their 19th birth date.

Travel Assistance Reviews

- 35. All children and young people's eligibility for travel assistance will be regularly reviewed and at least annually. In most circumstances the review will take place at the child or young person's school and parents/carers must attend the review in order for travel assistance to continue. Non-attendance may result in travel assistance being ceased.
- 36. Travel assistance will also be reviewed at Key Stage reviews and when there is a significant change in circumstances, such as a change in home address or a change in the child or young person's needs. It is the responsibility of the parent/carer to notify the Council immediately of any changes that may affect the provision of travel assistance.
- 37. Any changes will be implemented from the beginning of the next school term, or sooner by mutual agreement following the completion of the assessment stage.

Cessation of Support

38. The Council may review and remove travel assistance from students where it is established that details within the application were inaccurate or where the child or young person's individual circumstances have changed. Confirmation of the reason for any change would be made in writing. Transport assistance may also cease at the written request of the parent who may have made alternative arrangements for their child or young person's travel to school.

Appeals

- 39. There may be instances where some applications are declined or where a needs assessment has led to a change to support and parents may not agree with the Council's decision. In these cases the Council offers parents a formal 2 stage appeal process.
- 40. Please note that parents are responsible for ensuring their child's attendance at school during any appeal period.

Complaints

- 41. Darlington Borough Council welcomes and responds positively to all comments, compliments and complaints as a means of demonstrating its commitment to working in partnership with all stakeholders.
- 42. The complaints process is comprised of three stages after which the complainant should be advised to refer the matter to the Local Government Ombudsman.

- 43. Although complainants can refer their complaints from the outset, or at any stage, to the Local Government Ombudsman, they will not normally be investigated until the Council has conducted its own investigation and made a response.
- 44. A copy of the Complaints Procedure is available on request and further information is available from the Darlington Borough Council Intranet.



ITEM NO.

PROCUREMENT PLAN UPDATE

Responsible Cabinet Member – Councillor Stephen Harker, Leader and Efficiency and Resources Portfolio

Responsible Officer – Paul Wildsmith, Managing Director

SUMMARY REPORT

Purpose of the Report

- 1. To present the Annual Procurement Plan update to Cabinet for approval.
- 2. To update Cabinet on the outcomes of procurement(s) previously designated as Strategic.
- 3. To update Cabinet about the decisions taken by the Procurement Board to waive the Contract Procedure Rules and agreed direct contract awards.
- 4. To provide a general update to members on procurement matters.

Summary

Strategic Contracts

- 5. Under the Contract Procedure Rules one of the responsibilities of Cabinet is to agree the Procurement Plan. This involves consideration of whether contracts are classified as strategic. For those contracts that are strategic, details of the proposed route that contracts will take will be set out and Cabinet will receive further reports on progress.
- 6. A set of criteria has been developed to assist in determining whether a contract should be deemed strategic or non-strategic. The criteria are based on value and significance as further detailed in **Appendix 2**.
- 7. This report covers new contracts and the contracts that officers are aware will terminate in the next 12 months. They have been assessed against an agreed set of criteria to determine whether they are strategic or non-strategic (see **Appendix 1 and 2**).

Update on Strategic Procurement

8. An update on procurement exercises previously designated as strategic is set out in the main report.

Waiver Decisions

- 9. Under the Contract Procedure Rules, if the contracted level of spend over the term of the contract is over £100,000, ordinarily a tender exercise must be used (or a pre tendered framework), however, there will be occasions when there are particular reasons why this is not possible.
- 10. The Contract Procedure Rules permit the Procurement Board to waive this rule in appropriate cases. This can only be done when the circumstances justify a decision to waive the normal requirements of the Contract Procedure Rules. In addition no waiver can be granted if the level of aggregated planned contracted spend is above the European Union threshold for the particular procurement category.
- 11. This report deals with the waiver decisions taken by the Procurement Board at **Appendix 3.**

General Update

12. A general update and recommendations are made for procurement processes.

Recommendation

- 13. It is recommended that :-
 - (a) Members approve the assessment of strategic and non-strategic contracts as presented in **Appendix 1** and that:
 - (i) Further reports/ updates on the procurement process for those contracts designated as strategic (including decisions made by the Procurement Board) be brought to Cabinet.
 - (ii) The contract award decisions for the contracts designated as nonstrategic be delegated to the appropriate Director as listed in the plan at **Appendix 1**.
 - (iii) The contract award decisions for the contracts designated as strategic, as listed in the plan at **Appendix 1**, be delegated to the Procurement Board to approve and will be reported back to Cabinet.
 - (b) That Members note the contents of this report in respect of the update of strategic procurements, Procurement Board waiver decisions and the general update.

Reasons

- 14. In respect of strategic/non-strategic contracts, the recommendations are supported by the following reasons: -
 - (a) The Contract Procedure Rules require Cabinet to approve the designation of contracts as strategic and non-strategic and:
 - (b) Contracts designated strategic are of high value and high significance in respect of the impact on residents, Health and Safety and public safety.
 - (c) The contracts designated non-strategic are of a lower value and lower significance in respect of the impact on residents and public safety.
- 15. In respect of Procurement Board waiver decisions, the recommendations are supported by the following reasons: -
 - (a) In order to comply with the Contract Procedure Rules.
 - (b) To provide Cabinet with information about the decisions made by the Procurement Board.

Paul Wildsmith Managing Director

Background Papers

No background papers were used in the preparation of this report.

Sarah Hutchinson: Extension 5489

S17 Crime and Disorder	This decision will not have an impact on Crime and Disorder
Health and Well Being	This decision will not have an impact on Health and Wellbeing
Carbon Impact	This decision will not have a direct impact on the Council's carbon footprint.
Diversity	This decision will not have an impact on Diversity
Wards Affected	This decision will not affect any wards
Groups Affected	This decision will not have an impact on any groups.
Budget and Policy Framework	This report does not recommend changes to the Budget and Policy Framework
Key Decision	Yes
Urgent Decision	No
One Darlington: Perfectly	This decision will not have an impact on the
Placed	objectives of the Sustainable Community Strategy
Efficiency	The production of the update to the Procurement Plan is designed to save Member and Officer time for requesting delegated powers to make contract award decisions.
Impact on Looked After	This report has no impact on Looked After
Children and Care Leavers	Children or Care Leavers

MAIN REPORT

Information and Analysis

Strategic Contracts

- 16. Any contract award decision with a value below £100,000 is delegated to officers. Under the Contract Procedure Rules an annual Procurement Plan is produced listing details of all existing and new contracts that are £100,000 or above and which require a tender process.
- 17. This then allows Cabinet to be advised of the contracts of £100,000 and over and to decide which of those contracts are strategic. Contracts that are considered strategic will be delegated to the Procurement Board for approval. The decisions made by Procurement Board will subsequently be reported back to Cabinet in the next Annual Procurement paper (which is brought bi-annually). The balance of contracts of £100,000 and above which are not determined to be strategic will be dealt with by officers under delegation.
- 18. The Contract Procedure Rules state that if a contract has not been included on the Annual Procurement Plan a separate report must be taken to Cabinet to determine if it is deemed strategic or non-strategic.

19. For those contracts designated strategic the final contract award decision will be approved by the Procurement Board and will be reported to Cabinet.

Assessment of contracts

- 20. Details of which contracts are designated strategic and which are designated non-strategic are detailed in **Appendix 1**. The contracts have been assessed against the criteria agreed by Cabinet, the criteria are provided at **Appendix 2** for information. Members and Officers may decide to recommend other than what the score suggests which will then be reported back in the next Procurement Plan report. Anything else would be considered non-strategic.
- 21. Based on the criteria there are five contracts designated strategic in the update to the Annual Plan:
 - (a) Tender for the supply, installation and maintenance of stair lifts and through floor lifts to local authorities across the Tees Valley area.

This service is deemed strategic due to the contract value exceeding £5,000,000. It is to be noted this is spend for the Tees Valley which is noted, as Darlington is leading on this framework and will be the contract lead. It is expected the service will be procured by open tender as an OJEU compliant procurement.

(b) NEPO Neutral Vendor Agency Staff

This service is the re-procurement of the regional agency framework, previously brought to Cabinet in last years plan. The tender process has been concluded by NEPO and there is an update below.

(c) Older Persons Residential and Nursing Care Homes

This service is the planned re-procurement of the Councils contract for Residential Care for Older Persons and Older Persons with a Mental Health need. The Council contracts with 21 providers in Darlington who wish to participate (all but one care home is contracted). Costs are set by tariff which calculates the cost of care on the existing established model. The services benchmark appropriately against Tees Valley rates, which demonstrate the tariff rates meet the cost of care and provide value for money.

A proposal is under consideration to extend existing arrangements for a three year period (1 + 1 + 1 years). Legal / Procurement requirements will be met by appropriate publication of the contract opportunity, terms and conditions and the way to access the opportunity along with appropriate engagement and best value requirements to be established by benchmarking.

(d) Implementation of a Dynamic Purchasing System for Contracting Works (Contractors Framework)

This is a procurement exercise to set up a framework of preferred providers for construction services, in the construction disciplines most frequently required by the Council for small to medium packages of works, with a total value over the term of up to £6,000,000. Calls will be made from the framework by call of competition. Contract terms will be selected as appropriate to the subject matter to be NEC, or JCT / build only with bills, or design and build as applicable.

(e) NEPO Highways Surfacing Framework

This is a procurement exercise to set up a regional framework of preferred providers for highways re-surfacing. Darlington led on this framework in 2015 and this is a renewal of this framework as a NEPO hub and spoke procurement. Accordingly the spend shown over the contract term of £60,000,000 is the total spend for the regional authorities, and authorities outside of the region are also able to call off the framework – where this applies a rebate is generated which is paid to NEPO as associate member rebate.

Update on contracts previously designated as strategic

22. The following contracts were designated Strategic in previous Procurement Plans and a short update is supplied.

(a) Design and Build of new office block on Feethams

This is the contract for the design and build of an office block at Feethams Plot One, as further described in the Cabinet Report dated July 2017. It is intended that the award of the design and build contract be made through the OJEU Compliant framework. Subject to approval by Procurement Board it is expected that the award will be made using the Scape framework which has strong evidence of delivery and also has been used successfully in European funded projects. Contract award is expected to be concluded shortly.

(b) NEPO602 Children's Residential Care - Short Breaks - Residential Educational Provision (NE12 Framework)

This is a regional collaborative procurement for young person's residential and educational provision led by The Association of North East Councils Limited trading as the North East Procurement Organisation ("NEPO") of which the Council is a participating member authority. Darlington Borough Council is participating and will be able to call services from this framework but will continue to use the Tees Valley Residential Care framework for its remaining term also. The framework remains in place. Commissioning intentions are being considered for the Tees Valley framework which is due to end in March 2020 and covers the same service area, though placements on both frameworks have been challenging.

(c) NEPO508 Temporary Agency Staff

This is a regional collaborative re-procurement of the Councils agency staff to be conducted by the North East Purchasing Organisation of which the Council is a member authority (NEPO). Collaborative frameworks offer benefits of collaborative pricing and reduce costs of procurement process and assure better public sector terms (i.e. no introduction penalties which are a common feature in agency contracts). The costs is expected to be in accordance with present spend levels. The procurement process is proceeding and it is expected that the new contract will commence in good time for a managed transition as required. The procurement process has been concluded and the contract is due to be awarded to GRI.

(d) Private Sector Litter Enforcement

This was a procurement exercise to seek a private sector operator to delegate the Council's statutory powers of litter enforcement to a private sector provider and is detailed more fully in the April 2018 Cabinet report on this service. This service was procured in an OJEU procurement exercise in Spring/Summer 2018. The successful bidder appointed was Kingdom Services Limited and the service is due to commence shortly.

(e) **NEPO Electricity**

This service was procured by NEPO as a regional procurement. The successful bidder appointed was EDF energy. The services are due to commence in April 2019.

Procurement Board Waiver Decisions

- 22. Under the Contract Procedure Rules, the Procurement Board is the main officer forum for strategic procurement decisions. Procurement Board has the power to waive the Contract Procedure Rules in specific circumstances and is required to report waiver decisions that have been made to Cabinet.
- 23. This report details the circumstances and the reasons why the contract procedure rules have been waived by Procurement Board at **Appendix 3**, during the period 28 February 2018 18 September 2018.

General Update

22. Modern Slavery - pursuant to a Council decision made in July 2018 Cabinet adopted a Modern Slavery Charter for implementation in procurement services. By way of update the Procurement documentation has been reviewed and is confirmed to contain specific reference to Modern Slavery. This will be kept under review and an update to members provided in this report on the delivery of the training recommended by the charter.

23. Procurement Activity during the last completed financial year of 2017/18 generated measured contract savings against budget/expected costs of c £1,417,642, which reflects a high degree of compliance with Council procurement processes by officers throughout the Council.

Figure 1 at the end of this report sets out procured savings (against historic/budget) for the period 2014 to date.

Outcome of Consultation

24. No consultation was carried out in preparation of this report.

Fig 1 – referred in para 25

Financial Year Achieved	To	tal 2016/2017	То	otal 2017/2018	To	tal 2018/2019	То	tal 2019/2020	To	tal 2020/2021	To	etal 2021/22	Total 2022/23		otal Saving er all years
2014/2015	£	550,000.00	£	123,000.00	£	123,000.00	£	9,000.00	£	9,000.00	£	-	£	£	1,482,330.37
2015/2016	£	397,726.86	£	338,324.61	£	222,884.00	£	129,943.00	£	-	£	-	£	£	1,524,726.90
2016/2017	£	454,213.06	£	77,876.27	£	68,267.00	£	57,980.00	£	8,980.00	£	-	£	£	667,316.33
2017/2018			£	537,987.86	£	260,544.68	£	260,550.68	£	160,561.68	£	142,156.08	£ 55,841.28	£	1,417,642.26
2018/2019					£	-	£	-	£	-	£	-	£	£	
2019/2020				•										£	-
2020/2021														£	-
2021/2022														£	-
G _{Total}	£	1,401,939.92	£	1,077,188.74	£	674,695.68	£	457,473.68	£	178,541.68	£	142,156.08	£ 55,841.28	£	4,894,018.50

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Procurement Board Number if applicable		Description of Supply		Approx Value per annum	Approx Value of the Contract	Cost	Impact on Residents (1)	Risk - Financial, Health & Safety, Public (2)	Innovative in design, New form of contract, Sustainability (3)	External Monitoring e.g. from funding body (4)	Total	Strategic?	Appropriate Director for Delegation (drop down box)	Further Description of goods or services and planned procurement route if known
T2018/1616/RE	ICL-UK (Cleveland Potash)	Supply of Rock Salt NEPO203	2	£ 350,000.00	£ 700,000.00	1	1	1	1	1	5	Non-Strategic	Director of Economic Growth & Neighbourhood Services	NEPO framework
D0040/4040/NE	Dorde and County County	Lifta Maintagana and Danaina	,	54,000,00	040,000,00	,					_	Non Otrotopia	Director of Economic Growth &	
P2018/1646/NE	Durham County Council Thyssenkrupp Encasa Limited	Lifts Maintenance and Repairs Tender for the supply, installation and maintenance of stair lifts and through floor lifts to local authorities across the Tees Valley area.	5	£ 54,000.00			2	1	1	1	11	Non-Strategic Non-Strategic	Neighbourhood Services Procurement Board	Darlington are leading on behalf of the Tees Valley Authorities on the supply and installation of stair lifts.
P2018/1678/NE	EDF	Electricity Supply NEPO	4	£ 1,000,000.00	, ,		2	1	1	1	9	Non-Strategic	Director of Economic Growth & Neighbourhood Services	Framework placed by open tender-Darlington estimated spend shown
P2018/1692/NE	GRI	NEPO Neutral Vendor Agency Staff	5	£ 5,200,000.00	, ,		2	1	1	1	10	Strategic	Procurement Board	Framework placed by open tender-Darlington estimated spend shown
n/a	Various Homes	Older Persons Residential and Nursing Care Homes	4	£ 13,100,000.00	£ 52,400,000.00	5	3	2	1	3	14	Strategic	Procurement Board	Direct Award OJEU compliant
T2018/1591/PL	Various Suppliers	Grounds Maintenance Equipment and Plant Framework - NEPO and TPPL	4	£ 250,000.00	£ 1,000,000.00	1	1	1	1	1	5	Non-Strategic	Director of Economic Growth & Neighbourhood Services	Framework placed by open tender-Darlington estimated spend shown Framework placed by open tender-Darlington
n/a	Various suppliers	Legal Services Framework NEPO	4	£ 100,000.00	£ 400,000.00	1	1	1	1	1	5	Non-Strategic	Managing Director Director of Economic Growth &	estimated spend shown
P2018/1663/EG	ESS	CCTV Maintenance and Repairs Implementation of a Dynamic Purchasing	5	£ 100,000.00	£ 500,000.00	1	2	1	1	1	6	Non-Strategic	Neighbourhood Services	Open Tender
n/a	New Contract	System for Contracting Works (Contractors Framework)	4	£ 1,500,000.00	£ 6,000,000.00	5	3	2	1	1	12	Strategic	Procurement Board	Open Tender
n/a	Various Suppliers	NEPO Highways Surfacing Framework	4	£ 15,000,000.00	£ 60,000,000.00	5	2	2	1	1	11	Strategic	Procurement Board	Darlington are leading on behalf of the NEPO organisations so total spend shown is regional, this is a reprocurement of the original framework in 2015
n/a	700 Club	Homelessness Contract - Bed and Breakfast (The Lodge) Temporary Homeless Accommodation (Supported Bed & Breakfast)	4	£ 100,000.00	£ 400,000.00	1	1	1	1	1	5	Non-Strategic	Director of Economic Growth & Neighbourhood Services	Open Tender
														Open Tender Re-procurement for a suitably experienced and qualified Home Improvement Agency (HIA) to provide an integrated housing support service covering home repairs, adaptations and improvements to residents (Service Users) in order to
n/a n/a	Durham County Council HDDFT	Home Improvement Agency 0-19 Health visiting service	2	£ 1,900,000.00			2	1	1	2 2	11	Non-Strategic Non-Strategic	Managing Director Director of Public Health	maintain their independence, health and well-being. Contract extension
n/a	Various Suppliers	Day Opportunities	5	£ 1,900,000.00			2	1 1	1	3	10	Non-Strategic	Director of Adults and Children	Open Tender
.,,,,,		Repairs/removal/renewal of highway structures			_,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,				-			- race caracigno	Director of Economic Growth &	
n/a	New Contract	including Westbrook Villas bridge	1	£ 1,000,000.00	£ 1,000,000.00	2	1	1	1	1	6	Non-Strategic	Neighbourhood Services	Open Tender
n/a	The Soft Brick Company	To provide and install a soft play installation within the existing soft play facility at the Dolphin Centre	1	£ 200,000.00	£ 200,000.00	1	1	1	1	1	0	Non-Strategic	Director of Economic Growth & Neighbourhood Services	Open Tender
n/a	ESS	To renew the Contract for the Service and Maintenance of the Authority's Public Space CCTV system.	5	£ 50,000.00	£ 250,000.00	1	3	1	1	2	8	Non-Strategic	Director of Economic Growth & Neighbourhood Services	Open Tender - The intention of this scheme is to provide an effective maintenance system, which will ensure that the Authority receive a high quality sustainable service over a long period. This will also meet the requirements of the Data Commissioners CCTV Code of Practice.
n/a	Various	Specialist educational provision	4	£ 1,050,000.00	£ 4,200,000.00	4	3	1	1	2	11	Non-Strategic	Director of Adults and Children	This relates to specilist educaitonal services delvered across the borough, these were placed by direct awards for 2018/19 while the contracted services are under review.

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ASSESSMENT MATRIX FOR STRATEGIC PROCUREMENT											
VALUE		SIGNIFICANCE									
Cost		Impact on Residents (1)	Risk - Financial, Health & Safety, Public (2)	Innovative in design, New form of contract, Sustainability (3)	Exteral Monitoring e.g. from funding body (4)						
=> £5,000,000	Automatically consid	ered strategic									
Between £4,000,000 & £4,999,999	5	5	5	5	5						
Between £3,000,000 & £3,999,999	4	4	4	4	4						
Between £2,000,000 & £2,999,999	3	3	3	3	3						
Between £1,000,000 & £1,999,999	2	2	2	2	2						
Less than £1,000,000	1	1	1	1	1						
Score	0	0	0	0	0						
Total Score	0		This procuremen	nt is	Non-Strategic						

Each procurement must be reviewed against the matrix above. Any contract with an overall value in excess of £5,000,000 will be considered strategic. For any procurement where the value of the contract falls below £5,000,000 the goods or services to be purchased must be assessed on the value and the significance in relation to the other 4 columns and marked accordingly, where 5 is considered to be high significance and 1 low significance. Once a score has been decided for each column it is put in the relevant cell (c17 - K17) the spreadsheet automatically collates the score and determines if the procurement is strategic or non-strategic. Anything that scores more than 15 is considered to be strategic. If however a procurement comes out as npn-strategic but officers feel they would still want political support for the decision they can choose to take a report to Cabinet.

Note 1: What is the impact on residents? Is it restricted to one street, or estate or is it much wider than that? Does it affect 2 or more wards?

Note 2: Is there significant financial risk to the authority? Is there a H&S risk e.g. care for vulnerable people? Is there a risk to the public? Reputational risk?

Note 3: Is the authority familiar with the form of contract being entered into? Is the contract innovative in its delivery? Are we changing the service?

Note 4: Are there any specific requirements from external funders that represent a risk to the authority e.g. Pathfinder projects for DFES?

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PROCUREMENT BOARD DECISIONS TO WAIVE CONTRACT PROCEDURE RULES PERIOD 12.09.17 – 01.03.18 SPEND OVER £100K

Procurement Ref	Procurement Board decision and reasons 1. The reason why the usual procurement process cannot be followed; and 2. How it is evidenced that the contract represents <i>value for money</i> ; and 3. That the direct award (if applicable) is not a breach of EU procurement rules	Date of Request	Estimated total value of the Contract and term
P2018/1575/PE S117 Placement in The Darnton Suite-Hunden Care Home- specialist challenging behaviour unit. Client has been in other residential care homes but they are unable to meet needs.	 The reason why the usual procurement process cannot be followed; Social care assessment that this care home is the only appropriate care home which provides this level of care in Darlington. How it is evidenced that the contract represents value for money The placement will be monitored by the relevant service area. It is advised that this service be reviewed to be procured and a contracted framework be set up That the direct award (if applicable) is not a breach of EU procurement rules Confirmed –under threshold. 	April 2018	£269,000 over four years
© 2018/1656/PE © Wousing Related Floating Support Service for People with a Physical or Sensory Impairment. Contract start date was 1 October 2015 for a contract term of 2 years + 1 year. The contract will end on 30 September 2018.	 The reason why the usual procurement process cannot be followed; The request is to agree to extend the contract for a further year to 30 September 2019 to enable a strategic view of the service to be carried out and allow timing of appropriate contracts to be aligned. How it is evidenced that the contract represents value for money The prices are set on former tendered rates That the direct award (if applicable) is not a breach of EU procurement rules Confirmed 	August 2018	£107,000 over one year

Procurement Ref	Procurement Board decision and reasons	Date of Request	Estimated total value
	1. The reason why the usual procurement process cannot be followed; and		of the Contract
	 2. How it is evidenced that the contract represents value for money; and 3. That the direct award (if applicable) is not a breach of EU procurement rules 		and term
P2018/1658/PE Direct award (extension) Housing related outreach support service for people with substance misuse problems, The contract will end on 30th September 2018.	1. The reason why the usual procurement process cannot be followed; 700 Club have demonstrated a shift from dependency on Local Authority funding to co-funding to secure the viability of the service for a 3 year period, at the same level of service delivery. 700 Club have secured grant funding to the value of £75,000.00 for a three year period, reducing the Local authority contribution to £28,000.00 per annum. 2. How it is evidenced that the contract represents value for money The prices are set on former tendered rates	August 2018	Total value over the contract period £214,000
·	3. That the direct award (if applicable) is not a breach of EU procurement rules Confirmed		
P2018/1660/PE Housing related outreach support service for eople with enduring mental health problems on tract start date 1st November 2015 for a	1. The reason why the usual procurement process cannot be followed; This is a direct award requested to extend the contract for a period of 14 months, taking the contract end date to the 31st December 2019 to allow for a thematic strategic review and robust procurement exercise, aligned with other services.	August 2018	£133,000 over 14 months
ntracts term of 2 years plus 1 year.	 2. How it is evidenced that the contract represents value for money The prices are set on former tendered rates 3. That the direct award (if applicable) is not a breach of EU procurement rules 		
	Confirmed 1. The reason why the usual procurement process cannot be followed;	September	£143,000
P2018/1688/PE	Social care assessment that this care home is the only appropriate care home which provides this level of care and there are no available places in the Darlington care home with this facility.	2018	over four years
S117 Placement in Morris Grange Care Home- unit to meet needs of older people with severe mental health difficulties and challenging behaviour. Client has been in other residential care homes but they are unable to meet needs.	2. How it is evidenced that the contract represents value for money The placement will be monitored by the relevant service area. It is advised that this service be reviewed to be procured and a contracted framework be set up. 3. That the direct award (if applicable) is not a breach of EU procurement rules Confirmed –under threshold.		

Procurement Ref	- 1. The reason why the usual procurement process cannot be followed; and - 2. How it is evidenced that the contract represents value for money; and - 3. That the direct award (if applicable) is not a breach of EU procurement rules	Date of Request	Estimated total value of the Contract and term
P2018/1688/PE S117 Placement in Darnton Suite- Hunden Pare Home- specialist challenging behaviour Phit.	 The reason why the usual procurement process cannot be followed; Social care assessment that this care home is the only appropriate care home which provides this level of care in Darlington. How it is evidenced that the contract represents value for money The placement will be monitored by the relevant service area. It is advised that this service be reviewed to be procured and a contracted framework be set up. That the direct award (if applicable) is not a breach of EU procurement rules Confirmed –under threshold. 	September 2018	£269,000 over four years

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Agenda Item 7(d)

CABINET9 OCTOBER 2018

ITEM NO

CHRISTMAS PARKING OFFER

Responsible Cabinet Member – Councillor Nick Wallis, Leisure and Local Environment Portfolio

Responsible Director – Ian Williams

Director of Economic Growth and Neighbourhood Services

SUMMARY REPORT

Purpose of the Report

1. The purpose of this report is to seek Members approval on proposals for seasonal parking offers in the town centre to support trading.

