



DARLINGTON

Borough Council

Cabinet Agenda

5.00 pm

Tuesday, 9 September 2025

Council Chamber, 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 Cabinet agenda.
4. To approve the Minutes of the Meeting of this Cabinet held on 8 July 2025 (Pages 5 - 14)
5. Matters Referred to Cabinet – There are no matters referred back for reconsideration to this meeting
6. Issues Arising from Scrutiny Committee – There are no issues referred back 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) Blue Badge Policy Statement – Report of the Executive Director of People (Pages 15 - 42)
 - (b) Climate Change and Nature Restoration Strategy – Report of the Executive Director of Economy and Public Protection (Pages 43 - 58)
 - (c) Dolphin Centre Asset Management and Investment Opportunities – Report of the Executive Director of Environment, Highways and Community Services (Pages 59 - 76)

8. Annual Review of the Investment Fund – Report of the Executive Director of Resources and Governance (Pages 77 - 84)
9. Complaints, Compliments and Comments Annual Report 2024/25 – Report of the Executive Director Resources and Governance (Pages 85 - 226)
10. Complaints Made to the Local Government and Social Care Ombudsman and the Housing Ombudsman Service – Report of the Executive Director of Resources and Governance (Pages 227 - 236)
11. Project Position Statement and Capital Programme Monitoring Quarter 1 2025/26 – Report of the Executive Director of Environment, Highways and Community Services and the Executive Director of Resources and Governance (Pages 237 - 250)
12. Regulatory Investigatory Powers Act (RIPA) – Report of the Executive Director of Resources and Governance (Pages 251 - 272)
13. Revenue Budget Monitoring 2025/26 - Quarter 1 – Report of the Executive Director of Resources and Governance (Pages 273 - 296)
14. Single Use Plastic Policy – Report of the Executive Director of Economy and Public Protection (Pages 297 - 306)
15. Treasury Management Annual Report and Outturn Prudential Indicators 2024/25 – Report of the Executive Director of Resources and Governance (Pages 307 - 326)
16. Membership Changes - To consider any Membership Changes to Other Bodies to which Cabinet appoints.
17. SUPPLEMENTARY ITEM(S) (if any) which in the opinion of the Chair of this Committee are of an urgent nature and can be discussed at this meeting.
18. Questions.

EXCLUSION OF THE PUBLIC AND PRESS

19. To consider the exclusion of the Public and Press:- – **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 items on the grounds that they involve the likely disclosure of exempt information as defined in exclusion paragraph 3 of Part I of Schedule 12A of the Act.

PART III NOT FOR PUBLICATION

20. SUPPLEMENTARY ITEM(S) (if any) which in the opinion of the Chair of this Committee are of an urgent nature and can be discussed at this meeting.

21. Questions.

A handwritten signature in black ink, reading 'A. Wennington', with a long horizontal flourish underneath.

Amy Wennington
Assistant Director Law and Governance

Monday, 1 September 2025
Town Hall
Darlington.

Membership

Councillors Curry, Garner, Harker, McCollom, McEwan, Porter, Roche and Wallis

If you need this information in a different language or format or you have any other queries on this agenda please contact Olivia Hugill, Democratic Officer, Resources and Governance, 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 olivia.hugill@darlington.gov.uk or telephone 01325 405363).

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**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY, 21ST JULY 2025**

CABINET
Tuesday, 8 July 2025

PRESENT – Councillors Harker (Chair), Curry, Garner, McCollom, McEwan, Porter, Roche and Wallis.

INVITEES – Councillors Dulston and Snedker.

C9 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

**C10 TO HEAR RELEVANT REPRESENTATION (FROM MEMBERS AND THE GENERAL PUBLIC) ON
ITEMS ON THIS CABINET AGENDA.**

No representations were made by Members or members of the public in attendance at the meeting.

C11 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON 10 JUNE 2025.

Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 10 June 2025.

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

REASON – They represent an accurate record of the meeting.

C12 MATTERS REFERRED TO CABINET

There were no matters referred back for re-consideration to this meeting.

C13 ISSUES ARISING FROM SCRUTINY COMMITTEE

There were no issues arising from Scrutiny considered at this meeting.

C14 KEY DECISIONS:-

C15 CONSULTATION ON A HOMES STRATEGY FOR THE BOROUGH

The Cabinet Member with the Economy, Health and Housing and Stronger Communities Portfolio introduced the report (previously circulated) of the Executive Director and Public Protection to seek members approval to undertake a public consultation on the draft Homes Strategy.

It was explained that the draft Homes Strategy 2025-2030 would provide a framework for the actions of the Council and its partners with regards to housing. The report also stated

that the main focus of the strategy is to provide high quality homes across all tenures, to meet local needs and to address the borough's housing challenges. The strategy was designed to inform officers, members, partners, key stakeholders, and residents of the council's approach and priorities on a range of housing matters.

The report stated that the strategy sets out high level vision and explained the three key objectives focused around building new homes, improving standards, meeting the needs of the ageing population and to support people to live independently. The report also included a number of associated outcomes and actions which are aimed to be achieved over the next five years.

RESOLVED - It is recommended Members consider the draft Homes Strategy at Appendix 1 and approve the document for public consultation.

REASON - The recommendation is supported as the Homes Strategy will provide a clear framework for the Council's strategic direction and actions on housing matters.

C16 PROPOSED INTRODUCTION OF AN ARTICLE 4 DIRECTION TO CONTROL THE CHANGES OF USE FROM A DWELLING TO A SMALL HOUSE OF MULTIPLE OCCUPATION (BETWEEN 3-6 RESIDENTS)

The Cabinet Member with the Economy Portfolio introduced the report (previously circulated) of the Executive Director Economy and Public Protection to seek approval of cabinet to start the legal process of the introduction of a Boroughwide Article 4 Direction which would remove permitted development rights to allow the change of use from Use Class C3 (dwelling house) to Use Class C4 (small house of multiple occupation between three and six unrelated individuals).

The report explained that Houses in Multiple Occupation (HMO's) for part of the borough's privately rented housing provision, this form of accommodation is generally more affordable and flexible than other housing types and therefore suitable for younger people and other households not living as families.

The report touched on the positive impacts of such as reduced housing costs and to help individuals form new networks and relationships, but also if managed poorly can create issues.

The report stated the current change of use from a dwelling to a small house of multiple occupation (one with three- six unrelated individuals) does not require planning permission, changes of use to larger HMO's (one with more than six unrelated individuals) does require planning consent, the introduction of an Article 4 Direction would result in planning permission to be required for those smaller changes of use.

The report explained that it is considered pertinent to introduce a boroughwide Article 4 Direction as the introduction on a smaller geographical area may result in the issues at current pushed to other areas within the borough.

RESOLVED - It is recommended that:-

- (a) The Council indicate their intention to introduce a non-immediate Article 4 Direction to remove the permitted development rights to change a C3 dwelling to a C4 HMO in Darlington
- (b) If, after the period stated in the notice by which representations may be made (at least 42 days from the date of the notice), no representations objecting to the Article 4 Direction have been received that the Director of Economy and Public Protection is given delegated powers to confirm the Article 4 Direction 12 months following the publication of the notice. If representations objecting to the Article 4 Direction are received then the matter will be brought back to Cabinet for further consideration.
- (c) Supplementary planning guidance is prepared to assist property owners, planning applicants, planning officers and elected councillors in preparing, commenting on and determining planning applications

REASON - The recommendations are supported by the following reasons:-

- (a) There has been an increase in the number of HMOs and some concerns have been raised about the quality of accommodation they provide and their concentration within certain locations.
- (b) The introduction of an Article 4 Direction will enable the Council to control the location and quality of new HMOs. This will help deliver the Council aspiration of providing quality, affordable housing for all. It would also provide more information on their whereabouts.
- (c) Not to introduce an Article 4 Direction was rejected as a recommendation as it would mean the Council had little control or influence on the establishment of new HMOs, and it is not considered in the best interests of ensuring the delivery of good quality affordable housing for all.
- (d) The introduction of an immediate Article 4 Direction was rejected as an option as it would open the Council up to challenge and potential compensation claims. In addition, it would not allow for effective consultation and engagement on the introduction of Supplementary Planning Guidance to guide new HMO development.

(1) UPDATED STATEMENT OF COMMUNITY INVOLVEMENT - PART 1 (LOCAL PLAN)

The Cabinet Member with the Economy Portfolio introduced a report (previously circulated) of the Executive Director Economy and Public Protection to seek members approval to refer an updated versions of its Statement of Community Involvement (SCI) Part 1 (Local Plan) to Full Council for adoption.

The report explained that a Statement of Community Involvement (SCI) sets out how Local Planning Authorities will involve local communities, businesses and key stakeholders in the preparation of the Local Plan and any future Development Plan Documents (DPD's) or Supplementary Planning Documents (SPD's).

The report stated that authorities are required to review their SCI's at least every 5 years, the Darlington SCI – Part 1 was last reviewed in August 2020 with temporary updates made to reflect national COVID 19 pandemic restrictions.

It was explained that the update will remove these restrictions and allow some other minor updates to be consulted on prior to the statutory consultation periods on the Local Plan Review. The updated Design of New Development Supplementary (SPD) will also be prepared and consulted upon alongside the review of the Local Plan in line with the content on the updated SCI.

The report stated that Cabinet approved an updated draft of the SCI Part 1 for consultation on 8 April 2025, this consultation was held between 29 April 2025 and 30 May 2025. Six responses were received none of which raised significant concerns in relation to the content of the updated SCI Part 1.

RESOLVED - It is recommended that Cabinet agree that the Updated Statement of Community Involvement (SCI) Part 1 (Local Plan) be referred to Full Council for adoption.

REASON - The recommendation is supported as the Council is required to have an up-to-date SCI as part of the plan review process.

C17 CLIMATE CHANGE PROGRESS

The Cabinet Member with the Economy Portfolio introduced the report (previously circulated) of the Executive Director of Economy and Public Protection to update Cabinet on the progress towards the Council's net zero target.

The report stated that following the Council's elections in 2023, the Climate Emergency Declaration was re-affirmed, and the Council's carbon neutral target was brought forward to 2040.

The report explained that the Council's emissions reduction trajectory of 40% every five years is still in place. The Council's emissions for 2024/25 were 6,642 tonnes CO₂e, the emissions reported are made up of the energy used in the council buildings, business mileage: fleet emissions and streetlighting and signs. The Council does not measure emissions for the supply chain or waste at current.

The report then went on to explain how the carbon emissions for 2024/25 had increased from 2023/24, the opening of 'Hopetown Museum' would have impacted the emissions. The report also elaborated that data had been requested from the Met Office around the temperatures in the winter period that could have impacted the amount of gas required for the heating.

The report declared that of the 121 actions due to be reported at the end of 2024/25, 105 were on track and nine have been completed. Following the recent motion declaring a nature restoration emergency, officers will revise the climate change strategy and action plan.

RESOLVED - It is recommended that Cabinet notes the report.

REASON - The recommendations are supported by the increasing public pressure to act on climate change, we run the risk of significant damage to our reputation if we do not deliver on our stated commitment to dealing with the Council's contribution to climate change.

C18 COLLECTION OF COUNCIL TAX, BUSINESS RATES AND RENT 2024-25

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance providing Members with an update on the collection of Council Tax, Business Rates and Council rents during 2024/25 and requesting that consideration be given to the writing-off of debts over £1,000 that are considered to be irrecoverable.

The submitted report stated that the collection of Council Tax, Business Rates and Council rents during 2024/25 had continued to be a significant challenge due to the current economic climate; despite the challenges, a total of £143.45M had been collected in 2024/25; and that approval was being sought to write-off a total of £1,226,320 of debts in respect of individual cases exceeding £1,000 for the financial year 2024/25, where it had become apparent that no further steps could be taken to recover the sums due.

RESOLVED - It is recommended that Cabinet:

- (a) Consider the contents of the report, and
- (b) Approve the write-off of £1,226,320 for debts over £1,000, subject to further steps for recovery being taken, wherever possible, if and when contact with the debtor is made.

REASON - The recommendations are supported by the following reasons:

- (a) The collection of Council Tax, Business Rates and Council rents underpins the Council's MTFP.
- (b) The write-off of irrecoverable debts enables the Council's accounts to be maintained in accordance with Financial Procedure Rules.

C19 QUARTER 4 - COUNCIL PLAN PERFORMANCE REPORT

The Leader of the council introduced the report (previously circulated) of the Chief Executive to summarise the progress against the key commitments and deliverables of the Council Plan 2024-27.

The report explained that the Council Plan was approved at the Council Meeting on the 18 July 2024. The plan outlined Darlington Borough Council's long-term ambitions for the town and the priorities for action over the next three years.

The report provided a summary of the key actions taken by the Council to deliver the priorities in the Council Plan. The appendices within the report contained the narrative from lead service areas on the key actions, which demonstrated the delivery of the priorities and

core principles.

RESOLVED - It is recommended that Cabinet note the progress made in the delivery of the Council Plan.

REASON - To monitor progress against key actions and priorities in the Council Plan.

C20 DISABLED FACILITIES GRANT 2025-26

The Cabinet Member with the Adults Portfolio introduced the report (previously circulated) of the Executive Director of People to advise Members of the capital resources that are available for the Disabled Facilities Grants (DFGs) during 2025/26 and to seek approval from Members on the release of these resources to be utilised within accordance of the Darlington Borough Council Disabled Facilities Grant and Regulatory Reform Order Policy 2022-2025.

The report explained that the DFGs assist people to live independently by helping to fund suitable adaptations to their properties, there are means testes and are available to owner-occupiers, tenants of private rented properties and Housing Association tenants.

The report detailed that the DFGs are governed by housing legislation and have set conditions for payment, within these regulations. The Council has a shared service agreement in place with Durham County Council to provide Home Improvement Agency Service, this offers guidance, practical assistance to people who are older, disabled, or on low income to claim a DFG so they can repair, improve and adapt their home. It was also stated that support is provided to those until the work has been completed and the contractor had been paid.

RESOLVED - (a) It is noted that the sum of £1,319,439 has been allocated to the Council to use for Disabled Facilities Grant adaptations in 2025-2026, plus a previous additional in year allocation of £159,595 in 2024-25.

(b) The capital funding for 2025-26 and the additional capital funding for 2024-25 is released to enable it to be allocated in accordance with Darlington Borough Council Disabled Facilities Grant and Regulatory Reform Order Policy 2022-2025.

REASON - The recommendations are supported by the following reason: to enable the adaptations for those individuals who are eligible to receive a DFG for 2025-26 to proceed.

C21 HOUSING SERVICES FIRE SAFETY POLICY FOR PURPOSE-BUILT BLOCKS OF FLATS, SHELTERED AND EXTRA CARE ACCOMMODATION 2025-2030

The Cabinet Member with the Health and Housing Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance for Cabinet Members to approve the Housing Service Fire Safety Policy for Purpose-Built Blocks of Flats, Sheltered and Extra Care Accommodation 2025-2030.

The report clarified that since the existing Housing Services Fire Safety Policy 2022-2027 was approved by Cabinet on the 6 December 2022, work has been ongoing to develop a fire

safety policy for Council owned purpose-built blocks of flats. It was explained that rather than a separate policy for Members to consider, a single policy covering all Council owned accommodation with communal areas has been developed, updated with the latest legislation and best practice guidance.

The Housing Services Fire Safety Policy for Purpose-Built Blocks of Flats, Sheltered and Extra Care Accommodation 2025-2030 demonstrated how the Council will provide staff, residents, visitors and partner organisations in these types of accommodation with clear guidelines as to how to prevent fires and what action to take in the event of a fire to protect themselves and others.

The report explained that the Tenant Panel had been consulted on the draft policy and they have given their full support. The report was considered by the Health and Housing Scrutiny Committee on the 18 June 2025 who agreed its onward submission to Cabinet for consideration.

RESOLVED - (a) Consider the contents of this report, and

(b) Approve the Housing Services Fire Safety Policy for Purpose-Built Blocks of Flats, Sheltered and Extra Care Accommodation 2025-2030 at Appendix 1.

REASON - (a) Darlington Borough Council has a duty to comply with fire safety legislation.

(b) The Social Housing Regulator's Consumer Standards places a duty on social housing landlords to provide their tenants with quality, safe accommodation.

(c) The adoption of a formal Fire Safety Policy is one of the ways to demonstrate how we will achieve both compliance with the legislation and the Social Housing Regulator's Consumer Standards

C22 PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING OUTTURN 2024-25

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Environment, Highways and Community Services and the Executive Director of Resources and Governance providing information to Members on the delivery of the Council's Capital Programme; the financial outturn position as at 31st March 2025; proposed financing of the 2024/25 capital expenditure; the current status of all construction projects currently being undertaken by the Council; and requesting that consideration be given to a number of changes to that programme.

The submitted report stated that significant enhancements had been made to the Council's assets in the three major programme areas of schools, housing and transport, mostly using external funding; those investment were delivering a wide range of improvements to the Council's assets and services; capital expenditure in 2024/25 totalled £51.712M; there were 22 live projects currently being managed by the Council with an overall value of £132.748M; the majority of those projects were running to time, cost and quality expectations with no foreseeable issues; and that the projects were managed either by the Council's in-house management team, a Framework Partner or by Consultants sourced via an open/OJEU

tender process.

RESOLVED - It is recommended that Cabinet:

(a) Note the delivery and financial outturn of the 2024/25 Capital Programme

(b) Note projected capital expenditure and resources.

(c) Approve the adjustments to resources as detailed in paragraph 25

REASON - The recommendations are supported by the following reasons:

(a) The recommendations are supported to enable Members to note the progress of the 2024/25 Capital Programme and to allow the capital spend to be fully financed.

(b) To inform Cabinet of the current status of construction projects.

(c) To maintain effective management of resources

C23 REVENUE OUTTURN 2024/25

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director Resources and Governance presenting the 2024/25 revenue outturn, to allow Members to consider the results in the light of the Council's Medium Term Financial Plan (MTFP), and the Housing Revenue Account (HRA) outturn.

The submitted report stated that this was the final revenue budget management report for 2024/25; the year-end projection showed an overall improvement in the 2024/25 financial position of £0.264M; there was an improvement of £1.149M on the 2024/25 MTFP opening balance; outlined the variances from the original budget along with changes since the quarter three projected position; and stated that there were a number of carry forward requests, which would assist with projected slippage and pressures in the coming year.

RESOLVED – a) The revenue outturn for 2024/25 be noted.

(b) The carry forward of resources referred to in paragraphs 17 - 19 be noted and approved.

REASONS - (a) To continue effective management of resources.

(b) To continue to deliver services to agreed levels

C24 XENTRALL SHARED SERVICES ANNUAL REPORT

The Cabinet Member with the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Resources and Governance to update Cabinet Members on the progress and performance of Xentrall Shared Services.

The submitted report outlined the background to the establishment of Xentrall Shared Services, the Stockton and Darlington Partnership, which was established in May 2008 and

was now in its seventeenth year; stated the agreement covered ICT, Transactional HR, Transactional Finance and Design and Print; the initial savings that were identified were £7.4M over the original ten year period of the partnership; those savings had been achieved plus additional efficiencies and benefits and significant additional savings; quality and performance of services had improved; and that both Councils had benefited both financially and through a continued programme of service improvements.

RESOLVED - It is recommended that Cabinet note the report and acknowledge the continuing success of Xentrall over the sixteen years since it was formed.

REASON - The recommendation is supported allow Members to receive information about the progress of the partnership and acknowledge the continuing success of Xentrall and the savings it has achieved over the seventeen years since it was formed.

C25 PROCUREMENT OF DEVELOPMENT PARTNER UPDATE

The Cabinet Member with the Economic Portfolio and the Resources Portfolio introduced the report (previously circulated) of the Executive Director of Economy and Public Protection to update Cabinet Members on the outcome of the procurement exercise to seek a development partner for the redevelopment of key town centre sites and seek Cabinet approval to appoint the preferred bidder as detailed in Part III document to this report.

The report clarified that on the 11 June 2024 Cabinet gave approval in principle to enter an agreement with a private sector development partner to bring forward development on several town centre sites. Cabinet also requested that the details of the agreement, the list of town centre sites be presented at a future Cabinet meeting for approval.

The report explained that to select a development partner a robust procurement exercise had been undertaken, the outcome of this has concluded the selection of a preferred partner. The report also detailed that should Cabinet approve the appointment of the development partner, both parties will then enter discussions to determine the detailed terms of a development agreement, once the discussions are concluded, the completed development agreement will be presented to Cabinet for approval at a future meeting.

RESOLVED - (a) Cabinet agrees the appointment of the preferred development partner to bring forward development on several town centre sites.

(b) Cabinet agrees to receive the development agreement, including the final list of sites, for approval in November 2025. This is a target date and could be subject to change dependent upon the length of the discussion period.

REASON - (a) That appointment of the preferred developer will allow the council to proceed to the next stage in bringing forward key town centre sites for redevelopment.

C26 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.

There were no membership changes reported at the meeting.

C27 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS :-

C28 QUESTIONS.

**DECISIONS DATED –
FRIDAY, 11TH JULY 2025**

CABINET
9 SEPTEMBER 2025

CABINET
9 SEPTEMBER 2025

BLUE BADGE POLICY STATEMENT

Purpose of the Report

1. The purpose of this report is to update Cabinet members on the current issues affecting Blue Badge applications and agree the recommendations outlined.
2. The existing blue badge application process, which is aligned to government guidance, is currently experiencing a backlog in applications and as a result there are an increasing number of complaints. This report outlines the revisions made to the process, including the introduction, changes to eligible conditions, procedures and revisions to the process that will address these issues in both the interim and moving forward.