Summary

 Seasonal parking offers at Christmas support local retail trade and encourage both existing and new customers to shop in Darlington. This report proposes parking offers to run from the Christmas Lights Switch On until 2 January 2019. The offer is for all off-street short and long stay car parks to be free after 3.00pm during the above period.

Recommendation

 It is recommended that the Council implements free parking after 3.00pm in Council short and long stay off-street car parks from 22 November 2018 until 2 January 2019.

Reasons

- 4. The recommendations are supported by the following reasons :-
 - (a) To support seasonal trading in Darlington Town Centre.
 - (b) To attract existing and new customers to the Council's car parks.

lan Williams Director of Economic Growth and Neighbourhood Services

Background Papers

No background papers were used in the preparation of this report.

DW: Extension 6618

LC

S17 Crime and Disorder	There are no implications on crime and
	disorder.
Health and Well Being	There are no implications.
Carbon Impact	There are no implications.
Diversity	There are no implications.
Wards Affected	The proposals affect Park East ward.
Groups Affected	Town centre businesses and town centre
	visitors arriving by car.
Budget and Policy Framework	This report does not recommend a change to
	the Council's budget or policy framework.
Key Decision	This is a key decision due to the effect that it
	could have on those who use the town centre.
Urgent Decision	This is an urgent decision as the proposed
	needs to be implemented in a short time frame.
One Darlington: Perfectly	The recommendations support retail traders in
Placed	the town centre.
Efficiency	No impact.
Impact on Looked After	This report has no impact on Looked After
Children and Care Leavers	Children or Care Leavers

MAIN REPORT

Information and Analysis

- 5. In recent years, the Council has applied concessions as do most other towns on its parking fees in the Darlington town centre over the Christmas period to support seasonal trading.
- 6. On 22 November 2018, the Christmas lights will be switched on. It is proposed that from this date until 2 January 2019 that parking will be free after 3.00pm in the Council's short and long stay off-street car parks.
- 7. This may encourage shoppers to change patterns and shop later in the day resulting in a demand towards peak hours in terms of traffic.

Financial Implications

8. Based on assessments of income after 3.00pm it is anticipated that this could mean an impact of approximately £25k on parking revenue and will be absorbed in the operational budget.

Practical Implications

9. A number of practical steps need to be taken to implement this offer. This includes publishing a notice of the Council's intentions to change its parking tariffs, changing the tariffs on the pay machines, providing information at pay points and promoting and advertising the offer to the public and to retailers.

Consultation

- 10. In part this proposal is in response to requests from retailers to support the Christmas shopping period with an attractive parking offer.
- 11. This offer is complimentary and additional to the existing 2-hour free offer currently in place on long stay car parks.



Agenda Item 8

CABINET 09 October 2018

ITEM NO.	
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REVIEW OF OUTCOME OF COMPLAINTS MADE TO OMBUDSMAN

Responsible Cabinet Members

Councillor Stephen Harker – Leader, Efficiency and Resources Portfolio
Councillor Chris McEwan – Deputy Leader, Economy and Regeneration Portfolio
Councillor Sue Richmond – Adult Social Care Portfolio
Councillor Cyndi Hughes - Children and Young People Portfolio
Councillor Andy Scott - Housing, Health and Partnerships Portfolio
Councillor Nick Wallis - Leisure and Local Environment Portfolio

Responsible Directors

Paul Wildsmith, Managing Director
Suzanne Joyner, Director of Children and Adults Services
Ian Williams, Director of Economic Growth and Neighbourhood Services

SUMMARY REPORT

Purpose of the Report

 To provide Members with an update of the outcome of cases which have been determined by the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman (HO) since the preparation of the previous report to Cabinet on 5 December 2017.

Summary

2. This report sets out in abbreviated form the decisions reached by the LGSCO and the HO since the last report to Cabinet and outlines actions taken as a result.

Recommendation

3. It is recommended that the contents of the report be noted.

Reasons

- 4. The recommendation is supported by the following reasons :-
 - (a) It is important that Members are aware of the outcome of complaints made to the LGSCO and the HO in respect of the Council's activities.

(b) The contents of this report do not suggest that further action, other than detailed in the report, is required.

Paul Wildsmith Managing Director

Background Papers

Note: Correspondence with the LGSCO and HO is treated as confidential to preserve anonymity of complainants.

Lee Downey, Complaints and Information Governance Manager Extension 5451

This report is for information to members and
requires no decision. Therefore there are no
issues in relation to Crime and Disorder.
This report is for information to members and
requires no decision. Therefore there are no
issues in relation to Health and Well Being.
This report is for information to members and
requires no decision. Therefore there are no
issues in relation to Carbon Impact.
This report is for information to members and
requires no decision. Therefore there are no
issues in relation to Diversity.
This report affects all wards equally.
This report is for information to members and
requires no decision. Therefore there is no
impact on any particular group.
This report does not recommend any changes
to the Budget or Policy Framework.
This is not a Key Decision.
This is not an Urgent Decision.
This report contributes to all the delivery
themes.
Efficiency issues are highlighted through
complaints.
There is no impact on Looked After Children or
Care Leavers as a result of this report.

MAIN REPORT

Background

- Cabinet has previously resolved that they would consider reports on the outcome of cases referred to the LGSCO and HO during the Municipal Year on a bi-annual basis.
- 6. The opportunity is normally taken to analyse the areas of the Council's functions where complaints have arisen. It is appropriate to do that in order to establish whether there is any pattern to complaints received or whether there is a particular Directorate affected or a type of complaint which is prevalent. If there were a significant number of cases in any one particular area, that might indicate a problem which the Council would seek to address.

Information

- 7. Between 1 October 2017 and 31 March 2018, 7 cases were the subject of decision by the LGSCO.
- 8. Between 1 October 2017 and 31 March 2018, 1 case was the subject of decision by the HO.
- 9. The outcome of cases on which the LGSCO reached a view is as follows:

LGSCO Findings	No. of Cases	
Closed after initial enquiries: no further action	4	
Not upheld: No maladministration	2	
Upheld: Maladministration Injustice	1	

10. The outcome of cases on which the LGSCO reached a view is as follows:

HO Findings	No. of Cases	
No maladministration	1	

Local Government and Social Care Ombudsman (LGSCO)

Closed after initial enquiries: no further action

- 11. The first of these was for the Ongoing Assessment & Intervention Team. The LGSCO decided they would not investigate a complaint about the way the Council assessed an individual's needs or its decision to involve Occupational Therapists and Independent Advocates to ensure the individual's needs were being met. This was because the LGSCO felt it unlikely they would find enough evidence of fault to warrant an investigation and could not provide the outcome sought.
- 12. The second of these was for Development Management and concerned the way the Council considered heritage assets before approving a planning application. The LGSCO concluded further consideration of the complaint is unlikely to find fault by the Council.

- 13. The third of these was for Arboriculture and concerned the Council's failure to take sufficient action over a large tree which the complainant said was affecting a property. The LGSCO would not investigate the complaint because there is insufficient evidence of fault on the Council's part.
- 14. The fourth of these was also for the Ongoing Assessment & Intervention Team and concerned an individual's dissatisfaction with an allegation of inappropriate behaviour being made against them by a care worker in 2015 and the Council's refusal to help the individual get the police records amended. The LGSCO would not investigate because the complaint was late and because they could not achieve the outcome the complainant wanted.

Not upheld: No maladministration

- 16. The first of these was for Adult Services Financial Assessments and concerned the Council's decision in relation to a financial assessment. The LGSCO found there was no evidence of fault in the way the Council had calculated the contribution towards the cost of care, or taken into account disability related expenses.
- 17. The second of these was for Licensing and concerned the Council's administration of hackney carriage licensing. The LGSCO concluded some parts of the complaint relate to the Council's actions over 10 years ago and so fall outside the Ombudsman's jurisdiction. They also found there was no evidence of fault in respect of the Council's administration of hackney carriage licensing within the last 12 months.

Upheld: Maladministration Injustice

18. This complaint was for Safeguarding Adults. The LGSCO found there were faults in the way the Council dealt with safeguarding concerns raised by an individual regarding their late father. The Council agreed to apologise and pay the complainant £500 to acknowledge the uncertainty and distress caused. The Council also agreed to review the way it dealt with the safeguarding enquiry, to identify staff training requirements relating to mental capacity assessments and best interest decisions and to ensure any actions identified through the safeguarding process are properly followed up and the outcome recorded.

Housing Ombudsman (HO)

No maladministration

19. This complaint was for Housing Management and concerned the way the Council dealt with a personal representative of the estate of a former Council tenant. The HO were satisfied the Council acted reasonably in their dealings with the individual's personal representative, however, concluded the Council should have accepted a complaint about the removal of an item from the property.

Conclusion

- During the second half of 2017/18 the Council received 1 Upheld:
 Maladministration injustice decision, the same number received for this period during 2016/17.
- 21. There were no themes running through those complaints upheld by the LGSCO during the second half of 2017/18 and no particular Directorate was affected. The LGSCO's findings do not indicate there is a problem which the Council needs to address.

Outcome of Consultation

23. The issues contained within this report do not require formal consultation.



CABINET 09 OCTOBER 2018

ITEM NO.	
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COMPLAINTS, COMPLIMENTS AND COMMENTS ANNUAL REPORTS 2017/18

Responsible Cabinet Members

Councillor Stephen Harker – Leader, Efficiency and Resources Portfolio
Councillor Chris McEwan – Deputy Leader, Economy and Regeneration Portfolio
Councillor Sue Richmond – Adult Social Care Portfolio
Councillor Cyndi Hughes - Children and Young People Portfolio
Councilor Andy Scott - Housing, Health and Partnerships Portfolio
Councillor Nick Wallis - Leisure and Local Environment Portfolio

Responsible Directors

Paul Wildsmith, Managing Director
Suzanne Joyner, Director of Children and Adults Services
Ian Williams, Director of Economic Growth and Neighbourhood Services

SUMMARY REPORT

Purpose of the Report

- 1. To provide Cabinet with the 2017/18 Complaints, Compliments and Comments Annual Reports for:
 - Adult Social Care (Appendix 2);
 - Children's Social Care (Appendix 3);
 - Corporate (Appendix 4);
 - Housing (Appendix 5); and
 - Public Health (Appendix 6).

Summary

2. The Council received a total of 871 complaints during 2017/18, an increase from 603 complaints during 2016/17. One of the major factors in the increase was the introduction of the Council's policy to no longer provide a recall service for missed refuse collections. There was also a significant increase in complaints about Customer Services following a restructure, the most common theme was dissatisfaction with telephone waiting times. Additional staffing resource was brought in, as a response to the complaints about telephone waiting times. Adult social care also saw a significant increase in complaints following the implementation of the Adult Social Care Transformation Program and dissatisfaction with individual financial assessments. As a result the Council has just completed a further consultation on changes to its charging policy for non-

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residential adult social care services. A further report about this will be coming to Cabinet.

- 3. The Council received a total of 116 compliments during 2017/18, a decrease from 157 in 2016/17.
- 4. The Council received a total of 224 comments during 2017/18, an increase from 199 in 2016/17.
- 5. A summary table is provided at **Appendix 1**.
- 6. The production of an annual report in respect of representations received under the Adult Social Care Complaints, Compliments and Comments Procedure is a requirement of the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.
- 7. The production of an annual report in respect of representations received under the Children's Social Care Complaints, Compliments and Comments Procedure is a requirement of the Children Act 1989 Representation Procedure (England) Regulations 2006.
- 8. The production of an annual report in respect of representations received under the Public Health Complaints, Compliments and Comments Procedure is a requirement of the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.

Recommendation

- 9. That Cabinet notes the content of the attached reports.
- 10. That Cabinet endorses the further recommendation made in the Children Social Care Complaints, Compliments and Comments Annual Report (i.e. that children's social care staff should work to improve performance against the Stage 1, 2 and 3 timescales).

Reasons

- 11. To make Cabinet aware of the number and nature of the complaints, compliments and comments received by the Council and the organisational learning that has taken place as a result.
- 12. To enable the Council to further improve its services as a result of the complaints, compliments and comments received and improve satisfaction with complaints handling.

Background Papers

Note: No background papers were used in the production of this report.

Lee Downey, Complaints and Information Governance Manager Extension 5451

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S17 Crime and Disorder	There is no specific impact on Crime and Disorder.		
Health and Well Being	The purpose of the Adult Social Care		
	Complaints, Compliments and Comments Annual Report is to improve the service we		
	provide to service users and their carers.		
Carbon Impact	There are no specific recommendations		
	contained within the attached reports		
	concerning Carbon Reduction.		
Diversity	Complaint investigations have led to service		
	improvements for people with protected		
	characteristics.		
Wards Affected	All.		
Groups Affected	All.		
Budget and Policy Framework	This report does not have a direct impact on		
	the Budget and Policy Framework.		
Key Decision	This report does not constitute a Key Decision.		
Urgent Decision	This report does not require an Urgent		
	Decision.		
One Darlington: Perfectly	Learning as a result of complaints contributes		
Placed	towards all of the delivery themes.		
Efficiency	The understanding and analysis of complaints		
	can help the Council improve services.		
Impact on Looked After	There is no impact on Looked After Children or		
Children and Care Leavers	Care Leavers as a result of this report.		

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MAIN REPORT

Information and Analysis

- 13. There was a significant increase in the number of representations (complaints, compliments and comments) made under the Adult Social Care Complaints, Compliments and Comments Procedure during 2017/18. There was a significant increase in the number of complaints received primarily as a result of people's dissatisfaction with the outcome of their assessment following the implementation of the Adult Social Care Transformation Program and people's dissatisfaction with the outcome of their financial assessment. A central theme of the Transformation Program is the adoption of strength based approaches that prevent, reduce and delay the need for formal support. This approach promotes the independence and quality of life of adults living in our communities, while ensuring that resources are deployed in a way that supports the delivery of the Council's Medium Term Financial Plan (MTFP). As a result the Council has just completed a further consultation on changes to its charging policy for non-residential adult social care services. A further report about this will be coming to Cabinet. Full details and comparisons with previous years are attached at **Appendix 2**.
- 17. The Council received the same number of representations under the Children's Social Care Complaints, Compliments and Comments Procedure as it did in 2016/17. Complaint numbers fell slightly compared to 2016/17. The most commonly complained about issues was service provision. Complaints about communication were down, having been the most commonly complained about issue in 2016/17. Full details and comparisons with previous years are attached at **Appendix 3**.
- 18. There was a significant increase in the number of representations made under the Corporate Complaints, Compliments and Comments Procedure during 2017/18. There was a significant increase in the number of complaints received about missed refuse collections following the introduction of the Council's policy to no longer provide a recall service. There was also a significant increase in complaints about Customer Services following a restructure, the most common theme was dissatisfaction with telephone waiting times. Additional staffing resource was brought in, as a response to the complaints about telephone waiting times. Full details and comparisons with previous years are attached at **Appendix 4**.
- 19. There was a decrease in the number of representations made under the Housing Complaints, Compliments and Comments Procedure during 2017/18. Complaint numbers remained the same as in 2016/17. Service provision remained the most commonly complained about issues, while there was a significant decrease in complaints about communication. Full details and comparisons with previous years are attached at **Appendix 5**.
- 20. There was a decrease in the number of representations made under the Public Health Complaints, Compliments and Comments Procedure during 2017/18. The Council received the same number of complaints as in 2016/17. These related to both the Council as a commissioner and the services provided. Full details and comparisons with previous years are attached at **Appendix 6**.

21. Some other examples of organisational learning resulting from complaints have been extracted from the appended reports and are provided below.

22. Adult Social Care Complaints:

- a) Following a complaint for the Responsive Integrated Assessment Care Team (RIACT), it was agreed the team should improve case recording to ensure it provides a factual account of conversations or events that have taken place. It was also agreed that a Care and Support Needs assessment should be offered regardless of an individual's financial circumstances and that a review of the written information available for individuals and family members who access the RIACT service should be undertaken.
- b) Following a complaint for Ongoing Assessment & Intervention Team, it was agreed the team manager would ensure that when a worker is on long term sick leave and reviews are due to be completed, these are allocated to other workers to complete, or prioritised by the original worker if their return to work would not affect timescales of reviews.
- c) As a result of another complaint for Ongoing Assessment & Intervention Team, it was recommended the Council should consider reviewing its procedures pertaining to the recording of disagreements in relation to a proposed plan and the steps which must be taken to ensure the plan is signed off in the event of a disagreement, in light of the Care Act guidance.
- d) Following a complaint for Ongoing Care, it was agreed the Council would devise a robust process to monitor short break stays, to avoid extended periods of stay. It was also agreed the Contracts & Commissioning would review provision of care in rural areas as part of re-tendering of homecare services.
- e) Following a complaint for Life Stages 0 25, it was recommended the Council would revisit the advice it gives officers who manage finances on behalf of care users, ensure it accurately explains the role of a corporate appointee and considers potential implications for Direct Payments if taking on that role (or that of a Court appointed Deputy).
- f) Following a complaint for Occupational Therapy, it was recommended the Council reviews its policy for reclaiming unused Direct Payments.

23. Children's Social Care Complaints:

- a) It was agreed following two separate complaints that training would be provided to improve in-house complaints investigations, with a view to resolving more complaints at Stage 1.
- b) Following a complaint for Looked After Through Care, it was agreed the Council would continue to improve access to therapeutic support for looked after children and continue to improve the quality and choice of placements available for looked after children.

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c) Following a complaint for Assessment & Safeguarding Team D, it was agreed there needs to be a strengthening of practice around practitioners, managers and legal representatives listening and acting upon the wishes and feelings of young people they work with and a clear policy and procedure that highlights some of the complexities of this area of work developed in its own right rather than being incorporated into the procedures of other areas of work.

It was agreed there would be a development day for practitioners, managers, legal advisors and representatives of children and young people who are looked after and/or care leavers to develop practice around listening to children and young people and the care planning processes and a strategy be developed and implemented.

It was also agreed there would be supervision training for social work managers that addresses the issue of managing professional bias in practice and the development of hypothesis trees and the blocked cycle framework.

It was also agreed that following assessment of birth parents in line with duties under the Adoption and Children Act 2002, processes would be established that monitors the take up and outcomes of those services commissioned to support birth parents, in particular where the support is provided by an agency independent to the Local Authority.

24. Corporate Complaints:

- a) Following a complaint for Communications, it was agreed the Council would ensure it included all responses in future consultation evaluations.
- b) Following a complaint for Admissions and Transport, the Council considered providing details of the existing routes to parents so they can make an informed decision about whether or not to apply for a place on non-statutory school transport and to ensure that where a stop is no longer used along an existing route, that stop is removed from the route.
- c) Following a complaint for Special Educational Needs (SEN), it was agreed that the Council would ensure that where an early years setting, further education college or other post-16 institution does not reply to a request to convene and hold a meeting on the Council's behalf or refuses to do so, the Council would put timely arrangements in place to ensure the Education Health Care (EHC) Plan is reviewed in accordance with the Children and Families Act 2014.
- d) Following another complaint for SEN, the Council agreed to ensure the required notice period is given in relation to future reviews and a reasonable period of time is allowed for individuals to complete their section of the EHC Plan, within the maximum time permitted.
- f) Following a complaint for Development Management, it was agreed the Development Manager would review the use of conditions, provide training for officers in the use of conditions and there construction and improve scrutiny of reports in this respect.

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g) Following another complaint for Development Management, it was agreed the Council would refer explicitly within application reports to the duty to determine applications in accordance with the Development Plan unless material considerations indicate otherwise i.e. the duty under section 38(6) of the Planning and Compulsory Purchase Act 2004.

25. Housing Complaints:

- a) Following a complaint for General Trades, it was agreed that training would be provided for staff to ensure repairs were highlighted to tenants and appointments booked prior to them moving into a property.
- b) As the result of a complaint for Housing Management Services, it was agreed the Housing Management Officer would be reminded of the practice and procedure in relation to termination of tenancies.
- c) Following a complaint for Housing Income Management, a member of staff was reminded of the need to maintain a professional telephone manner.
- 26. The further recommendation set out in the Children's Social Care Complaints, Compliments and Comments Annual Reports 2017/18 is:
 - a) Children's social care staff should work to improve performance against the Stage 1, 2 and 3 timescales.

Conclusion

27. The Council received 871 complaints, the second highest number of complaints it has received since 2009/10; when the Council started keeping comprehensive records. These have primarily resulted from new ways of working aimed at supporting the delivery of the Council's MTFP.

Outcome of Consultation

28. No consultation was required in preparing this report.

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APPENDIX 1

Total Representations by Year

Type of representation	2017/18	2016/17	2015/16	2014/15	2013/14
Complaints					
Corporate					
Stage 1 complaints	628	402	403	744	668
Direct to Stage 2 complaints	8	10	11	13	4
Total complaints	636	412	414	757	672
Stage 1 escalated to Stage 2	80	51	47	86	68
Total Stage 2 complaints	88	61	58	99	72
Total Stage 2 Complaints	00	01	50	99	12
Adult Social Care	92	44	49	24	26
Children's Social Care					
Stage 1 complaints	54	58	54	60	46
Stage 2 complaints	16	16	14	15	9
Stage 3 complaints	2	5	3	1	0
Housing					
Stage 1 complaints	86	86	94	105	101
Direct to Stage 2 complaints	0	0	0	1	0
Total complaints	86	86	94	106	101
Stage 1 escalated to Stage 2	18	14	15	12	12
Total Stage 2 complaints	18	14	15	13	12
Stage 3 complaints	0	0	0	2	1
Public Health	3	3	0	0	0
Compliments					
Corporate	79	106	173	185	233
Adult Social Care	6	13	33	40	39
Children's Social Care	12	4	6	12	6
Housing	19	34	31	47	0
Public Health	0	0	0	0	0
Comments					
Corporate	224	195	143	263	209
Adult Social Care	0	0	0	0	0
Children's Social Care	0	0	1	1	0
Housing	0	3	5	9	0
Public Health	0	1	0	0	0

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Adult Social Care Complaints, Compliments and Comments Annual Report 2017/18

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Introduction

The purpose of this annual report is to inform service users, carers, the public, Council Members and staff of the effectiveness of the Adult Social Care Complaints, Compliments and Comments Procedure (the procedure).

On the 1 April 2009 the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 (the regulations) came into force following the consultation 'Making Experiences Count' by the Department of Health. The consultation found that the complaints processes for people receiving both health and social care services were overly complex and inflexible.

As a result the legislation introduced altered the way in which complaints are handled introducing a single joint complaints process for both social care and health services, with one stage as opposed to the previous three stage process used in relation to adult social care services. The regulations also introduced a duty for health and social care services to cooperate.

The Council implemented a new procedure on the 1 April 2010 providing a local framework to ensure complaints are handled effectively and in line with the regulations.

The procedure aims to:

- (a) Make it as easy and accessible as possible for service users and their carers to raise complaints;
- (b) Foster an organisational culture in which complaints are accepted, owned and resolved as efficiently as possible:
- (c) Ensure high levels of customer satisfaction with complaints handling;
- (d) Resolve individual issues when they arise and reduce the number of complaints referred to the Ombudsman; and
- (e) Enable the Council to identify topics and trends in relation to adult social care complaints and improve services as a result.

The Assistant Director Adult Services is the responsible person for ensuring that the Council complies with the arrangements made under the regulations. They act as the 'Adjudicating Officer', which means they make decisions on complaints and decide what action should be taken in light of the outcome of a complaint.

The Complaints and Information Governance Manager (Complaints Manager) is the responsible person for managing the procedure for handling and considering complaints in accordance with the agreements made under the regulations.

Local Government and Social Care Ombudsman (Health Services Ombudsman)

Although complainants can refer their complaints to the Local Government and Social Care Ombudsman (LGSCO) from the outset, the LGSCO will not normally investigate until the Council has conducted its own investigation and provided a response. Where it has not been possible for the complaint to be resolved to the satisfaction of the complainant they may refer the matter to the LGSCO (or Health Services Ombudsman for some joint complaints).

Information and Accessibility

We are committed to making sure that everyone has equal access to all our services, including the complaints procedure. To help make sure the Council's complaints procedures are easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.

Information is available on the Council's website. There is also an electronic form which people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish. This can be in writing, by email, via the web, over the phone, in person or by any other reasonable means.

The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Advocacy

During 2017/18 the Council commissioned an advocacy service which provided RPRs (Relevant Persons Representatives), IMCAs (Independent Mental Capacity Advocates), IMHAs (Independent Mental Health Act Advocates) and Care Act Advocates. This was provided by Darlington association on Disability (DAD)

The Council also commissioned Specialist Advocacy / Welfare Rights services for adults with a sensory impairment, and NHS Complaints Advocacy on behalf of the NHS.

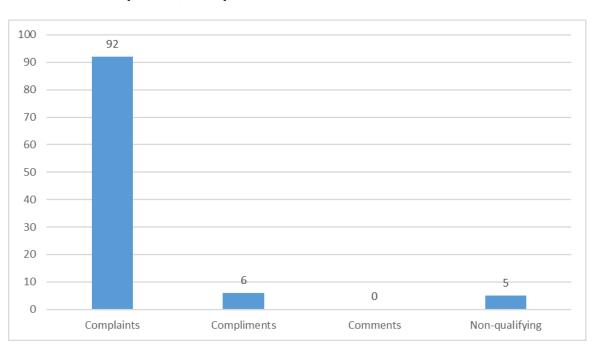
Summary

- There has been an increase in overall feedback, from 57 representations in 2016/17 to 104 in 2017/18.
- We investigated 92 complaints under the procedure during 2017/18, an increase from 44 in 2016/17.
- We received 6 compliments under the procedure during 2017/18, a decrease from 13 in 2016/17.
- We received 0 comments under the procedure during 2017/18, as was the case in 2016/17.
- A further 5 complaints were received during 2017/18 about issues which did not qualify for investigation under the procedure.
- 7 adult social care complaints were progressed to the LGSCO during 2017/18, compared to 5 in 2016/17.
- The LGSCO reached a decision on 7 complaints during 2017/18, the same number as in 2016/17.