Recommendations

3. It is recommended that Cabinet agree to: -
 - (a) An automatic extension of the blue badge after expiry, or those that are soon to expire, meaning these can be used without risk of a fine.
 - (b) New eligibility conditions.
 - (c) Note the procedural revisions underway across the service.
 - (d) Increase the Service Level Agreement from 20 days to 12 weeks.
 - (e) Note the contents of the Equality Impact Assessment.
4. Any future changes will be subject to consultation with the portfolio member.

Reasons

5. The recommendations are supported by the following reasons: -
 - (a) There is currently a high volume of backlog applications for blue badges and an increase in complaints because of this.
 - (b) Existing eligibility conditions have not been refreshed for several years.
 - (c) Revisions to internal procedures to further improve the application process.

James Stroyan
Executive Director of People

Background Papers

6. The national government guidance for Blue Badge applications were reviewed as part of this report, ensuring continued alignment.
(<https://www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england>)

Paul Neil: Extension 5960

Council Plan	The report reflects the council priorities of addressing inequalities and the efficient and effective use of resources.
Addressing inequalities	EIA completed and no negative impacts.
Tackling Climate Change	These changes have a positive impact and promotes independence across the borough.
Efficient and effective use of resources	This report has no impact on the Council's Efficiency Programme.
Health and Wellbeing	Positive impact on residents allowing for continued independence.
S17 Crime and Disorder	No impact.
Wards Affected	All wards.
Groups Affected	People with mobility issues.
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework.
Key Decision	Yes
Urgent Decision	No
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers.

MAIN REPORT

Information and Analysis

7. The purpose of this report is to update Cabinet members on the current issues affecting Blue Badge applications, particularly the backlog in applications and to consider:
 - (a) Introducing an automatic extension of the blue badge after expiry or soon to expire badges.
 - (b) A change in eligibility conditions.
 - (c) Proposed procedural changes.
8. The above revisions to procedures will in turn have a positive impact on future blue badge applications, including a significant reduction in the backlog and customers applications being processed in a timely manner.
9. The table below highlights the increase year on year (except for 20/21 due to covid restrictions) of Blue Badge applications received by the Council. This increase, in part, can be linked to a revision to the scheme eligibility criteria in August 2019 which was extended to include people with non-visible and neurological disabilities that may affect their ability to access goods and services.

Year	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Total number of applications per year	2407	2525	2229	2959	3254	3444
Total number of online applications per year	0	501	1093	1308	1800	2265
Total number of F2F applications per year		16	13	8	10	8
Total number of telephone applications per year	2407	544	882	1420	1304	1021
Total number of automatic applications which didn't go to the OT	907	891	1004	1219	1319	1399
Total number of applications referred to OT each year	272	369	184	254	277	752
Total number of accepted applications by OT per year	218	362	168	249	268	467
Total number of declined applications by OT per year	1	1	5	0	1	0

10. The latest figures for August 2025 show there are 50 applications in the OT queue awaiting assessment. The average wait time remains is 5 weeks. These figures show a reduction in both numbers and wait times over the implementation period of the revised procedures.

Summary of current procedures

11. Applications for both new and renewals of blue badges are made through a number of channels.
12. The main channel is online applications followed by telephone calls and then face to face. The customer service team act as the first stage and process these applications, however where a decision cannot be made, these are referred to Occupational Therapy in Adults Services.
13. Darlington's Service Level Agreement for Blue Badge referrals is 20 days from the date of referral to OT. Data from [Blue Badge](#) government website states "local councils usually make a decision within 12 weeks".

14. For renewal applications the DBC application process is the same as a new application.
15. There are a number of proposals moving forward that will reduce the current backlog of applications and ensure the application process is more efficient:
 - (a) Introduction of an automatic extension for current users of the blue badge scheme to ensure those who have expired or soon to be expired badges can still use these without risk of fines. The proposed automatic extension would be 31 March 2026.
 - (b) Revisions to current conditions of eligibility as listed in Annex 1.
16. In addition to the changes above, improvements in current processes are underway. This followed a meeting between Adult Social Care and Customer Services on 23 July. A number of improvements were identified including:
 - (a) In order to streamline the application process it is proposed to introduce a new "Practitioner Agreed Application" pathway. Currently, all applicants are required to complete a full assessment as part of their application. Introducing this change will allow Adult Social Care Practitioners, in their care assessment role, to automatically recommend a blue badge applicant where there is a clear and eligible need, without the requirement for a full application. This is in line with national Blue Badge Guidance that states:

"Referral to an 'expert assessor' is unnecessary when a local authority determines that, from the information that they have about the applicant, it is self-evident that the applicant does, or does not, meet one of the 'subject to further assessment' eligibility criteria, for example that the applicant is clearly eligible or ineligible and further assessment would not assist the local authority in determining eligibility. The reason for this is that it would be overly burdensome for both local authorities and for applicants to require further assessment in cases where an applicant's disability means that they are clearly eligible or ineligible."
 - (b) Work is underway within the Lagan Case Management System to ensure this new pathway process requires minimal manual completion of the blue badge assessment criteria for customer services.
 - (c) One of the key reasons there is a backlog in applications was due to single person dependency within the OT Service. It is now confirmed this is now resolved with an increasing number of staff now trained. Moving forward, it is proposed to implement a blue badge rota system rather than reliance on individual OT staff members.
 - (d) Restricted system access was also a factor in delays in the application process. Previously OT staff did not have access to Liquid Logic, where information regarding residents care support needs are stored. This access has now been granted, meaning the OT service have access to the relevant records. This system access restriction still applies to the Customer Service Team.

- (e) Consideration in approving blue badge applications for residents with temporary conditions has been considered. However, the proposal to issue short-term badges is not possible due to a change in national procedures. Previously short badges were issued, now these are only issued for a period of three years.

Financial Implications

- 17. There will be no impact on income from the automatic extension as residents will still need to apply for renewal and make the payment in line with current charging policy. It is not anticipated these changes will see an increase in costs to the Council. There are adequate parking arrangements and disabled places within Darlington to accommodate the changes to the eligibility conditions.

Legal Implications

- 18. No legal implications were identified following discussion with Legal services.

HR Implications

- 19. No negative impact on staff conditions.

Carbon Impact and Climate Change

- 20. These changes should be seen as positives by promoting system efficiencies and the promotion of individual's independence across the borough.

Equalities considerations

- 21. The Equalities impact assessment is attached and identifies no negative impact.

Revised conditions

1. The current conditions are outlined below:

(a) People who automatically qualify for a Blue Badge

- (i) People will automatically qualify for a Blue Badge if they are aged 3 or over and at least one of the following applies:
 - (1) They receive the higher rate of the mobility component of the Disability Living Allowance (DLA).
 - (2) They receive a Personal Independence Payment (PIP) because they can't walk more than 50 metres (a score of 8 points or more under the 'moving around' activity of the mobility component).
 - (3) They are registered blind (severely sight impaired).
 - (4) They receive a War Pensioners' Mobility Supplement.
 - (5) They have received a lump sum benefit within tariff levels 1 to 8 of the Armed Forces and Reserve Forces (Compensation) Scheme and have been certified as having a permanent and substantial disability that causes inability to walk or very considerable difficulty in walking.
 - (6) They receive the mobility component of PIP and have obtained 10 points specifically for descriptor E under the 'planning and following journeys' activity, on the grounds that you are unable to undertake any journey because it would cause you overwhelming psychological distress.
- (ii) If they have any score other than 10 points under descriptor E, in the 'planning and following journeys' activity of PIP they may still be eligible for a Blue Badge, but they do not automatically qualify. This includes if they have a higher score of 12. They will have to provide evidence to demonstrate their eligibility, which will be assessed as part of their application.

(b) In addition, it is proposed in this report that the following people will also qualify for a Blue Badge if:

- (i) One or more of the following applies:
 - (1) They cannot walk at all.
 - (2) They cannot walk without help from someone else or using mobility aids.
 - (3) They find walking very difficult due to pain, breathlessness or the time it takes.

- (4) Walking is dangerous to their health and safety.
- (5) They have a terminal illness, which means they cannot walk or find walking very difficult and have a DS1500 form.
- (6) They have a severe disability in both arms and drive regularly, but cannot operate pay-and-display parking machines.
- (7) They have a child under the age of 3 with a medical condition that means the child always needs to be accompanied by bulky medical equipment.
- (8) They have a child under the age of 3 with a medical condition that means the child must always be kept near a vehicle in case they need emergency medical treatment.
- (9) They are constantly a significant risk to themselves or others near vehicles, in traffic or car parks.
- (10) They struggle severely to plan or follow a journey.
- (11) They find it difficult or impossible to control their actions and lack awareness of the impact they could have on others.
- (12) They regularly have intense and overwhelming responses to situations causing temporary loss of behavioral or physical control.
- (13) They frequently become extremely anxious or fearful of public or open spaces.
- (14) Those who are in receipt of Attendance Allowance do not automatically qualify for a Blue Badge, however it will be taken into consideration in supporting a blue badge application.

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Darlington Borough Council

Blue Badge Policy Statement

September 2025

Darlington Borough Council
Provision of Blue Badge Parking Permit – Policy Statement
September 2025

Purpose

1. To ensure that Darlington Borough Council supports the mobility needs of its residents through the provision of Blue Badges to those who are eligible to receive one.
2. This policy outlines:
 - a) The purpose of the scheme (e.g., supporting mobility needs).
 - b) The alignment to the Department of Transport regulations
 - c) States who is eligible and under what conditions.
 - d) Clarifies legal and ethical standards (e.g., correct use, consequences of misuse).
 - e) Provides guidance for appeals and organisational badge use.

The purpose of the blue badge scheme

3. The Blue Badge scheme is designed to:
 - a) Support people with severe mobility problems, including those with visible and non-visible (hidden) disabilities.
 - b) Enable easier access to goods and services by allowing eligible individuals to park closer to their destination.
 - c) Provide national on-street parking concessions, such as:
 - i. Free parking at meters and pay-and-display bays.
 - ii. Parking on yellow lines for up to 3 hours (unless loading restrictions apply).
 - iii. Use of designated disabled parking bays without time limits (unless otherwise stated).
4. The scheme applies to individuals travelling as drivers or passengers and aims to reduce barriers to independence and participation in daily life.

Alignment with Department for Transport Regulations

5. The scheme is governed by legislation set out by the Department for Transport (DfT), which:
 - a) Defines eligibility criteria for badge issuance.
 - b) Sets rules for badge display, use, and enforcement.

- c) Establishes maximum fees, validity periods, and conditions for withdrawal or return of badges.
 - d) Provides non-statutory guidance to local authorities to ensure consistency and good practice.
6. Darlington Borough Council, are responsible for:
- a) Administering applications and assessments.
 - b) Enforcing correct badge use.
 - c) Communicating with enforcement teams to prevent misuse.
7. The DfT ensures the scheme remains fair, accessible, and legally compliant, while allowing councils flexibility in implementation.
8. [The Blue Badge scheme: rights and responsibilities in England - GOV.UK](#)
9. [Blue Badge scheme local authority guidance \(England\) - GOV.UK](#)

Eligibility Conditions.

Automatic Qualification

10. Residents will automatically qualify for a Blue Badge if they are aged 3 or over and at least one of the following applies:
- a) Receive the higher rate of the mobility component of the Disability Living Allowance.
 - b) Receive a Personal Independence Payment due to not being able to walk more than 50 metres.
 - c) Are registered blind.
 - d) Receive a War Pensioners' Mobility Supplement.
 - e) Have received a lump sum benefit within tariff levels 1 to 8 of the Armed Forces and Reserve Forces (Compensation) Scheme and have been certified as having a permanent and substantial disability that causes inability to walk or very considerable difficulty in walking.
 - f) Receive the mobility component of PIP and have obtained 10 points specifically for descriptor E under the 'planning and following journeys' activity, on the grounds that they are unable to undertake any journey because it would cause overwhelming psychological distress.
 - g) Attendance Allowance receipts will automatically qualify.
11. Where there is any score other than 10 points under descriptor E, in the 'planning and following journeys' activity of PIP residents may still be eligible for a Blue Badge but do not automatically qualify. Evidence to demonstrate eligibility which will be assessed as part of the application process.

Residents who may be eligible

12. Residents may be eligible for a badge if one or more of the following applies:

- a) Cannot walk at all.
- b) Cannot walk without help from someone else or using mobility aids.
- c) Find walking very difficult due to pain, breathlessness or the time it takes.
- d) Walking is dangerous to the resident's health and safety.
- e) Have a life limiting illness, which means the resident cannot walk or find walking very difficult and have a SR1 form.
- f) Have a severe disability in both arms and drive regularly, but cannot operate pay-and-display parking machines.
- g) Have a child under the age of 3 with a medical condition that means the child always needs to be accompanied by bulky medical equipment.
- h) Have a child under the age of 3 with a medical condition that means the child must always be kept near a vehicle in case they need emergency medical treatment.
- i) Are constantly a significant risk to themselves or others near vehicles, in traffic or car parks.
- j) Struggle severely to plan or follow a journey.
- k) Find it difficult or impossible to control their actions and lack awareness of the impact they could have on others.
- l) Regularly have intense and overwhelming responses to situations causing temporary loss of behavioural control.
- m) Frequently become extremely anxious or fearful of public/open spaces.

13. Evidence will be required to support applications. The type of evidence will depend on individual applications. This includes:

- a) A patient summary from GP surgery.
- b) Information about treatment received.
- c) Name and contact details for healthcare or associated professionals.
- d) Diagnosis letter.

Correct Use of Blue Badges

14. It is against the law to:

- a) Use someone's Blue Badge when they are not with the recipient.
- b) Use a badge that isn't valid.
- c) Use a forged or copied badge.
- d) Use a badge that has been lost or stolen.

15. The named holder must be travelling in the vehicle with the applicant.

16. The badge must be displayed with the expiry date and the badge serial number facing upwards (the photo and badge holder's name should face down).

17. Darlington Borough Council's Civic Enforcement Officers will remove a badge that is being misused, this will be returned to Customer Services for investigation.
18. Misuse of a badge can lead to court action and a fine of up to £1000 in addition to any parking fine you receive.

Issuing of Replacement Badges

19. There may be occasions when a replacement badge may be required. A replacement badge will only be considered for the following reasons:
 - a) Loss
 - b) Theft
 - c) Damage

Guidance on Appeals

20. Where an application is declined by a Customer Service Advisor, applicants have the right to appeal. Reasons for the decline could include insufficient information in the application or the basic criteria is not met. This must be done in writing.
21. Appeals can be emailed to: customerservices@darlington.gov.uk
22. Appeals can also be posted to:

Blue badge Stage 1 Appeals
Customer Service Centre
Town Hall
Feethams
Darlington
DL1 5QT
23. All appeals are reviewed within 20 working days from receipt. Where an appeal is successful this will be referred to the Occupational Therapist, who will then carry out an independent mobility assessment. The application will then be progressed at the "refer to Occupational Therapist" stage above.
24. The outcome of all appeals will be in writing.
25. Where an application is declined by the Occupational Therapist an appeal can be made and this must be done in writing and include any medical evidence of relevant conditions and GP or consultant letter. The applicant will need to pay these costs.
26. The appeal will be passed to a Senior Occupational Therapist. The Senior OT will conduct a full review of all the evidence within 20 Working Days. The Senior OT will contact the applicant directly in writing with the outcome.

27. Where the individual remains dissatisfied with the outcome of their appeal they may refer the matter to the Local Government Ombudsman can be contacted:

PO Box 4771
Coventry
CV4 0EH
Telephone: 0300 061 0614

28. An applicant can reapply in 6 months' time

Issuing of Organisational Badges

29. Organisations may also be eligible for a blue badge providing they meet the criteria.

- a) The business of the organisation cares for and transports disabled people who would themselves meet one or more of the eligibility criteria for the award of an individual Blue Badge; and
- b) Has a clear need for an organisational badge rather than using the individual Blue Badges of people it is transporting.

Equality Impact Assessment

30. This policy has been subject to an equality impact assessment and subsequently has no negative consequences on protected characteristics.

Compliance and review process

31. This Policy complies with the Department of Transport regulations as outlined in section above.
32. This Policy will be subject to review in line with amendments and changes reflected in national guidance.

Appendix one:

Blue Badge Application procedure.

1. This procedure describes the **operational process** for Darlington Borough Council and applicants.

Blue Badge Procedure:

- a) Explains **how to apply** (online, phone, face-to-face).
- b) Details the **assessment process** (Customer Service Advisor, OT involvement).
- c) Lists **required evidence** and documentation.
- d) Covers **badge issuance**, renewal, and replacement.
- e) Outlines **appeal steps**, timelines, and escalation routes.

How to apply for the service

2. Darlington Borough Council operates the Blue Badge Scheme on behalf of the Department for Transport. Initial applications can be made online through the Council website at <https://www.darlington.gov.uk/adult-social-care/i-need-support/living-independently/travel/blue-badges>. Alternatively, telephone applications can be made directly with the council using telephone number 01325 405222.
3. Face to face appointments can be made who do need them.

The Assessment Process

4. The assessment process involves Customer Service Advisors reviewing all applications received, and where a decision cannot be reached, at this stage applications are referred to an Occupational Therapist for further assessment.
5. Blue badges last for 3 years, and a renewal application must be made 2 months before the expiry date.

Required evidence and documentation

Blue Badge Eligibility Criteria

Automatic Qualification

6. Residents will automatically qualify for a Blue Badge if they are aged 3 or over and at least one of the following applies:
 - a) Receive the higher rate of the mobility component of the Disability Living Allowance.
 - b) Receive a Personal Independence Payment due to not being able to walk more than 50 metres.
 - c) Are registered blind.

- d) Receive a War Pensioners' Mobility Supplement.
 - e) Have received a lump sum benefit within tariff levels 1 to 8 of the Armed Forces and Reserve Forces (Compensation) Scheme and have been certified as having a permanent and substantial disability that causes inability to walk or very considerable difficulty in walking.
 - f) Receive the mobility component of PIP and have obtained 10 points specifically for descriptor E under the 'planning and following journeys' activity, on the grounds that they are unable to undertake any journey because it would cause overwhelming psychological distress.
 - g) Attendance Allowance recipients will automatically be eligible.
7. Where there is any score other than 10 points under descriptor E, in the 'planning and following journeys' activity of PIP residents may still be eligible for a Blue Badge but do not automatically qualify. Evidence to demonstrate eligibility which will be assessed as part of the application.
8. Evidence will need to be provided to demonstrate eligibility which will be assessed as part of the application process.

Residents who may be eligible

9. Residents may be eligible for a badge if one or more of the following applies:
- a) Cannot walk at all.
 - b) Cannot walk without help from someone else or using mobility aids.
 - c) Find walking very difficult due to pain, breathlessness or the time it takes.
 - d) Walking is dangerous to your health and safety.
 - e) Have a life limiting illness, which means the resident cannot walk or find walking very difficult and have a SR1 form.
 - f) Have a severe disability in both arms and drive regularly, but cannot operate pay-and-display parking machines.
 - g) Have a child under the age of 3 with a medical condition that means the child always needs to be accompanied by bulky medical equipment.
 - h) Have a child under the age of 3 with a medical condition that means the child must always be kept near a vehicle in case they need emergency medical treatment.
 - i) Are constantly a significant risk to self or others near vehicles, in traffic or car parks.
 - j) Struggle severely to plan or follow a journey.
 - k) Find it difficult or impossible to control actions and lack awareness of the impact the person could have on others.
 - l) Regularly have intense and overwhelming responses to situations causing temporary loss of behavioural control.
 - m) Frequently become extremely anxious or fearful of public/open spaces.
10. Evidence will be required to support applications. The type of evidence will depend on individual applications. This includes:
- a) A patient summary from GP surgery

- b) Information about treatment received
- c) Name and contact details for healthcare or associated professionals
- d) Diagnosis letter

Issuing of Blue Badges without further assessment

11. When an application is made, we will ask the applicant for their **explicit consent** to access their existing Adults or Children's Social Care records in those cases where the Customer Service Advisor is unable to make a decision.
12. Where an application meets the criteria for the award of a blue badge without further assessment, the Customer Service Advisor will contact the applicant who will be asked to:
 - a) Give proof of any qualifying benefit.
 - b) Make payment of the fee associated with the award.
 - c) Submit two passport photographs.
13. Once the Council is in receipt of the above, the blue badge will be posted to the applicant at their home address.
14. Where we are unable to make a decision based on the information provided by the applicant, we will access any existing Adults or Children's Social Care records and review notes from any previous social care assessments and the outcome of these assessments, to see whether the applicant is likely to qualify for a Blue Badge. They may also view notes made in the records by occupational therapists, physiotherapists and social workers which may contain useful information that will enable them to make a decision. For example, this might include whether the applicant has been in hospital and/or the types of care they have been receiving from the Council or local health services.

Issuing of Badges with further assessment

15. Where a decision cannot be made by the Customer Service Advisor, based on the information provided or by the OT based on the information held in our existing social care records, the OT will undertake an Independent Mobility Assessment.
16. The Occupational Therapist is a health professional with experience and knowledge of physical disability and mobility related problems and is considered competent to carry out the mobility assessment. This assessment provides the evidence to suggest that the person has or has not met the criteria.