Review of the Year

Breakdown of all Representations

A total of 104 representations were handled under the procedure during 2017/18. This does not include those representations responded to directly by social care providers i.e. care homes and home (domiciliary) care providers, as these fall outside the regulations.



Total Complaints, Compliments and Comments Received 2017/18

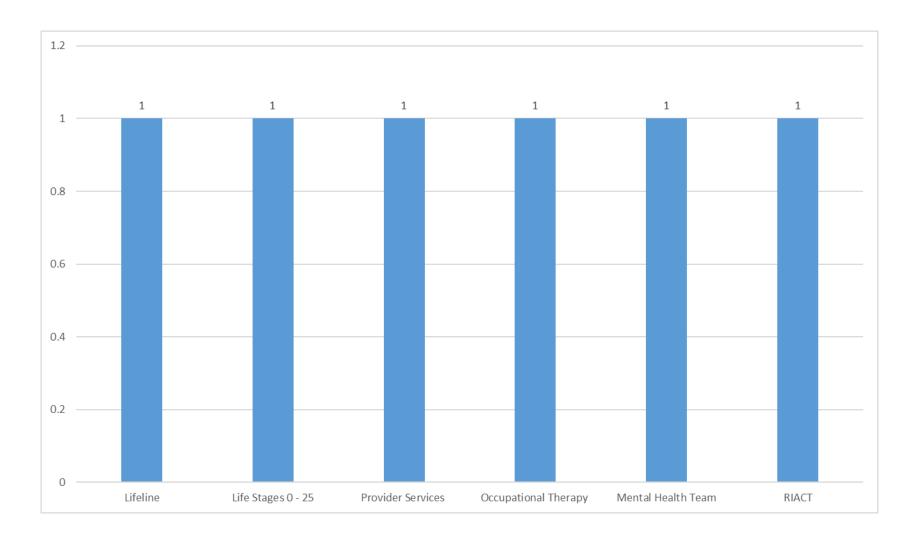
There was an increase in the number of complaints we investigated, compared to 44 in 2016/17.

There was a decrease in the number of compliments we received, compared to 13 in 2016/17.

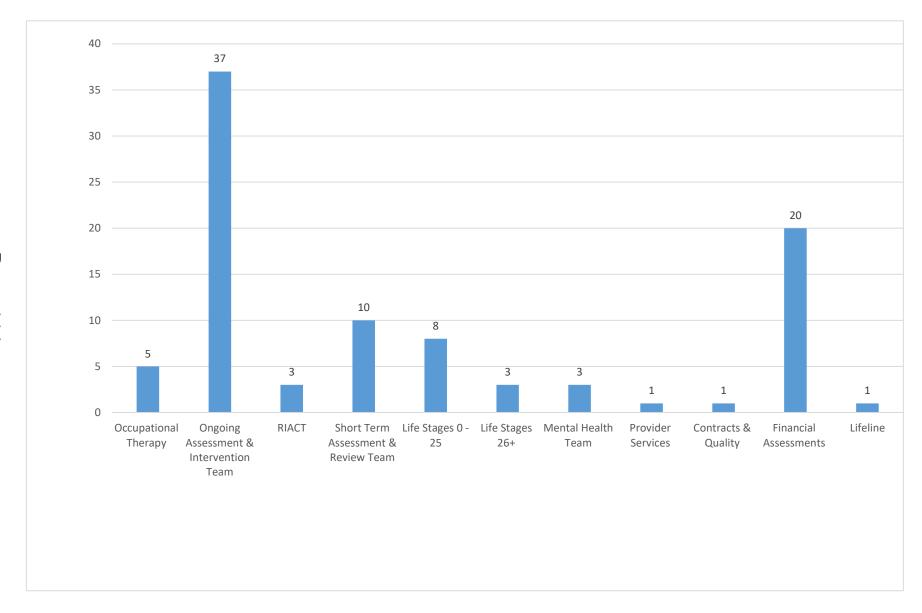
We received zero comments in 2016/17.

There was an increase in the number of non-qualifying complaints received, from one in 2016/17.

Breakdown of Compliments Received by Team



Breakdown of Complaints Received by Service Area/Team



N.B. Those teams that are not listed did not receive any complaints during 2017/18.

Occupational Therapy received five complaints, an increase from zero in 2016/17. Three of these related to people's dissatisfaction with the outcome of their assessment following the implementation of the Adult Social Care Transformation Program. A central theme of the Transformation Program is the adoption of strength based approaches that prevent, reduce and delay the need for formal support. This approach promotes the independence and quality of life of adults living in our communities, while ensuring that resources are deployed in a way that supports the delivery of the Council's Medium Term Financial Plan (MTFP).

There was a significant increase in complaints for the Ongoing Assessment & Intervention Team, from 15 in 2016/17. Almost half of all the complaints received related to people's dissatisfaction with the outcome of their assessment following the implementation of the Adult Social Care Transformation Program. Other common themes were staff attitude/behavior and problems with communication.

Responsive Integrated Assessment Care Team (RIACT) received three complaints compared to four in 2016/17. There was no common theme in the complaints received.

There were a further 10 complaints for the Short Term Assessment & Review Team. Again the most common cause of complaint was people's dissatisfaction with the outcome of their assessment following the implementation of the Adult Social Care Transformation Program.

There was an increase in complaints for the Life Stages 0-25 Team, compared to four in 2016/17. Three of these complaints also concerned people's dissatisfaction with the outcome of their assessment following the implementation of the Adult Social Care Transformation Program.

Life Stages 26+ received the same number of complaints in 2016/17. There was no common theme in the complaints received.

The Mental Health Team received three complaints, compared to one in 2016/17. There was no common theme in the complaints received.

There was one complaint for Provider Services, compared to zero in 2016/16.

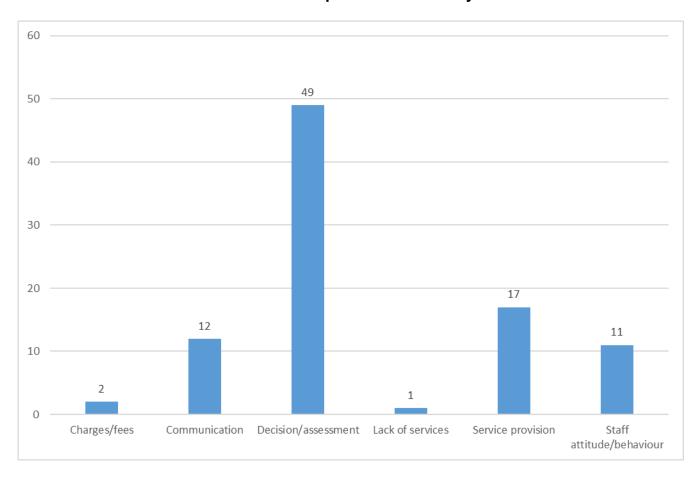
Contracts and Quality received the same number of complaints as in 2016/17.

There was an increase in complaints about Financial Assessments, compared to 12 in 2016/17. The most common theme was dissatisfaction with the outcome of a financial assessment.

Lifeline received one complaint, compared to zero in 2016/17.

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Breakdown of Complaints Received by Issue



The most common cause of complaint remained dissatisfaction with a decision/assessment. In total the Council received 49 complaints about this issue compared to 13 in 2016/17. 33 of the complaints received related to people's dissatisfaction with the outcome of their care needs assessment, the remaining 16 related to peoples dissatisfaction with the outcome or handling of their financial assessment.

The second most common cause of complaint was Service provision. There was an increase in complaints about service provision from 10 in 2016/17, however, there were no common themes in the complaints received.

The third most common cause of complaint was communication. There was an increase in complaints about communication from 10 in 2016/17. Common themes were lack of communication and misinformation.

The fourth most common cause of complaint was staff attitude/behavior. There was a significant increase in complaints about staff attitude/behavior from 1 in 2016/17. Although the complainant stated they were unhappy with the attitude of the social worker, in approximately half of these complaints the underlying issue appears to have been people's dissatisfaction with the outcome of a decision/assessment.

Complaint Outcomes

70 complaint investigations were concluded during 2017/18. The outcomes of these complaints are detailed in the chart below.

Service Area/Team	Upheld	Partly Upheld	Not Upheld	Inconclusive	Withdrawn	Total
Financial Assessments	1	4	11	1	0	17
Life Stages 0 – 25	3	1	0	0	1	5
Life Stages 26+	0	2	1	0	0	3
Occupational Therapy	3	0	0	0	1	4
Ongoing Assessment & Intervention Team	4	10	5	1	6	26
Ongoing Care	1	2	0	0	0	3
Responsive Integrated Assessment Care Team (RIACT)	0	0	1	0	1	2
Short Term Assessment & Review Team	0	1	3	0	2	6
Mental Health Adults	0	0	1	0	0	1
Mental Health Team	1	0	1	0	0	2
Contracts & Quality	0	0	0	0	1	1
Total	13	20	23	2	12	70

Local Government Ombudsman Complaints Received 2017/18

Seven adult social care complaints were progressed to the LGSCO during 2017/18, an increase from five in 2016/17. Five of the complaints referred to the LGSCO related to Financial Assessments.

Local Government Ombudsman Complaint Outcomes 2017/18

Nine adult social care complaints were determined by the LGSCO during 2017/18, compared to seven in 2016/17.

Full details of those complaints determined by the LGSCO are included in the Cabinet reports of 5 December 2017 and 10 July 2018 entitled Review of Outcome of Complaints Made to Ombudsman.

Organisational Learning

Responsive Integrated Assessment Care Team (RIACT)

Following a complaint for RIACT it was agreed the team should improve case recording to ensure it provides a factual account of conversations or events that have taken place. It was also agreed that a Care and Support Needs assessment should be offered regardless of an individual's financial circumstances and that a review of the written information available for individuals and family members who access the RIACT service should be undertaken.

Ongoing Assessment & Intervention Team

Following a complaint for Ongoing Assessment & Intervention Team it was agreed the Team Manager would ensure that when a worker is on long term sick leave and reviews are due to be completed, these are allocated to other workers to complete, or prioritised by the original worker if their return to work would not affect timescales of reviews.

As a result of another complaint for Ongoing Assessment & Intervention Team it was recommended an Operational Procedure be developed to supplement the Fairer Charging Policy. It was also recommended the Council should consider reviewing its procedures pertaining to the recording of disagreements in relation to a proposed plan and the steps which must be taken to ensure the plan is signed off in the event of a disagreement, in light of the Care Act guidance.

Following a further complaint for Ongoing Assessment & Intervention Team it was agreed the Visual Impairment Service would review its procedures to ensure best practice when communicating with individuals and that the service would review all information and advice that is provided to individuals with a Visual Impairment.

Ongoing Care

Following a complaint for Ongoing Care it was agreed the Council would devise a robust process to monitor short break stays, to avoid extended periods of stay. It was also agreed the Contracts & Commissioning would review provision of care in rural areas as part of retendering of homecare services.

Financial Assessments

Following a complaint for Financial Assessments it was agreed best endeavours would be made to ensure previous LGSCO recommendations made in respect of Darlington Borough Council's charging policies were considered as part of any charging consultation processes.

As a result of a further complaint for Financial Assessments it was agreed the team would produce and use an information leaflet providing information on the financial assessment and that where 'light touch' financial assessments are being used the assessor would consider all disability related expenditure.

Life Stages 0 - 25

Following a complaint for Life Stages 0 – 25 it was recommended the Council would revisit the advice it gives officers who manage finances on behalf of care users and ensure it accurately explains the role of a corporate appointee and considers potential implications for Direct Payments if taking on that role (or that of a Court appointed Deputy).

Occupational Therapy

Following a complaint for Occupational Therapy it was recommended the Council reviews its policy for reclaiming unused Direct Payments.

Following a further complaint for Occupational Therapy it was agreed the Council would consider whether to send a letter to individuals whose referral would require support from an Occupational Therapist giving information about estimated waiting list times, the rationale used for determining priority and the reasons why times are estimates/approximations only. It was also agreed the Council would consider reviewing its practice to support individuals who ask for an update on their position on the Occupational Therapy waiting list. In discussion with the Occupational Therapy Manager it was noted this may include asking staff to record information about whether or not the individual has experienced a change in circumstance and seeking advice as appropriate; forwarding requests to the Occupational Therapy Manager who could undertake further screening of risks/changes in circumstances; explaining the rationale for decision making regarding prioritisation and providing an updated approximation of waiting list times.

Further recommendations

There are no further recommendations.

Performance against the Procedure

The target for acknowledging receipt of complaints under the procedure is 3 working days.

63.7% of complaints received during 2017/18 were acknowledged within the 3 working day timescale, a decrease from 77.3% in 2016/17.

There are no longer any statutory timescales for complaint responses, except that complainants should receive a response within six months. The procedure sets out a timescale for dealing with complaints solely about the Council's services i.e. 30 working days, although there are circumstances in which the investigator may agree an extension with the complainant. It also states that for joint health and social care complaints the complaints managers from the different organisations will work together to decide a reasonable timescale and agree this with the complainant. This is to ensure investigations are completed in a timely manner and within the maximum time allowed.

Five complaints exceeded the maximum six month time limit, compared to two in 2016/17. The average length of time a complaint investigation took was 69 days, compared to 77 in 2016/17.

Performance Indicator for 2017/18

In relation to adult social care complaints the Council's key performance indicator is the number of maladministration decisions received from the Local Government Ombudsman. The Council received two maladministration decisions during 2017/18, compared to five during 2016/17.

Full details of those complaints determined by the LGSCO are included in the Cabinet reports of 5 December 2017 and 9 October 2018 entitled Review of Outcome of Complaints Made to Ombudsman.



Children's Social Care Complaints, Compliments and Comments Annual Report 2017/18

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Introduction

Darlington Children's Social Care welcomes complaints, compliments and comments as a way of improving service delivery to children, young people and their families. The purpose of this report is to inform the service users, carers, the public, Council Members and Children's Social Care staff of the effectiveness of the Children's Social Care Complaints, Compliments and Comments Procedure (the Procedure). The report identifies topics and trends in relation to complaints information, makes suggestions for service improvements, where appropriate and identifies areas of organisational learning that have taken place in relation to people, policy and process.

The Law

The Council is required by law to have management arrangements in place for considering children's social care representations, including complaints, under the Children Act 1989. National legislative procedures for social care were amended in September 2006 with the introduction of the Children Act 1989 Representation Procedure (England) Regulations 2006 (the Regulations). It is a requirement of the Regulations that the Council publishes an annual report. In addition to the Regulations the Department for Education and Skills produced some comprehensive guidance for local authorities on managing complaints, called 'Getting the Best from Complaints'.

Key features of the Regulations include:

- A requirement for local authorities to appoint a Complaints Manager;
- A requirement for review panels to be retained by local authorities but with more robust arrangements for constituting and running them; and
- A 12 month time limit to make complaints.

Complaints and Information Governance Team

The Complaints and Information Governance Manager is appointed as the 'Complaints Manager' in accordance with the requirements of the Regulations. The Complaints and Information Governance (CIG) Team is independent of Children's Social Care operational line management. This ensures a high level of independence in the way children's social care complaints are managed within the Council.

Public Information

We are committed to making sure that everyone has equal access to all our services, including the Procedure. To help make the Procedure easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.

Information is available on the Council's website. There is also an electronic form which people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish.

This can be in writing, by email, via the web, over the phone, in person or by any other reasonable means.

The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Children's Services Social Care Complaints Process

Stage 1 – Local Resolution

This initial stage allows children's social care managers the opportunity to try and resolve complaints locally, usually within the team being complained about.

Stage 2 – Investigation

Stage 2 involves a full and formal investigation. An 'Independent Person' must also be appointed to oversee the investigation and report independently to Children's Social Care Services. Both the Investigating Officer and Independent Person produce reports, which are submitted to a senior manager who writes the final response to the complainant.

Stage 3 – Review Panel

A review panel is convened when the complainant is dissatisfied with the Stage 2 response. The panel consists of an independent chairperson and two individuals who are independent of the Council.

The Local Government and Social Care Ombudsman

Although complainants can refer complaints at any stage to the Local Government and Social Care Ombudsman (LGSCO) they will not normally investigate until the Council has conducted its own investigation and provided a response.

External Support to the Complaints Process

Advocacy

The Council commissions an advocacy service for children and young people who make a complaint. This is an independent service provided by NYAS.

Investigating Officers

While the Regulations do not require Investigating Officer's to be independent of the Council, we have signed up to a contract for the provision of Independent Investigating Officers.

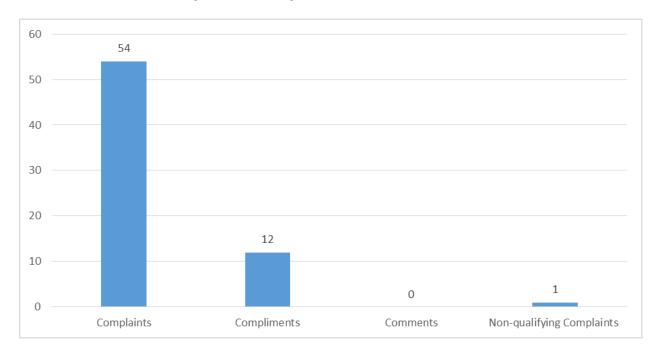
Independent Persons

The Council has signed up to a contract for the provision of Independent Persons.

Review Panels

The Council has also signed up to a contract for the provision of an Independent Chair and Independent Panellist service.

Total Complaints, Compliments and Comments received



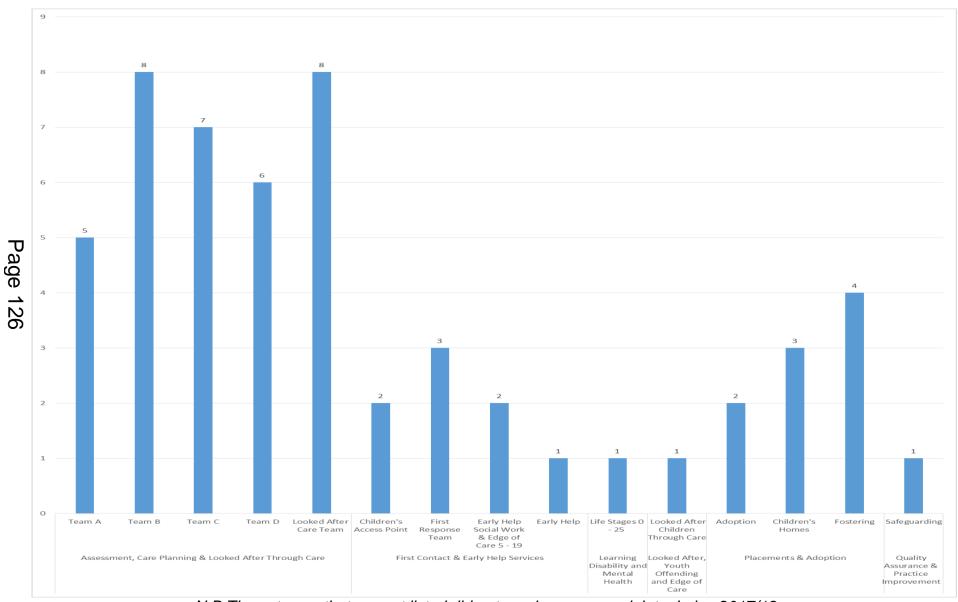
The Council received 54 complaints during 2017/18, a decrease from 58 complaints during 2016/17.

The Council received 12 compliments during 2017/18, an increase from 4 during 2016/17.

The Council received 0 comments during 2017/18, the same as in 2016/17.

The Council received 1 non-qualifying complaints during 2017/18, a decrease from 5 during 2016/17.

Breakdown of Stage 1 Complaints by Service Area/Team



N.B. Those teams that are not listed did not receive any complaints during 2017/18.

While it is not possible to make a direct comparison at team level following the change from 3 to 4 area social work teams, the Council received 26 complaints for the area social work teams during 2017/18, a reduction from 30 in 2016/17.

The Council received 9 complaints for Looked After Children Through Care/Looked After Care Team, an decrease from 14 in 2016/17.

First Contact and Locality received 8 complaints, an increase from 3 in 2016/17.

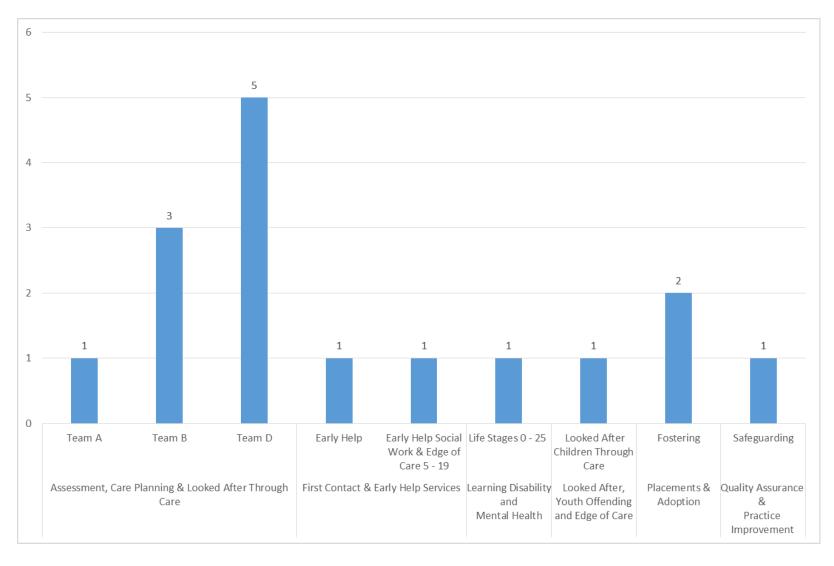
Life Stages 0 – 25 received 1 complaint, compared to 2 in 2016/17.

Placement and Adoption received 9 complaints, an increase from 6 in 2016/17.

Safeguarding received 1 complaint, compared to 0 on 2016/17.

Breakdown of Stage 2 Complaints by Service Area/Team

16 complaints were considered at Stage 2 during 2017/18, the same number as in 2016/17.



While it is not possible to make a direct comparison at team level following the change from 3 to 4 area social work teams, the Council received 9 Stage 2 complaints for the area social work teams during 2017/18, a reduction from 10 in 2016/17.

First Contact and Early Help received 2 Stage 2 complaints, an increase from 1 in 2016/17.

Life Stages 0 – 25 Team received 1 Stage 2 complaint, the same as in 2016/17.

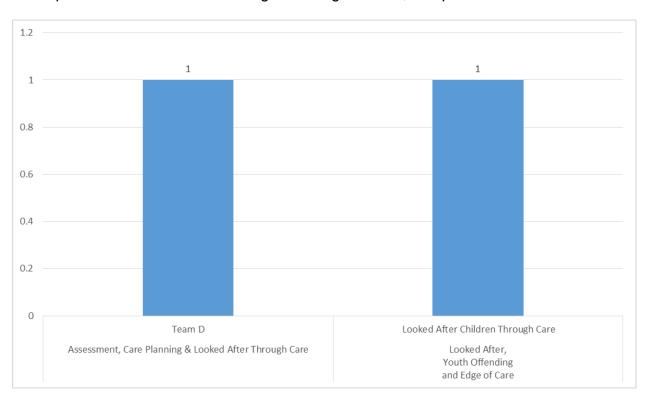
The Looked After Children Through Care Team received 1 Stage 2 complaint, a decrease from 3 in 2016/17.

Placements and Adoption received 2 Stage 2 complaints, an increase from 1 in 2016/17.

Safeguarding received 1 Stage 2 complaint, compared to 0 on 2016/17.

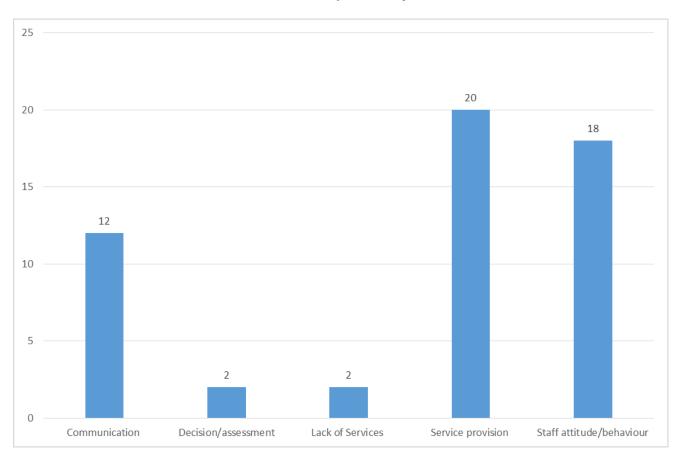
Breakdown of Stage 3 complaints by Service Area/Team

2 complaints were escalated to Stage 3 during 2017/18, compared to 5 in 2016/17.



Neither of these teams received a Stage 3 complaint during 2016/17.

Breakdown of complaints by Issue



Service provision was the most commonly complained about issue. The Council saw an increase in complaints about service provision, from to 14 in 2016/17.

The second most complained about issue was staff attitude/behaviour. The Council received 18 complaints about this compared to 9 in 2016/17.

The third most complained about issues was communication. Having been the most commonly complained about issue last year the Council saw a decrease in complaints about communication, from 19 in 2016/17.

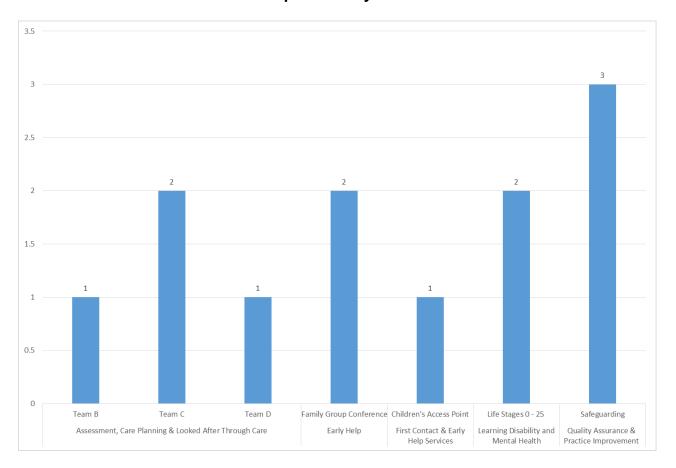
The Council received a further 2 complaints about a decision/assessment, a decrease from 7 in 2016/17.