Sharing of Information

17. We will only access an applicant's social care records in those cases where they provide explicit consent for us to do so, at the point the application is made.

Correct Use of Blue Badges

18. It is against the law to:

- a) use someone's Blue Badge when they are not with the recipient.
- b) use a badge that isn't valid
- c) use a forged or copied badge
- d) use a badge that has been lost or stolen

19. The named holder must be travelling in the vehicle with the applicant.

20. The badge must be displayed with the expiry date and the badge serial number facing upwards (the photo and badge holder's name should face down).

21. Darlington Borough Council's Civic Enforcement Officers will remove a badge that is being misused, this will be returned to Customer Services for investigation.

22. Misuse of a badge can lead to court action and a fine of up to £1000 in addition to any parking fine you receive.

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DL1 5QT

27. All appeals are reviewed within 20 working days from receipt. Where an appeal is successful this will be referred to the Occupational Therapist, who will then carry out an

independent mobility assessment. The application will then be progressed at the “refer to Occupational Therapist” stage above.

28. The outcome of all appeals will be in writing.
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31. Where the individual remains dissatisfied with the outcome of their appeal they may refer the matter to the Local Government Ombudsman can be contacted:

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Coventry
CV4 0EH
Telephone: 0300 061 0614
32. An applicant can reapply in 6 months' time.

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Equality Impact Assessment Record Form

This form is to be used for recording the Equality Impact Assessment (EIA) of Council activities. It should be used in conjunction with the guidance on carrying out EIA in **Annex 3** of the Equality Policy. The activities that may be subject to EIA are set out in the guidance.

EIA is particularly important in supporting the Council to make fair decisions. The Public Sector Equality Duty requires the Council to have regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations.

Using this form will help Council officers to carry out EIA in an effective and transparent way and provide decision-makers with full information on the potential impact of their decisions. EIAs are public documents, accompany reports going to Councillors for decisions and are published with committee papers on our website and are available in hard copy at the relevant meeting.

Title of activity:	Blue Badge Procedure
Name of Directorate and Service Area:	People's Group - Adult Social Care
Lead Officer and contact details	Joss.harbron@darlington.gov.uk
Assistant Director accountable for this EIA	Joss Harbron
Who else will be involved in carrying out the EIA:	Paul Neil

When did the EIA process start?		<i>August 2024</i>
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Section 2 – The Activity and Supporting Information

<p>Details of the activity (describe briefly - including the main purpose and aims) (e.g. are you starting a new service, changing how you do something, stopping doing something?)</p> <p>Redesign and update of the Adult Social Care Blue Badge procedures to align with national guidance and better promotes Strength Based Practice and Equalities under the Equality Act.</p> <p>This is a refresh of procedures, specifically an amendment of the eligible conditions.</p>
<p>Why is this being proposed? What are the aims? What does the Council hope to achieve by it? (e.g. to save money, meet increased demand, do things more efficiently)</p> <p>To both reduce the current backlog of applications, and to have a more efficient application process moving forward.</p>
<p>What will change? What will be different for service users/ customers and/ or staff?</p> <p>The list of eligible conditions for which residents can apply for a blue badge. There will be a greater shift towards auto-approval against an increased number of conditions.</p> <p>This will ensure people with eligible requirements for blue badges will continue to travel with independence.</p>
<p>What data, research and other evidence or information is available which is relevant to the EIA?</p> <p>National data as of 31 March 2023 shows:</p> <ul style="list-style-type: none"> • 2.57 million Blue Badges were held, an increase of 5.7% since March 2022 • 4.6% of the population held a Blue Badge • Between 1 April 2022 and 31 March 2023: <ul style="list-style-type: none"> ○ 1.14 million badges were issued, an increase of 101,000 badges (9.7%) on the previous year. This figures includes badges issued followed reapplications from existing badge holders ○ this increase is likely to be in part due to recovery from the coronavirus (COVID-19) pandemic ○ 39% of these were issued without further assessment <p>This shows the continued need for badges and the need for a streamline process.</p>
<p>Engagement and consultation (What engagement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)</p> <p>Discussions between members, customer services and ASC regarding feedback from application holders and an increase in complaints.</p>
<p>What impact will this activity have on the Council's budget? (e.g. cost neutral, increased costs or reduced costs? If so, by how much? Explain briefly why this is the case)</p>

It is not anticipated these changes will see an increase in costs to the Council. There is adequate parking arrangements and disabled places within Darlington to accommodate the changes to the eligibility conditions.

Section 3: Assessment

How will the activity affect people with protected characteristics?	No Impact	Positive impact	Negative impact	Why will it have this effect? (refer to evidence from engagement, consultation and/or service user data or demographic information, etc.)
Age		x		Redesign and update of the Adult Social Care Blue Badge procedures to align with national guidance and better promotes Strength Based Practice and Equalities under the Equality Act.
Disability (Mobility Impairment, Visual impairment, Hearing impairment, Learning Disability, Mental Health, Long Term Limiting Illness, Multiple Impairments, Other – Specify)		x		Redesign and update of the Adult Social Care Blue Badge procedures to align with national guidance and better promotes Strength Based Practice and Equalities under the Equality Act.
Sex (Gender)		x		Redesign and update of the Adult Social Care Blue Badge procedures to align with national guidance and better promotes Strength Based Practice and Equalities under the Equality Act.
Race	x			
Gender Reassignment	x			
Sexual Orientation	x			

Religion or belief	X			
Pregnancy or maternity	X			
Marriage or civil partnership	X			
How will the activity affect people who:	No impact	Positive Impact	Negative Impact	Why will it have this effect? (Refer to evidence from engagement, consultation and/or service user data or demographic information, etc.)
Live in a rural location?	x			
Are carers?		x		Redesign and update of the Adult Social Care Blue Badge procedures to align with national guidance and better promotes Strength Based Practice and Equalities under the Equality Act including recognition of need to support unpaid carers when supporting individuals with mobility issues.
Are on a low income?	x			
Are a Care Leaver?	x			

Section 4: Cumulative Impacts

Cumulative Impacts – will the activity affect anyone more because of a combination of protected characteristics? (E.g. older women or young gay men – state what you think the effect might be and why, providing evidence from engagement, consultation and/or service user data or demographic information, etc.)

Are there any other activities of which you are aware which might also impact on the same protected characteristics?

People with visible and non visible disabilities will benefit from the revision to conditions and a streamline application process.

Section 5: Analysis

A. How will the activity help to eliminate discrimination, harassment and victimisation?

Procedures ensure the Equality, Diversity and Inclusion and the Equality Act 2010 is embedded throughout the application process.

B. How will the activity help to advance equality of opportunity?

Through continued access and independence for blue badge holders.

C. How will the activity help to foster good relations?

There will be a significant reduction in the backlog of applications resulting in fewer complaints for the Council from current and prospective badge holders.

During the engagement/ consultation process were there any suggestions on how to avoid, minimise or mitigate any negative impacts? If so, please give details.

During the transition period, an amnesty will be in place for expired badge holders, meaning fines will not be issued.

Section 6 - Sign-off when assessment is completed

Officer Completing the Form:		
Signed	Name:	Paul Neil
	Date:	2/8/2024
	Job Title:	Programme Manager
Assistant Director:		
Signed	Name:	Jocelyn Harbron
	Date:	02/08/2024
	Service:	Adult Services

Section 7 – Reporting of Findings and Recommendations to Decision Makers

<p>Next Steps to address the anticipated impact (Select one of the following options and explain why this has been chosen – remember we have a duty to make reasonable adjustments so that disabled people can access services and work for us)</p>
<p>A. No negative impact on people because of their Protected Characteristics and therefore no major change is needed to the activity</p>
<p>B. Negative impact identified – recommend continuing with the activity</p>
<p>C. Negative impact identified - adjust the activity in light of the identified impact to avoid, minimise or mitigate the impact (The EIA identifies potential problems or missed opportunities. The Council will change the proposal to reduce or remove these adverse impacts, or it will achieve the aim in another way which will not make things worse for people)</p>
<p>D. Actual or potential unlawful discrimination – stop and remove the activity (The EIA identifies actual or potential unlawful discrimination. It should be stopped.)</p>
<p>Explanation of why the option above has been chosen (Including any advice given by legal services)</p>
<p>No negative impact on people because of their Protected Characteristics and therefore no major change is needed to the activity (There is no potential for discrimination or adverse impact identified)</p> <p>The revisions to the eligibility conditions and the introduction of a more streamline process will have benefits for all current and future badge holders, allowing for continued independence.</p>
<p>If the activity is to be implemented how will you find out how it is affecting people once it is in place? (How will you monitor and review the changes?)</p>
<p>Activity will be monitored through the Lagan Case Management system, identifying any potential backlog allowing action to be taken. Numbers of complaints will also be monitored against the benchmark prior to changes to procedures.</p>

Section 8 – Action Plan and Performance Management

List any actions you need to take which have been identified in this EIA, including post implementation reviews to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

What is the negative impact?	Actions required to reduce/eliminate the negative impact (if applicable)	Who will lead on action	Target completion date
N/A			

Performance Management	
Date of the next review of the EIA	September 2025
How often will the EIA action plan be reviewed?	Annual
Who will carry out this review?	AD ASC

CABINET
9 SEPTEMBER 2025

CLIMATE CHANGE AND NATURE RESTORATION STRATEGY

Councillor Chris McEwan, Economy Portfolio

Trevor Watson, Executive Director Economy and Public Protection

SUMMARY REPORT

Purpose of the Report

1. To seek Cabinet approval of the combined Climate Change and Nature Restoration Strategy (**Appendix A**).

Summary

2. In May 2025, Council passed a resolution declaring a nature restoration emergency and combined it with the Council's existing climate change emergency.
3. We are also seeing that nature has become fragmented, demonstrating a need to rebuild the connectivity between habitats that has been lost.
4. We also need to create a wider variety of habitats in Darlington, increasing the resilience of our wildlife to climate change, human pressures and natural threats.
5. The attached strategy (Appendix A) sets out our approach to dealing with the challenge of both emergencies.
6. The target of a net zero Council by 2040 remains.
7. Separate action plans will be developed for the climate change and nature restoration actions, with clear linkages where an action will benefit both sides of the emergency declaration.
8. The existing Cross Party Climate Change Working Group will be expanded to also provide supportive review of the nature restoration actions.
9. The six-monthly climate change progress reports will expand to include reporting on the nature restoration actions.
10. The strategy and supporting action plans will be reviewed regularly to ensure they are up to date.

Recommendations

11. Cabinet recommends that Council approves the adoption of the attached Climate Change and Nature Restoration Strategy

Reasons

12. The recommendations are supported by the increasing public pressure to act on climate change and on nature loss, we run the risk of significant damage to our reputation if we do not deliver on our stated commitments.

Trevor Watson
Executive Director Economy and Public Protection

Background Papers

No background papers were used in the preparation of this report

Margaret Enstone: Extension 6229

Council Plan	<p>This report reflects the Council Plan Core Principle in Tackling Climate Change.</p> <p>In turn, actions that we take for climate change and nature restoration impact on our Council priorities. For example, as we improve our council stock, we improve the quality of life for our residents, leading to better health outcomes, which in turn leads to better educational attainment and job prospects.</p>
Addressing inequalities	<p>Climate change affects everyone, but it has a disproportionate impact on areas of deprivation. This strategy sets out how we will approach reducing our carbon emissions and adapting our services to the unavoidable effects of climate change.</p> <p>An improved natural environment will ensure that all Darlington residents will have access to good quality green space.</p>
Tackling Climate Change	<p>The Council has recognised the need to consider the carbon impact of the decisions it makes. This report is a progress report of our journey to reducing our carbon emissions and adapting our services to the unavoidable effects of climate change.</p>
Efficient and effective use of resources	<p>Our approach to reducing emissions will mean that resources are used more efficiently.</p>
Health and Wellbeing	<p>According to the WHO, climate change is the greatest threat to global health in the 21st century. This strategy sets out how we will approach reducing carbon and adapting our services, to ensure that the Council can continue to support and provide services to Darlington's residents.</p> <p>Access to good quality natural environment is also well documented as supporting strong physical and mental wellbeing.</p>
S17 Crime and Disorder	<p>There is no expected impact on Crime and Disorder in Darlington.</p>
Wards Affected	<p>This strategy covers how the Council will address its own carbon emissions and resilience, and how it will approach nature restoration. It will not affect any particular ward.</p>
Groups Affected	<p>This strategy covers how the Council will address its own carbon emissions and resilience, and how it will approach nature restoration. It will not affect any particular group.</p>
Budget and Policy Framework	<p>This report does not represent a change to the Council's budget or policy framework.</p>
Key Decision	<p>Yes</p>

Urgent Decision	No
Impact on Looked After Children and Care Leavers	No

MAIN REPORT

Information and Analysis

13. In May 2025, Council passed a resolution declaring a nature restoration emergency and combined it with the Council's existing climate change emergency.
14. The predicted impacts of climate change in Darlington include more frequent and intense flooding, drought, episodes of extreme heat and stormier conditions. These impacts are expected to lead to an increase in heat-related deaths, particularly amongst the elderly, damage to essential infrastructure, reduced availability of drinking water, increased cost and scarcity of food, disruption to supply chains and service provision, sea level rises, greater coastal erosion and impact on habitats from rising temperature and weather events and from invasive species.
15. At the same time, the UK is one of the most nature depleted countries in the world. Since the industrial revolution, we have already lost half of all animals, plants and birds because of intensive agriculture, habitat depletion and climate change.
16. We are also seeing that nature has become fragmented, demonstrating a need to rebuild the connectivity between habitats that has been lost.
17. We also need to create a wider variety of habitats in Darlington, increasing the resilience of our wildlife to climate change, human pressures and natural threats.
18. The links between climate change and nature restoration are clear, and the attached strategy (Appendix A) sets out our approach to dealing with the challenge of both emergencies.

Climate change

19. The target of a net zero Council by 2040 remains.
20. The scope of our climate change reporting remains concentrated on those emissions we can measure and have direct control over.
21. However, we do have a responsibility, as a leader in the borough, to support and encourage others to take action themselves. The wider borough emissions will continue to be monitored and reported, using data from central government.
22. Five principles are set out, which underpin the actions we will take towards our climate change commitments:
 - (a) Reduce our overall energy consumption:

- (i) Increase the efficiency of our estate
 - (ii) Proactively manage our buildings to reduce energy demand
 - (iii) Train staff to be carbon literate so they change their behaviours
- (b) Reduce our demand for fossil fuel-based energy:
 - (i) Move away from gas heating
 - (ii) Increase on site renewables
 - (iii) Support renewables with batteries
- (c) Contribute to a greener grid:
 - (i) Increase off-site renewables.
- (d) Sequester carbon:
 - (i) Offsetting only residual emissions after all efforts to reduce are taken.
- (e) Adaptation:
 - (i) Ensure the Council adapts its services to climate change.
 - (ii) Signpost businesses to information on how they can adapt.
 - (iii) Support residents in simple changes they can make.

Nature restoration

23. Five principles are set out, which underpin the actions we will take towards our nature restoration commitments:
- (a) Improve the connectivity of habitats through the creation and/or enhancement of wildlife corridors and stepping stones:
 - (i) Identify and map key areas where green corridors can be either enhanced or created.
 - (ii) Where a continuous corridor is not possible, create stepping stones for wildlife.
 - (iii) Update Darlington's Green Infrastructure Strategy 2013 – 2026 to reflect the current state of Darlington and the need to enhance and create wildlife corridors.
 - (b) Increase the resilience of natural environments:
 - (i) Create and/or enhance wildlife corridors and stepping stones.
 - (ii) Create a range of diverse habitats.
 - (iii) Increase the size and quality of habitats.
 - (c) Halt and reverse biodiversity decline:
 - (i) Deliver targets in Darlington Borough Council's Tree and Woodland Strategy.

- (ii) Create or restore alternative carbon sinks, such as wildflower meadows, grassland, and freshwater bodies and associated habitats.
 - (d) Ensure all developments in Darlington are designed for nature and climate:
 - (i) Sustainable Drainage Systems (SuDS) are the preferred approach to managing surface water runoff from hard surfaces.
 - (ii) Encourage the installation of wildlife features, such as swift, hedgehog and bee bricks, nest boxes and hedgehog highways within the landscaping plans.
 - (e) Review the environmental management practices within the Council's owned land.
24. Separate action plans will be developed for the climate change and nature restoration actions, with clear linkages where an action will benefit both sides of the emergency declaration.
25. The current climate change action plan is being reviewed. New actions will replace the completed ones and actions that better sit within the nature restoration action plan will move across.
26. The existing Cross Party Climate Change Working Group will be expanded to also provide supportive review of the nature restoration actions.
27. The six-monthly climate change progress reports will expand to include reporting on the nature restoration actions, once that action plan has been developed.
28. The action plans are likely to be rolling three to five year plans. These and the strategy will be reviewed regularly to take advantage of updates in government policy, examples of good practice and new technologies.

Financial Implications

29. The attached strategy sets out our approach to meeting both our climate change and nature restoration commitments. Work has been undertaken concerning the climate change strategy financial impact, however this has been ongoing as technology and new initiatives have been explored. Further work will therefore be undertaken to understand the anticipated costs of both strategies.
30. There are expected additional future costs related to habitat development and climate change, however some of these will be offset by energy efficiency measures and there will be opportunities to generate income, for example through biodiversity credits.
31. Any additional costs of implementing the strategy will be included within the normal budget setting process through the MTFP or will be presented to Cabinet as initiatives arise.

Legal Implications

29. There are no legal implications, but with increasing public pressure to act on the threat of climate change and habitat decline, we must demonstrate how we will deliver on the motion commitments and protect the Council from future legal challenge.

Estates and Property Advice

30. As the strategy will impact on all Council activities, it may also affect Council's land holdings and management of Council land.

Carbon Impact and Climate Change

31. Climate change is a corporate priority. It affects everyone, but has a disproportionate impact on areas of deprivation. By ensuring the Council is resilient to the effects of climate change, we ensure that we will be able to continue providing services to all residents. Public scrutiny in this area is growing and we should consider and set out the climate impacts of decisions.

Equalities considerations

32. Climate change affects everyone, but it has a disproportionate impact on areas of deprivation. By ensuring that the Council is resilient to the effects of climate change, we ensure that we will be able to continue providing services to all residents.

Consultation

33. This strategy relates to reducing the Council carbon emissions, increasing its resilience to the impacts of climate change and how we intend to proceed with nature restoration. No public consultation has been carried out.

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Foreword



Councillor Chris McEwan
Deputy Leader of Darlington Borough Council
Economy Portfolio Holder

Climate change and nature loss are no longer distant threats: they are here, and they are deepening the divide in our communities. In Darlington, where some of the UK's most disadvantaged areas are found, the impacts of extreme weather, rising energy costs, and environmental damage are felt most acutely by those least able to adapt.

At the same time, our natural environment, already under pressure, is facing unprecedented threats. The UK is one of the most nature-depleted countries in the world. This is not just an ecological crisis; it is a social and economic one too.

But there is hope. And there is opportunity.

In 2023, Darlington Borough Council brought forward its net zero target to 2040, recognising the urgency of the climate crisis. Now, we are also declaring a nature restoration emergency, acknowledging that climate and nature are inextricably linked—and must be tackled together.

While the Council directly controls less than 5% of the Borough's emissions and just 13.5 km² of land, our influence is far greater. We can lead by example, convene partnerships, and empower our residents, businesses, and young people to be part of the solution.

By embedding climate and nature action into everything we do, we can build resilience in our most vulnerable communities, reducing flood risk, improving air quality, and creating cooler, greener neighbourhoods. These actions will not only protect lives and livelihoods but also support a healthier, more connected society.

At the same time, we can stimulate our local economy by creating green jobs and developing skills that support a just transition. Investing in energy efficiency, sustainable transport, and nature-based solutions will unlock long-term savings and reduce future costs to public services. These are not just environmental investments—they are economic ones that align with our aspirations for financial growth and prosperity.

We are committed to engaging young people in shaping the future they will inherit, partnering with businesses and academic institutions to drive innovation, and supporting residents with the information and tools they need to make sustainable choices.

This is about more than targets. It's about securing a better future for our children and grandchildren—one that is fairer, greener, and more prosperous for all. Together, we can make Darlington a beacon of resilience and regeneration.