The Council also received 2 complaints about lack of services, a decrease from 6 in 2016/17.

Breakdown of Comments by Service Area/Team

The Council did not receive any comments during 2017/18, the same as in 2017/18.

Breakdown of Compliments by Service Area/Team



The Council saw a significant increase in compliments, 12 compared to 4 in 2016/17.

Complaint Outcomes

Stage 1 - The below table shows the decisions reached on Stage 1 complaints during 2017/18.

Team	Closed with no response	Escalated to Stage 2 as no Stage 1 response provided	Suspended (ongoing proceedings)	Withdrawn	Upheld	Not Upheld	Partially Upheld	Inconclusive	Total
Assessment, Care Planning & Looked After Through Care, Looked After Care Team	0	0	0	1	5	0	2	0	8
Assessment, Care Planning & Looked After Through Care, Team A	0	0	0	0	0	3	1	0	4
Assessment, Care Planning & Looked After Through Care, Team B	0	0	0	0	0	6	2	0	8
Assessment, Care Planning & Looked After Through Care, Team C	0	0	0	1	0	3	2	0	6
Assessment, Care Planning & Looked After Through Care, Team D	0	0	0	0	0	5	1	0	6
Assessment & Safeguarding, Team B	0	0	0	0	0	0	1	0	1
Assessment & Safeguarding, Team D	0	0	0	0	2		1	0	3
First Contact & Early Help Services, Children's Access Point	0	0	0	0	2	0	0	0	2
First Contact & Early Help Services, Early Help	0	0	0	0	0	1	0	0	1
First Contact & Early Help Services, Early Help Social Work & Edge of Care 5 - 19	0	0	0	0	0	0	2	0	2
First Contact & Early Help Services, First Response Team	0	0	0	0	2	0	0	0	2
Learning Disabilities and Mental Health, Life Stages Service 0 - 25 Team	0	0	0	0	0	0	2	0	2
Looked After, Youth Offending and Edge of Care, Looked After Children Through Care	2	0	0	1	2	0	0	0	5

Continued...

Team	Closed with no response	Escalated to Stage 2 as no Stage 1 response provided	Suspended (ongoing proceedings)	Withdrawn	Upheld	Not Upheld	Partially Upheld	Inconclusive	Total
Placements and Adoption Services	0	0	0	0	1	0	0	0	1
Placements & Adoption, Adoption	0	0	0	0	1	0	1	0	2
Placements & Adoption, Children's Homes	0	0	0	1	0	0	1	0	2
Placements & Adoption, Fostering	0	0	0	0	0	2	2	0	4
Quality Assurance & Practice Improvement, Safeguarding	0	0	0	0	1	0	0	0	1
Total	2	0	0	4	16	20	18	0	60

Stage 2 - The below table shows the decisions reached on Stage 2 complaints during 2017/18.

Team	Withdrawn	Upheld	Not Upheld	Partially Upheld	Inconclusive	Total
Assessment, Care Planning & Looked After Through Care, Team B	1	0	0	1	0	2
Assessment, Care Planning & Looked After Through Care, Team D	0	0	1	0	0	1
Assessment & Safeguarding, Team A	0	0	0	1	0	1
Assessment & Safeguarding, Team B	0	1	0	0	0	1
Assessment & Safeguarding, Team D	0	0	1	3	0	4
First Contact & Early Help Services, Early Help	0	0	0	1	0	1
Learning Disability and Mental Health, Life Stages Service 0 - 25 Team	0	1	0	1	0	2
Looked After, Youth Offending and Edge of Care, Looked After Children Through Care	0	0	1	1	0	2
Placements & Adoption, Fostering	1	0	0	0	0	1
Social Care & Youth Offending, Area 3 Social Work Team	0	0	0	1	0	1
Multi Agency Safeguarding Hub (MASH)	0	0	0	1	0	1
Total	2	2	3	10	0	17

Stage 3 - The below table shows the decisions reached on Stage 3 complaints during 2017/18.

Team	Withdrawn	Upheld	Not Upheld	Partially Upheld	Inconclusive	Total
Assessment & Safeguarding, Team C	0	0	0	1	0	1
Assessment & Safeguarding, Team D	0	0	0	1	0	1
Looked After, Youth Offending and Edge of Care, Looked After Children Through Care	0	0	0	1	0	1
Total	0	0	0	3	0	3

Local Government and Social Care Ombudsman Complaints

3 complaints were referred to the LGSCO during 2017/18, the same number as in 2016/17.

4 complaints were determined by the LGSCO during 2017/18, compared to 0 in 2016/17.

Organisational Learning

All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints several service improvements were made following complaint investigations during 2017/18. Some examples of these are detailed below.

Compliance with the Complaints Procedure

It was agreed following two separate complaints that training would be provided to improve in-house complaints investigations, with a view to resolving more complaints at Stage 1.

Following a Stage 3 complaint it was agreed in respect of social workers refusing to engage in complaints investigations once they have left the authority, something the Panel had seen in other authorities, that the Local Authority would consider whether they can improve engagement via the Northern Regional Complaints Manager's Group (NRCMG) and the Children's Services' Directors' Group.

Looked After Through Care

It was agreed the Council would ensure timescales for enabling access to case files are adhered to, continue to improve access to therapeutic support for looked after children and continue to improve the quality and choice of placements available for looked after children.

It was also agreed the Council would ensure minutes of LAC Review meetings, where family members are in attendance are sent to those family members to check for factual accuracy.

It was also agreed that following a request from a young person not to share information with family members clarity would be sought regarding what information, if any, could be shared.

Area 3 Social Work Team

It was agreed Darlington Children's Services would not rely on family members or service users to pass on decisions or information and that social workers would make the necessary contact and record this within the appropriate case records.

It was also agreed that that training would be given to social workers to ensure inappropriate language is not used within reports and case records.

Team A

It was agreed Children's Services management would reinforce to staff the importance of ensuring that case recordings accurately reflect how, when and by whom information is shared i.e. email communication should be recorded within the case note section of the case files as opposed to social care professionals retaining the same within their individual Outlook accounts, which only they have access to.

Team D

It was agreed there needs to be a strengthening of practice around practitioners, managers and legal representatives listening and acting upon the wishes and feelings of young people they work with and a clear policy and procedure that highlights some of the complexities of the area of working with the wishes and feelings of young people developed in its own right rather than being incorporated into the procedures of other areas of work.

It was agreed there would be a development day for practitioners, managers, legal advisors and representatives of children and young people who are looked after and/or care leavers to develop practice around listening to children and young people and the care planning processes and a strategy be developed and implemented.

It was also agreed there would be supervision training for social work managers that addresses the issue of managing professional bias in practice and the development of hypothesis trees and the blocked cycle framework.

It was agreed a robust process would be adopted to ensure that actions agreed at review meetings where the member of staff responsible is not present are progressed.

It was agreed that social workers would be reminded to inform parents with as much notice as possible when pre-arranged appointments are going to be missed and where referrals to external agencies are to be made.

It was also agreed that following assessment of birth parents in line with duties under the Adoption and Children Act 2002, processes would be established that monitors the take up and outcomes of those services commissioned to support birth parents, in particular where the support is provided by an agency independent to the Local Authority.

Performance against the Children's Social Care Complaints, Compliments and Comments Procedure

The below performance measures are in relation to those complaints responded to during 2017/18.

Timescales

Stage 1

The target for responding to a complaint at Stage 1 is 10 working days, with a possible extension of up to 20 working days if the complaint is complex.

- 12.5% of Stage 1 complaint responses were sent out within 10 working days. This was a decrease in performance from 20.8% in 2016/17.
- A further 30.3% of Stage 1 complaint responses were sent out within 20 working days.
- In total 42.9% of Stage 1 complaint responses were sent out within the maximum 20 working day timescale, a decrease from 47.9% in 2016/17.

Stage 2

The target for responding to a complaint at Stage 2 is 25 working days, extendable up to a maximum of 65 working days.

- 7.7% of Stage 2 responses were sent out within 25 working days during 2017/18, an increase from 0% in 2016/17.
- 15.4% of complaints were responded to within the maximum timescale allowed (65 working days), compared to 12.5% in 2016/17.
- 84.6% were responded to after 65 working days, compared to 87.5% in 2016/17.

Stage 3

- At Stage 3 the Review Panel should be held within 30 working days of the request. 100% of Review Panels were held within 30 working days.
- The Review Panel should write to the Director within 5 working days of the panel. They did so in 100% of cases.
- The Director should write to the complainant within 15 working days of receiving the Panel's response. The Director wrote to the complainant within 15 working days in 66.7% of cases.

Performance against key performance indicators

In relation to children's social care complaints the Council's key performance indicator is the number of maladministration decisions received from the Local Government and

Social Care Ombudsman. The Council received 2 maladministration decisions during 2017/18, an increase from 0 in 2016/17.

Full details of those complaints determined by the LGSCO are included in the Cabinet reports of 5 December 2017 and 9 October 2018 entitled Review of Outcome of Complaints Made to Ombudsman.

Further recommendations

Children's social care staff should work to improve performance against the Stage 1, 2 and 3 timescales.





Corporate Complaints, Compliments and Comments Annual Report 2017/18

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Introduction

This report provides an analysis of the complaints, compliments and comments received by the Council during 2017/18 under the Corporate Complaints, Compliments and Comments Procedure (the corporate procedure). The purpose of the report is to identify topics and trends in relation to complaints; identify areas of organisational learning that have taken place over the past year as a result of the complaints received and make further recommendations based on trend data to improve services. The report also highlights those areas of good practice within the Council and seeks to identify topics and trends in relation to comments made by members of the public so that the Council can also take action where appropriate to improve services. In addition to the statistical information presented in this report it is important to recognise the work of the Complaints and Information Governance (CIG) Team that underpins this in terms of promoting an organisational culture in which complaints are recognised, accepted, owned and resolved as efficiently and as close to the point of service delivery as possible.

Corporate Complaints, Compliments and Comments Procedure

The corporate procedure sets out how the Council will deal with all complaints, compliments and comments received with the exception of those received in relation to adult and children's social care services, social housing, public health and Members which will be dealt with under separate procedures.

The corporate procedure has two stages. Stage 1 is a local resolution stage where we try to resolve those complaints that cannot be resolved immediately as part of our day to day business. Stage 1 complaints are dealt with locally, that is within the service being complained about. We aim to resolve the majority of complaints at Stage 1 of the corporate procedure.

Stage 2 is a formal investigation stage where complaints will usually be investigated by the Complaints and Information Governance Manager or another officer independent of the service being complained about.

If the complainant remains dissatisfied following a Stage 2 investigation they may refer the matter to the Local Government Ombudsman.

Public Information and Accessibility

We are committed to making sure that everyone has equal access to all our services. To help make sure the Council's complaints procedures are easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.

Information is available on the Council's website which contains an electronic form people can use to make a complaint, pay someone a compliment or pass comment on

Council services. People may make a complaint in any format they wish. This can be in writing, email, via the web, over the phone, in person or by any other reasonable means.

The Complaints and Information Governance Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Complaints Information and Organisational Learning

Overview of Complaints, Compliments and Comments

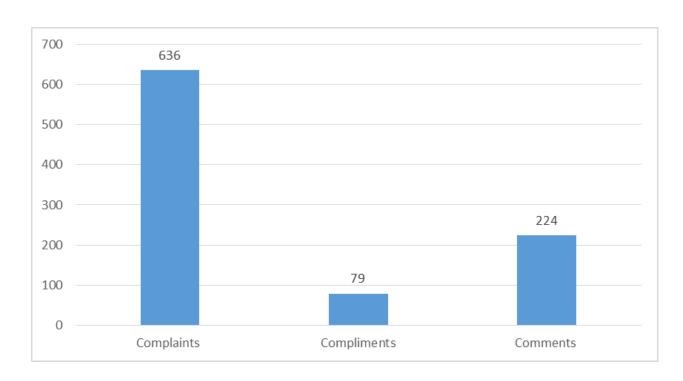
Between 1 April 2017 and 31 March 2018 the Council received a total of 939 representations under the corporate procedure, an increase from 713 in 2016/17.

The Council received 636 complaints, a significant increase from 412 in 2016/17. The primary reason for this was the increase in complaints about missed refuse collections following the introduction of the Council's policy to no longer provide a recall service. 628 complaints were initially dealt with at Stage 1 of the corporate procedure, while 8 were initially dealt with at Stage 2. 80 Stage 1 complaints were escalated to Stage 2 following a Stage 1 investigation. In total 88 complaints were investigated at Stage 2, an increase from 61 in 2016/17.

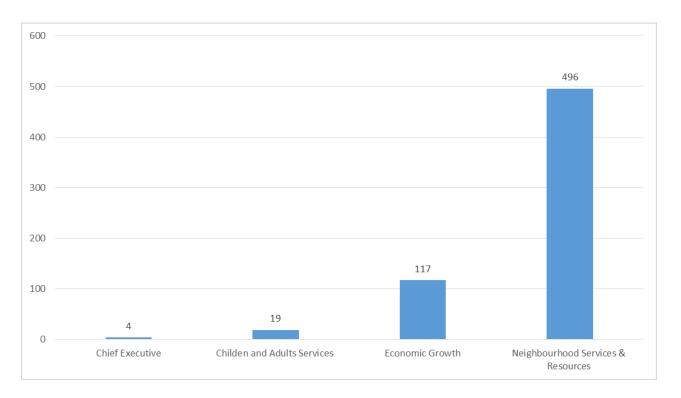
The Council received 79 compliments, a decrease from 106 in 2016/17.

The Council also received 224 comments, an increase from 195 in 2016/17.

Total Complaints, Compliments and Comments

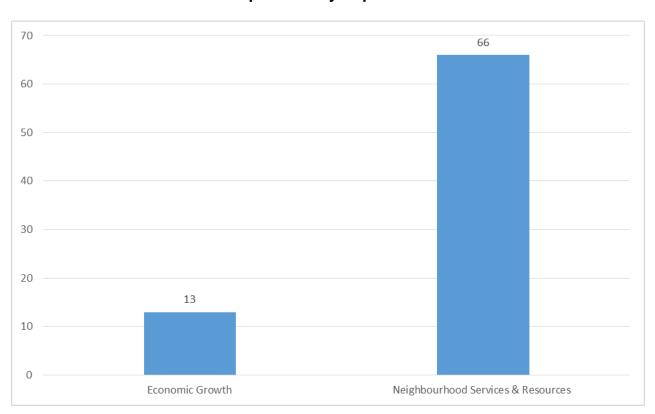


Complaints by Department

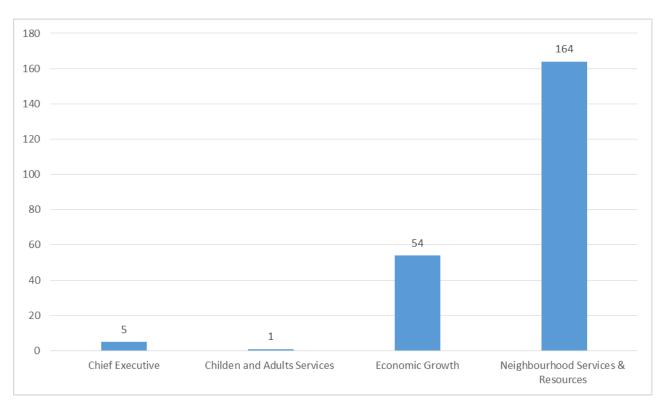


Neighbourhood Services and Resources received 496 complaints, a significant increase from 284 in 2016/17.

Compliments by Department



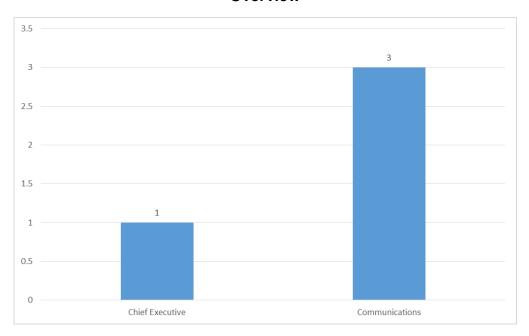
Comments by Department



Complaints, Compliments and Comments by Department Chief Executive

Complaints by Service Area/Team

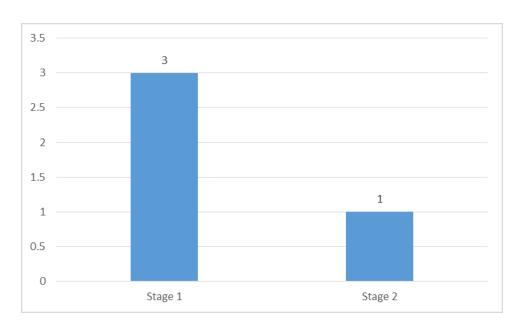
Overview



Chief Executive received 4 complaints, an increase from 2 in 2016/17.

Communications received 3 complaints, compared to 2 in 2016/17.

Complaints by Stage



N.B. 1 complaint was escalated directly to Stage 2.

Compliments by Service Area/Team

Chief Executive received 0 compliments, the same as in 2016/17.

Comments by Service Area/Team

Chief Executive received 5 comments, an increase from 1 in 2016/17.

Complaint by Outcome

The below tables show the decisions reached on complaints during 2017/18.

Stage 1

	Service Area/Team	Closed With No Response	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
	Chief Executive	0	0	0	0	0	0	0	0
	Strategy, Performance & Communications	0	0	0	0	0	0	0	0
	Communications	0	0	0	0	1	0	0	1
_	Total for Communications	0	0	0	0	1	0	0	1
Pag	Total for Strategy, Performance & Communications	0	0	0	0	1	0	0	1
ge	Total for Chief Executive	0	0	0	0	1	0	0	1
<u>~</u>	Total	0	0	0	0	1	0	0	1

Stage 2

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Chief Executive	0	0	0	1	0	1
Total for Chief Executive	0	0	0	1	0	1
Total	0	0	0	1	0	1

Organisational Learning

All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, a service improvement was made following a complaint investigation during 2017/18.

Communications

Following the complaint determined for Communications it was agreed the Council would ensure it included all responses in future consultation evaluations.

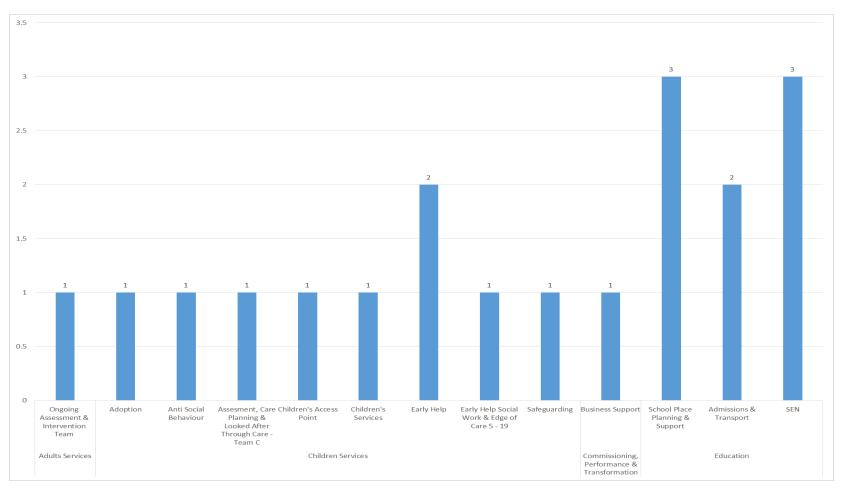
Further recommendations

There are no further recommendations for Chief Executive.

Children and Adults Services

Complaints by Service Area/Team

Overview



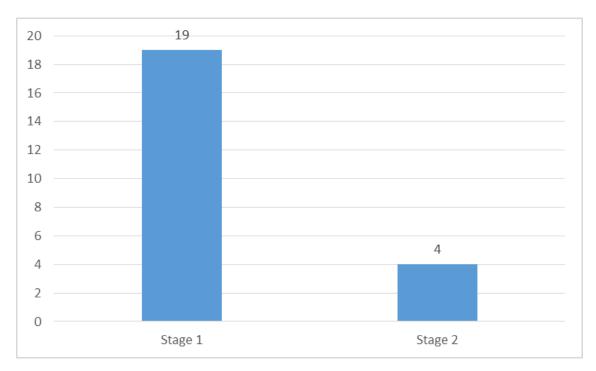
Children & Adult Services recevied 19 complaints, a decrease from 22 in 2016/17.

Adults Services received 1 complaint, a decrease from 3 in 2016/17.

Children Services received 9 complaints, an increase from 3 in 2016/17.

Eduction received 8 complaints, a decrease from 16 in 2016/17. Admissions and Transport received 2 complaints, a decrease from 10 in 2016/17 and SEN received 3 complaints, a decrease from 5 in 2016/17.

Complaints by Stage



Compliments by Service Area/Team

Children & Adults Services received 0 corporate compliments, a decrease from 2 in 2016/17.

Comments by Service Area/Team

Children & Adults Services received one corporate comment for Admissions & Transport during 2017/18, the same as in 2016/17.

Complaint by Outcome

The below tables show the decisions reached on complaints during 2017/18.

Stage 1

Service Area/Team	Closed With No Response	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Children and Adults Services	0	0	0	0	0	0	0	0
Adult Social Care	0	0	0	0	0	0	0	0
Adults	0	0	0	0	0	0	0	0
Ongoing Assessment & Intervention Team	0	0	0	0	0	1	0	1
Total for Ongoing Assessment & Intervention Team	0	0	0	0	o	1	0	1
Total for Adults	0	0	0	0	0	1	0	1
Total for Adult Social Care	0	0	0	0	0	1	0	1
Children's Services	0	0	0	0	0	1	0	1
Ass., Care Planning & Looked After Through Care	0	0	0	0	0	0	0	0
Team C	0	0	0	1	0	0	0	1
Total for Team C	0	0	0	1	0	0	0	1
Total for Ass., Care Planning & Looked After Through Care	o	0	0	1	o	0	0	1
Education Lead Role	0	0	0	0	1	0	0	1
Total for Education Lead Role	0	0	0	0	1	0	0	1
First Contact & Early Help Services	0	0	0	0	0	0	0	0
Children's Access Point	0	0	0	1	0	0	0	1
Total for Children's Access Point	0	0	0	1	0	0	0	1
Early Help	0	0	0	0	0	1	0	1
Total for Early Help	0	0	0	0	0	1	0	1
Youth Offending Service	0	0	0	0	0	0	0	0
Anti Social Behaviour	0	0	0	1	0	0	0	1
Total for Youth Offending Service	0	0	0	1	0	0	0	1
Total for First Contact & Early Help Services	0	0	0	2	o	1	O	3
Placements & Adoption	0	0	0	0	0	0	0	0
Adoption	0	0	0	0	0	1	0	1

	Total for Adoption	0	0	0	0	0	1	0	1
	Total for Placements & Adoption	0	0	0	0	0	1	0	1
	Quality Assurance & Practice Improvement	0	0	0	0	0	0	0	0
	Safeguarding	0	0	0	1	0	0	0	1
	Total for Safeguarding	0	0	0	1	0	0	0	1
	Total for Quality Assurance & Practice Improvement	0	0	0	1	0	0	0	1
	Review and Development Safeguarding	0	0	0	0	0	0	1	1
	Total for Review and Development Safeguarding	0	0	0	0	0	0	1	1
	School and Pupil Support	0	0	0	0	0	0	0	0
	Admissions and Transport	0	0	0	1	0	0	0	1
	Total for Admissions and Transport	0	0	0	1	0	0	0	1
	Special Educational Needs	0	0	0	0	2	0	0	2
rage 15	Total for Special Educational Needs	0	0	0	0	2	0	0	2
	Total for School and Pupil Support	0	0	0	1	2	0	0	3
	Total for Children's Services	0	0	0	5	3	3	1	12
	Commissioning, Performance &	0	0	0	0	0	0	0	0
56	Business Support	0	0	0	1	0	0	0	1
	Total for Business Support	0	0	0	1	0	0	0	1
	Total for Commissioning, Performance & Transformation	0	0	0	1	0	0	0	1
	Education	0	0	0	0	0	0	0	0
	School Place Planning & Support Services	0	0	0	1	0	1	1	3
	Total for School Place Planning & Support Services	0	0	0	1	0	1	1	3
	SEN	0	0	0	0	0	0	0	0
	Admissions & Transport	0	0	1	1	0	0	0	2
	Total for Admissions & Transport	0	0	1	1	0	0	0	2
	SEN	0	0	0	0	0	2	0	2
	Total for SEN	0	0	0	0	0	2	0	2
	Total for SEN	0	0	1	1	0	2	0	4
	Total for Education	o	0	1	2	0	3	1	7
	Total for Children and Adults Services	0	0	1	8	3	7	2	21

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Stage 2

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Children and Adults Services	0	0	0	0	0	0
Children's Services	0	0	0	0	0	0
Quality Assurance & Practice Improvement	0	0	0	0	0	0
Safeguarding	0	1	0	0	0	1
Total for Safeguarding	0	1	0	0	0	1
Total for Quality Assurance & Practice Improvement	0	1	0	0	0	1
School and Pupil Support	0	0	0	0	0	0
Special Educational Needs	0	0	2	0	0	2
Total for Special Educational Needs	0	0	2	0	0	2
Total for School and Pupil Support	0	0	2	0	0	2
Total for Children's Services	0	1	2	0	0	3
Total for Children and Adults Services	0	1	2	0	0	3

Organisational Learning

All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, several service improvements were made following complaint investigations during 2017/18. Some examples of these are detailed below.

Admissions and Transport

The Council agreed to inform providers they must contact parents before a change of transport provider.

The Council agreed to discuss with staff the need to check with Democratic Services regarding whether or not appeal paperwork has been received, so they can provide parents a definite answer.

The Council agreed to discuss with staff the assessment needed to ascertain whether a parent is in receipt of the maximum level of working tax credit for the purposes of a free bus pass.

The Council considered providing details of the existing routes to parents so they can make an informed decision about whether or not to apply for a place on non-statutory school transport and ensured that where a stop is no longer used along an existing route that stop is removed from the route.