Introduction

1. The 2023 report from the United Nations Intergovernmental Panel on Climate Change concluded that there is a rapidly closing window of opportunity to secure a liveable and sustainable future for everyone.
2. Human activity has led to approximately 1.5°C of global warming since the Industrial Revolution, which is causing damaging impacts on lives, infrastructure and ecosystems that are apparent today. As a result, we need to both rapidly reduce greenhouse gas emissions and adapt to the impacts of climate change.
3. The predicted impacts of climate change in Darlington include:
 - a. more frequent and intense flooding,
 - b. drought,
 - c. episodes of extreme heat and stormier conditions.
4. These impacts are expected to lead to:
 - a. an increase in heat-related deaths, particularly amongst the elderly,
 - b. damage to essential infrastructure,
 - c. reduced availability of drinking water,
 - d. increased cost and scarcity of food,
 - e. disruption to supply chains and service provision, and
 - f. impacts on habitats from rising temperature, weather events and from invasive species.
5. Similarly, since the Industrial Revolution, the UK has lost half of all animals, plants and birds because of agriculture, habitat depletion and climate change.
6. Nature provides vital services to us: the air we breathe, the food we eat, and the water we drink. Nature provides cooling, carbon storage, energy, medicines, and cultural and recreational experiences.
7. Consequently, the Council has declared a nature restoration emergency alongside its existing climate emergency. The two sit alongside each other and cross-over in multiple respects.
8. We therefore have a combined strategy but will have separate action plans. These action plans will have clear indication where an action meets both climate and nature targets.
9. The Council has been on a mission to reduce its emissions since 2010. The actions we have taken so far have successfully reduced the Council's carbon emissions by around 50% (as of 2024/25). Despite these successes, we understand that we need to lead by example and do more, faster.
10. Our more ambitious targets, however, do come with potential pressure on our finances, and we must be mindful of that. At the same time, we must recognise that preventative action will cost less than reactive action in the future.
11. This strategy focuses on our plans to tackle both the climate change emergency and the nature restoration emergency. It includes the principles we have put in place to support the actions we need to take.

12. Alongside the work we are doing internally, we must use our position as a leader in the Borough to help everyone join us on the journey to become a resilient Darlington. Our most vulnerable residents are at greatest risk; climate change has the most impact on those least able to do anything about it. Nature is one of the mechanisms that can help reduce risk. For example, trees and hedgerows decrease risk of flooding, while a natural canopy can reduce the risk of overheating. Furthermore, access to nature is a well-documented path to improved wellbeing. Therefore, our approach will be centred around creating a future that is healthier and safer for *all*.
13. The strategy will be reviewed regularly so that we can embrace improvements in technology and any changes in government policy.

Managing the Council's own emissions

Principles for action

14. There are five core principles which underpin the climate actions within this strategy and are critical to our successful delivery of our goal of reducing emissions and being more resilient. These principles should be considered as an overarching hierarchy for action, and will set the direction for future work, and determine which actions are brought forward first.
15. The actions we choose to take will also see co-benefits, such as cleaner air and improved health and wellbeing. We must ensure that we identify and account for these additional gains, as well as ensuring that whatever actions we take are fair and equitable for all residents.
 - a. Reduce our overall energy consumption
 - i. Increase the efficiency of our estate.
 - ii. Proactively manage our buildings to reduce energy demand.
 - iii. Train staff to be carbon literate so they change their behaviours.
 - b. Reduce our demand for fossil fuel-based energy.
 - i. Move away from gas heating.
 - ii. Increase on site renewables.
 - iii. Support renewables with batteries.
 - c. Contribute to a greener grid
 - i. Increase off-site renewables.
 - d. Sequester carbon
 - i. Offsetting only residual emissions after all efforts to reduce are taken.
 - e. Adaptation
 - i. Ensure the Council adapts its services to climate change.
 - ii. Signpost businesses to information on how they can adapt.
 - iii. Support residents in simple changes they can make.

Managing the Council's nature restoration emergency

Principles for action

16. There are five key principles which underpin the nature actions within this strategy which will ensure an improvement in the natural environment in Darlington and see an increase in species recovery. Professor Sir John Lawton identified the need for connectivity and diversity in our natural environment in 2010¹ and that still holds true today.
- a. Improve the connectivity of habitats through the creation and/or enhancement of wildlife corridors and stepping-stones.
 - i. Identify and map key areas where green corridors can be either enhanced or created.
 - ii. Where a continuous corridor is not possible, create stepping-stones for wildlife.
 - iii. Update Darlington's Green Infrastructure Strategy 2013 – 2026 to reflect the current state of Darlington and the need to enhance and create wildlife corridors.
 - b. Increase the resilience of natural environments
 - i. Create and/or enhance wildlife corridors and stepping-stones.
 - ii. Create a range of diverse habitats.
 - iii. Increase the size and quality of habitats.
 - c. Halt and reverse biodiversity decline
 - i. Deliver targets in Darlington Borough Council's [Tree and Woodland Strategy](#).
 - ii. Create or restore alternative carbon sinks, such as wildflower meadows, grassland, and freshwater bodies and associated habitats.
 - d. Ensure all developments in Darlington are designed for nature and climate
 - i. Sustainable Drainage Systems (SuDS) are the preferred approach to managing surface water runoff from hard surfaces.
 - ii. Encourage the installation of wildlife features, such as swift, hedgehog and bee bricks, nest boxes and hedgehog highways within the landscaping plans.
 - e. Review the environmental management practices within the council's owned land.

Methodology

17. Our climate change target concentrates on those emissions we can measure and have direct control over.
18. The carbon footprint has been built from numerous data sources, with a specified calculation methodology applied to each.
19. Our nature restoration emergency will use data from the Tees Valley Nature Partnerships Natural Capital Report for our baseline.

Our target

1

https://www.researchgate.net/publication/268279426_Making_Space_for_Nature_A_Review_of_England's_Wildlife_Sites_and_Ecological_Network

20. The Council will achieve net zero carbon emissions across our own estate by 2040.

21. The Council will set clear strategic goals for nature recovery by 2040.

Scope

22. Carbon reporting includes areas where carbon emissions are significant, where there is the ability to control and directly influence, to deliver change, and where there is robust data to demonstrate progress.

23. The nature restoration emergency will review the Council's environmental management practices.

24. Both climate change and nature restoration emergencies require us to use our position as a leader in Darlington to influence wider action and activity.

Out of scope

25. Emissions from the following sources are currently excluded from carbon reporting due to lack of data:

- a. Energy use in Council housing where we do not retain responsibility for bill payment or management.
- b. Commuting.
- c. Disposal of waste from buildings.
- d. Business mileage using public transport.

26. The following areas are out of scope in our nature restoration plans:

- a. Private land where we have no control over management approach.
- b. Areas where we cannot control recreational activity.

Baseline

27. Our climate change baseline year is 2010/11 as that was the date of our original carbon reduction target and allows us to recognise work carried out from that date.

28. Our nature restoration baseline year is 2020, as we have used the Tees Valley Nature Partnership Natural Capital Account to establish baseline data.

Influencing externally

29. We have a leading role in the Borough, so we have a duty to work with and encourage businesses, third sector, and public sector organisations to reduce emissions, ensure they are adapted, and are taking account of the natural environment.

30. Equally, we must support our residents to do what they can to reduce their own emissions and become more resilient to the effects of climate change. Alongside this, we must encourage residents to do their part in increasing biodiversity in their own gardens and

stress the need to prevent damage while they are enjoying the wider environment.

Communication Plan

31. It is important that there are clear communications paths both internally and externally to inform, engage, and influence.
32. A communications plan will be developed with the Communications Team, using all mechanisms for engaging both with staff and councillors and engaging with businesses and residents. Two dedicated email addresses (climate@darlington.gov.uk & nature@darlington.gov.uk) have been set up.

Reporting

33. An annual report outlining the progress made against both climate and nature targets will be published on the Council's website.
34. Borough emissions are reported through our corporate targets and will be tracked against the government issued emissions inventory.

Governance

35. A strong and robust governance framework for this work is another critical success factor.
36. The scale and magnitude of the change required to deliver these targets means that overall responsibility needs to sit at the Executive Leadership Team level or above. However, a variety of key services need to own and drive forward this agenda. Lead Officers are tasked with delivering actions in their own department.

Existing Governance Arrangements

37. Within the Council, there are robust governance arrangements, both at an officer and member level. This governance structure enables oversight of both key decisions and significant actions, such as procurement and capital expenditure.
38. These existing mechanisms present an opportunity to ensure that alignment with the ambition and actions of this strategy are being realised. A Member-led Climate Change and Nature Restoration Working Group will be established to provide a regular review of activity.

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CABINET
9 SEPTEMBER 2025

DOLPHIN CENTRE ASSET MANAGEMENT AND INVESTMENT OPPORTUNITIES

Responsible Cabinet Member -
Councillor Matthew Roche – Health and Housing
Responsible Director - Dave Winstanley, Executive Director – Environment, Highways & Community Services

SUMMARY REPORT

Purpose of the Report

1. The purpose of this report is to provide an update on the ongoing asset management programme for the Dolphin Centre and some investment opportunities to further enhance the facility.

Summary

2. The Dolphin Centre is the Council's only indoor leisure facility and is a key asset in contributing to the vision in the Council Plan and ambition for our residents to live well and stay healthy. The centre provides a range of health and wellbeing activities for all, as well as it being a key community, leisure and social venue.
3. Located in the town centre, it is accessible for all and supports the continued change of town centres and high streets. There is now a greater emphasis on leisure and social activities in town centres, and the centre contributes to the mix of uses and town centre footfall.
4. The Dolphin centre is now over 43 years old and encompasses the much older Central Hall listed building. As with any building, and particularly older listed buildings there is a need to undertake periodic investment to keep the buildings operating and compliant with statutory requirements. This report provides an update on the asset management programme for the centre and seeks approval to progress with an essential repairs programme.
5. Having good quality leisure facilities along with other quality services and facilities is key to creating the conditions for inclusive economic growth that benefit our residents, investors or people looking to locate into the Borough. People want to know there are good facilities for them and their families to be healthy and enjoy.
6. Investment in the Dolphin Centre has always been a priority and there has been a substantial maintenance programme in recent years due to the age and nature of the

building, as well as a range of significant upgrades and refurbishments. This is to ensure quality services are provided to the people of the Borough and because so much of the activity at the centre links to the aspirations of the Council Plan.

7. The recent repairs to the pool have seen an increase in swimming and investment in the DC Bowl has strengthened the provisions of the centre. Two new options for investment in the Dolphin Centre have been developed for consideration by Members. These are the provision of an indoor golf with interactive darts and shuffleboard area and a new spinning studio and fitness studio refurbishment. These two elements are being proposed on the basis they would be self-financing and reduce the overall subsidy of the Dolphin centre from the MTFP.

Recommendations

8. It is recommended that Cabinet:-
 - (a) Approve the proposed asset management programme outlined in the report and recommend to Council approval and release of £6.742M to continue the programme of repairs and maintenance.
 - (b) Note that if Council approve the programme there will be a revenue pressure of £0.041M in 25/26 and £0.133M in 26/27 associated with closure of various services for various periods whilst work is undertaken.
 - (c) Approve the indoor golf, interactive darts and shuffleboard project as detailed in this report and recommend to Council approval and release of £1.456M for the project on the basis this will generate a surplus of funding from income.
 - (d) Approve the new spinning studio and fitness studio refurbishment project and recommend to Council approval and release of £0.752M on the basis this will generate a surplus of funding from income.

Reasons

9. The recommendations are supported by the following reasons:-
 - (a) To enable the asset management programme of essential works on the Dolphin Centre to continue.
 - (b) To enable the indoor golf, interactive darts and shuffleboard project and the new spinning studio and fitness studio refurbishment project to progress, which will increase the facilities at the Dolphin centre for residents of the Borough, contribute to the vision and ambition of the Council Plan and reduce the overall subsidy to the Dolphin Centre from the Medium-Term Financial Plan (MTFP).

Dave Winstanley
Executive Director – Environment, Highways & Community Services

Background Papers

Cabinet report 5 July 2022

Cabinet report 11 August 2023

Cabinet report 5 September 2023

Ian Thompson: Extension 6628

Lisa Soderman: Extension 6980

Council Plan	The Dolphin Centre contributes positively to the Council's ambitions and numerous the Council's priorities.
Addressing inequalities	The Dolphin Centre is one of the Council's key community facilities that is accessible and available to all.
Tackling Climate Change	There will be a positive impact on carbon reduction as a result of installing modern and efficient mechanical and electrical plant and equipment.
Efficient and effective use of resources	The investment opportunities present an opportunity to invest to save and reduce subsidy levels. The asset management programme is anticipated to save on energy and reduce the increasing number of reactive repairs that impact on cost and efficient and effective operation of the centre.
Health and Wellbeing	The Dolphin Centre is the Council's key facility in providing opportunities for residents to participate in an active and healthy lifestyle.
S17 Crime and Disorder	The content of this report will not impact on crime and disorder.
Wards Affected	Park East
Groups Affected	No group will be adversely affected as a result of this report.
Budget and Policy Framework	Cabinet have delegated approval to vary the capital budget by £500k per a year. Cabinet's delegated approval to vary the capital budget will be exceeded by the proposed works within this report. If Cabinet approve the recommendations a further report would be progressed to Council to vary the Capital Budget. There is no impact on the Council's policy framework.
Key Decision	This is a key decision
Urgent Decision	No
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers.

MAIN REPORT

Background

10. The vision in the Council Plan is that “Darlington is one of the best places to live, learn, work and invest in the UK, with a strong and sustainable economy, healthy thriving communities and opportunities for all.”
11. The Dolphin Centre is the Council’s only indoor leisure facility and a key asset. It contributes to the vision and ambition for our residents to live well and stay healthy by providing a range a health and wellbeing activities as well as it being a key community, leisure and social venue in the town centre.
12. The location of the centre makes it accessible for all and supports the shift in the function of town centres and High Streets as they continue to change. There is now a greater emphasis on leisure and social activities in town centres, and the Dolphin centre contributes to mix of uses and the town centre footfall.
13. Having good quality leisure facilities along with other quality services and facilities is key to creating the inclusive economic growth conditions that are attractive to investors or people looking to locate in the Borough. People want to know there are good facilities to be healthy and enjoy.
14. To summarise, the Dolphin Centre is a key council asset and contributes to the vision and ambitions in the Council Plan by helping people:-
 - a) Live well and staying healthy.
 - b) Supports inclusive and sustainable economy.
 - c) Support the town centre and Borough being a thriving place and connected communities.
15. Key features and services provided in the centre include:
 - (a) 25 metre swimming pool with separate diving pool and boards, slides, training pool and toddler pool.
 - (b) Accessible in the town centre and contributes to town centre footfall with circa 900k visits per year.
 - (c) Water education programme and delivery of Key Stage 2 swimming to primary schools in Darlington.
 - (d) Modern gym facilities for members, casual users and college curriculum usage. The team are GP referral qualified, and local GPs refer into our team to

support health improvement and rehabilitation.

- (e) Fitness class programme.
- (f) Sports Hall facilities, equivalent to two 5 aside courts.
- (g) Recently refurbished and extended soft play facilities.
- (h) DC Bowl providing bowling lanes.
- (i) Catering and hospitality including a Bistro, café and pavement café generating up to £1m income per year.
- (j) Indoor events programme including sporting events, concerts, weddings and more.
- (k) A number of partners based in the Dolphin Centre including Connect Health who deliver the muscular skeletal contract on behalf of the NHS, Darlington Amateur Swimming Club, Darlington College and many more.

Asset Management Programme

16. The Dolphin Centre opened in November 1982 and will have been open for 43 years this year and is a key council asset. It is a substantial venue having been built around a much older listed building, Central Hall. As with any building, and older listed buildings there is a need to undertake periodic investment to keep the facility operating and compliant with statutory requirements.
17. There have been numerous interventions and changes to the building over the years, the most significant in 2006, which resulted in substantial remodelling of the building. However, this was mainly a “operating model” type intervention and changes to the building, with limited work carried out on the mechanical and electrical (M&E) installations. Whilst there has always been an ongoing repairs and maintenance programme, in recent years there has been a substantial maintenance programme due to the age and nature of the building, as well as a range of significant upgrades and refurbishments to modernise facilities for users.
18. In 2012/13, a detailed study of the Mechanical and Electrical (M&E) installations in Dolphin Centre was carried out. A phased approach to the replacement and upgrading of the mechanical and electrical installations was agreed and reports on the various phases have been brought to Cabinet with the programme still ongoing with the final phase still to deliver.
19. The M&E programme was paused in 2023/24 to undertake some urgent works to the main pool tank, toddler pool and shower area including repairs to support beams, water proofing, repairs to channels and retiling. Further work to the structural elements of the diving pool and training pool tank structure was identified needing to be undertaken in future years.

20. All leisure and swimming facilities have seen significant pressures in recent years with energy inflation. The Government recognised this and launched a funding opportunity with incredibly tight timescales. DBC were successful with a funding bid to Sport England receiving funding of £0.526M for a new Combined Heat and Power system (CHP) and Photo voltaic (PVs). The Council did not receive the full funding bid but received £0.271M for the CHP and £0.255M for the PVs with the balance coming from the approved M&E budget allocation, with elements of the M&E programme also being delivered as part of this project.
21. The final phase of the M&E programme was paused whilst the structural issues associated with the pool were resolved. The estimates were provided a number of years ago and based on feasibility work undertaken over 10 years ago. Therefore, it was considered prudent to undertake a full review and given the changes in the construction sector and building technology. A detailed survey of the building has been undertaken to provide detailed cost estimates of the final phase, and this has identified additional works being needed since the original surveys in 2012/13 as a significant period has lapsed.
22. The works being put forward in this report are the essential items of repair that needs to be undertaken to keep the Dolphin Centre operational this includes M&E and other elements of the building fabric, such as windows. At the start of the design process a review was undertaken to ensure that only essential items were included in the overall cost plan. A number of areas have been excluded for example a new ceiling to sports hall and a significantly reduced lighting scheme in sports hall has been included. The remaining work is all essential as most of the plant and equipment is now 43 years old, beyond its anticipated replacement date and starting to fail impacting on operation of the centre.
23. More work has been identified and revised estimates to undertake required works are now higher than estimates produced over four years ago given more work has been included. It is also an indication of the changes in construction inflation and standards.
24. A significant development in the construction sector is the profile and importance of fire strategy since Grenfell and the subsequent reviews. As part of the project this has needed to be reviewed. This has involved:
 - (a) A review of the fire strategy for the building including fire compartments.
 - (b) Updated fire risk assessment for the Dolphin Centre.
 - (c) Advice has been taken from the Councils insurance company Zurich and fire risk consultants.
25. The approach proposed to be taken is where there is significant interventions or full refurbishment of an area, any fire stopping matters within the compartment zones will be rectified to the latest standards, this will include a full review of fire doors.

Areas within the Dolphin that are not subject to refurbishment or significant interventions as part of these works will be reviewed in the future if and when refurbishment takes place in these areas.

26. A sample area has been investigated to examine the likely rectifications that may be required to meet current standards. There will be works to be undertaken, but it is not considered cost effective to undertake this level of intrusive survey throughout the building, so a sum has been estimated and is proposed to be built into the cost plan that can be drawn down if rectification works are identified as works progress.
27. This approach has been agreed with the fire strategy consultant and the Fire Risk Assessor. Advice has also been taken from the Councils insurance company Zurich, who have confirmed they are satisfied with the proposed approach.
28. As mentioned in previous cabinet reports, further monitoring was planned in relation to the structural elements of the diving and training pool areas as further work would be required. The monitoring of the structural elements has identified work is required to the diving pool in the next 18 months. The final phase of the M&E works will mean disruption to various areas of the centre. The diving pool being one, therefore it is proposed to build the repair works on the diving pool into the programme and minimise the overall disruption to the centre. The pool will be emptied, and investigation works undertaken in areas to determine the scale of the repairs. The estimates in the financial section of the report are based on the findings in the main pool.
29. More detail on the costs for the asset management programme are included in the financial section of the report.

Investment Opportunities

30. The Dolphin Centre is a key council asset contributing to helping our residents live well and stay healthy by providing a range a health and wellbeing activities as well as a key community, leisure and social venue in the town centre.
31. The location of the centre makes it accessible for all and supports the shift in the function of town centres and High Streets as they continue to change. There is now a greater emphasis on leisure and social activities in town centres, and the Dolphin centre contributes to mix of uses and the town centre footfall.
32. The recent investment in the DC Bowl has strengthened the provisions of the centre and more options have been developed to ensure the Borough has good quality leisure facilities along with other quality services and facilities that will continue to create the conditions that are attractive to our residents, investors or people looking to locate in Darlington. People want to know there are good facilities for them and their children to enjoy and be healthy.

33. The Dolphin Centre is a significant building and maximising the use of the space is critical. Two new options for investment have been developed for consideration by Members.

(a) An Indoor Golf with Interactive Darts and Shuffleboard project.

(b) A new Spinning Studio and Fitness Studio refurbishment.

Indoor Golf with interactive darts and shuffleboard

34. An indoor golf, interactive darts and shuffleboard option has been investigated which will build on the entertainment offer within the Dolphin Centre complementing the successful DC Bowl. This is envisaged to appeal to both the daytime family market and an adult market on evenings. This will contribute to the Physical Activity Strategy whereby encouraging people to become active, by whatever means, has many positive effects on health and well-being.
35. The strategy is to maximise the use of the asset and identify the Dolphin Centre as a nighttime destination for entertainment and to secure financial growth where there is capacity for increased business on evenings.
36. The indoor golf will be a bespoke modular installation that will tie in with the theme and feel of the bowling alley to ensure there is continuity between the new entertainment offer and existing. Through the design and lighting an appropriate atmosphere can be created for the both the family and adult markets. The design will be carried through into the Bistro an area that requires essential mechanical, electrical plant and fire compartmentation works completed as part of the main project.
37. It is proposed that three interactive darts stations that are a technical enhanced twist to traditional darts as well as one interactive shuffleboard are included. Both the interactive darts and shuffleboard work well within this type of entertainment venue complementing the golf and bowling alley, creating a fun social environment for both families and adults and extends the overall visit.
38. Within the new entertainment venue there will be a bar area offering customer the opportunity to enjoy refreshments whilst having fun and enjoying the golf and wider offer.
39. The Bistro area is subject to significant M&E works and will be redesigned to follow the design principles of the DC Bowl and new Golf entertainment area making the whole area integrated. There will be no loss of capacity in terms of space and seating and the project team will look to increase capacity wherever possible, given the current busy daytime patronage.
40. Concept design illustrations of the venue are attached at **Appendix 1**.