Special Educational Needs (SEN)

It was agreed that the Council would ensure that where an early years setting, further education college or other post-16 institution does not reply to a request to convene and hold a meeting on the Council's behalf or refuses to do so, the Council would put timely arrangements in place to ensure the EHC Plan is reviewed in accordance with the Children and Families Act 2014.

All SEN case workers were reminded of the need to follow up on actions in a timely manner, using time management tools as appropriate, in particular submitting transport requests in a timely manner and liaising with transport staff as soon as they become aware of a need for transport.

The Council agreed to ensure the required notice period is given in relation to future reviews and a reasonable period of time is allowed for individuals to complete their section of the EHC Plan, within the maximum time permitted.

Education Lead Role

It was agreed the Safeguarding Board would formally consider a policy on peer on peer bullying.

Refresher training was also provided for staff with regards to professional conduct.

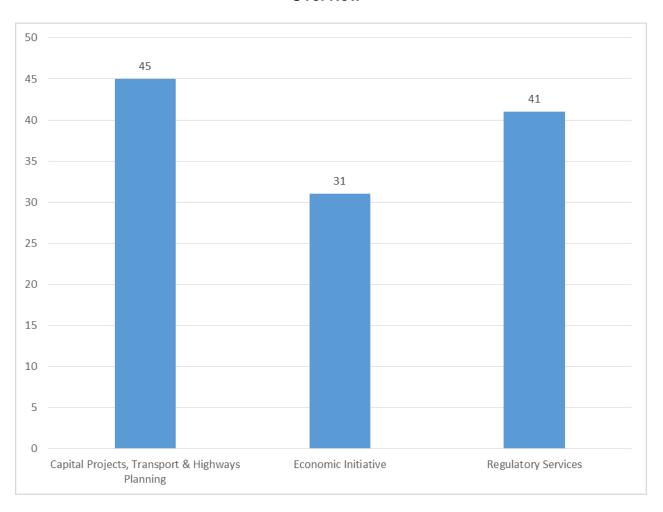
Further recommendations

There are no further recommendations for Children & Adult Services.

Complaints, Compliments and Comments by Department Economic Growth

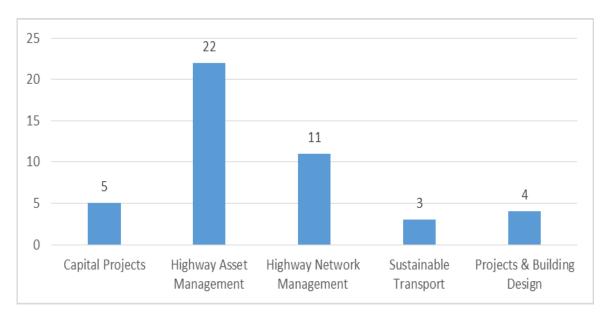
Complaints by Service Area/Team

Overview



Economic Growth received 117 complaints, an increase from 106 in 2016/17.

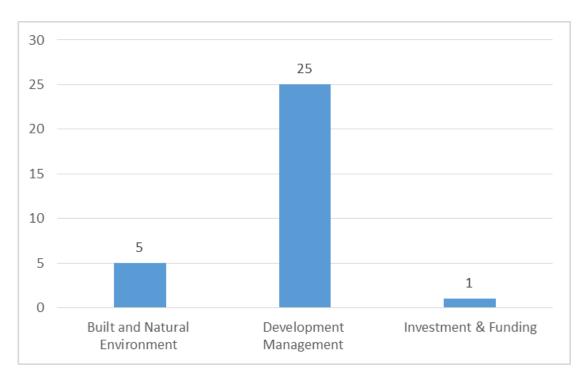
Capital Projects, Transport & Highways



Highway Asset Management received 22 complaints, compared to 21 2016/17. There were no discernable themes in the complaints received.

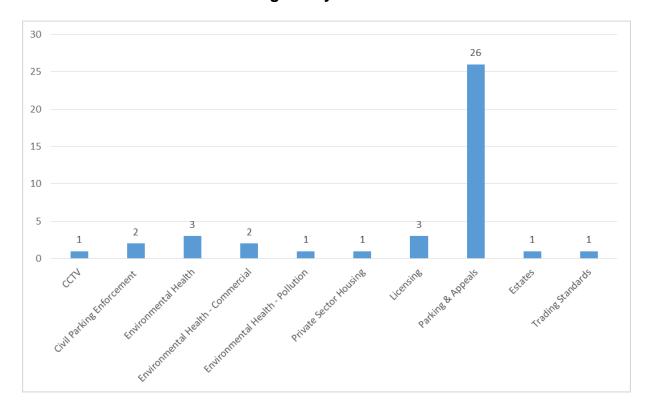
Highway Network Management received 11 complaints, a decrease from 20 in 2016/17. This was primarily as a result of the decrease in complaints about people's dissatisfaction with the Council's decision not to renew their concessionary bus pass following the introduction of the new assessment process on 1 April 2016.

Economic Initiative



Development Management received 25 complaints, a decrease from 29 in 2016/17. The most common themes were lack of communication and people's dissatisfaction with the handling of particular planning applications.

Regulatory Services



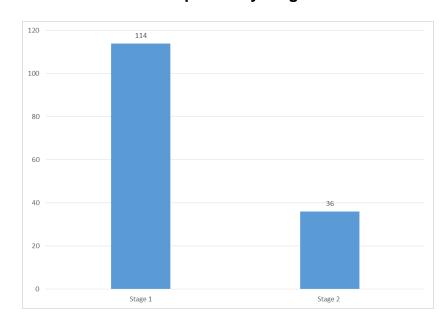
CCTV received 1 complaint, a decrease from 3 in 2016/17.

Environmental Health received 4 complaints, compared to 3 in 2016/17.

Licensing received 4 complaints, compared to 3 in 2016/17.

Parking & Appeals received 26 complaints, an increase from 14 in 2016/17. The most common cause of complaint remained dissatisfaction with staff attitude/behaviour.

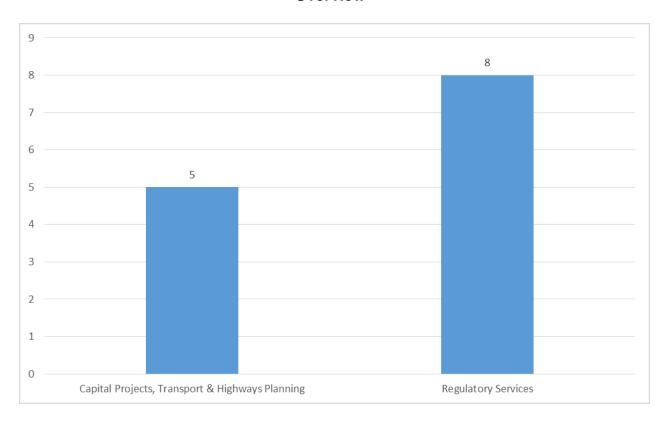
Complaints by Stage



NB. 3 complaints were escalated directly to Stage 2.

Compliments by Service Area/Team

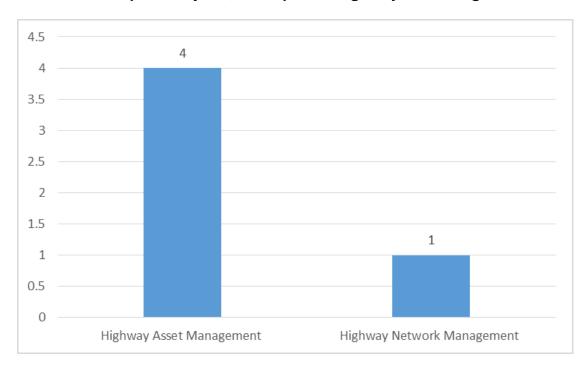
Overview



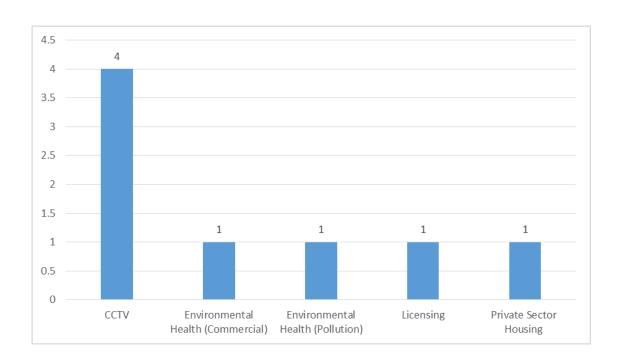
Regulatory Services received 8 compliments, compared to 3 in 2016/17.

Capital Projects, Transport & Highways Planning received 5 compliments, a decrease from 8 in 2016/17.

Capital Projects, Transport & Highways Planning

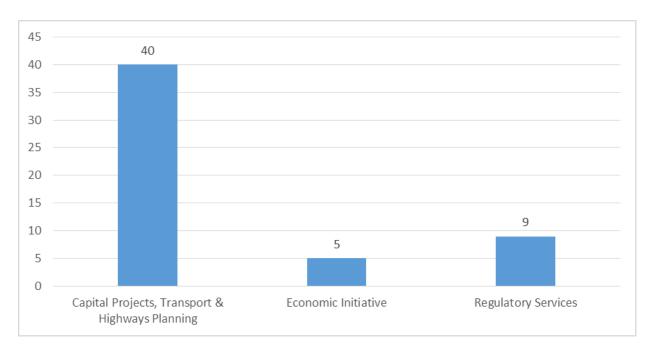


Regulatory Services



Comments by Service Area/Team

Overview

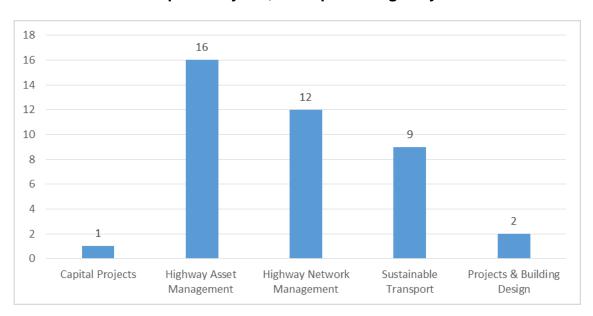


Capital Projects, Transport & Highways received 40 comments, a decrease from 50 in 2016/17.

Economic Initiative received 5 comments, an increase from 0 in 2016/17.

Regulatory Services received 9 comments, the same number as in 2016/17.

Capital Projects, Transport & Highways

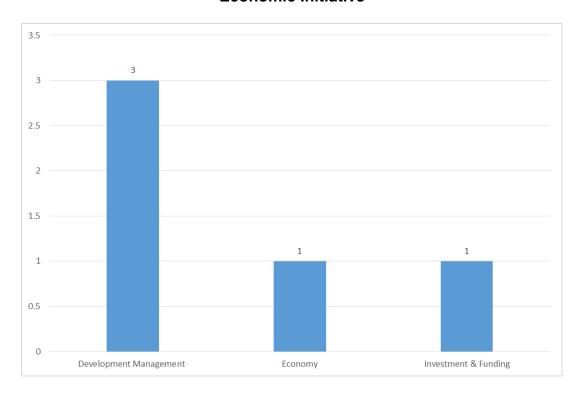


Capital Projects received 1 comment, the same number as in 2016/17.

Highway Asset Management received 16 comments, a decrease from 24 in 2016/17 and Highways Network Management received 12 comments, a decrease from 25 in 2016/17. Common themes included signage, road works and residents parking in various locations. The reduction in comments for Highway Network Management can in part be attributed the recording of comments about Sustainable Transport under a separate heading.

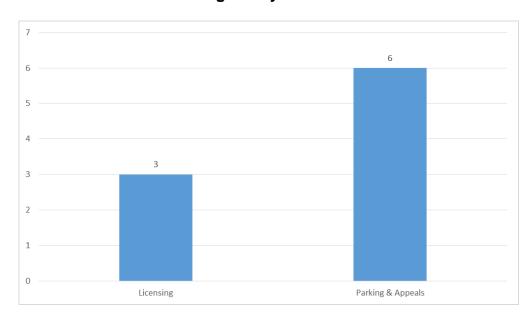
Projects & Building Design received 2 comments, compared to 0 in 2016/17.

Economic Initiative



Economic Initiate received 5 comments, an increase from 0 in 2016/17.

Regulatory Services



Licensing received 3 comments, an increase from 1 in 2016/17.

Parking & Appeals received 6 comments, an increase from 4 in 2016/17. Residents Parking was the most common issue.

Complaints by Outcome

The below tables show the decisions reached on complaints during 2017/8.

Stage 1

	Service Area/Team	Closed With No Response	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
•	Economic Growth	0	0	0	0	0	0	0	0
	Capital Projects, Transport & Highways Planning	0	0	0	0	0	0	0	0
	Capital Projects	0	0	0	1	0	3	0	4
	Total for Capital Projects	0	0	0	1	0	3	0	4
	Total for Highway Asset Management	1	0	0	9	1	3	2	16
	Sustainable Transport	0	0	0	3	0	0	0	3
	Total for Sustainable Transport	0	0	0	3	0	0	0	3
_	Total for Highway Network Management	0	1	0	12	0	0	1	14
Pa	Total for Projects & Building Design	0	0	0	2	1	1	0	4
age	Total for Capital Projects, Transport & Highways Planning	1	1	0	24	2	7	3	38
6	Economic Initiative	0	0	0	0	0	0	0	0
ö	Built and Natural Environment	0	2	0	1	0	0	1	4
	Total for Built and Natural Environment	0	2	0	1	0	0	1	4
	Total for Development Management	1	7	1	4	3	2	3	21
	Total for Investment & Funding	0	0	1	0	0	0	0	1
	Total for Place Strategy	0	0	0	0	1	0	0	1
	Total for Economic Initiative	1	9	2	5	4	2	4	27
	Regulatory Services	0	0	0	0	0	0	0	0
	CCTV & Parking	0	0	0	0	0	0	0	0
	CCTV	0	0	0	0	1	0	0	1
	Total for CCTV	0	0	0	0	1	0	0	1
	Total for Civil Parking Enforcement	0	0	0	2	0	0	0	2
	Total for CCTV & Parking	0	0	0	2	1	0	0	3
	Commercial	0	0	0	0	0	0	2	2
	Total for Commercial	0	0	0	0	0	0	2	2
	Total for Pollution	0	0	0	1	0	0	0	1
	Total for Environmental Health	0	0	0	2	1	0	2	5
	Total for Parking	1	0	1	0	0	0	0	2

	Private Sector Housing	0	0	0	1	0	0	0	1
	Total for Private Sector Housing	0	0	0	1	0	0	0	1
	Licensing	0	0	0	2	0	1	0	3
	Total for Licensing	0	0	0	2	0	1	0	3
	Total for Parking & Appeals	0	0	0	15	5	5	0	25
	Total for Private Sector Housing, Licensing & Parking	0	0	0	17	5	6	0	28
	Total for Property and Asset Management	0	0	0	1	0	2	0	3
	Property Asset Management	0	0	0	0	0	0	0	0
	Estates	0	0	0	1	0	0	0	1
	Total for Estates	0	0	0	1	0	0	0	1
	Total for Property Asset Management	0	0	0	1	0	0	0	1
	Trading Standards/Animal Welfare	0	0	0	0	0	0	0	0
	Trading Standards	0	0	0	1	0	0	0	1
	Total for Trading Standards	0	0	0	1	0	0	0	1
	Total for Trading Standards/Animal Welfare	0	0	0	1	0	0	0	1
	Total for Regulatory Services	1	0	1	25	7	8	2	44
	Transport & Capital Projects	0	0	0	0	0	0	0	0
	Highway Asset Management	0	0	1	0	0	0	0	1
π	Total for Highway Asset Management	0	0	1	0	0	0	0	1
ag	Total for Transport & Capital Projects	0	0	1	0	0	0	0	1
је 1	Total for Economic Growth	3	10	4	54	13	17	9	110
69									

Stage 2

	Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
	Economic Growth	0	0	0	0	0	0
	Capital Projects, Transport & Highways Planning	0	0	0	0	0	0
	Highway Asset Management	0	1	2	0	0	3
	Total for Highway Asset Management	0	1	2	0	0	3
	Highway Network Management	0	2	1	0	0	3
	Total for Highway Network Management	0	2	1	0	0	3
	Projects & Building Design	1	0	0	0	0	1
	Total for Projects & Building Design	1	0	0	0	0	1
	Total for Capital Projects, Transport & Highways Planning	1	3	3	0	o	7
	Economic Initiative	0	0	0	0	0	0
	Built and Natural Environment	0	1	1	1	0	3
_	Total for Built and Natural Environment	0	1	1	1	0	3
Ď	Development Control	0	0	1	0	0	1
age	Total for Development Control	0	0	1	0	0	1
æ	Development Management	0	7	3	1	0	11
	Total for Development Management	0	7	3	1	0	11
70	Total for Economic Initiative	0	8	5	2	0	15
	Regulatory Services	0	0	0	0	0	0
	Environmental Health	0	1	0	0	0	1
	Pollution	0	1	0	0	0	1
	Total for Pollution	0	1	0	0	0	1
	Total for Environmental Health	0	2	0	0	0	2
	Licensing	0	0	0	0	1	1
	Total for Licensing	0	0	0	0	1	1
	Private Sector Housing	0	0	1	0	0	1
	Total for Private Sector Housing	0	0	1	0	0	1
	Private Sector Housing, Licensing & Parking	0	0	0	0	0	0
	Licensing	0	1	0	0	0	1
	Total for Licensing	0	1	0	0	0	1
	Parking & Appeals	0	3	1	0	0	4
	Total for Parking & Appeals	0	3	1	0	0	4
	Total for Private Sector Housing, Licensing & Parking	0	4	1	0	0	5
	Property and Asset Management	0	1	0	0	0	1
	Total for Property and Asset Management	0	1	0	0	0	1
	Property Asset Management	0	0	0	0	0	0

Estates	0	1	0	0	0	1
Total for Estates	0	1	0	0	0	1
Total for Property Asset Management	0	1	0	0	0	1
Total for Regulatory Services	0	8	2	0	1	11
Transport & Capital Projects	0	0	0	0	0	0
Capital Projects	0	0	0	0	1	1
Total for Capital Projects	0	0	0	0	1	1
Highway Asset Management	0	1	0	0	0	1
Total for Highway Asset Management	0	1	0	0	0	1
Highways Network Management	0	0	0	1	0	1
Total for Highways Network Management	0	0	0	1	0	1
Total for Transport & Capital Projects	0	1	0	1	1	3
Total for Economic Growth	1	20	10	3	2	36

Organisational Learning

All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, several service improvements were made following complaint investigations during 2017/18. Some examples of these are detailed below.

Development Management

It was agreed the Development Manager would ensure all reports deal with proper planning analysis of the proposals against the development plan and that neighbour comments are fully explored and assessed in the report.

It was also agreed the Development Manager would review the use of conditions, provide training for officers in the use of conditions and there construction and improve scrutiny of reports in this respect.

It was agreed the Council would refer explicitly within application reports to the duty to determine applications in accordance with the Development Plan unless material considerations indicate otherwise i.e. the duty under section 38(6) of the Planning and Compulsory Purchase Act 2004.

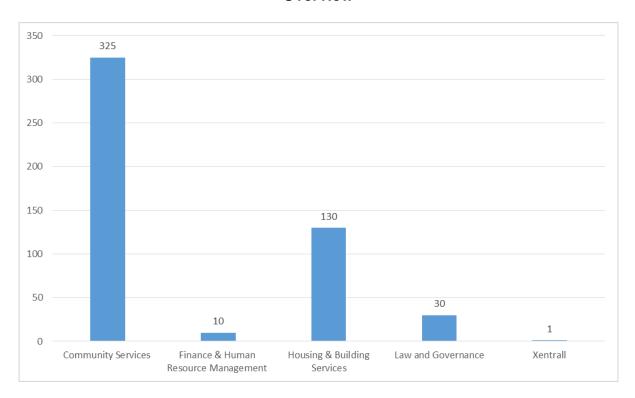
It was also agreed there would be a review of enforcement processes where breaches of planning have occurred but are not harmful so that these may be closed as soon as possible.

Further recommendations

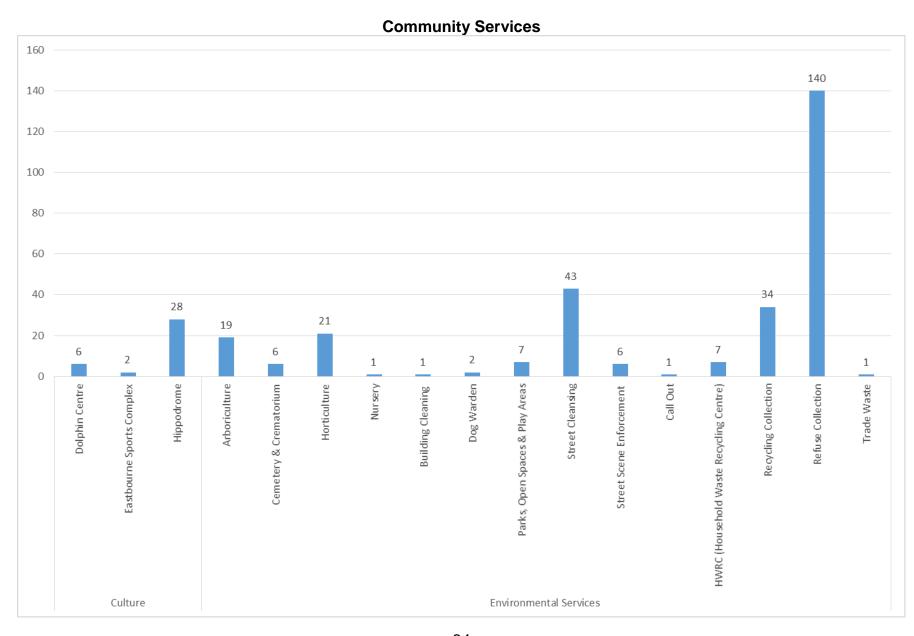
There are no further recommendations for Economic Growth.

Complaints, Compliments and Comments by Department Neighbourhood Services and Resources Complaints by Service Area/Team

Overview



Community Services received 325 complaints, a significant increase from 192 in 2016/17.



Dolphin Centre received 6 complaints, an increase from 4 in 2016/17.

Hippodrome received 28 complaints, an increase from 3 in 2016/17 (this was as a result of the theatre being closed for refurbishment during 2016/17). The Civic Theatre received 24 complaints during 2015/16. The most common themes were issues with seating and communication/bookings.

Arboriculture received 19 complaints, a decrease from 22 in 2016/17. As in 2016/17 these complaints generally resulted from a lack of response to initial enquiries and/or dissatisfaction with a decision not to undertake works to a tree for the reasons requested.

Cemeteries and Crematorium received 6 complaints, an increase from 4 in 2016/17.

Street Cleansing received 43 complaints, an increase from 22 in 2016/17. These primarily related to the lack and quality of service provided.

Street Scene Enforcement received 6 complaints, a decrease from 11 in 2016/17.

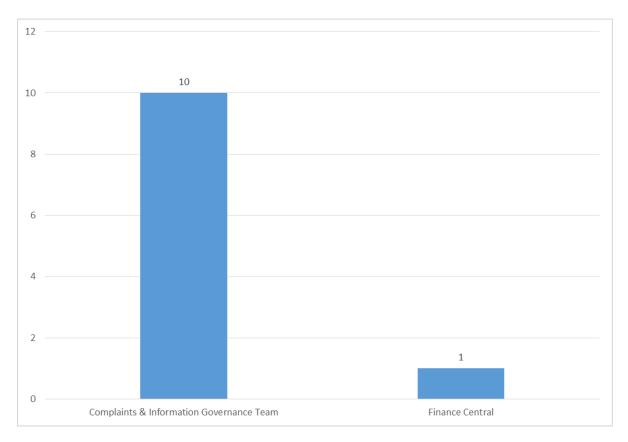
Horticulture received 21 complaints, an increase from 15 for Grounds Maintenance in 2016/17. These primarily related to grass cutting.

Household Waste Recycling Centre (HWRC) received 7 complaints, an increase from 5 in 2016/17.

Recycling Collection received 34 complaints, compared to 35 in 2016/17. Complaints primarily related to collections being missed on one or more occasions.

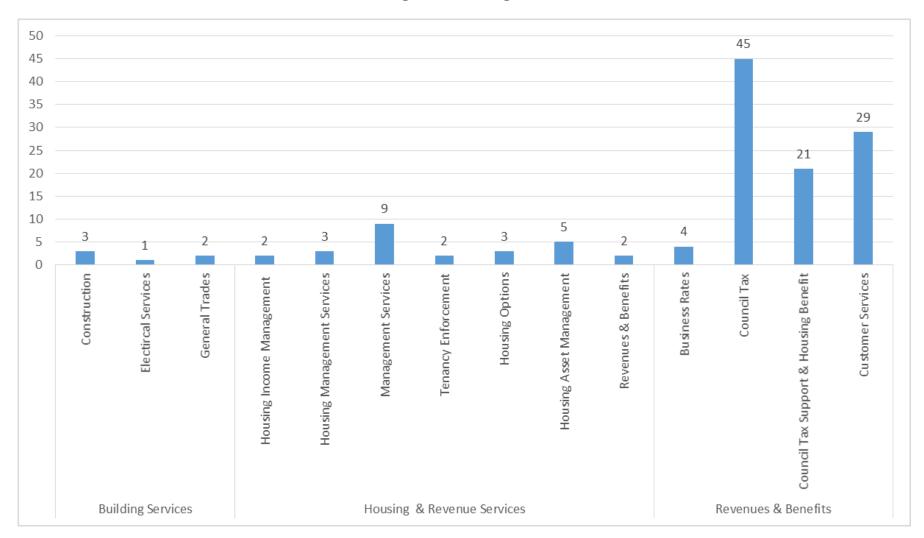
Refuse Collection received 140 complaints, an increase from 56 in 2016/17. Complaints primarily related to collections being missed on one or more occasions. The significant increase in complaints can be attributed to people being more inclined to complain following the introduction of the policy to no longer providing recall service.

Finance and Human Resource Management



The Complaints and Information Governance Team received 10 complaints, an increase from 1 in 2016/17. The most common theme was dissatisfaction with the response to a subject access request.