41. The areas within the building where this new venue will be located is the existing Stephenson room, Pease room and seminar room. These areas are currently utilised for meetings, classes and courses which for the majority will be relocated into other areas within the Dolphin centre. Initial consultation has taken place with regular users and will continue as we work through each group's individual requirements if the project is approved to progress.
42. There will be disruption, and a communications plan has been developed that will aim to keep staff, customers, clubs and partners advised ahead of the works and throughout. There are a number of areas of the Dolphin Centre that will be closed. Every effort will be made to minimise these periods and offer alternative venues. There is a plan to work with any clubs and groups who will need to be permanently relocated, and every effort will be made to provide alternative provision with the Dolphin centre. There will be revenue implications as a result of this project, which have been built into the financial assumptions. More detail of the planned works and mitigations are provided in the milestones and programme section of this report and **Appendix 2**.
43. The financial aspects of the proposal are included in the financial section of the report.

New Spinning Studio and Fitness Studio refurbishment.

44. The Dolphin Centres primary focus is health and wellbeing for residents of Darlington. In recent years investment has been made into the gym facilities which has in turn increased memberships from 550 members to in excess of the budget base of 1900. The approach in all business areas is a constant challenge and investment which enables the centre to ensure facilities are high quality, in line with current demands and attractive to residents. This approach allows continuous improvement, maintenance of membership levels and constant drive to reduce subsidy levels of the MTFP and deliver outcomes in the Council Plan.
45. The existing fitness studio needs investment. This area is running outside of its life cycle and not in line with the quality of facilities elsewhere and also not to the standards in the building, in particular the gym and pool. To further increase the capacity to attract new members and retain existing it is proposed to install a bespoke spinning studio directly adjacent to the fitness studio. This area is currently redundant and not a well utilised space. The spinning studio would include virtual classes in addition to the traditional instructor led classes making the space accessible for members throughout the opening hours of the Dolphin Centre. Modern decoration, equipment and lighting will provide an excellent, high quality member experience that will compete with the local market and support the retention and growth of the membership base.
46. The financial aspects of the proposal are included in the financial section of the report.

Programme and milestones

47. If approved, the programme of work is scheduled to commence in November 2025 and be delivered in two phases, with planned completion September 2026 (38 weeks).
48. It is acknowledged that there will be disruption in certain areas and details are provided in **Appendix 2** of what is planned and how we intend to mitigate the disruption wherever possible. A communications plan has been developed that will aim to keep staff, customers, clubs and partners advised ahead of the works and throughout.

Financial Implications

Asset Management Programme

49. The Asset Management Programme is ongoing and some of the elements outlined below are being delivered on site as part of the previously approved programme.
50. The cost plan for asset management programme is outlined in the table below:

Project Element	Budget	Status
Previously approved budget (incl. Sport England Grant)	£2.776M	Approved
The Combined Heat and Power & Photo Voltaic Project (£526k from Sport England) match funding requirement. This includes essential M&E works linked to this equipment and air handling units in basement plant room that needed to be undertaken as part of the CHP and PV project.	£1.709M current projected outturn	On Site
Fees including surveys, design and development costs of the current project and the next phases of the asset management programme and investment opportunities	£0.459M	Committed
Total Estimated Expenditure	£2.168M	
Remaining funds from Approved Budget	£0.608M	

Asset Management Programme subject to Approval		
Asset Management Mechanical and Electrical renewals and other essential elements of asset management.	£4.906M	Subject to Approval
Fire Strategy Any fire stopping required to be undertaken to meet current standards in areas where there any major works being undertaken, including the replacement of any fire doors requiring upgrades. The budget also includes specialist consultants to oversee and approval the works.	£0.753M See Note 1	Subject to Approval

Project Contingency – See Note 2	£0.531M See Note 2	Subject to Approval
Diving Pool Tank structural repairs and re-waterproofing.	£1.100M	Subject to Approval
Project Management	£0.060M	Subject to Approval
Total	£7.350M	
Remaining approved Budget	£0.608M	
Funds sought to be approved	£6.742M	
<p>Note 1</p> <p>The proposed approach from the design/build contractor was to undertake intrusive surveys in all parts of the building to be able to provide costs. This would mean closing an area, removing ceilings, surveying and re-fitting the ceilings. This would have significant cost in terms of lost income, inconvenience and the costs for doing these survey works. Instead, a sample survey has been carried out in the studio with regard to identifying the type of defects in that area to understand the issues and the interventions that could be required. From this work the design/build contractor has worked with the supply chain to prepare costs to repair the defects. This information has been used to estimate the costs for the work required to repair the defects in the areas where significant interventions or refurbishment is taking place.</p> <p>This contingency sum will only be drawn down if required but provision in the budget is required to be approved.</p>		
<p>Note 2</p> <p>A relatively high contingency has been built into the budget. This is to cover the approach being taken to fire stopping works that may be identified and also the risk associated with works to the diving pool. The full extents of the repairs will not be known until the pool is drained and the tiles and waterproofing removed to expose the structural elements.</p>		

51. Subject to approval, it is proposed the capital works would be funded through prudential borrowing over the life of the asset (40 years), at an estimated annual cost of £0.328M based on current borrowing costs and the MTFP would be adjusted to reflect the approval.

Investment Programme

52. In terms of the Investment Programme, the cost plans and financial aspects have been developed on existing usage patterns and rates advised by industry experts who have experience of this sector along with benchmarking and consultation with finance officers. The details are below:

Indoor golf with interactive darts and shuffleboard

53. The cost plan and business cases have been developed on a range of scenarios. The proposal in the report is an average price per game of £7.20 and 50 games on

average per day. This is a total of 18,000 games per year. Sensitivity checks have been undertaken and whilst the industry recommended average is 55 games per day a more cautious number has been assumed.

54. Interactive darts is projected to attract 3150 games per year with a price per game of £20 (hire of the space) and Shuffleboard 1000 games with a price per game of £25. Similarly to the golf projections this has been based on industry advice.
55. Testing this against the performance of DC bowl, the last three years has averaged 825 games per week, which is more than the anticipated 700 games per week in the original business case for that facility. The bowling reduced the subsidy of the Dolphin by £0.114M in 2024/25 – this was £0.029M better than the £0.085M surplus target that was built into the MTFP in 2024/25.
56. The number of games for golf, darts and shuffleboard is based on industry advice which is the same approach taken for the bowling. The indoor golf and associated facilities will complement the bowling and extend offer on an evening giving the opportunity to generate additional income to support the MTFP savings targets.
57. The table below provides an indication of the full year calculations for 26/27, although this will only be a part year given the construction timetable.

Element	Cost per annum
Capital Costs	
Borrowing costs for capital costs to convert the area (£1.197M) and to fund the equipment (£0.259M). Total Capital cost = £1.456M.	£114,682*
Operating Costs	
Increased operating costs including salaries, security, R&M, consumables and licenses.	£93,143
Revenue Income	
Change in revenue from the various gaming activities as outlined above plus food and beverage sales.	£255,298**
Surplus	£47,473
<p>*The capital is made up of costs for physical alterations to the building borrowed over 40 years and a cost for the equipment within the area that will require renewal and replacement over a shorter borrowing period of 5 years.</p> <p>**If the 55 games industry recommended average per day at £7.20 average per individual was achieved the 26/27 income is estimated to be £273,004, which would generate a further £17,706 of surplus.</p>	

58. Subject to approval, it is proposed the capital works would be funded through prudential borrowing over the life of the asset at an estimated annual cost of £0.115M based on current borrowing costs; and the MTFP would be adjusted to reflect the

approval, including the projected income increases to cover the borrowing costs and return a surplus.

New Spinning Studio and Fitness Studio refurbishment.

59. The cost plan and business cases have been developed on retaining core membership and attracting new membership.
60. The table below provides an indication of the full year calculations for 26/27, although this will only be a part year given the construction timetable.

Element	Cost per annum
Capital Costs	
Borrowing costs for capital costs to convert the area (£680,880) and to fund the new spinning equipment (£71,500). Total Capital cost = £752,380.	£48,859*
Operating Costs	
Increased operating costs including R&M, consumables and licenses. No additional staff are assumed in this model.	£4,000
Revenue Income	
Revenue from Memberships only assumed in increased income. No additional retail, refreshments or beverages have been assumed.	£201,600
Surplus	£148,741
*The capital is made up of costs for physical alterations to the building borrowed over 40 years and a cost for the equipment withing the area that will require renewal and replacement over a shorter borrowing period of 5 years.	

61. Subject to approval, it is proposed the capital works would be funded through prudential borrowing over the life of the asset at an estimated annual cost of £0.049M based on current borrowing costs. The MTFP would be adjusted to reflect the approval, including the projected income increases to cover the borrowing costs and return a surplus.
62. Throughout the work period several facilities will be closed therefore there will be an impact. Members are asked to note that there will be a revenue pressure in financial year 2025/26 of £0.041M and £0.133M in 2026/27.

Carbon Impact and Climate Change

63. There will be a positive impact on carbon emissions by reducing energy consumption as a result of the installation of 400 PVs on the roof, new CHP, LED light fittings in the building and new plant. However, the investment opportunities will intensify use of the centre and increase energy consumption.

Consultation

64. Initial consultation has taken place with groups who will be impacted during the works and those that will be displaced. A full communication plan will be developed to keep all customers and residents up to date on the project subject to approvals.

Appendix 1 - Concept Illustrations

Golf, Darts and Shuffleboard



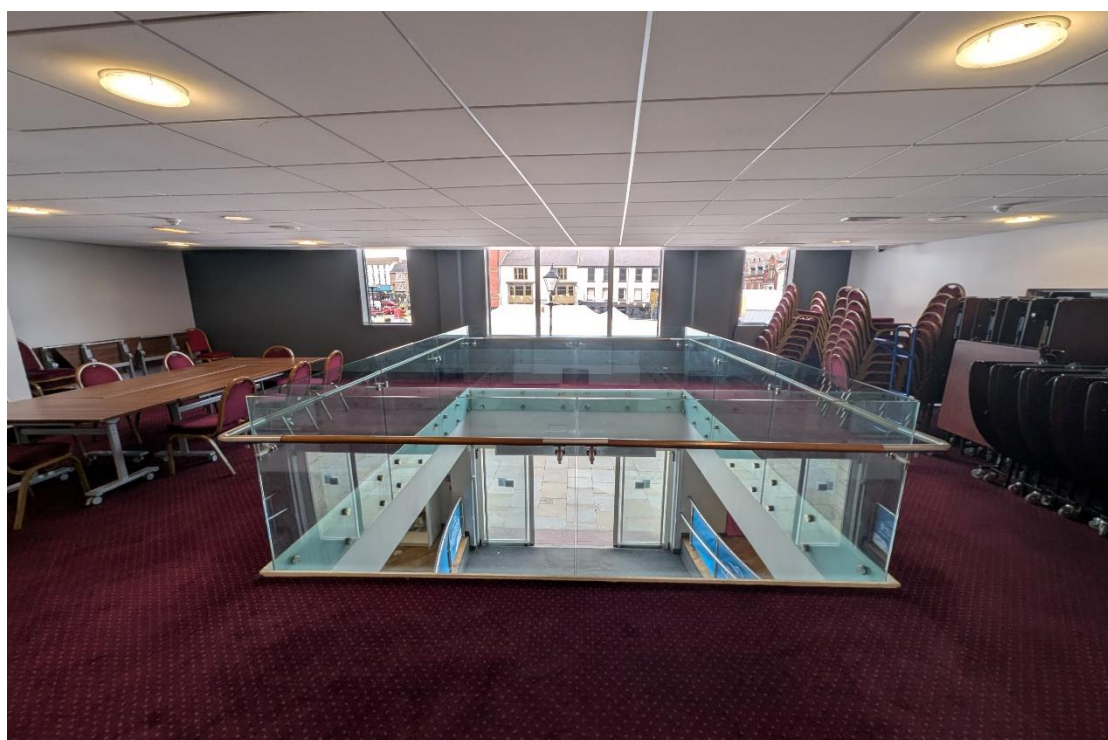
Bistro



New Spinning Studio and proposed location in the centre



To be located in the circulation space next to the existing fitness studio



Appendix 2 - Programme and milestones

1. If approved, the programme of work is scheduled to commence in November 2025 and be delivered in two phases with planned completion September 2026. (38 weeks).

Phase 1 - November 2025 to July 2026 (24 weeks)

Nov 25 to April 26 (20 weeks)	Existing fitness Studio refurbishment. Classes and activities will be moved to Central Hall during this period.
Nov 25 to May 26 (22 weeks)	New Spinning Studio area created as part of the invest to save option
Jan 26 to May 26 (16 weeks)	The Bistro will be closed for essential mechanical and electrical works. However, catering will still be provided in the soft play, bowling, 16 Horsemarket and temporary facilities within the Dolphin to minimise the impact.
Jan 26 to Mar 26 (7 weeks)	Poolside showers refurbishment. There will still be small provision within the village and customers will be well informed in advance.
Jan 26 to July 26 (24 weeks)	Indoor Golf and associated facilities as part of the invest to save option will be installed. Any regular bookings are being accommodated in other parts of the centre during the refurbishment and the team are working with customers on the long-term options for them at the centre.
Jan 26 to May 26 (16 weeks)	Offices will be closed to accommodate window replacement and essential works in plant Rms 9 and 10. Staff will be relocated within the building, but the town hall also being an option.
May 26 to Jul 26 (5 weeks)	Work will be completed on the outside plant that services the 2 nd floor kitchen.

Phase 2 - May 2026 to September 2026 (14 weeks)

May 26 to Sep 26 (14 weeks)	Mechanical and Electrical works will take place in the Main Sports Hall. Events and bookings will not be possible during this period. Where possible customers will be signposted to Eastbourne Sports Complex although availability is limited during peak times.
May 26 to Sep 26 (14 weeks)	Mechanical and Electrical works will take place in Central Hall including Plant rooms 5 & 7. Events and bookings will not be possible during this period.

2. There will need to be a small closure of the toddler pool currently anticipated in January 2026 to accommodate the installation of the gym windows, which will happen overnight to avoid disruption of gym members. This will be kept to a minimum and captured in the business disruption communications plan. Alternative provision will be made for toddlers during this period.
3. In addition to the above closures there will be work taking place throughout the building replacing the lighting and emergency lighting. The impact of this work will be kept to a minimum with the most impactful work taking place out of hours through the night.
4. The diving pool will be drained, and investigation works will take place to determine the repairs required. This will be built into the above programme.
5. There are a number of areas of the Dolphin Centre that will be closed and whilst every effort will be made to minimise these and offer alternative venues and continue to offer food and beverage there will be revenue implications. The detail of this is covered in the financial section of report.
6. Throughout the works the contractor will need a compound in close proximity to the area of work within the Dolphin centre. The compounds have been agreed with the highways team and will be located as follows: -
 - a) Compound 1 - Feethams - Nov 25 to May 26
 - b) Compound 2 - Market Square – Nov 25 to Jun 26
 - c) Compound 3 - Bull Wynd - Apr 25 to Jul 26
 - d) Compound 4 - Houndgate – Oct 25 to Oct 26

A location plan for the compounds is below



**CABINET
9 SEPTEMBER 2025**

ANNUAL REVIEW OF THE INVESTMENT FUND

**Responsible Cabinet Member -
Councillor Mandy Porter, Resources Portfolio**

**Responsible Director -
Elizabeth Davison, Executive Director of Resources and Governance**

SUMMARY REPORT

Purpose of the Report

1. To update Cabinet on progress against the agreed investments being funded through the Investment Fund.

Summary

2. In November 2016 the Council established an Investment Fund to be used for innovative investment opportunities beyond the traditional Treasury Management Strategy in order to achieve greater returns given the low returns on investment.
3. The fund provision of £50m is being utilised as envisaged in the original reports to Council to include Joint Venture (JV) vehicles and economic regeneration initiatives. Returns on JV's are anticipated to be over £8.4m and three of the JV schemes have completed with the investment fully repaid and recycled back into the fund.
4. The Investment Fund is currently funding 11 schemes as detailed in the report.

Recommendation

5. It is recommended that Cabinet note the use of the Investment Fund and the returns achieved through the Joint Venture vehicles.

Reasons

6. The recommendation is supported by the following reasons:-
 - (a) To keep Cabinet informed of progress made on opportunities undertaken and investment returns.
 - (b) To increase development opportunities and income for the Council.

**Elizabeth Davison
Executive Director of Resources and Governance**

Background Papers

- (i) Council report – 24 November 2016 – Investment opportunities
- (ii) Council report – 29 November 2018 – Investment opportunities update and request to increase the fund.

Brett Nielsen : Extension 5403

Council Plan	<p>The use of the Investment Fund contributes to economic development, regeneration and activity therefore contributing to the Council Plan priority.</p> <p>ECONOMY - building a strong sustainable economy and highly skilled workforce with opportunities for all.</p>
Addressing inequalities	This report is providing an update on the financing of schemes therefore there is no impact as a result of this report.
Tackling Climate Change	This report is providing an update on the financing of schemes therefore there is no impact as a result of this report.
Efficient and effective use of resources	The utilisation of the Investment Fund is likely to increase Council income in this and future years.
Health and Wellbeing	This report is providing an update on the financing of schemes therefore there is no impact as a result of this report.
S17 Crime and Disorder	This report has no implications for crime and disorder
Wards Affected	No anticipated impact on an individual area as a result of this report
Groups Affected	No anticipated impact on specific groups as a result of this report
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Background

7. In November 2016 Council agreed to the establishment of an Investment Fund and following the successful implementation agreed to increase the fund to £50m on 29 November 2018.
8. It has been agreed the fund is recyclable, so as the life of an investment comes to an end and repayment is made, it will be recycled back into the Investment Fund for further utilisation. Any future scheme would still require a full detailed business case report to Cabinet for approval.
9. The Economic Growth and Finance Teams continue to look for new opportunities to provide development and financial returns to the Council using the Investment Fund.
10. Since the establishment of the fund, Cabinet have agreed to 17 uses (19 separate requests), 6 of which have completed with the investment recycled back into the fund. There are 11 remaining schemes as summarised below:

Investment	Cabinet Agreement Date	Agreed Amount £m's	Repaid	Balance £m's
Markets (MAMDL Ltd)	04/02/25	1.80	0	1.80
Neasham Road – Relocation of Cattle Mart	06/03/18	3.14	0.64	2.50
JV - West Park	03/04/18	12.00	12.00	0.00
JV - ESH/DBC North East	03/12/19	9.50	0	9.50
Land Acquisition – Faverdale	03/03/20	1.30	0	1.30
JV - Neasham Road – Elder Brook Park	15/09/20	8.50	8.50	0.00
Faverdale/Burtree Lane Garden Village	05/10/21 16/07/24 03/03/25	P3	P3	P3
Feethams House	11/01/22	1.71	1.67	0.05
JV – Neasham Road – Hurworth Gardens	03/07/23	6.70	0.50	6.20
JV – Blackwell Grange	09/01/24	8.48	0	8.48
Land at Coniscliffe Road	03/03/25	P3	P3	P3
TOTAL		59.12	23.31	35.81

Note: Those with P3 are Part 3 Cabinet reports.

11. The eight JV schemes approved to date are projected to provide a pre-tax return on investment of over £8.4m once all houses have been completed and sold. Receipts from the three schemes that have already completed have provided post tax dividends of £1.608m.

Investment update

12. The following paragraphs provide an update on the individual schemes committed against the Investment Fund since the last report to Cabinet in September 2024.

Market Asset Management

13. In 2017 the Council entered into a lease with Market Asset Management Ltd (MAM) for the management and refurbishment of the Victorian Indoor Market and the management and improvement of Darlington's outdoor market.
14. Following the completion of phase 3 of works to improve the market hall, discussions were held between MAM and the Council regarding the terms of the loan. A restructuring of the loan was agreed by Cabinet in February 2025, with payments commencing in the 2025/26 financial year.

Neasham Road: Linked to Relocation of Cattle Mart

15. In March 2018 Cabinet agreed to purchase the land at Neasham Road from the Darlington Farmers Auction Mart and others to help facilitate the move out of the town centre. The acquisition of the land at Neasham Road not only assisted with this priority but enables the Council to bring forward a significant additional development of new houses for sale and social housing to meet an identified need within the borough.
16. £3.14m was allocated from the investment fund being the balance of funding required for the move. The funding will be repaid from Section 106 receipts from affordable housing along with any capital receipts received from the Cattle Mart and Neasham Road sites. To date £0.64m has been repaid. This scheme is progressing with the construction underway at Elder Brook Park and Hurworth Gardens sites. (see below).

JV West Park

17. The Council entered a JV company with our framework partners to build and sell houses at West Park and agreed funding of £12m to facilitate this, to date £6.42m of funding has been drawn down against this allocation and all of this has been repaid. As this scheme is now in the later phases it is not expected that any further draw down of funding will be required and therefore the balance outstanding on the Investment Fund is shown as fully repaid.
18. The current projection is that this scheme will provide a higher return than the originally anticipated pre-tax profit of £2.1m, once the scheme is completed. To date £2.0m of post-tax dividend has been received.
19. The site continues to see high levels of interest and at the time of writing 21 of the 23 properties available for sale in 2025 have been sold or reserved.