Housing and Building Services



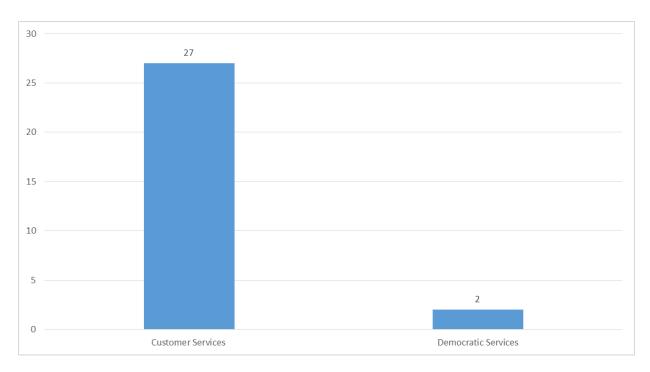
Housing Management Services/Management Services received 12 corporate complaints, compared to 3 in 2016/17. There were no discernable themes in the complaints received.

Council Tax received 45 complaints, compared to 35 in 2016/17. Half of the complaints received concerned people's dissatisfaction with the move to on-line forms.

Council Tax Support and Housing Benefit received 21 complaints, an increase from 10 in 2016/17. These related to people's dissatisfaction with the service and information provided.

Customer Services received 56 complaints (27 while located within Law and Governance - below and a further 29 following them being relocated within Housing and Building Services), an increase from 17 in 2016/17. The most common theme was dissatisfaction with telephone waiting times. Other issues complained about included the attitude of Customer Service Advisors and the accuracy of the advice provided.

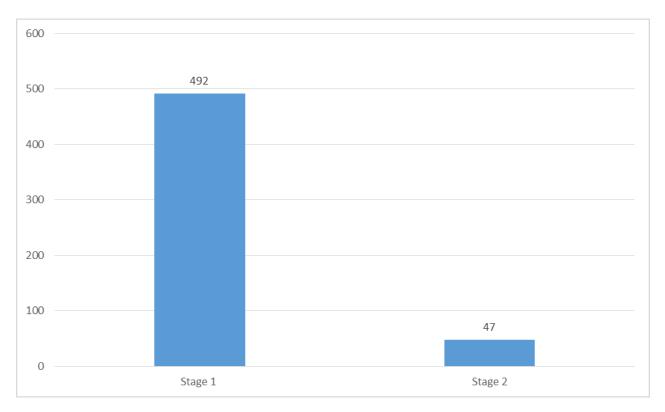
Law and Governance



For full details of Customer Services complaints please see the Housing and Building Services section above.

Democratic services received 2 complaints, compared to 1 in 2016/17.

Complaints by Stage



N.B. 4 complaints were escalated directly to stage 2.

Complaint by Outcome

The below tables show the decisions reached on complaints during 2017/18.

Stage 1 Outcomes

	Service Area/Team	Closed With No Response	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
	Neighbourhood Services & Resources	0	0	0	0	0	0	0	0
	Assistant Director Chief Executive's	0	0	0	0	0	0	0	0
	Democratic & Customer Services	0	0	0	0	0	0	0	0
	Customer Services	0	0	1	0	0	0	0	1
	Total for Customer Services	0	0	1	0	0	0	0	1
	Total for Democratic & Customer Services	0	0	1	0	0	0	0	1
ס	Organisational Planning	0	0	0	0	0	0	0	0
മ്	Web & Social Media	1	0	0	0	0	0	0	1
چ	Total for Web & Social Media	1	0	0	0	0	0	0	1
Œ	Total for Organisational Planning	1	0	0	0	0	0	0	1
180	Total for Assistant Director Chief Executive's	1	0	1	0	0	0	0	2
	Community Services	0	0	0	0	0	0	0	0
	Culture	0	0	0	0	0	0	0	0
	Dolphin Centre	0	0	0	1	1	3	1	6
	Total for Dolphin Centre	0	0	0	1	1	3	1	6
	Eastbourne Sports Complex	0	0	0	0	0	2	0	2
	Total for Eastbourne Sports Complex	0	0	0	0	0	2	0	2
	Healthy Darlington	0	0	0	0	0	1	0	1
	Total for Healthy Darlington	0	0	0	0	0	1	0	1
	Hippodrome	0	0	1	2	0	10	1	14
	Total for Hippodrome	0	0	1	2	0	10	1	14
	Total for Culture	0	0	1	3	1	16	2	23
	Environmental Services	0	0	0	0	0	0	0	0
	Arboriculture	0	3	0	12	3	4	0	22
	Total for Arboriculture	0	3	0	12	3	4	0	22
	Cemetery & Crematorium	0	0	2	0	0	2	1	5
	Total for Cemetery & Crematorium	0	0	2	0	0	2	1	5
	Environmental Crime &	0	0	0	0	0	1	0	1

	Enforcement								
	Total for Environmental Crime & Enforcement	0	0	0	0	0	1	0	1
	Horticulture	0	0	0	7	2	10	1	20
	Total for Horticulture	0	0	0	7	2	10	1	20
	HWRC	0	0	0	1	0	0	0	1
	Total for HWRC	0	0	0	1	0	0	0	1
	Junk/House Clearances	0	0	0	1	0	0	1	2
	Total for Junk/House Clearances	0	0	0	1	0	0	1	2
	Nursery	0	0	1	0	0	0	0	1
	Total for Nursery	0	0	1	0	0	0	0	1
	Recycling Collection	0	0	0	2	0	0	0	2
	Total for Recycling Collection	0	0	0	2	0	0	0	2
	Refuse Collection	0	0	0	1	0	0	0	1
	Total for Refuse Collection	0	0	0	1	0	0	0	1
	Street Cleaning	0	0	1	1	0	1	0	3
	Total for Street Cleaning	0	0	1	1	0	1	0	3
	Street Scene	0	0	0	0	0	0	0	0
	Dog Warden	0	0	0	1	0	1	0	2
Page	Parks, Open Spaces & Play Areas	0	0	0	5	0	0	0	5
Õ	Street Cleansing	0	0	0	14	5	18	1	38
Ø	Street Scene Enforcement	0	0	0	4	0	2	0	6
	Total for Street Scene	0	0	0	24	5	21	1	51
∞	Waste & Transport Services	0	0	0	0	0	0	0	0
	Call Out	0	0	0	1	0	0	0	1
	HWRC	0	0	0	4	1	0	0	5
	Recycling Collection	0	0	3	12	1	17	0	33
	Refuse Collection	0	0	12	63	5	51	1	132
	Trade Waste	0	0	0	0	0	1	0	1
	Total for Waste & Transport Services	0	0	15	80	7	69	1	172
	Total for Environmental Services	0	3	19	129	17	108	5	281
	Total for Community Services	0	3	20	132	18	124	7	304
	Finance & Human Resource Management	0	0	0	0	0	0	0	0
	Complaints & Information Governance Team	0	0	0	3	1	1	0	5
	Total for Complaints & Information Governance Team	0	0	0	3	1	1	0	5
	Total for Finance & Human Resource Management	0	0	0	3	1	1	0	5

	Housing & Building Services	0	0	0	0	0	0	0	0
	Building Services	0	0	0	0	0	0	0	0
	Construction	0	0	0	1	2	0	0	3
	Total for Construction	0	0	0	1	2	0	0	3
	Maintenance	0	0	0	0	0	0	0	0
	Electrical Services	0	0	0	0	0	1	0	1
	General Trades	0	0	1	0	0	0	1	2
	Total for Maintenance	0	0	1	0	0	1	1	3
	Total for Building Services	0	0	1	1	2	1	1	6
	Housing & Revenue Services	0	0	0	0	0	0	0	0
	Housing Income Management	0	0	0	1	0	0	0	1
	Total for Housing Income Management	0	0	0	1	0	0	0	1
	Housing Management Services	0	0	0	2	1	0	0	3
	Management Services	0	0	3	3	2	0	0	8
	Tenancy Enforcement	0	0	1	1	0	0	0	2
	Total for Housing Management Services	0	0	4	6	3	0	0	13
	Housing Options & Lifeline	0	0	0	0	0	0	0	0
Ţ	Housing Options	0	0	0	1	1	0	0	2
<u>a</u>	Total for Housing Options & Lifeline	0	0	0	1	1	0	0	2
Page	Total for Housing & Revenue Services	0	0	4	8	4	0	0	16
,,	Housing Asset Management	0	0	0	2	3	0	0	5
<u>~</u>	Total for Housing Asset Management	0	0	0	2	3	0	0	5
Ñ	Housing Services	0	0	0	0	0	0	0	0
	Housing Management	0	0	0	1	0	1	0	2
	Total for Housing Management	0	0	0	1	0	1	0	2
	Housing Options & Advice	0	0	1	0	0	0	0	1
	Total for Housing Options & Advice	0	0	1	0	0	0	0	1
	Total for Housing Services	0	0	1	1	0	1	0	3
	Revenues & Benefits	0	0	0	0	0	1	0	1
	Business Rates	0	0	0	1	2	0	0	3
	Total for Business Rates	0	0	0	1	2	0	0	3
	Council Tax	0	0	1	33	3	6	2	45
	Total for Council Tax	0	0	1	33	3	6	2	45
	Council Tax Support & Housing Benefit	0	0	2	9	5	2	0	18
	Total for Council Tax Support & Housing Benefit	o	0	2	9	5	2	0	18
	Customer Services	0	0	2	10	4	6	0	22
	Total for Customer Services	0	0	2	10	4	6	0	22
	Total for Revenues & Benefits	0	0	5	53	14	15	2	89
	Total for Housing & Building Services	0	0	11	65	23	17	3	119

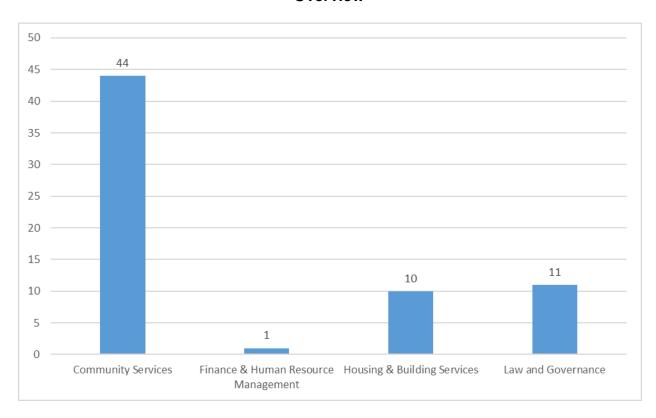
Law and Governance	0	0	0	0	0	0	0	0
Democratic and Customer Services	0	0	0	0	0	0	0	0
Customer Services	0	0	3	5	5	12	3	28
Total for Customer Services	0	0	3	5	5	12	3	28
Democratic Services	0	0	0	2	0	1	0	3
Total for Democratic Services	0	0	0	2	0	1	0	3
Total for Democratic and Customer Services	0	0	3	7	5	13	3	31
Total for Law and Governance	0	0	3	7	5	13	3	31
Xentrall Shared Services	0	0	0	1	0	0	0	1
Total for Xentrall Shared Services	0	0	0	1	o	0	0	1
Total for Neighbourhood Services & Resources	1	3	35	208	47	155	13	462

Stage 2 Outcomes

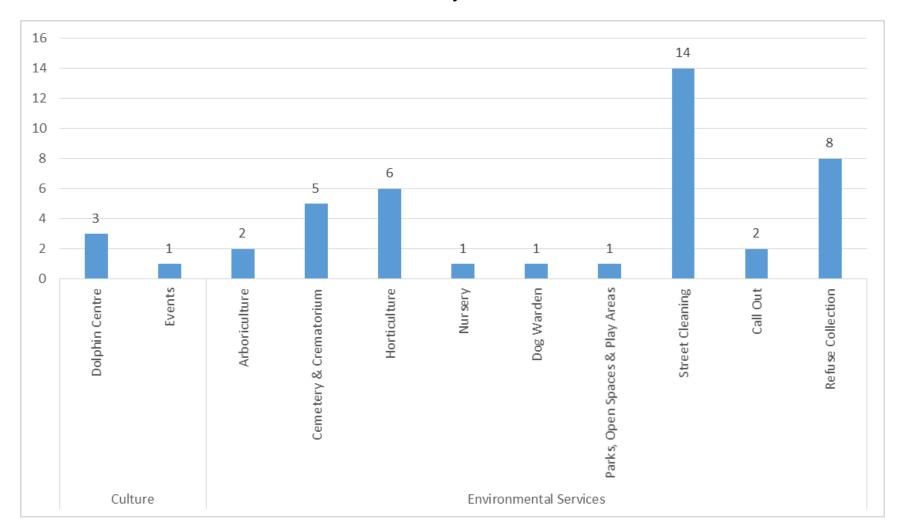
	Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
•	Neighbourhood Services & Resources	0	0	0	0	0	0
	Community Services	0	0	0	0	0	0
	Environmental Services	0	0	0	0	0	0
	Arboriculture	0	2	5	1	0	8
	Total for Arboriculture	0	2	5	1	o	8
	Cemetery & Crematorium	0	0	0	0	1	1
	Total for Cemetery & Crematorium	0	0	0	0	1	1
	Horticulture	0	0	2	0	0	2
	Total for Horticulture	0	0	2	0	0	2
	HWRC	0	1	0	0	0	1
	Total for HWRC	0	1	0	0	0	1
	Street Scene	0	0	0	0	0	0
_	Street Cleansing	0	0	1	0	0	1
$\frac{1}{2}$	Street Scene Enforcement	0	1	0	0	0	1
age	Total for Street Scene	0	1	1	0	0	2
$\overline{\Phi}$	Waste & Transport Services	0	0	0	0	0	0
_	Recycling Collection	0	0	0	1	0	1
ÓΩ	Refuse Collection	0	2	0	2	0	4
4	Total for Waste & Transport Services	0	2	0	3	0	5
	Total for Environmental Services	0	6	8	4	1	19
	Total for Community Services	0	6	8	4	1	19
	Finance & Human Resource Management	0	0	0	0	0	0
	Complaints & Information Governance Team	0	1	0	1	0	2
	Total for Complaints & Information Governance Team	0	1	0	1	0	2
	Corporate Assurance	0	0	0	0	0	0
	Complaints & Information Governance Team	0	0	0	1	0	1
	Total for Complaints & Information Governance Team	0	0	0	1	0	1
	Total for Corporate Assurance	0	0	0	1	0	1
	Total for Finance & Human Resource Management	0	1	0	2	0	3

	Housing & Building Services	0	0	0	0	0	0
	Building Services	0	0	0	0	0	0
	Construction	0	0	1	0	0	1
	Total for Construction	o	0	1	0	0	1
	Total for Building Services	o	0	1	0	0	1
	Housing & Revenue Services	0	0	0	0	0	0
	Housing Management Services	0	1	0	0	0	1
	Total for Housing Management Services	0	1	0	0	0	1
	Total for Housing & Revenue Services	0	1	0	0	0	1
	Housing Asset Management	0	2	1	0	0	3
	Total for Housing Asset Management	0	2	1	0	0	3
	Housing Services	0	0	0	0	0	0
	Choice Based Lettings	0	1	0	0	0	1
	Total for Choice Based Lettings	0	1	0	0	0	1
	Housing Management	0	1	0	0	0	1
	Total for Housing Management	0	1	0	0	0	1
	Housing Options & Advice	0	1	0	0	0	1
	Total for Housing Options & Advice	0	1	0	0	0	1
_	Total for Housing Services	0	3	0	0	0	3
Ď	Revenues & Benefits	0	0	0	0	0	0
ac	Business Rates	0	1	0	0	0	1
ge	Total for Business Rates	0	1	0	0	0	1
_	Council Tax	0	4	1	0	0	5
∞	Total for Council Tax	0	4	1	0	0	5
Ö	Council Tax Support & Housing Benefit	1	0	1	0	0	2
	Total for Council Tax Support & Housing Benefit	1	0	1	0	0	2
	Customer Services	0	0	0	1	0	1
	Total for Customer Services	0	0	0	1	0	1
	Total for Revenues & Benefits	1	5	2	1	0	9
	Total for Housing & Building Services	1	11	4	1	0	17
	Law and Governance	0	0	0	0	0	0
	Democratic and Customer Services	0	0	0	0	0	0
	Customer Services	0	0	2	0	0	2
	Total for Customer Services	0	0	2	0	0	2
	Total for Democratic and Customer Services	0	0	2	0	0	2
	Total for Law and Governance	0	0	2	0	0	2
	Total for Neighbourhood Services & Resources	1	18	14	7	1	41

Compliments by Service Area/Team Overview



Community Services



Dolphin Centre received 3 compliments, the same number as in 2016/17.

Cemeteries and Crematorium received 5 compliments, compared to 6 in 2016/17.

Horticulture received 6 compliments, a decrease from 13 in 2016/17.

Street Cleaning received 14 compliments, compared to 15 in 2016/17.

Refuse Collection received 8 compliments, a decrease from 14 in 2016/17.

Finance and Human Resource Management

Complaint & Information Governance Team received 1 compliments, a decrease from 6 in 2016/17.

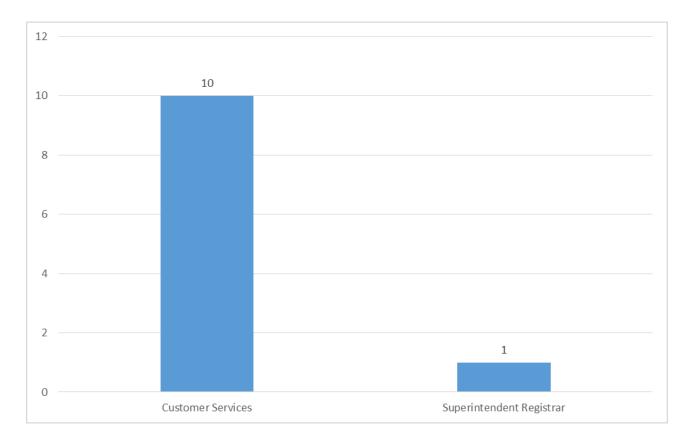




Lifeline received 6 compliments, an increase from 3 in 2016/17.

Customer Services received 14 compliments (see below), a decrease from 17 in 2016/17.

Law and Governance

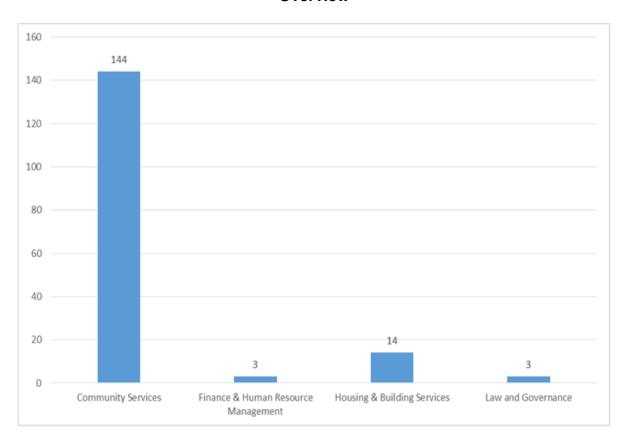


Customer Services received 14 compliments (see above), a decrease from 17 in 2016/17.

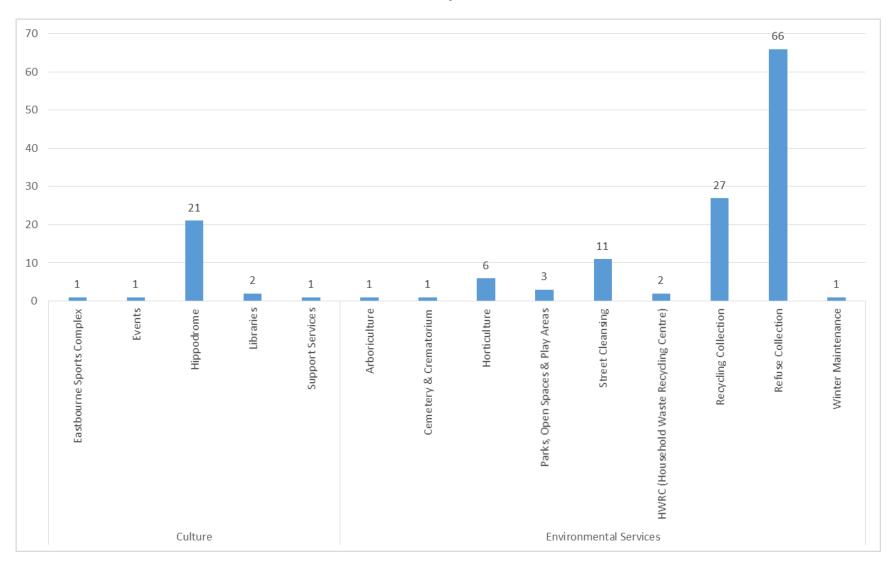
Superintendent Registrar received 1 complaint, a decrease from 3 in 2016/17.

Comments by Service Area/Team

Overview



Community Services



Hippodrome received 21 comments, an increase from 5 in 2016/17 (when the theatre was closed for refurbishment). The Civic Theatre received 15 comments 2015/16. The most common themes were ticket prices and dissatisfaction with the pantomime.

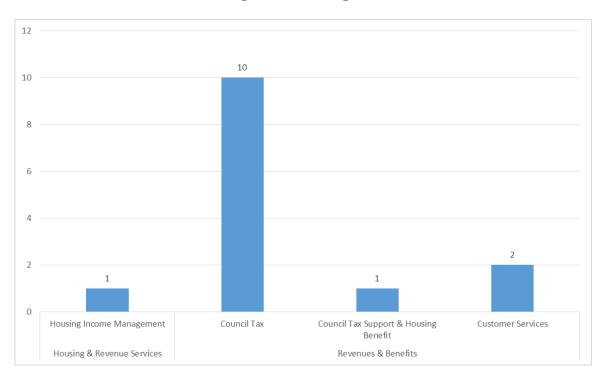
Horticulture received 6 comments, a decrease from 11 in 2016/17. There were no discernable themes in the comments received.

Parks, Open Spaces & Play Areas received 3 comments, a decrease from 6 in 2016/17.

Recycling Collection received 27 comments, an increase from 23 in 2016/17. The most common theme was people's dissatisfaction with the Council's policy to no longer provide a recall service.

Refuse Collection received 66 comments, a significant increase from 32 in 2016/17. The most common theme was people's dissatisfaction with the Council's policy to no longer provide a recall service.

Housing and Building Services



Council Tax received 10 comments, a decrease from 13 in 2016/17. There were no discernible themes.

Organisational Learning

All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, several service improvements were made following complaint investigations during 2017/18. Some examples of these are detailed below.

Arboriculture

It was recommended Arboricultural Services should review processes to ensure queries are responded to in a timely manner, Arborists have the correct equipment when attending a job and dates and times a tree was inspected are included in response letters to members of the public.

Complaints & Information Governance Team

It was agreed the Council would look at ways to improve the speed with which it is able to comply with subject access requests (requests for personal information).

Construction

The Housing Asset Manager reminded all staff of the requirement to consult with residents before commencing works to fences where necessary.

Council Tax

The technical issues customers experienced following the introduction of on-line forms have now been resolved.

Customer Services

Additional staffing resource was brought in, as a response to the complaints about telephone waiting times.

Further training was undertaken with the Casual Registrar on appropriate facilities available for breastfeeding mothers.

Healthy Darlington

It was agreed the Council would revisit the definition of disability in line with the Equality Act so that the criteria for the Healthy Darlington Everyone scheme can be updated accordingly.

Further recommendations

There are no further recommendations for Neighbourhood Services and Resources.

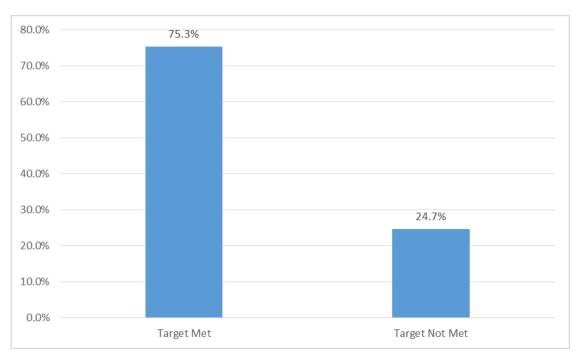
Performance against the Corporate Complaints, Compliments and Comments Procedure

Stage 1
Performance against Stage 1 acknowledgement target (3 working days)



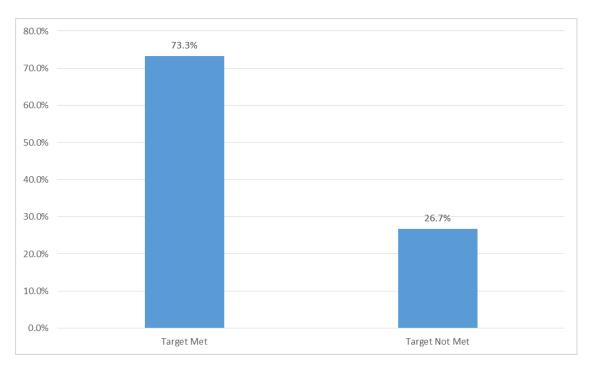
This was a reduction in performance from 95% in 2016/17.

Performance against Stage 1 response target (25 working days)



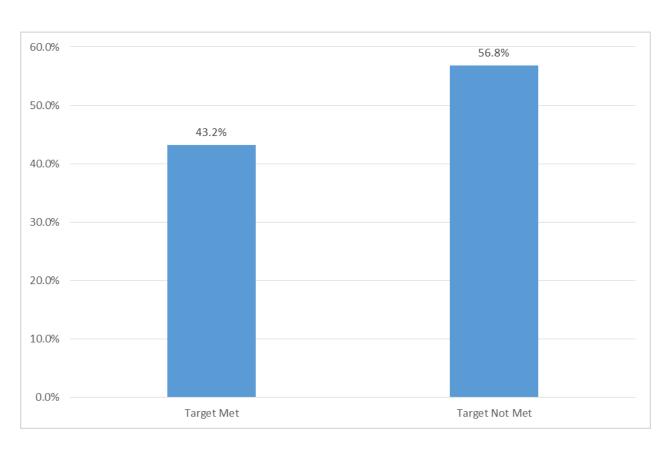
This was a reduction in performance from 76.7% in 2016/17.