JV Esh/DBC North East

20. Cabinet approved the establishment of a JV company in December 2019 to provide the infrastructure, build and sell homes under an investment programme within the North East under the company name Esh/DBC JV Limited.
21. This company takes a longer-term view and is not site specific which enables funds to be reinvested over a longer term. A number of sites are under consideration, with one site

nearly completed at Gateshead and two have commenced construction at Trimdon and Philadelphia.

22. The Gateshead site is nearly complete, with all properties available either sold or reserved.
23. The site at Trimdon (Bluebell Gardens) is progressing well with 17 of the 31 properties made available in 2025 either sold or reserved.
24. The new site at Philadelphia has recently commenced construction with 5 of the 6 properties available in 2025 sold or reserved to date.

Land Purchase – Land at Faverdale

25. The Council acquired the former St Modwen site comprising 74 acres of land to the east of Faverdale East Business Park following approval in March 2020. Cabinet agreed in October 2021 to seek expressions of interest for a preferred developer of the site. The site was marketed through informal tender but due to changes in the economic climate in late 2022 the submitted expressions of interest did not reflect best value for the Council to proceed.
26. The Council is continuing to explore uses for the site including Biodiversity Net Gain mitigation and a further report will be presented to Cabinet.

JV Neasham Road – Elder Brook Park

27. The Council entered into a JV company with our framework partners to build and sell houses at Neasham Road and agreed funding of £8.50m to facilitate this, to date £6.57m of this has been repaid to the Council. As this scheme is now in the later phases it is not expected that any further draw down of funding will be required and therefore the balance outstanding on the Investment Fund is shown as fully repaid.
28. The current projection is that this scheme will provide a higher return than the originally anticipated pre-tax profit of £1.1m, once the scheme is completed. To date £0.5m of post-tax dividend has been received.
29. The site continues to provide very high levels of interest, with 31 of the 32 properties initially made available in 2025 either sold or reserved.

Burtree Lane Garden Village

30. The Council have engaged the services of Homes by Esh the Council's JV partner to help facilitate a planning application for Council owned land at Faverdale. This forms part of Phase 1 of the Burtree Garden Village site, for which planning permission has been granted including the strategic infrastructure and spine road to open up cell CH.
31. Cell CH forms part of the Burtree Garden Village but sits outside of Phase 1, Cabinet approval was given to undertake surveys and feasibility work to support a detailed planning application.

32. Cabinet approved the Council to enter into an Infrastructure Development Agreement with Homes England in March 2025.
33. All upfront funding from the Investment Fund will be repaid through a future capital receipt.

Feethams House

34. Cabinet agreed to the repayment of £1.7m of European Regional Development Funding (ERDF) to the Government, received for the construction of Feethams House, to facilitate the use of the building by the Treasury and other government departments. This repayment was required as the change in use no longer met the ERDF funding criteria to provide high quality office accommodation to small and medium enterprises.
35. The grant is to be repaid over a three-year term and will be reimbursed through rental income received from the Darlington Economic Campus occupants. To date £1.67m has been repaid to the Investment Fund, with the balance due to be paid in 2025/26.

JV Neasham Road - Hurworth Gardens

36. Cabinet approved the establishment of the Joint Venture Company between the Council and Homes by Esh to acquire the land, deliver infrastructure and build and sell new homes at Neasham Cell C in July 2023 and agreed funding of £6.7m to facilitate this.
37. The estimated pre-tax profit share for the Council is £0.694m on completion of the scheme.
38. Sales at the site are progressing very well with 29 of the 30 properties made available in 2025 either sold or reserved.

JV Blackwell Grange

39. Cabinet approved the creation of a new Joint Venture Company between the Council and Homes by Esh to acquire land and undertake associated works to deliver housing and landscape restoration works to parkland at Blackwell in January 2024. Funding of £8.48m was agreed to facilitate the works.
40. The estimated pre-tax profit share for the Council is £0.871m on completion of the scheme.
41. Sales at the site are progressing very well with 12 of the 12 properties made available in 2025 either sold or reserved and 3 further reservations in the 2026 release.

Land at Coniscliffe Road

42. Cabinet approved the acquisition of a house, plot and orchard on Coniscliffe Road, subject to planning permission, together with the release of funding so that a detailed planning application can be submitted by Homes by ESH Ltd in March 2025.

43. A further report to Cabinet to consider sale terms to Home by ESH Ltd and seeking the authority for the establishment of a new Joint Venture Company will follow.
44. Upfront funding from the Investment Fund will be repaid through a future capital receipt.

Summary

45. The Investment Fund has been used for 17 schemes to date, six of which have been recycled back into the fund.
46. The agreed Investment Fund of £50m has a commitment against it of £35.81m, leaving a balance of £14.19m uncommitted.
47. The JV schemes are anticipated to generate over £8.4m in pre-tax profit dividend, of which the Council has received £4.1m post tax to date to assist the Medium Term Financial Plan, along with surplus income on loan repayments.
48. The Investment Fund is being utilised as envisaged facilitating wide economic benefits as well as a direct positive impact on the Councils financial position.

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CABINET
9 SEPTEMBER 2025

COMPLAINTS, COMPLIMENTS AND COMMENTS ANNUAL REPORTS 2024/25

Councillor Mandy Porter, Resources Portfolio

Elizabeth Davison, Executive Director Resources and Governance

SUMMARY REPORT

Purpose of the Report

1. To provide Cabinet with the 2024/25 Complaints, Compliments and Comments Annual Reports for:
 - (a) Adult Social Care (**Appendix 2**);
 - (b) Children’s Social Care (**Appendix 3**);
 - (c) Corporate (**Appendix 4**);
 - (d) Housing (**Appendix 5**); and
 - (e) Public Health (**Appendix 6**).

Summary

2. It is important that the Council’s complaints, compliments and comments procedures are accessible so people can tell us what they think about the services we provide. The Council constantly strives to ensure an organisational culture in which complaints are accepted, owned and resolved as quickly as possible and one in which learning from complaints is used to improve services.
3. The Council received a total of 747 complaints during 2024/25, an increase from 746 in 2023/24. Given the Council’s well publicised and accessible complaints procedures, along with its positive complaints handling culture, the comparatively low number of complaints despite the wide range of services provided and the high volume of interactions with residents and visitors demonstrates the quality of our service delivery.
4. The Council received a total of 219 compliments during 2024/25, a decrease from 231 in 2023/24.
5. The Council received a total of 45 comments during 2024/25, a decrease from 77 in 2023/24.
6. A summary table is provided at **Appendix 1**.

7. 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.
8. 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.
9. 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.
10. The production of an annual report in respect of representations received under the Housing Complaints, Compliments and Comments Procedure is a requirement of the new Housing Ombudsman's Complaint Handling Code, which became statutory on 1 April 2024.
11. The production of an annual report in respect of representations received under the Corporate Complaints, Compliments and Comments Procedure is a requirement of the new Local Government and Social Care Ombudsman's Complaint Handling Code, which the Ombudsman issued as 'advice and guidance' for all local councils in England under section 23(12A) of the Local Government Act 1974.

Recommendations

12. It is recommended that :-
 - (a) That Cabinet notes the content of the attached reports.
 - (b) That Cabinet endorses the further recommendations made in the Corporate, Children's and Housing Complaints, Compliments and Comments Annual Reports.

Reasons

13. The recommendations are supported by the following reasons:-
 - (a) To make Cabinet aware of the number and nature of the complaints, compliments and comments received by the Council and the resulting organisational learning.
 - (b) To ensure the Council is:
 - (i) Complying with the Children Act 1989 Representation Procedure (England) Regulations 2006;
 - (ii) Complying with the Housing Ombudsman's Complaint Handling Code;

- (iii) Complying with the Local Government and Social Care Ombudsman's Complaint Handling Code;
- (iv) Complying with the Council's Complaints, Compliments and Comments Procedures; and
- (v) To improve satisfaction with complaints handling.

Elizabeth Davison
Executive Director Resources and Governance

Background Papers

- (i) 2024/25 Complaints, Compliments and Comments Annual Reports for:
 - (1) Adult Social Care (**Appendix 2**);
 - (2) Children's Social Care (**Appendix 3**);
 - (3) Corporate (**Appendix 4**);
 - (4) Housing (**Appendix 5**); and
 - (5) Public Health (**Appendix 6**).
- (ii) The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.
- (iii) The Children Act 1989 Representation Procedure (England) Regulations 2006.
- (iv) The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.
- (v) The Local Government and Social Care Ombudsman Complaint Handling Code.
- (vi) The Housing Ombudsman Complaint Handling Code.

Lee Downey : Extension 5451

Council Plan	Learning from complaints contributes towards the delivery of the priorities in the Plan.
Addressing inequalities	Learning from complaints, compliments and comments contributes to addressing inequality.
Tackling Climate Change	Learning from complaints, compliments and comments contributes to tackling climate change.
Efficient and effective use of resources	The revised procedures aim to improve the efficiency with which complaints are handled. The recommendations contained within the appended reports aim to reduce risk and improve efficiency in the way we interact with our customers.
Health and Wellbeing	Learning from complaints, compliments and comments contributes to the effective delivery and the improved health and well-being of the population of Darlington.
S17 Crime and Disorder	Learning from complaints, compliments and comments contributes to the effective delivery of the Community Safety services.
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.
Impact on Looked After Children and Care Leavers	The purpose of the Children's Social Care Complaints, Compliments and Comments Annual Report is, in part, to improve the service we provide to Looked After Children and Care Leavers.

MAIN REPORT

Information and Analysis

14. Our aim is to put people first and provide them with the best possible service. To make this aim a reality it is important people have the opportunity to tell us what they think about the services we provide. The Council's Complaints, Compliments and Comments Procedures are one way they can do this. They can tell us when we get things wrong so we can put them right. They can also tell us when we get things right, make comments about the things we do and suggest new ways of doing things.
15. We understand that sometimes it is difficult to complain and work hard to ensure an organisational culture in which complaints are seen as a positive means of engagement and an opportunity for the Council to learn and improve services. If people do need to complain we always take their concerns seriously, treat them fairly and with respect and assure them they will not receive a poorer service as a result.
16. Adult Social Care had a particularly positive year, which is worthy of note, seeing a decrease in the overall number of representations made under the Adult Social Care Complaints, Compliments and Comments Procedure during 2024/25. There was a significant decrease in the number of complaints received compared to 2023/24. There was an increase in the number of compliments received, while no comments were received. Full details are attached at Appendix 2. Children's Social Care also had a generally positive year seeing a decrease in the overall number of representations made

under the Children's Social Care Complaints, Compliments and Comments Procedure during 2024/25. There was a significant decrease in the number of complaints received at Stage 1 of the procedure compared to 2023/24. However, there was a increase in the number of complaints escalated to Stage 2 and the same number of complaints progressed to Stage 3. There was a decrease in the number of compliments received, while no comments were received. Full details are attached at Appendix 3.

18. There was a decrease in the overall number of representations made under the Corporate Complaints, Compliments and Comments Procedure during 2024/25. There was an increase in the number of complaints received. There was also an increase in the number of compliments received, while there was a significant decrease in the number of comments received. Full details are attached at Appendix 4.
19. While there was a decrease in the number of representations made under the Housing Complaints, Compliments and Comments Procedure during 2024/25, there was an increase in the number of Stage 1 complaints received. Although, there was a decrease in the number of Stage 2 complaints received. This increase can in part be attributed to the additional promotional work undertaken by Housing Services to highlight the complaints procedure and the launch of the Housing Ombudsman's Statutory Complaints Handling Code on 1 April 2024. It also reflects a national trend with the Housing Ombudsman reporting an unprecedented 474% increase in complaints between 2019/20 and 2024/25, with complaints about repairs accounting for 45%. There was a significant decrease in the number of compliments received. No comments were received. Full details are attached at Appendix 5.
20. The number of representations made under the Public Health Complaints, Compliments and Comments Procedure during 2024/25 remained low. The Council received one complaint in 2024/25. The Council did not receive any compliments and received one comment. Full details are attached at Appendix 6.
21. Some examples of organisational learning resulting from complaints have been extracted from the appended reports and are provided below:

Adult Social Care Complaints:

- (a) It was agreed additional training in relation to recording would be made available for social workers.
- (b) Social workers were reminded that the care providers should receive a copy of the person's Support Plan prior to admission, to ensure they have all relevant information.
- (c) Shortfalls in the effectiveness of the provider's risk assessment and care planning process for falls and moving and handling were identified and it was recommended the provider reflects on the findings and implemented a more effectively risk assessment for falls, which clearly identifies the level of risk and appropriate risk reduction measures.
- (d) The Council agreed to ensure that social work teams do not delay submission of paperwork to the Financial Protection Team.

- (e) The Council issued a guidance note to all relevant staff advising them of the legal duty to ensure, where specific individual circumstances apply, the personal budget covers the cost of support that has been specified in the care plan, not a sum equivalent to the cost of council-run services. The Council also agreed to amend any relevant policies to reflect this.

Children's Social Care Complaints:

- (a) Children's Services considered an urgent update of its Children with Disabilities eligibility criteria document.
- (b) Darlington Borough Council agreed to advise staff providing responses to complaints raised by service users of the need to send the response to the Complaints Team and advise the complainant of their right to progress to stage 2.
- (c) Agreed to reminder to all social workers and team managers of the importance of detailed and timely case recording.
- (d) Children's Services agreed to reminder to all social workers and team managers of the importance of detailed and timely case recording.
- (e) Children's Services agreed to provide an update to social workers and managers regarding their duties and responsibilities under Section 47 of The Children Act 1989, in respect of gathering relevant information and including foster carers where the allegations is against them.

Corporate Complaints:

- (a) Following a complaint for Systems and Information, the Council corrected its website to indicate when maintenance tasks may affect the availability of the public access section of the website, which allows people to view planning applications on-line.
- (b) Following a complaint for Housing Options, the Council made sure officers making decisions on housing applications are clear, that in accordance with the Housing Services Allocations Policy 2023 – 2028, they cannot consider spent convictions as part of the assessment process.
- (c) Following another complaint for Housing Options, it was agreed that in accordance with the Homelessness Code of Guidance for Local Authorities, the Housing Options service would incorporate the duty to refer into their wider homelessness strategy and joint working arrangements and establish local arrangements with agencies in regard to referrals.
- (d) Following a complaint for Children's Initial Advice Team (CIAT) staff were reminded of the importance of Adult and Children's Services sharing information. Training was also provided on the Local Authority's duties under the Mental Health Act 1983 and the Children with Disabilities Eligibility Criteria.

- (e) Following a complaint for Inclusion the Vulnerable Pupil Panel Protocol was updated with regard to the Home to Hospital Teaching Service. The Council also reviewed its internal processes to ensure it is able make timely arrangements for the provision of suitable education in accordance with its duties under Section 19(1) of the Education Act 1996.
- (f) Following a complaint for the Dolphin Centre a formalised procedure was implemented to ensure that our pensioner swim price is offered to anyone from outside of Darlington on providing evidence of their eligibility for the concession.
- (g) Following a complaint for Highways Network Management it was agreed the Council would raise awareness of the Customer Standards with officers.

Housing Complaints:

- (a) Following a complaint about the gas servicing process it was agreed the process and letters would be reviewed with a view to improving communication between teams and tenants and ultimately the timeliness in which repairs are completed. It was also agreed to discuss the gas servicing process with the Tenant's Panel and seek their views on what we could have done differently.
 - (b) After receiving a complaint about contractors not being aware of tenant vulnerabilities, staff were reminded to ensure they are updating the Vulnerability User defined Characteristic (UDC) on the internal ICT system so that all staff are aware and to include this information on all orders for contractors where appropriate.
 - (c) Following a complaint about missed issues, staff were reminded of the need to ensure they read and address all aspects of service requests from tenants to ensure they feel listened to fully.
 - (d) Following a complaint about delays in a tenant receiving additional keys, the key-cutting process was reviewed to ensure tenants are aware of the duration to obtain keys and deliver them.
 - (e) After a complaint was received about delays in responding to tenants' queries, staff were reminded to return phone calls within the seven working days outlined in the Customer Standards.
 - (f) Following a complaint about delays to a complaint being logged and subsequently responded to, Housing Income Management were made aware that the Complaints Team need consent from a tenant in order to accept a complaint from a third party. They were reminded that the Housing Services Access to Personal Information form should be completed, but also that the form required updating to ensure it reflected the more stringent consent requirements introduced by UK GDPR and those detailed in our Housing Complaints Procedure.
22. The further recommendations set out in the Children's, Corporate and Housing Complaints, Compliments and Comments Annual Reports are:

Children's Social Care Complaints

- (a) Children's Services and the Complaints Manager should work to improve the timeliness and quality of stage 1 responses, ensuring lessons are learned in order to reduce the overall number of complaints received and the number progressing to stages 2 and 3. The Complaints Manager has already ran several in house training sessions for staff required to respond to stage 1 complaints.
- (b) Children's Services and the Complaints Manager should work to performance against stage 2 response timescale.

Corporate Complaints

- (a) The Complaints Manager should provide training for stage 1 responding officers on the updated complaints procedure (introduced by the Local Government and Social Care Ombudsman's Complaint Handling Code on 1 April 2024), to improve performance against timescales prior to them being monitored by the Local Government and Social Care Ombudsman from 1 April 2026.
- (b) The Complaints & Information Governance Team should work to improve compliance with the new Stage 2 timescales (introduced by the Local Government and Social Care Ombudsman's Complaint Handling Code on 1 April 2024), prior to the Council's performance against them being monitored by the Local Government and Social Care Ombudsman from 1 April 2026.

Housing Complaints

- (a) Housing Services should consider what can be done to reduce complaints about the timeliness and quality of repairs and poor communication and to improve relationships between officers and tenants.
- (b) Housing Services should consider reviewing resources to ensure all stage 1 complaints are responded to within Housing Ombudsman's Complaint Handling Code timescales.
- (c) The Complaints & Information Governance Team should consider reviewing resources to ensure all stage 2 complaints are responded to within Housing Ombudsman's Complaint Handling Code timescales.

Consultation

- 23. No consultation was required in preparing this report.

Appendix 1

Total Representations by Year

Type of representation	2024/25	2023/24	2022/23	2021/22	2020/21
Complaints					
Corporate					
Stage 1 complaints	467	463	478	532	457
Direct to Stage 2 complaints	21	14	21	17	24
Direct to Ombudsman	0	0	0	0	1
<i>Total complaints</i>	<i>488</i>	<i>477</i>	<i>499</i>	<i>549</i>	<i>483</i>
Stage 1 escalated to Stage 2	52	70	49	53	26
<i>Total Stage 2 complaints</i>	<i>73</i>	<i>84</i>	<i>70</i>	<i>70</i>	<i>50</i>
Adult Social Care	39	61	54	48	46
Children's Social Care					
Stage 1 complaints	55	65	56	49	37
Direct to Stage 2 complaints	1	1	0	4	0
<i>Total complaints</i>	<i>56</i>	<i>66</i>	<i>56</i>	<i>53</i>	<i>37</i>
Stage 1 escalated to Stage 2	21	14	20	8	7
<i>Total Stage 2 complaints</i>	<i>22</i>	<i>15</i>	<i>20</i>	<i>12</i>	<i>7</i>
Stage 3 complaints	4	4	2	1	2
Housing					
Stage 1 complaints	163	140	98	88	60
Direct to Stage 2 complaints	0	0	0	0	1
<i>Total complaints</i>	<i>163</i>	<i>140</i>	<i>98</i>	<i>88</i>	<i>61</i>
Stage 1 escalated to Stage 2	27	30	17	16	12
<i>Total Stage 2 complaints</i>	<i>27</i>	<i>30</i>	<i>17</i>	<i>16</i>	<i>13</i>
Public Health	1	2	2	1	2
Total Complaints	747	746	709	739	629
Compliments					
Corporate	143	130	130	154	209
Adult Social Care	42	39	31	33	38
Children's Social Care	5	6	8	8	15
Housing	29	55	33	21	47
Public Health	0	1	0	1	0
Total Compliments	219	231	202	217	309
Comments					
Corporate	44	77	110	123	171
Adult Social Care	0	0	0	2	1
Children's Social Care	0	0	0	1	0
Housing	0	0	2	1	4
Public Health	1	0	0	0	2
Total Comments	45	77	112	127	178

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DARLINGTON

Borough Council

Adult Social Care

Complaints, Compliments and Comment

Annual Report

2024/25

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Introduction

1. 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).
2. On 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.
3. 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.
4. 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. This procedure was reviewed in April 2025.
5. 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 Local Government and Social Care Ombudsman; and
 - (e) Enable the Council to identify topics and trends in relation to adult social care complaints and improve services as a result.
6. 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.
7. 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)

8. 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 (and the Health Services Ombudsman for some joint complaints).

Information and Accessibility

9. 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.
10. 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.
11. The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Advocacy

12. During 2024/25 the Council commissioned an advocacy service which provides RPRs (Relevant Persons Representatives), IMCAs (Independent Mental Capacity Advocates), IMHAs (Independent Mental Health Act Advocates), Care Act Advocates, Representative Deprivation of Liberty authorised by the Court of Protection (COP10DOLS), general advocacy and advocacy for people with a hearing impairment. This was provided by Darlington association on Disability (DAD).

Summary

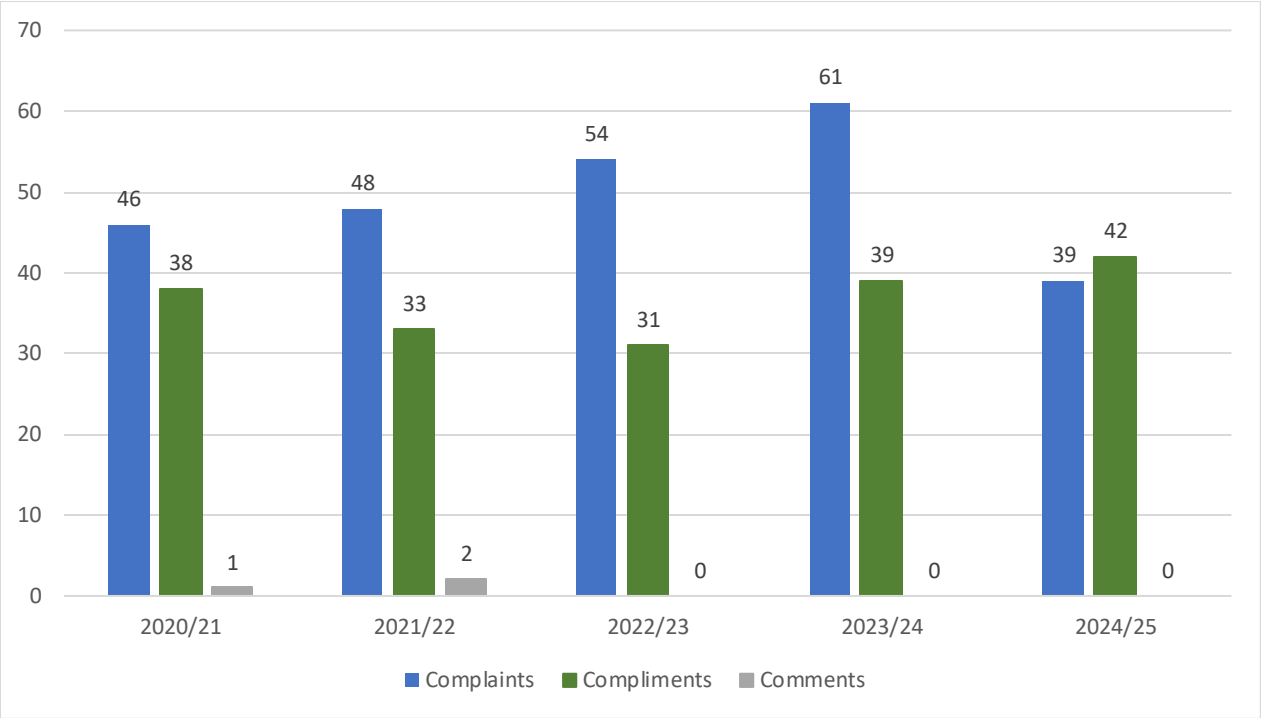
13. There has been a decrease in overall feedback during 2024/25, 84 representations were received compared to 101 in 2023/24.
14. The Council received 39 complaints, a significant reduction from 61 complaints in 2023/24. This reduction follows a change to the complaints procedure, whereby Team Managers now usually investigate complaints about their team, rather than having the complaint investigated by someone independent of the service. Following training, staff have reportedly been more responsive, resolving issues at the point of contact, which has reduced the overall number of complaints.
15. The Council received 42 compliments under the procedure during 2024/25, an increase from 39 in 2023/24.
16. The Council did not receive any comments under the procedure during 2024/25, as was the case in 2023/24.
17. The Council received three complaints which did not qualify for investigation under the procedure during 2024/25, an increase from one in 2023/24.
18. Six adult social care complaints were progressed to the LGSCO during 2024/25, a decrease from 10 in 2023/24.
19. The LGSCO reached a decision on seven complaints during 2024/25, a decrease from nine in 2023/24.

Review of the Year

Breakdown of all Representations

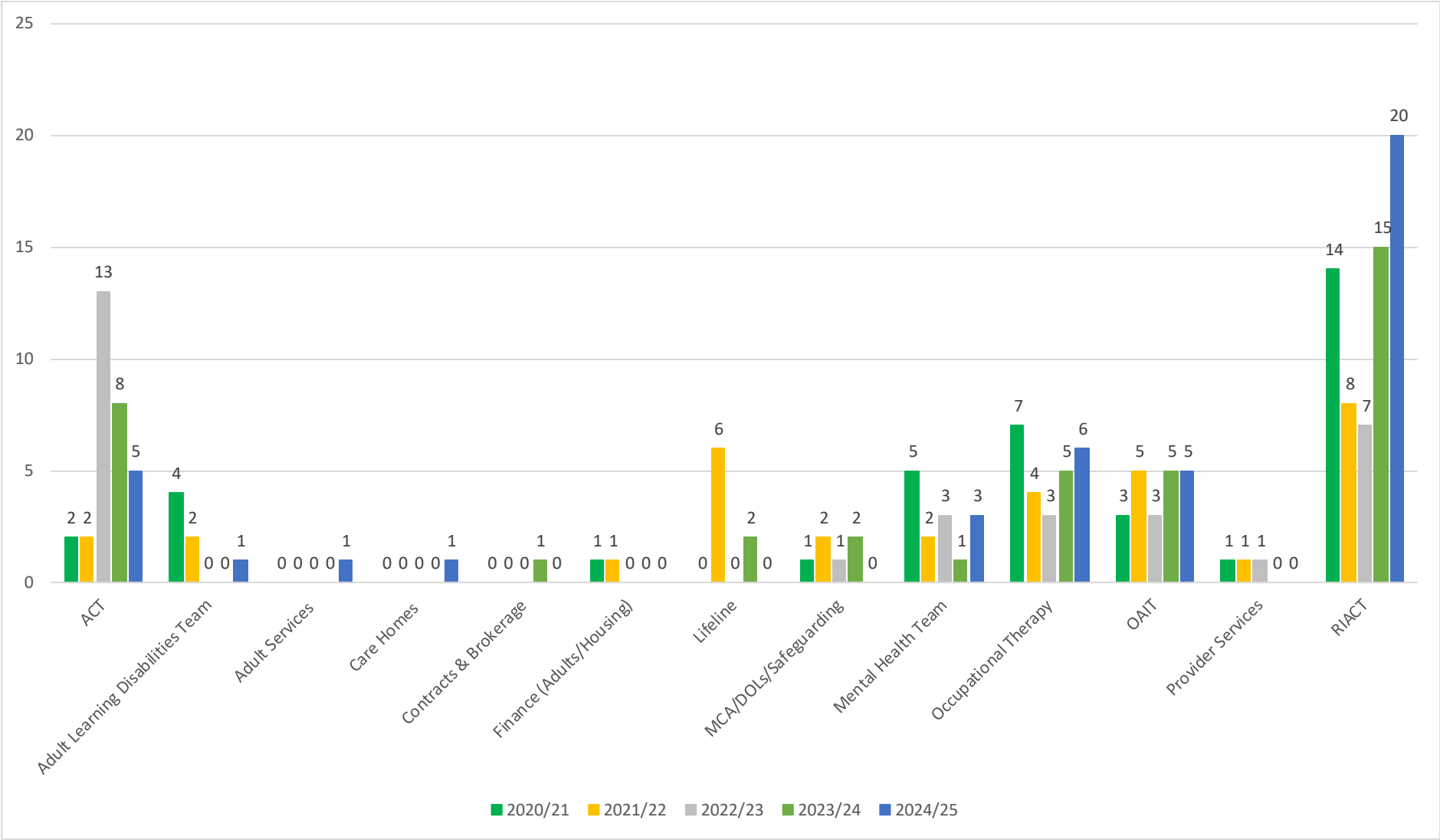
20. A total of 84 representations (including three non-qualifying complaints) were handled under the procedure during 2024/25. This does not include those representations responded to directly by social care providers i.e. care homes and home (domiciliary) care providers.

Total Complaints, Compliments and Comments Received



- 21. There was a significant decrease in the number of complaints investigated, 39 compared to 61 compared in 2023/24.
- 22. There was an increase in the number of compliments received, 42 compared to 39 in 2023/24.
- 23. No comments were received in 2024/25, as was the case in 2023/24. The number of comments received has historically remained low.

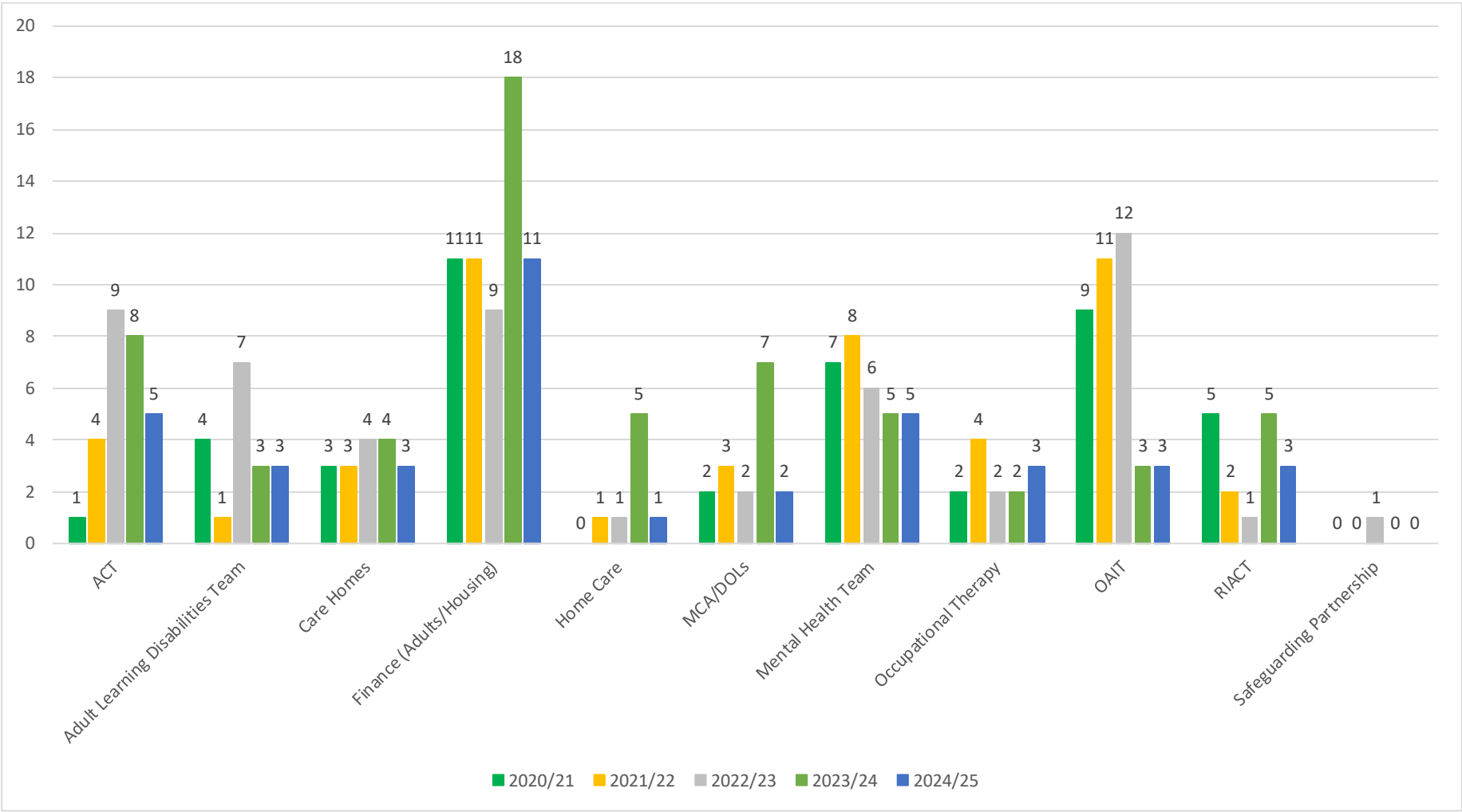
Breakdown of Compliments Received by Service Area/Team



*ACT = Adult Contact Team, MCA/DOLS = Mental Capacity Act/Deprivation of Liberty Safeguards, OAiT = Ongoing Assessment and Intervention Team & RIACT = Responsive Integrated Assessment Care Team

N.B. Those teams that do not appear in the graph did not receive any compliments

Breakdown of Complaints Received by Service Area/Team



*ACT = Adult Contact Team, MCA/DOLS = Mental Capacity Act/Deprivation of Liberty Safeguards, OAIT = Ongoing Assessment and Intervention Team & RIACT = Responsive Integrated Assessment Care Team.

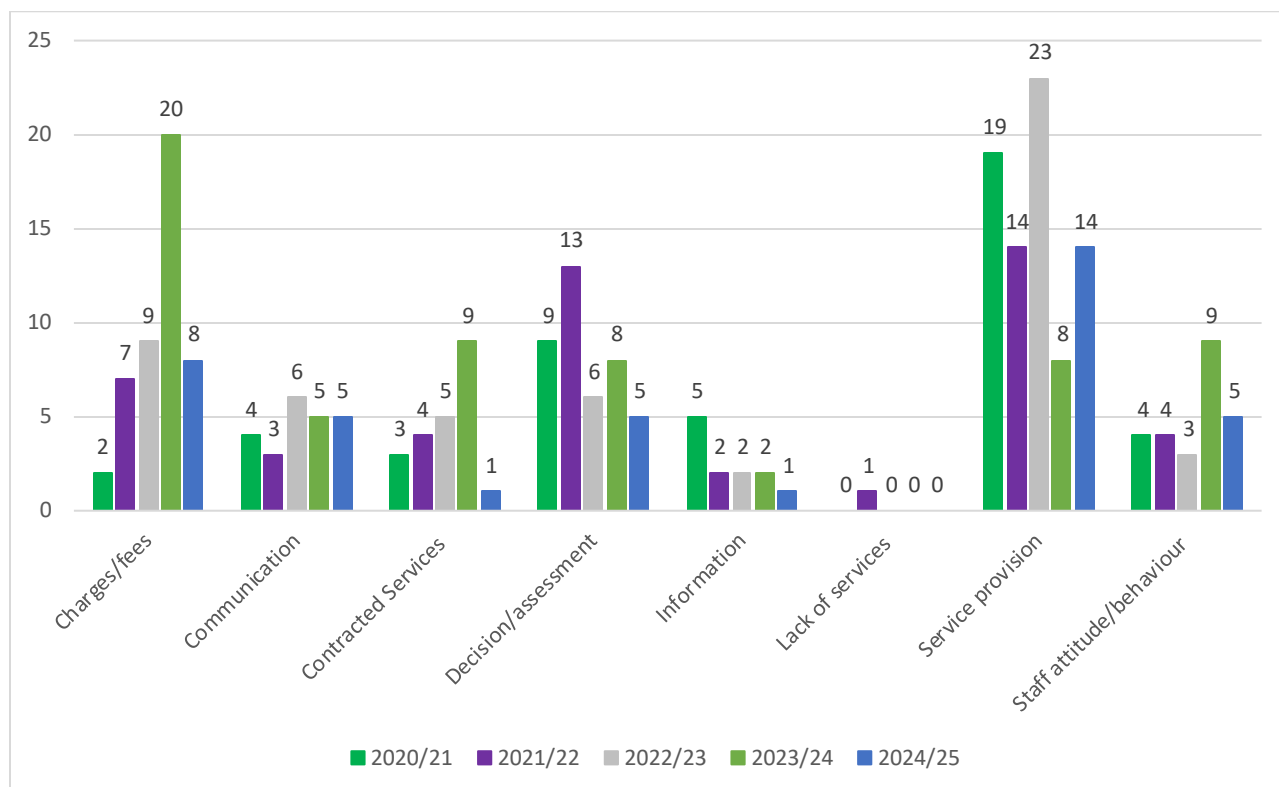
N.B. Those teams that are not listed did not receive any complaints.

24. The Council investigated five complaints about ACT, a decrease from eight in 2023/24, and there were no identifiable themes arising from these complaints.
25. The Council investigated three complaints about the Adult Learning Disabilities Team, the same number as in 2023/24, and there were no identifiable themes arising from these complaints.
26. The Council investigated three complaints about care homes, a decrease from four in 2023/24 and there were no identifiable themes arising from these complaints either.
27. The Council investigated 11 complaints about Finance (Adults/Housing), a decrease from 18 in 2023/24. Complaints concerned people's dissatisfaction with care fees, being asked to pay a top-up for day services, delays and poor communication.
28. The Council investigated one complaint about a home (domiciliary) care provider (contracted service), a decrease from five in 2023/24.
29. The Council investigated two complaints about MCA/DOLS (Mental Capacity Act/Deprivation of Liberty Safeguards), a decrease from seven in 2023/24.
30. The Council investigated five complaints about the Mental Health Team, the same number as in 2023/24. Complaints primarily concerned dissatisfaction with the level of communication and support from social workers.
31. Occupational Therapy received three complaints, an increase from two in 2022/23 and there were no identifiable themes arising from these complaints.
32. Ongoing Assessment & Intervention Team (OAIT) received three complaints, the same number as in 2023/24. Two of the complaints concerned the lack of information provided regarding care charges.
33. Responsive Integrated Assessment Care Team (RIACT) received three complaints, a decrease from five in 2023/24, and there were no identifiable themes arising from these complaints.

Breakdown of Comments Received by Service Area/Team

34. Adult Services did not receive any comments during 2024/25, as was the case in 2023/24.

Breakdown of Complaints Received by Issue



35. The most common cause of complaint was service provision, overtaking charges/fees. The Council received 14 complaints about this issue, an increase from eight in 2023/24.
36. The second most common cause of complaints was charges/fees. The Council received eight complaints about this issue, a significant decrease from 20 in 2023/24.
37. The joint third most common causes of complaint were communication, decision/assessment and staff attitude/behaviour. The Council received five complaints about communication, the same number as in 2023/24. The Council also received five complaints about decision/assessment, a decrease from eight in 2023/24. Similarly the Council received five complaints about staff attitude/behaviour, a decrease from nine in 2023/24.
38. Contracted services and Information were the least complained about issues. Contracted services received one complaint, a decrease from nine in 2023/24. One complaint was received regarding information, a decrease from two in 2023/24.

Complaint Outcomes

39. 48 complaint investigations were concluded during 2024/25. The outcomes of these complaints are detailed in the chart below.

Service Area/Team	Upheld	Partly Upheld	Not Upheld	Inconclusive	Withdrawn	Total
Finance (Adults/Housing)	2	3	5	2	2	14
Mental Health Team	2	0	4	0	1	7
Adult Learning Disabilities 18+	0	1	0	0	0	1
Adult Learning Disability Team	1	0	0	0	0	1
MCA/DOLS	1	5	2	0	0	8
Adult Contact Team	0	2	2	0	1	5
Ongoing Assessment & Intervention Team (OAIT)	0	0	0	0	1	1
Occupational Therapy	1	1	1	0	2	5
RIACT	0	3	0	0	0	3
Care Homes	1	1	0	0	0	2
Home Care	1	0	0	0	0	1
Total	9	16	14	2	7	48

Local Government and Social Care Ombudsman (LGSCO) Complaints Received 2024/25

40. Six adult social care complaints were progressed to the LGSCO during 2024/25, a decrease from ten in 2023/24.

Local Government and Social Care Ombudsman (LGSCO) Complaint Outcomes 2024/25

41. Seven adult social care complaints were determined by the LGSCO during 2024/25, a decrease from nine in 2023/24.
42. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 9 September 2025 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

Organisational Learning

43. 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 number of service improvements were made following complaint investigations during 2024/25, some of which are detailed below.

Adult Contact Team (ACT)

44. It was agreed additional training in relation to recording would be made available for social workers.

Adult Learning Disabilities 18+

45. It was agreed future respite arrangements should be clearly documented in meetings and correspondence and issues on finding appropriate respite provision clearly communicated.

Care homes (Contracted Services)

46. Following a complaint about a Care Home it was recommended the environmental risk assessment be reviewed to ensure that the tethering used for furniture continues to be fit for purpose. It was also agreed the issue of missing dentures for all care homes would be raised at the Council's Residential Provider Forum – to look at good practice and that Oral Health Promotion from County Durham and Darlington NHS Foundation Trust (CDDFT) would be invited. Furthermore, it was recommended staff undergo refresher training with respect to recording of information on incident reports and in case notes.
47. As a result of another complaint social workers were reminded that the care providers should receive a copy of the person's Support Plan prior to admission, to ensure they have all relevant information. This investigation highlighted shortfalls in the effectiveness of the provider's risk assessment and care planning process for falls and moving and handling. It was recommend the provider reflects on the findings and implemented a more effectively risk assessment for falls, which clearly identifies the level of risk and appropriate risk reduction measures. It was also agreed the provider would ensure they have a suitable process for new admissions to ensure they have appropriate walking aids in place. It was recommended the provider review their dependency assessment tool to ensure they have appropriate staffing levels to be able to meet residents needs at any given time and that where a resident is at risk of falls, appropriate interventions should be considered straight away as part of the risk assessment and care planning process.