Stage 2
Performance against Stage 2 acknowledgement target (3 working days)



This was a reduction in performance from 93.5% in 2016/17.

Performance against Stage 2 response target (30 working days)



This was a reduction in performance from 68.3% in 2016/17. In the majority of cases where it was not possible to respond within timescale the Complaints and Information Governance Manager agreed an extension with the complainant in accordance with the provisions of the procedure.

The overall reduction in performance can be attributed primarily to the increase in the volume of representations made under the procedure during 2017/18.

Performance against Local Performance Indicators

In relation to corporate complaints the Council's key performance indicator is the number of maladministration decisions received from the Local Government Ombudsman. The Council received 2 maladministration decision during 2017/18, an increase from 1 in 2016/17.

Full details of those complaints determined by the LGSCO are included in the Cabinet reports of 5 December 2017 and 9 October 2018 entitled Review of Outcome of Complaints Made to Ombudsman.



Housing Complaints, Compliments and Comments Annual Report 2017/18

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Introduction

This report provides an analysis of the complaints, compliments and comments received by the Council during 2017/18 under the Housing Complaints, Compliments and Comments Procedure (the procedure). The purpose of the report is to identify topics and trends in relation to complaints; identify areas of organisational learning that have taken place over the past year as a result of the complaints received and make further recommendations based on trend data to improve services. The report also highlights any areas of good practice and seeks to identify topics and trends in relation to comments made by members of the public so that the Council can take action where appropriate to improve services.

In addition to the statistical information presented in this report it is important to recognise the work of the Complaints and Information Governance (CIG) Team that underpins this in terms of promoting an organisational culture in which complaints are recognised, accepted, owned and resolved as efficiently and as close to the point of service delivery as possible. This also enables the Council to collect accurate information on complaints in order to identify topics and trends and improve services accordingly.

Housing Complaints, Compliments and Comments Procedure

The procedure sets out how the Council will deal with complaints, compliments and comments received about the Council as a social landlord (as well as in respect of its ownership and management of leasehold housing).

The procedure has three stages. Stage 1 is a local resolution stage where we try to resolve those complaints that cannot be resolved immediately as part of our day to day business. Stage 1 complaints are dealt with locally, that is within the service being complained about. We aim to resolve the majority of complaints at Stage 1 of the procedure.

Stage 2 is a formal investigation stage where complaints will usually be investigated by the Complaints Investigator or Complaints Manager.

Stage 3 is a mandatory stage between the Council and the Housing Ombudsman. This is referred to as the 'designated person' or 'democratic filter'. The designated person or democratic filter can be an MP, a local Councillor or a recognised Tenant Panel. In Darlington we have a recognised Tenant Panel (from here onwards referred to as the Tenants' Complaints Panel).

Should a tenant remain dissatisfied with the Council's response to their complaint, they will be required to refer the matter to the 'designated person' or 'democratic filter'. The 'designated person' or 'democratic filter' may help resolve the complaint directly, refer the complaint to the Housing Ombudsman or decide to do neither. If the 'designated person' or 'democratic filter' decides not to take any action the complainant will be entitled to refer the matter to the Housing Ombudsman

directly. The complainant will also be able to approach the Housing Ombudsman directly in cases where eight weeks have elapsed since the Council's response to their complaint at Stage 2 of the procedure.

Public Information and Accessibility

We are committed to making sure that everyone has equal access to all our services. To help make sure the Council's complaints procedures are easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.

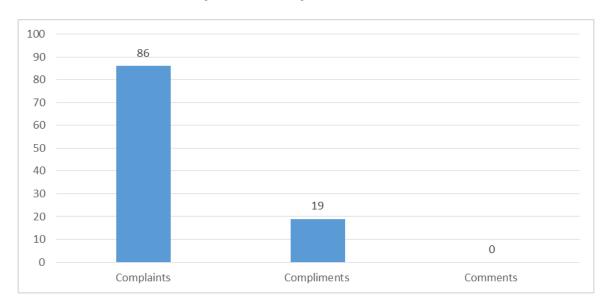
Information is available on the Council's website which contains an electronic form people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish. This can be in writing, email, via the web, over the phone, in person or by any other reasonable means.

The Complaints and Information Governance Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Complaints Information and Organisational Learning

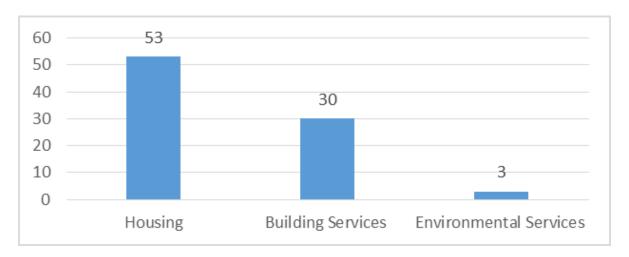
Overview of Complaints, Compliments and Comments

Total Complaints, Compliments and Comments



Between 1 April 2017 and 31 March 2018 the Council received a total of 86 complaints under the procedure, the same number as in 2016/17. A total of 18 complaints were considered at Stage 2, compared to 14 in 2016/17. All 18 were initially dealt with at Stage 1. 0 complaints were considered at Stage 3, as was the case in 2016/17. The Council also received 19 compliments under the procedure, a reduction from 34 in 2016/17 and 0 comments compared to 3 in 2016/17.

Complaints by Service

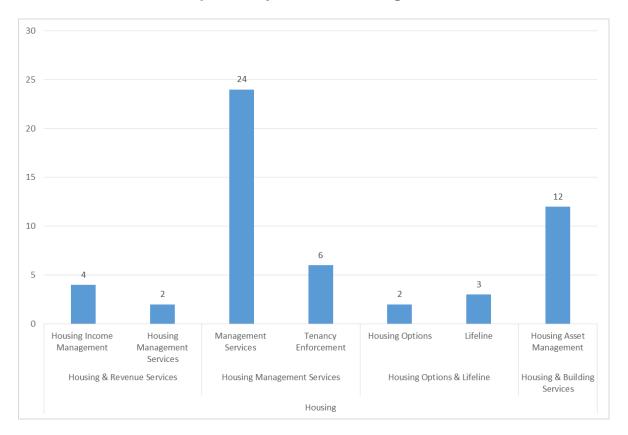


Housing received 53 complaints, compared to 54 in 2016/17.

Building Services received 30 complaints, compared to 31 in 2016/17.

Environmental Services received 3 complaints, compared to 1 in 2016/17.

Complaints by Team – Housing Service

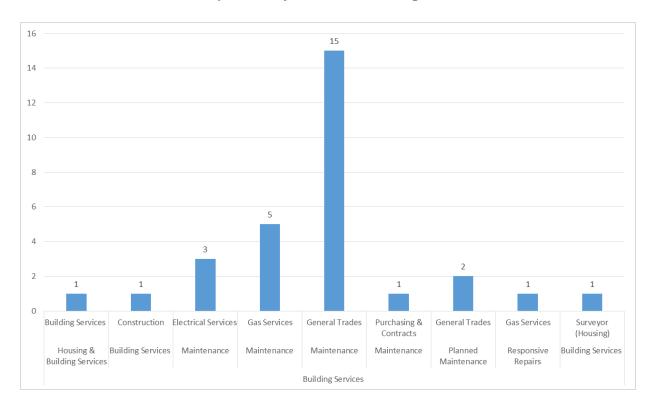


Housing Management Services/Management Services received 26 complaints, a decrease from 36 in 2016/17.

Housing Asset Management received 12 complaints, an increase from 9 in 2016/17.

Tenancy Enforcement received 6 complaints, an increase from 3 in 2016/17.

Complaints by Team – Building Services



Maintenance, Electrical Services received 3 complaints, an increase from 2 in 2016/17.

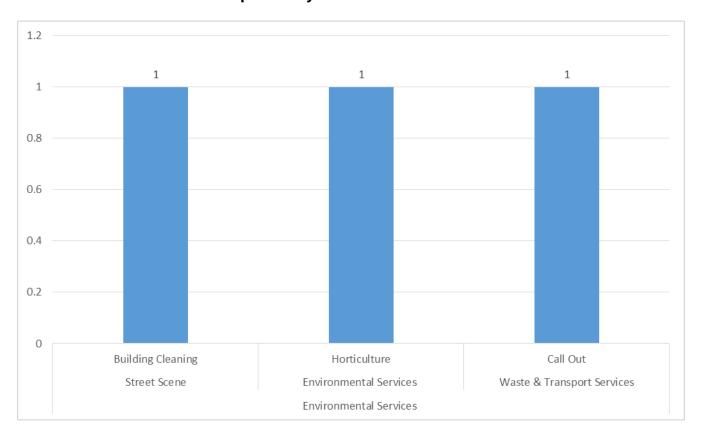
Maintenance, Gas Services received 5 complaints, compared to 4 in 2016/17.

Maintenance/Planned Maintenance, General Trades received 17 complaints, an increase from 8 in 2016/17.

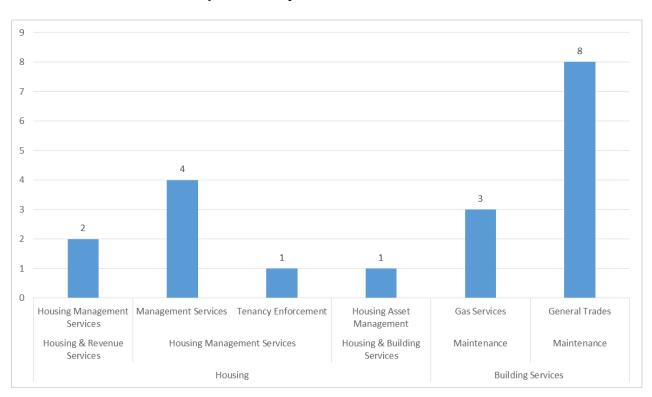
Responsive Repairs, General Trades did not receive any complaints, a decrease from 7 in 2016/17.

Responsive Repairs, Gas Services received 1 complaint, a decrease from 9 in 2016/17.

Complaints by Team - Environmental Services



Compliments by Service Area/Team



Housing received 8 compliments, a decrease from 22 in 2016/17. This reduction can be accounted for by more accurate recording (During 2016/17 some compliments were recorded under this procedure, rather than correctly under the Council's Corporate Complaints, Compliments and Comments Procedure).

Building Services received 11 compliments, the same number as in 2016/17.

Housing Management Services/Management Services received 6 compliments, a reduction from 9 in 2016/17.

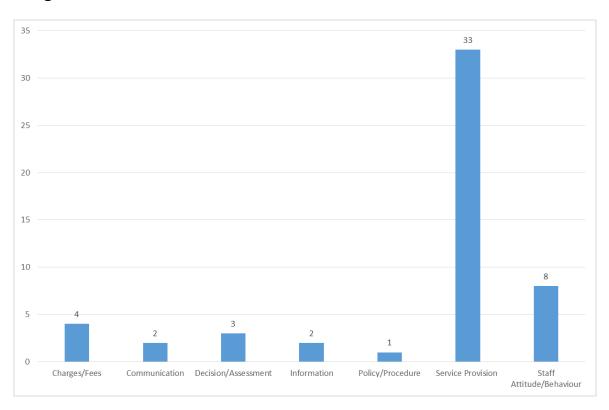
General Trades received 8 compliments, an increase from 4 in 2016/17.

Comments by Service Area/Team

The Council did not receive any comments during 2017/18 a reduction from 3 in 2016/17.

Complaints by Issue

Housing Services

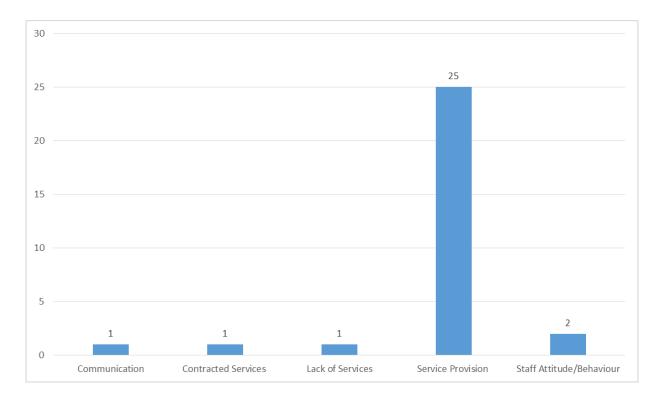


Housing received 2 complaints about communication, a reduction from 12 in 2016/17.

Housing received 33 complaints about service provision, an increase from 22 in 2016/17.

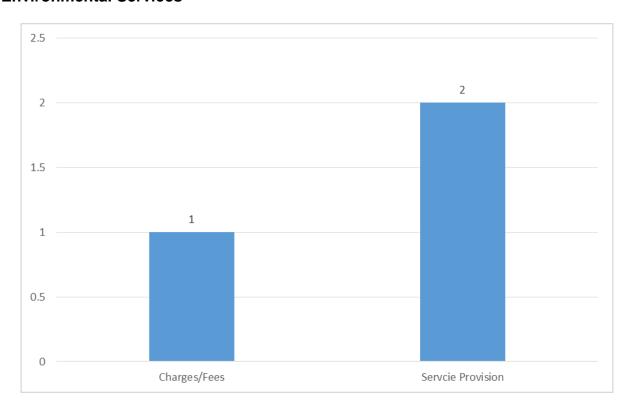
Housing received 8 complaints about staff attitude/behaviour, a decrease from 11 in 2016/17.

Building Services



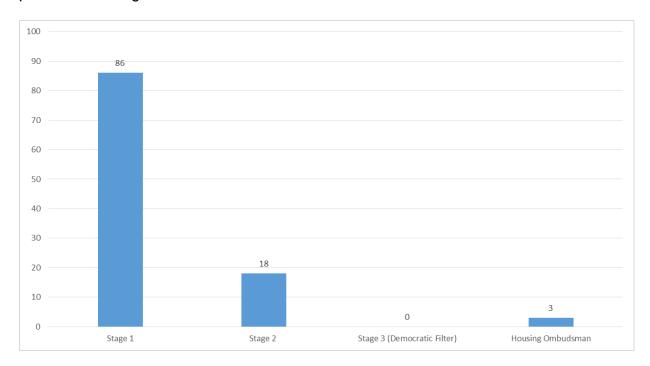
The issues for Building Services remained the similar to the issues raised during 2016/17. There was an additional complaint about a contracted service and 25 complaints about service provision compared to 27 in 2016/17.

Environmental Services



Complaints by Stage

The below graph shows the number of complaints received at each stage of the procedure during 2017/18.



The Council received the same number of Stage 1 complaints as it did in 2016/17. 18 were escalated to Stage 2, an increase from 14 in 2016/17. 3 were escalated to the Housing Ombudsman, an increase from 0 in 2016/17.

Complaints by Outcome

The below tables show the decisions reached on complaints during 2017/18. Some of the complaints determined during 2017/18 were received during 2016/17, hence them being logged against former services/teams.

Stage 1

Service Area/Team	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Neighbourhood Services & Resources	0	0	0	0	0	0	0
Horticulture	0	0	0	0	1	0	1
Street Scene	0	0	0	0	0	0	0
Building Cleaning	0	0	1	0	0	0	1
Call Out	0	0	1	0	0	0	1
Total for Environmental Services	0	0	2	0	1	0	3
Housing & Building Services	0	0	0	0	0	0	0
Building Services	0	0	0	0	0	0	0
Construction	0	0	0	0	1	0	1
Total for Construction	0	0	0	0	1	0	1
Maintenance	0	0	0	0	0	0	0
Electrical Services	0	1	2	0	0	0	3
Gas Services	0	0	3	1	1	0	5
General Trades	0	0	5	2	7	0	14
Purchasing & Contracts	0	0	0	0	1	0	1
Total for Maintenance	0	1	10	3	9	0	23
Planned Maintenance	0	0	0	0	0	0	0
Electrical Services	0	0	1	0	0	0	1
General Trades	0	0	1	0	1	0	2
Total for Planned Maintenance	0	0	2	0	1	0	3
Responsive Repairs	0	0	0	0	0	0	0
Gas Services	0	0	1	0	1	0	2
Total for Responsive Repairs	0	0	1	0	1	0	2
Surveyor (Housing)	0	0	0	1	0	0	1
Total for Surveyor (Housing)	0	0	0	1	0	0	1
Total for Building Services	0	1	13	4	12	0	30

Housing & Revenue Services	0	0	0	0	0	0	0
Housing Income Management	0	1	0	2	1	0	4
Total for Housing Income Management	0	1	0	2	1	0	4
Housing Management Services	0	0	1	1	0	0	2
Management Services	0	1	9	8	2	1	21
Tenancy Enforcement	0	0	3	1	2	0	6
Total for Housing Management Services	0	1	13	10	4	1	29
Housing Options & Lifeline	0	0	0	0	0	0	0
Housing Options	0	0	1	1	0	0	2
Lifeline	0	0	2	0	0	1	3
Total for Housing Options & Lifeline	0	0	3	1	0	1	5
Total for Housing & Revenue Services	0	2	16	13	5	2	38
Housing Asset Management	0	2	5	0	2	0	9
Total for Housing Asset Management	0	2	5	0	2	0	9
Housing Services	0	0	0	0	0	0	0
Housing Management	1	0	1	0	0	0	2
Total for Housing Management	1	0	1	0	0	0	2
Total for Housing Services	1	0	1	0	0	0	2
Total for Housing & Building Services	1	5	35	17	19	2	79
Total for Neighbourhood Services & Resources	1	5	37	17	20	2	82

Stage 2

Service Area/Team	Closed With No Response	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Neighbourhood Services & Resources	0	0	0	0	0	0	0	0
Housing & Building Services	0	0	0	0	0	0	0	0
Building Services	0	0	0	0	0	0	0	0
Planned Maintenance	0	0	0	0	0	0	0	0
Electrical Services	0	0	0	0	0	1	0	1
Total for Planned Maintenance	0	o	0	0	0	1	0	1
Total for Building Services	0	0	o	0	0	1	0	1
Housing Services	0	0	0	0	0	0	0	0
Asset Management	0	0	0	2	2	0	0	4
Total for Asset Management	0	0	0	2	2	0	0	4
Housing Management	0	0	0	3	3	1	0	7
Total for Housing Management	0	0	0	3	3	1	0	7
Repairs & Maintenance	0	0	0	1	0	0	0	1
Total for Repairs & Maintenance	0	o	0	1	0	0	0	1
Total for Housing Services	0	0	0	6	5	1	0	12
Total for Housing & Building Services	0	0	0	6	5	2	0	13
Total for Neighbourhood Services & Resources	0	o	0	6	5	2	0	13
Total	0	o	0	6	5	2	0	13

Stage 3

The 'designated person' or 'democratic filter' did not determined any complaints during 2017/18.

Housing Ombudsman

The Housing Ombudsman determined one complaint during 2017/18, the outcome of which was no maladministration.

Full details of those complaints determined by the Housing Ombudsman are included in the Cabinet reports of 5 December 2017 and 9 October 2018 entitled Review of Outcome of Complaints Made to Ombudsman.

Organisational Learning

All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, several service improvements were made following complaint investigations during 2017/18. Some examples of these are detailed below.

Following a complaint for Building Services, General Trades it was agreed that training would be provided for staff to ensure repairs were highlighted to tenants and appointments booked prior to them moving into a property.

As the result of a complaint for Housing & Revenue Services, Housing Management Services it was agreed the Housing Management Officer would be reminded of the practice and procedure in relation to termination of tenancies.

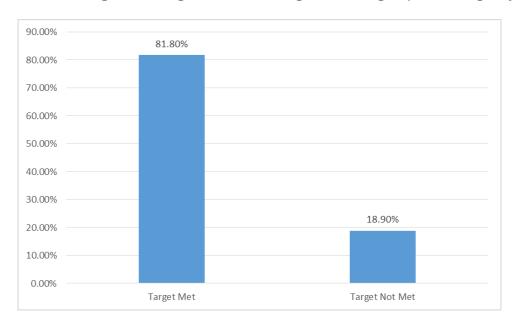
Following a complaint for Housing & Revenue Services, Housing Income Management, a member of staff was reminded of the need to maintain a professional telephone manner.

Performance against the Corporate Complaints, Compliments and Comments Procedure

The below graphs show performance in relation to those complaints acknowledged and responded to during 2016/17.

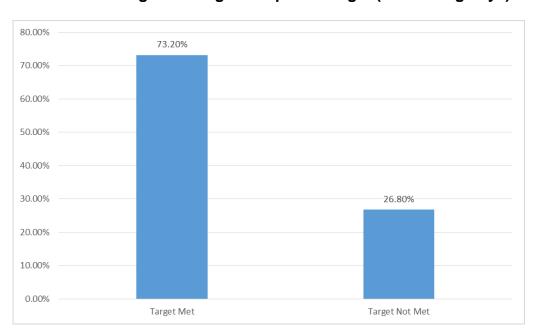
Stage 1

Performance against Stage 1 acknowledgement target (3 working days)



This was a decrease from 98.80% in 2016/17.

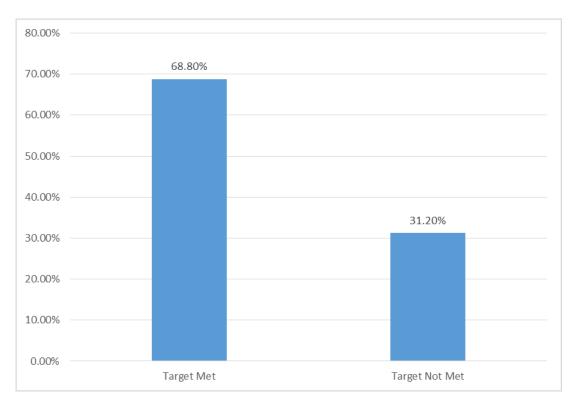
Performance against Stage 1 response target (25 working days)



This was an increase from 55.7% in 2016/17.

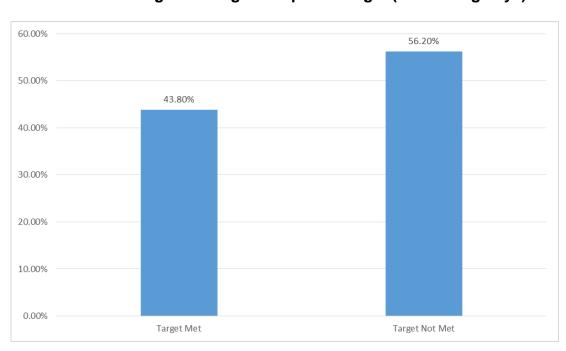
Stage 2

Performance against Stage 2 acknowledgement target (3 working days)



This was a decrease from 100% in 2016/17.

Performance against Stage 2 response target (30 working days)



This was a decrease from 66.70% in 2016/17. In the majority of cases where it was not going to be possible to respond within timescale an extension was agreed with the complainant in accordance with the provisions of the procedure.



Public Health Complaints, Compliments and Comments Annual Report 2017/18

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Introduction

The purpose of this annual report is to inform service users, carers, the public, Council Members and staff of the effectiveness of the Public Health Complaints, Compliments and Comments Procedure (the Procedure).

On the 1 April 2013 the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 (the Regulations) came into force. Part five of the Regulations deals with Complaints about Public Health Functions of Local Authorities.

The Council implemented a new procedure providing a local framework to ensure complaints are handled effectively and in line with the regulations.

The procedure aims to:

- (a) Make it as easy and accessible as possible for service users and their carers to raise complaints:
- (b) Foster an organisational culture in which complaints are accepted, owned and resolved as efficiently as possible;
- (c) Ensure high levels of customer satisfaction with complaints handling;
- (d) Resolve individual issues when they arise and reduce the number of complaints referred to the Ombudsman; and
- (e) Enable the Council to identify topics and trends in relation to Public Health complaints and improve services as a result.

The Chief Executive is the designated as the 'Responsible Person' for ensuring compliance with the arrangements made under the Regulations, and in particular ensuring that action is taken if necessary in the light of the outcome of a complaint. The functions of the responsible person will usually be performed by the Director of Public Health.

The Complaints and Information Governance Manager is designated the 'Complaints Manager' in accordance with the regulations and is responsible for managing the procedures for handling and considering complaints in accordance with the arrangements made under the Regulations.

Local Government and Social Care Ombudsman

Although complainants can refer their complaints to the Local Government and Social Care Ombudsman (LGSCO) from the outset, the LGSCO will not normally investigate until the Council or service provider has conducted its own investigation and provided a response. Where it has not been possible for the complaint to be resolved to the satisfaction of the complainant they may refer the matter to the LGSCO.

Information and Accessibility

We are committed to making sure that everyone has equal access to all our services, including the complaints procedure. To help make sure the Council's complaints procedures are easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.

Information is available on the Council's website. There is also an electronic form which people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish. This can be in writing, by email, via the web, over the phone, in person or by any other reasonable means.

The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

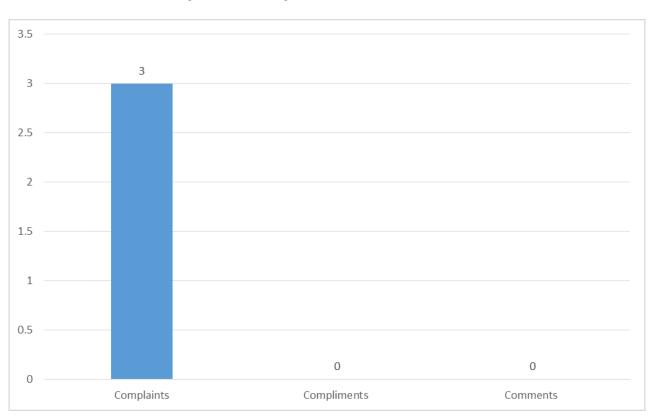
Summary

- The Council received three complaints about Public Health services during 2017/18, the same number as in 2016/17.
- The Council did not receive any comments, compared to one in 2016/17.
- The Council did not receive any compliments, as was the case in 2016/17.

Review of the Year

Breakdown of all Representations

A total of three representations were handled under the procedure during 2017/18.



Total Complaints, Compliments and Comments Received

One of the complaints received concerned a lack of consultation regarding changes to the Health Visiting services and the service provided.

One concerned the professionalism of a staff member at the Community Contraception and Sexual Health Service (CASH).

The other concerned the service provided by the Stop Smoking Hub.

Complaint Outcomes

Four complaint investigations were concluded during 2017/18. The outcomes of these complaints are detailed in the chart below.

Service Area/Team	Upheld	Partly Upheld	Not Upheld	Total
Darlington Borough Council/Health Visitors	0	1	0	1
Health Visitors	1	0	0	1
CASH	1	0	0	1
Stop Smoking Hub	1	0	0	1
TOTAL	3	1	0	4

Local Government Ombudsman Complaints Received 2017/18

No Public Health complaints were progressed to the LGSCO during 2017/18, the same as in 2016/17.

Local Government Ombudsman Complaint Outcomes 2017/18

No Public Health complaints were determined by the LGSCO during 2017/18, the same as in 2016/17.

Organisational Learning

All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints several service improvements were made following complaint investigations during 2017/18.

Darlington Borough Council/Health Visitors

Following the complaint about Darlington Borough Council and the Health Visitors it was agreed the Council would contact the provider to ask for assurance from them that they will review their existing policies and procedures to ensure that written information is provided to those being transferred in or out of the care of the local teams and that there are sufficient checks to avoid individuals or families being left without contact with, or direct access to, a Health Visitor, particularly those with enhanced needs.

CASH

Following the complaint about CASH it was agreed any conversations with patients would take place in a separate room, that a room would be assigned for this purpose and that the issue of confidentiality would be discussed in a full meeting. It was also agreed a staff bulletin would be issued reminding staff of the requirement to keep information confidential and to treat sensitive matters with great care.

Stop Smoking Hub

Following the complaint for the Stop Smoking hub it was agreed the contract would be reviewed and clarification given to the provider to ensure that the most up to date and current clinical and prescribing guidelines are being applied.

Further recommendations

There are no further recommendations.

Performance against the Procedure

While the regulations allow a maximum of six months to respond to a complaint we aim to respond to complaints within 30 working days.

One complaint was responded to within 30 working days. The other three were responded to in 45, 54 and 118 working days.

Performance Indicator for 2017/18

In relation to Public Health complaints the Council's key performance indicator is the number of maladministration decisions received from the Local Government Ombudsman. The Council received zero maladministration decisions during 2017/18.

Full details of those complaints determined by the LGSCO are included in the Cabinet reports of 5 December 2017 and 9 October 2018 entitled Review of Outcome of Complaints Made to Ombudsman.



Agenda Item 10

CABINET 9 OCTOBER 2018

PROPOSED WAITING RESTRICTIONS ON ALDERMAN BEST WAY - OBJECTIONS

Responsible Cabinet Member – Councillor Nick Wallis Leisure and Local Environment Portfolio

Responsible Director – Ian Williams, Director of Economic Growth and Neighbourhood Services

SUMMARY REPORT

Purpose of the Report

 To advise Members of two objections received to a proposal to implement no waiting restrictions on Alderman Best Way at Morton Palms and to seek a decision on whether to proceed with the proposal.

Summary

- On-street parking on Alderman Best Way has been an issue for a number of years. Short sections of restrictions have been introduced already (see **Appendix 1**) but the number of cars parking on the road has increased significantly in recent years. More comprehensive restrictions are considered necessary to improve traffic flow and reduce the likelihood of potential accidents.
- 3. Morton Palms is a comparatively modern office development and currently comprises three main areas/buildings. Pioneer Court at the northern end of the road, close to Yarm Road comprises a number of small to medium size offices and has a high level of occupancy. The middle section of the road comprises two larger offices, the Disclosure and Barring Service on the western side of the road and Whessoe on the eastern side. There are a number of development plots with the benefit of planning permission for offices.
- 4. The off street car parking associated with the offices is not sufficient to accommodate all of the staff and operational vehicles associated with the various businesses. This has led to a situation where staff and businesses rely on Alderman Best Way for parking.
- On-street parking conditions have worsened over recent years with long sections of roads suffering from double parking, with associated impacts on the free flow of traffic and increasing the potential for accidents.

- 6. A consultation was undertaken on a proposal to implement no waiting at any time restrictions on both sides of the road, along the whole length of the road apart from two sections of permit parking see **Appendix 2**. A significant number of objections were received from businesses in Pioneer Court and individuals. A decision was taken not to take forward the original proposal.
- 7. A further consultation was undertaken with all businesses on a revised proposal (see **Appendix 3**), which incorporates double yellow lines along the western side of Alderman Best Way with sections of unrestricted parking retained on the eastern side of the road.
- 8. Two objections have been received to this revised proposal. Further consideration of the objections is provided in the main report. Detailed transcripts of the objections and officers consideration of their merits is provided at **Appendix 4**.
- 9. Officers recommend setting the objections aside and proceed to introduce the proposed restrictions in Alderman Best Way.

Recommendation

- 10. It is recommended that:
 - (a) Members consider the objections and set them aside
 - (b) Authorise officers to proceed with the proposal as advertised.

Reasons

11. The recommendation is supported to improve the flow of traffic and reduce the potential for road traffic accidents.

lan Williams Director of Economic Growth and Neighbourhood Services

Background Papers

No background papers were used in the preparation of this report

Chris Easby: Extension 6707

S17 Crime and Disorder	There are no direct implications
Health and Well Being	There are no direct implications
Carbon Impact	There are no significant carbon impact
	implications in this report
Diversity	There are no direct implications
Wards Affected	Sadberge and Middleton St George
Groups Affected	All
Budget and Policy Framework	This decision does not represent a change to
	the budget and policy framework
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
One Darlington: Perfectly	No significant implications.
Placed	

Efficiency	The proposal will prevent commuter parking
Impact on Looked After	This report does not impact on Looked After
Children and Care Leavers	Children or Care Leavers

MAIN REPORT

Information and Analysis

- 12. On-street parking on Alderman Best Way has been an issue for a number of years. Short sections of restrictions have been introduced already (see Appendix 1) but the number of cars parking on the road has increased significantly in recent years
- 13. Previously there were complaints from Arriva regarding safety and traffic movement though they have now withdrawn the service from Alderman Best Way. Some businesses have also expressed concern. Officers consider the existing congested parking situation to be a severe barrier to further economic development of this key out of town office development site and a safety concern.
- 14. More comprehensive restrictions would improve traffic flow and reduce the likelihood of potential accidents. This would also improve the attractiveness and environment of the area.
- 15. Morton Palms is a comparatively modern office development and currently comprises three main areas/buildings. Pioneer Court at the northern end of the road, close to Yarm Road comprises a number of small to medium size offices and has a high level of occupancy. The middle section of the road comprises two larger offices, the Disclosure and Barring Service on the western side of the road and Whessoe on the eastern side. There are a number of development plots with the benefit of planning permission for B1 offices.
- 16. The off street car parking associated with the offices is not sufficient to accommodate all of the staff and operational vehicles associated with the various businesses. The estate was developed at a time when national parking standards were not stringent. This has led to a situation where staff and businesses rely on Alderman Best Way for parking.
- 17. On-street parking conditions have worsened over recent years with long sections of roads suffering from double parking, with associated impacts on the free flow of traffic and increasing the potential for accidents. There are a number of new businesses in Pioneer Court and the Disclosure and Barring Service which is part of the Home Office has increased the staff in their building.
- 18. Officers have worked with businesses over a number of years to try to deliver a solution to the parking situation and have invested in a new 150 space permit off street car park towards the southern end of the estate. These permits are available to businesses at a cost of £500 plus vat per bay, per annum. This car park was developed to meet the current known needs of businesses and to enable the proposed restrictions to come forward.

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19. A consultation was undertaken on a proposal to implement no waiting at any time restrictions on both sides of the road, along the whole length of the road apart from two sections of permit parking see Appendix 2. A significant number of objections were received from businesses in Pioneer Court and individuals. A decision was taken not to take forward the original proposal. All of the objections at that time referred to there being too great a loss of parking on the road.

Financial Implications

20. The proposal will be funded from the traffic management budget.

Legal Implications

21. The traffic orders have been statutorily advertised for the required period.

Consultation

22. Officers have consulted all businesses located in Morton Palms.

Outcome of Consultation

- 23. All businesses have been consulted on a revised proposal (see Appendix 3), which incorporates double yellow lines along the western side of Alderman Best Way with sections of unrestricted parking retained on the eastern side of the road.
- 24. Two objections have been received to this revised proposal. One objection is from the Whessoe office block and suggests that the spaces on the road should be for business permits, the restrictions at their access should be extended to provide improved visibility and the affect it has on a redundant bus stop. The original scheme proposed to provide business permits but a significant number of objections were received so decided to not take that element forward at this time. The scheme provides 15m of restrictions on either side of the junction which is typically what is provided at junctions and accesses and is in excess of the 10m advised in the Highway Code. This is an enhancement on the current restrictions at the access. Bus services do not run down Alderman Best Way therefore the bus stop is no longer required. If services were reintroduced the bus stop would be reinstated.
- 25. The second objection was from an individual that works for one of the businesses on the estate. There were a number of points raised relating to justification for the restrictions, policy matters, impact on businesses and the economy, cost of the permits compared to those provided for Council staff and the availability of parking in the area.
- 26. The Council has a statutory duty to maintain traffic flow and as such we are required to take action where things such as parking impede flow. The restrictions will improve traffic flow on the road. The policy framework for highways is set out in the Local Transport Plan and Network Management Plan and the proposal

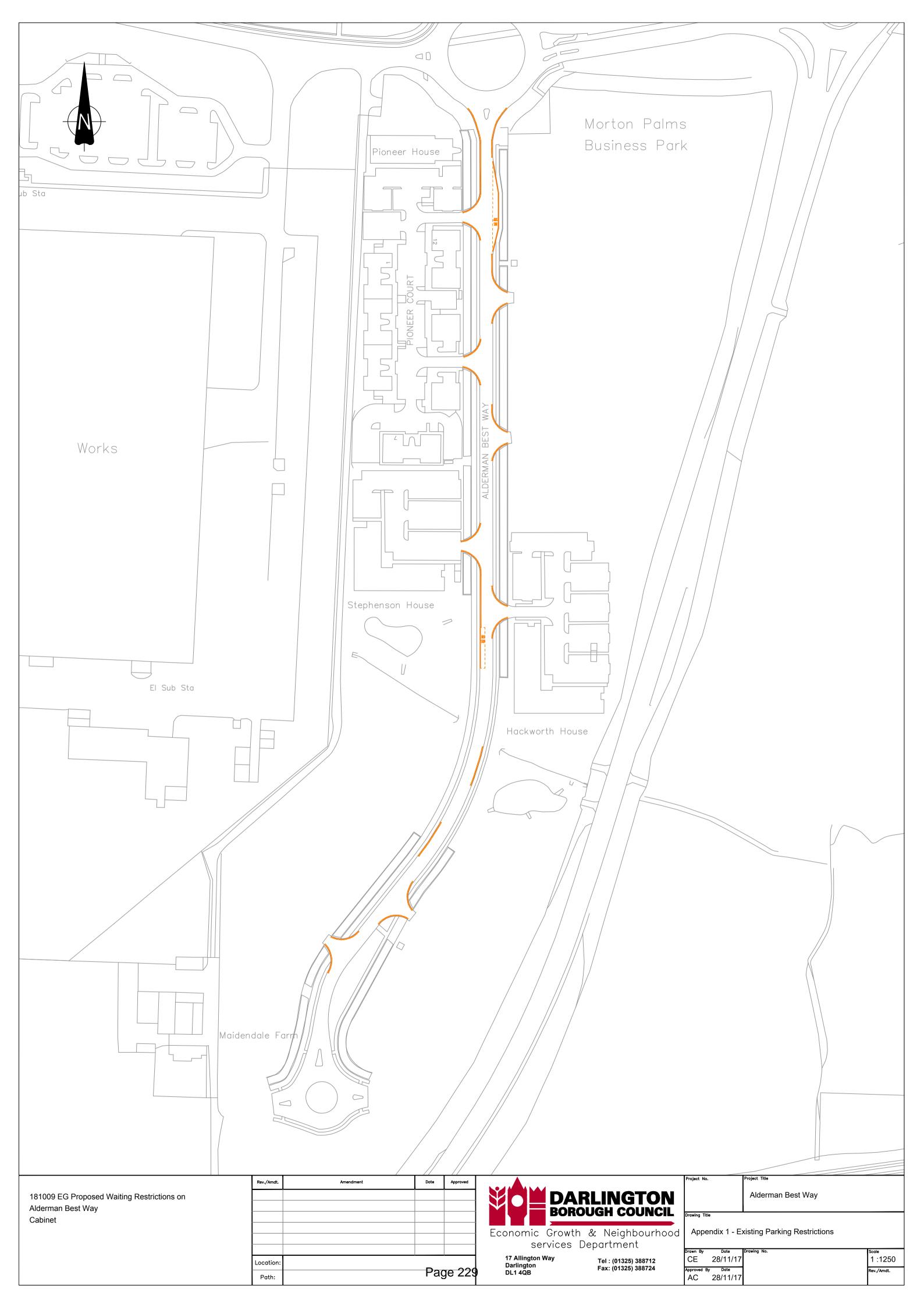
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complies with those policy documents. The cost of permits is not a material consideration in this instance as the restrictions are being imposed in order to improve traffic flow and reduce the likelihood of accidents occurring. There is sufficient parking in the area as a new 150 space car park has been constructed.

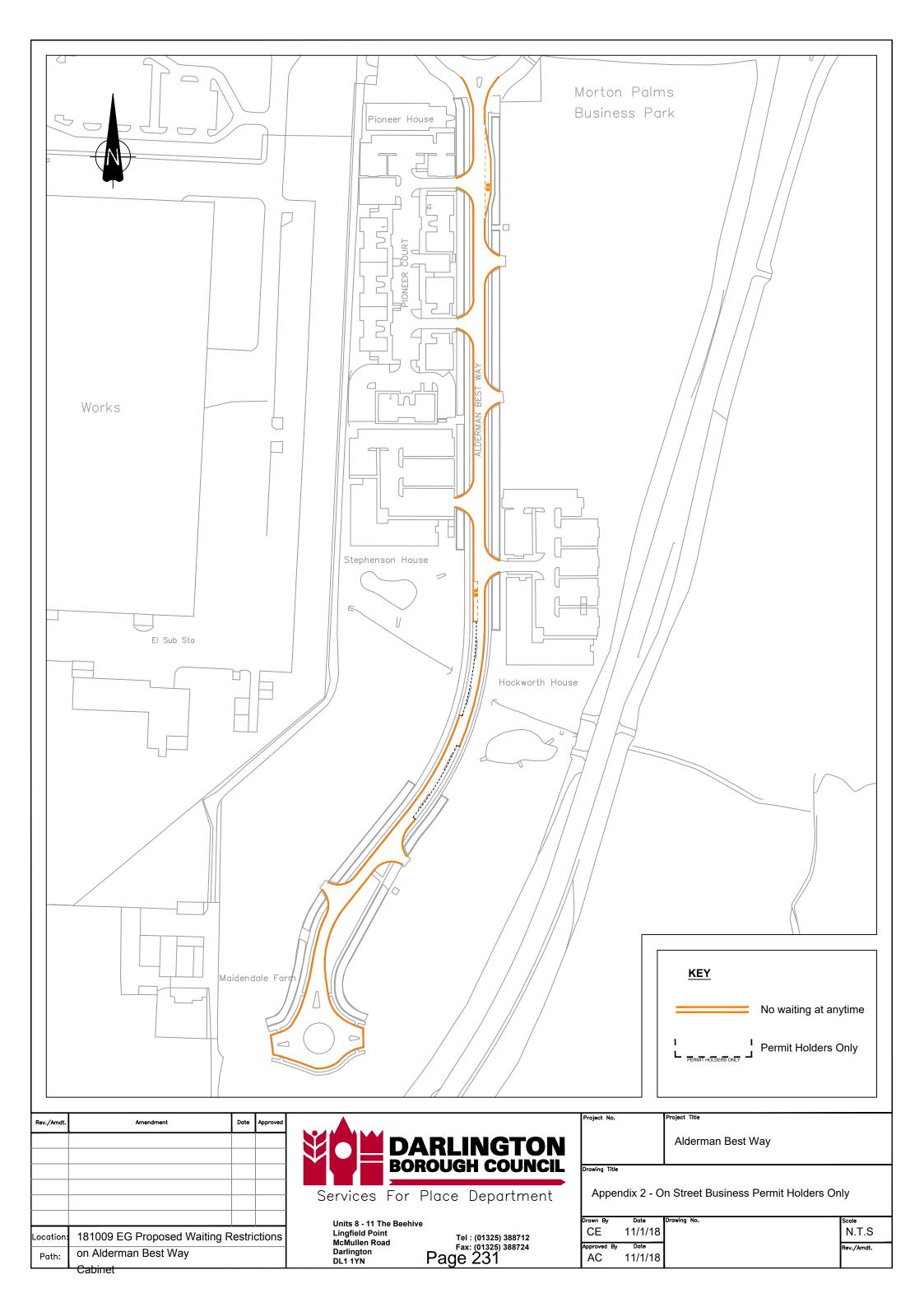
27. Detailed consideration of the objections is provided at Appendix 4. The merits of the objections are not considered substantive. The Council has considered the needs of the businesses on the estate and the proposed scheme is considered an acceptable compromise which meets the need of most businesses.

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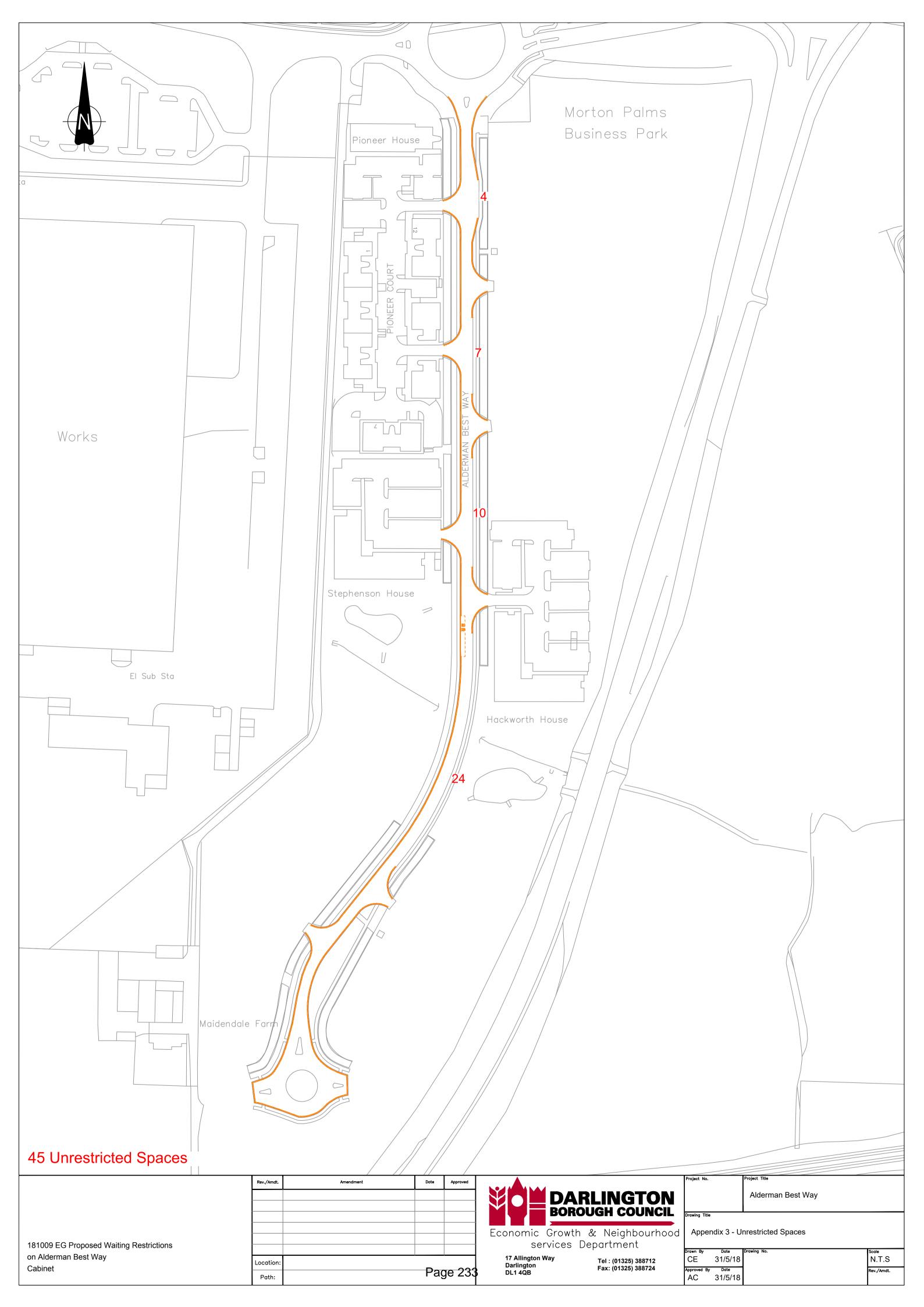














Objection From:	Objection:	DBC Response:
Individual who works on the site	 I wish to object to Darlington Borough Council's proposal to impose double yellow lines along Alderman Best Way. The imposition of yellow lines in the area is going against the Council's core strategies, far from helping businesses grow and attract new ones you will be actively discouraging businesses from coming into the area not least of which because there will be no where for their employees or visitors to their businesses to park. There will be a tendency for those businesses who are currently in the area to relocate to areas where there are better parking facilities for their staff and visitors. You will not be emphasising the borough's positive qualities and certainly not supporting infrastructure provision. You will certainly not be facilitating sustainable economic growth nor meeting the needs of local businesses. There is no justification for the imposition of yellow lines along Alderman Best Way and would ask members to vote against the proposal. In addition the fact that these will be double yellow lines makes absolutely no sense whatsoever. Why would you wish to prohibit people parking in the area outside normal business hours? I am employed at one of the premises and travel in each day from Richmond. If I do not get in to work early enough and park on the road in one of the allotted bays I will be forced to use the car park at a cost of approximately £500 which as I am sure you will agree is a not inconsiderable amount. 	 All businesses on the estate were consulted and Officers had meetings with them. There were a number of objections from businesses to the original proposal, mainly from those in Pioneer Court at the northern end on Alderman Best Way. Only one objection to the revised proposal from a business and that related to them wanting more restrictions. The existing congested parking on the road is considered to deter further inward investment in Morton Palms and to be a safety concern. The needs of local businesses have been discussed and the scheme adapted to reflect their needs. Alderman Best Way is a public highway and as such is, in law, for the pass and repass of the public. Any parking should not interfere with this primary function. In this location double parking does. Double yellow lines are the preferred restriction as it will deter overnight heavy goods vehicle parking. As above Alderman Best Way's primary function is as a public highway rather than a car park. 45 car parking spaces will be retained on the road in a manner that maintains traffic flow and road safety. The highway authority does not have duty to provide free parking. It is for private businesses to accommodate their staff parking needs where possible. The remaining on-street spaces are available on a first come first served basis. The only way we can allocate on-street spaces to individuals or businesses is through business parking permits. These would

PROPOSED WAITING RESTRICTIONS ON ALDERMAN BEST WAY - OBJECTIONS - Appendix 4

	 The imposition of double yellow lines will have a great effect of those who for example need to do the 'school run' or have to provide care for someone before they go to work. You are disadvantaging the vulnerable in society and those who care for them. I note that certain employees of Darlington Borough Council are only charged £14.00 per month to park in town centre car parks. This is a big difference to the £41.00 you are expecting me to pay and it is not even a town centre site. The use of public transport is not an option due to poor links between Richmond and Alderman Best Way. Because of the location of Alderman Best Way there will be no alternative parking in the area if the lines are introduced. There are car parking spaces at Morrison's and B&Q but these are for the customers of the two store and the store will, quite rightly, object to employees of the businesses on Alderman Best Way parking there to the detriment of their customers. 	 however be charged out at £500 a permit, the same as the off street permits. Permits are provided to staff who require access to their car to carry out their duties. The Council, as their employer, provides this reduced cost permit in recognition of the requirement they place on the employee to have a vehicle available for work purposes. The objector would need to discuss such an option with their employer. The Council has constructed a 150 space off street car park accessed off Alderman Best Way which, along with the retained on street bays, can accommodate current parking demands.
Whessoe	 With reference to your letter today, I want to put forward the following objections for Cabinet consideration: Offering unrestricted spaces could mean that DBS staff, who are most affected, could decide not to participate in the permit scheme and take their chances on trying to park in the unrestricted spaces, or continue to rent spaces in Whessoe car park. This could mean that the proposed permit scheme spaces may not all be taken, leaving a short fall for the Council. Our suggestion would be to place permit restrictions on any on road spaces otherwise the whole scheme may collapse. 	The original proposal was for significantly more onstreet restrictions and on-street business permit bays capable of accommodating 20 permit holders. This proposal received a significant number of objections, primarily from businesses in Pioneer Court. The level of objection meant that it was necessary to reconsider the scheme and the revised scheme is considered to be a compromise.

PROPOSED WAITING RESTRICTIONS ON ALDERMAN BEST WAY - OBJECTIONS - Appendix 4

- The proposed areas of unrestricted parking are on the same side of the road and near the entrance to Whessoe car park and therefore obstructing a clear view when exiting our car park. The original proposed 20 on street permit spaces did not obstruct the view and would have given our employees a safe egress after many years of very unsafe departures. We object to the on street spaces being so close to our entrance.
- The revised proposal provides 15m of restrictions on either side of junctions and accesses. There are currently only 5m of restrictions so the proposal will improve matters. 15m is what we typically provide at junctions as opposed to accesses and is in excess of the 10m as prescribed in the Highway Code.
- The first four proposed unrestricted spaces at the top of Alderman Best Way are currently a bus stop. Arriva used to service Morton Palms but stopped a good couple of years ago, stating the volume of traffic in the area delayed their timetable. In conjunction with the planned highway improvements around Morton Palms we would like to try and encourage Arriva to reintroduce this service as a more sustainable way of travel to and from work but without a bus stop this would place obstacles in the way of this reintroduction.
- Arriva do not currently have any intention of running buses into Alderman Best Way. If they indicated that they did want to run services into the estate then the bus stop would need to be reinstated.

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