Finance

48. The Council agreed to ensure that social work teams do not delay submission of paperwork to the Financial Protection Team.
49. Social workers were also reminded to request a financial assessment in a timely manner.
50. The Council issued a guidance note to all relevant staff advising them of the legal duty to ensure, where specific individual circumstances apply, the personal budget covers the cost of support that has been specified in the care plan, not a sum equivalent to the cost of council-run services. The Council also agreed to amend any relevant policies to reflect this.

Home Care

51. It was agreed that where services are provided that do not correspond to those set out in the Support Plan, a review of the individual's needs would be requested in a timely

manner. During the investigation the provider identified the following areas of improvement:

- Recording practices to be improved to ensure that all tasks are recorded correctly and in detail and that the Team Leader and Senior oversee the recording.
- Team Leaders/Seniors to request reviews when someone's care package changes if the change is consistent after 4 weeks.
- A traffic light system is to be set up so the provider can identify quickly whose needs are increasing/decreasing and who needs a review (Registered Service Manager to oversee).

MCA/DOLS

52. It was agreed a continued professional development session would be completed with the Safeguarding Adults Team in respect of involving adults alleged to have caused harm in safeguarding enquires.

Responsive Integrated Assessment Care Team (RIACT)

53. It was agreed social workers would fully explain brokerage process in relation to sourcing care providers and clearly document this in the case notes. It was also agreed social workers within all teams would explore direct payments when an individual's preferred choice is to pick a specific care provider and that the RIACT Team Manager would ensure at point of discharge planning from care homes that clear plans are in place and agreed by all parties. It was agreed that safeguarding minutes where possible would be sent out in a timely manner and prior to any review meetings and that should the minutes be unable to be sent out the chair of the subsequent meeting would recap the previous strategy and any outstanding actions.

Performance against the Procedure

54. The target for acknowledging receipt of complaints under the procedure is 3 working days.
55. 87.80% of complaints received during 2024/25 were acknowledged within the 3 working day timescale, an increase from 80% in 2023/24.
56. There are no longer any statutory timescales for complaint responses, except that complainants should receive a response within the 'relevant period' i.e. six months or longer where an extension is agreed in advance. Where the Local Authority is unable to respond within the relevant period it must write to the complainant explaining why and respond as soon as reasonably practicable after the relevant period. The procedure sets out a 40 working days timescale for dealing with complaints solely about the Council's services, although the investigator may agree an extension with the complainant up to a maximum of six months. 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 in the regulations.

57. 21.43% of complaints were responded to within 40 working days, an increase from 7.14% respond to within 30 working days in 2023/24.
58. 14.58% of complaints exceeded the maximum six month time limit set in the procedure, an increase from 10.7% in 2023/24. The majority of these complaints were for Finance (Adults/Housing).

Performance Indicator for 2024/25

59. In relation to Adult Social Care complaints the Council's key performance indicator is the number of upheld decisions received from the Local Government and Social Care Ombudsman. Adult Services received four upheld decisions during 2024/25, as was the case in 2023/24.
60. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 9 September 2025 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

Further recommendations

61. Finance (Adults/Housing) should work to reduce the number of complaints that exceeded the maximum six month time limit set in the regulations.



DARLINGTON

Borough Council

Children's Social Care Complaints, Compliments and Comments Annual Report 2024/25

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Introduction

1. 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

2. 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'.
3. Key features of the Regulations include:
 - (a) A requirement for local authorities to appoint a Complaints Manager;
 - (b) A requirement for review panels to be retained by local authorities but with more robust arrangements for constituting and running them; and
 - (c) A 12 month time limit to make complaints.

Complaints and Information Governance Team

4. 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

5. 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.

6. 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.
7. This can be in writing, by email, via the web, over the phone, in person or by any other reasonable means.
8. 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

9. 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

10. 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

11. 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

12. 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

13. 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

14. While the Regulations do not require investigating officers to be independent of the Council, we have signed up to a contract for the provision of independent investigating officers.

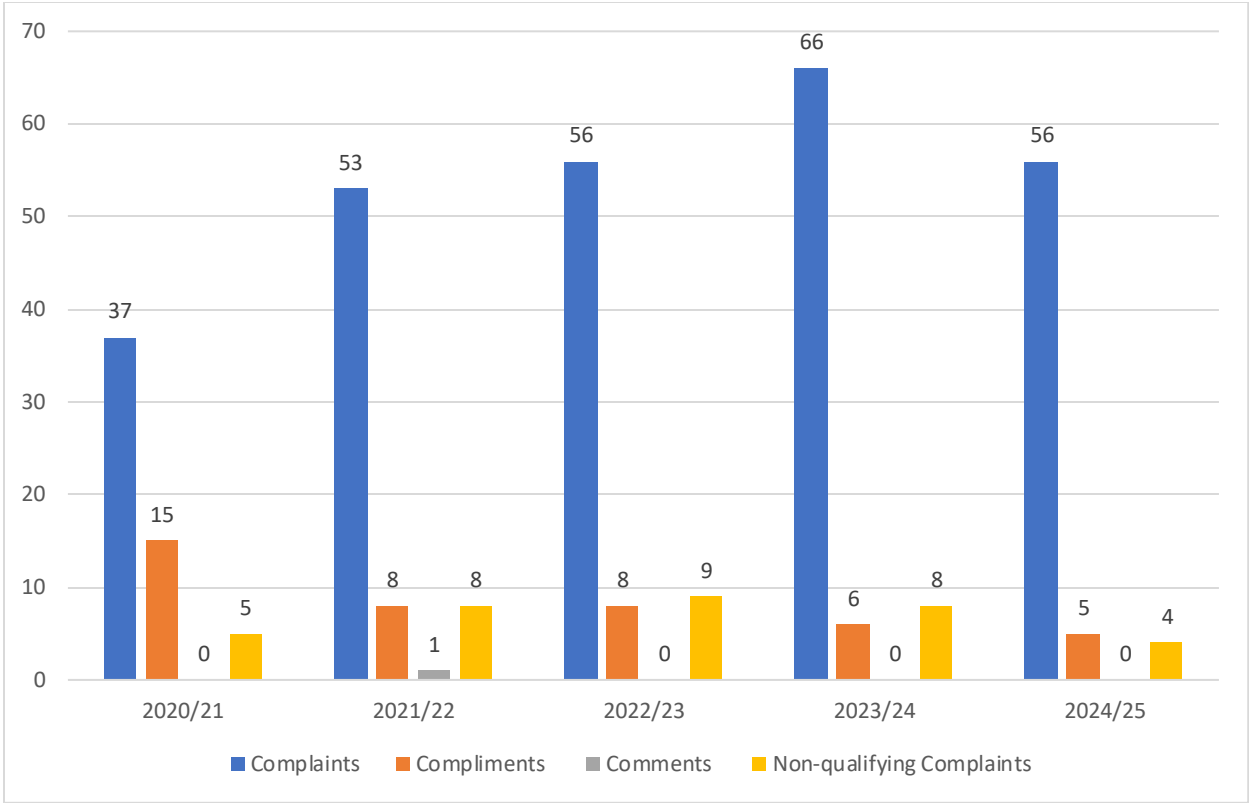
Independent Persons

15. The Council has signed up to a contract for the provision of independent persons.

Review Panels

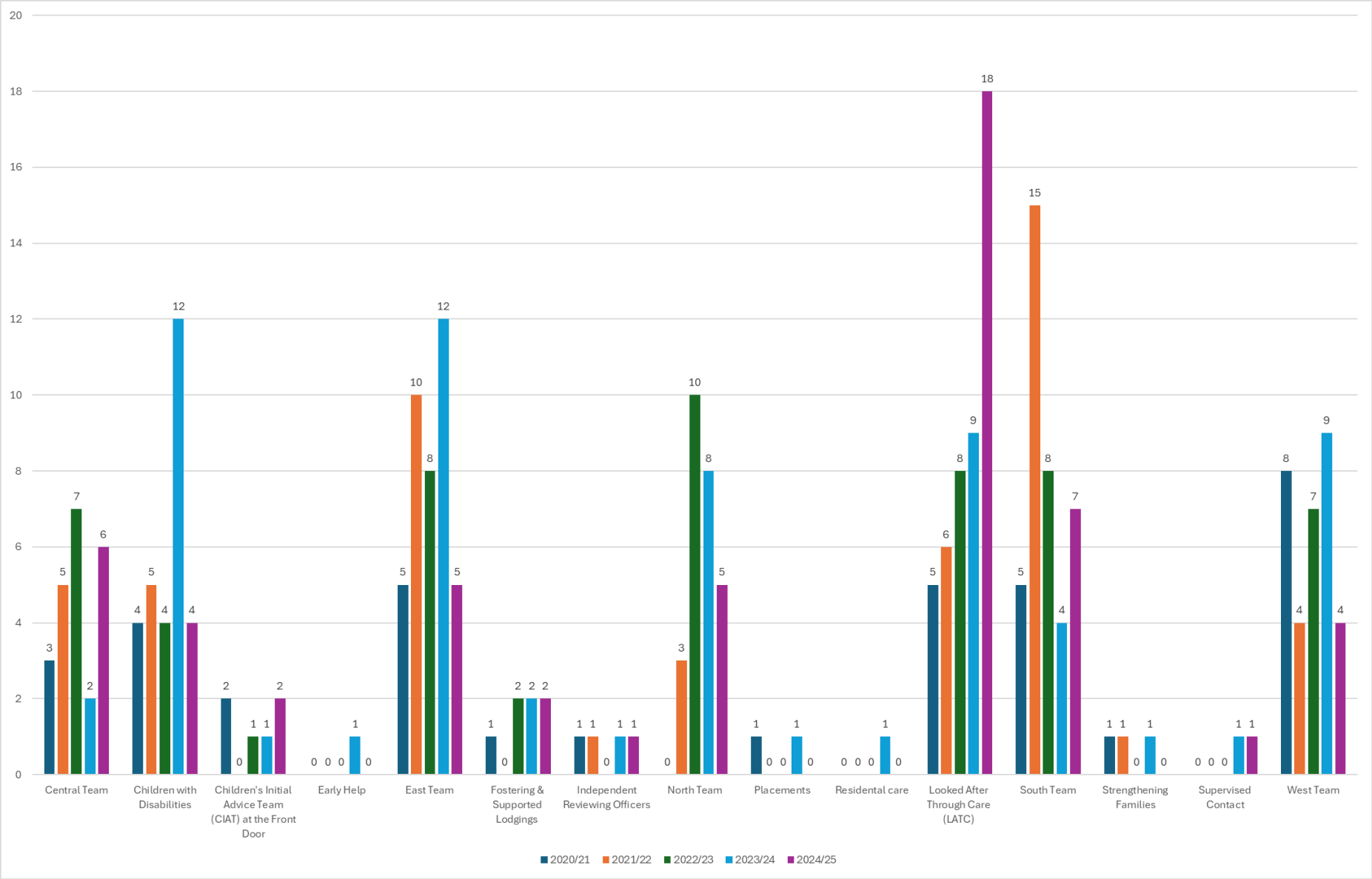
16. The Council has also signed up to a contract for the provision of an independent chair and independent panellist service.

Total Complaints, Compliments and Comments received



- 17. The Council saw a significant decrease in the number of complaints received, 56 compared to 66 in 2023/34. While 55 were investigated at stage 1, one was escalated directly to stage 2. This was the same number of complaints that were received in 2022/23.
- 18. The Council received five compliments, a decrease from six in 2023/24.
- 19. The Council did not receive any comments in 2024/25, as was the case in 2023/24.
- 20. The Council received four non-qualifying complaints, a decrease from eight in 2023/24.

Breakdown of Stage 1 Complaints by Service Area/Team

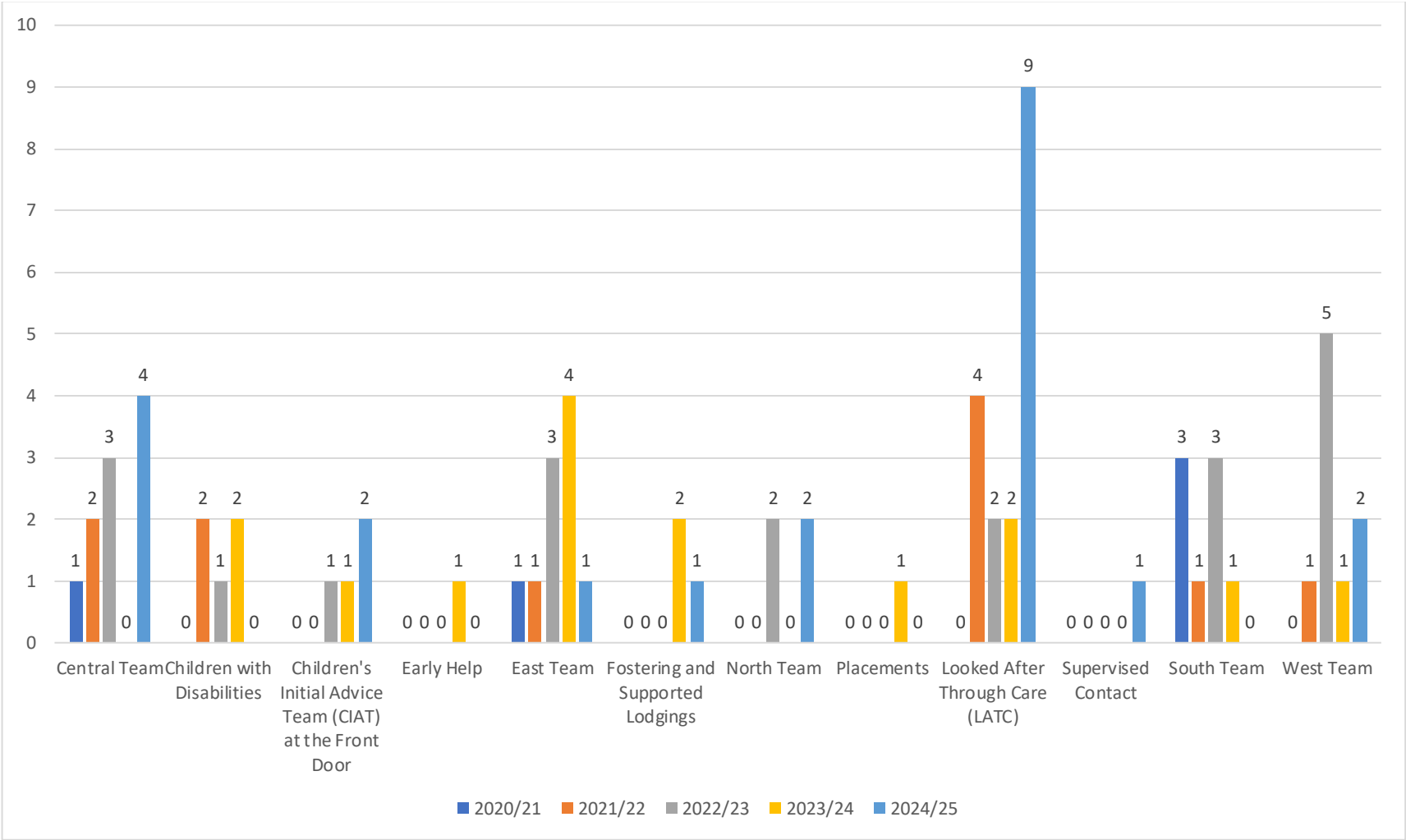


N.B. One complaint progressed directly to stage 2. Those teams that are not listed did not receive any complaints during 2024/25.

21. Central Team received six complaints, an increase from two in 2023/24. The most common cause of complaint was people's dissatisfaction with the attitude/behaviour of the social worker.
22. Children with Disabilities received four complaints, a decrease from 12 in 2023/24, and there were no identifiable themes.
23. Children's Initial Advice Team (CIAT) at the Front Door received two complaints, an increase from one in 2023/24 and 2023/23. The only identifiable theme was dissatisfaction with communication.
24. Early Help received zero complaints, a decrease from one in 2023/24.
25. East Team received five complaints, a decrease from 12 in 2023/24. The only identifiable theme was dissatisfaction with communication.
26. Fostering and Supported Lodgings received two complaints, the same number as in 2023/24, and there were no identifiable themes.
27. Independent Reviewing Officers received one complaint, the same as in 2023/24.
28. North Team received five complaints, a decrease from eight in 2023/24. Three of the complaints received concerned staff attitude/behaviour.
29. Placements received zero complaints, a decrease from one in 2023/24.
30. Residential Care received zero complaints, a decrease from one in 2023/24.
31. Looked After Through Care (LATC) received 18 complaints, an increase from nine in 2023/24. The most common cause of complaint was poor communication; other identifiable themes were delays in progressing matters and dissatisfaction with decisions.
32. South Team received seven complaints, an increase from four in 2023/24. The only identifiable theme was dissatisfaction with communication.
33. Strengthening Families received zero complaints, a decrease from one in 2023/24.
34. Supervised Contact received one complaint, the same number as in 2023/24.
35. West Team received four complaints, a decrease from nine in 2023/24, and there were no identifiable themes.

Breakdown of Stage 2 Complaints by Service Area/Team

36. 22 complaints were investigated at Stage 2, an increase from 15 in 2023/24. One was subsequently suspended under Regulation 8, as a result of concurrent court proceedings.

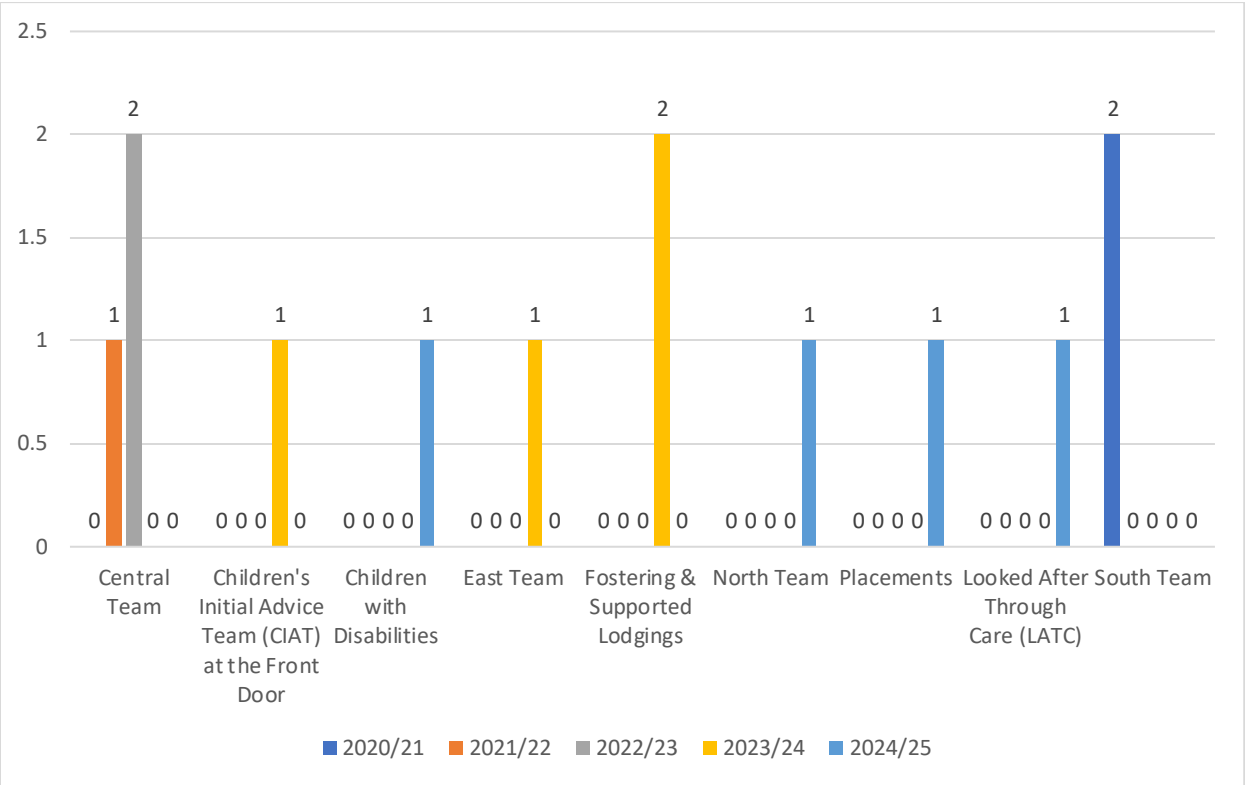


N.B. Those teams that are not listed did not receive any complaints during 2024/25.

37. Central Team received four stage 2 complaints, an increase from zero in 2023/24. Complainants were dissatisfied with decisions, the actions of the social worker and their attitude/behaviour.
38. Children with Disabilities received zero stage 2 complaints, a decrease from 2 in 2023/24.
39. Children's Initial Advice Team (CIAT) at the Front Door received two stage 2 complaints, an increase from one in 2023/24.
40. Early Help received zero stage 2 complaints, a decrease from one in 2023/24.
41. East Team received one stage 2 complaint, a decrease from four in 2023/24.
42. Fostering and Supported Lodgings received one stage 2 complaint, a decrease from two in 2023/24.
43. North Team received two stage 2 complaints, an increase from zero in 2023/24.
44. Placements received zero stage 2 complaints, a decrease from one in 2023/24.
45. Looked After Through Care (LATC) received nine stage 2 complaints, an increase from two in 2023/24. The most common cause of complaint was lack of communication.
46. South Team received zero stage 2 complaints, a decrease from one in 2023/24.
47. West Team received two stage 2 complaints, an increase from one in 2023/24.

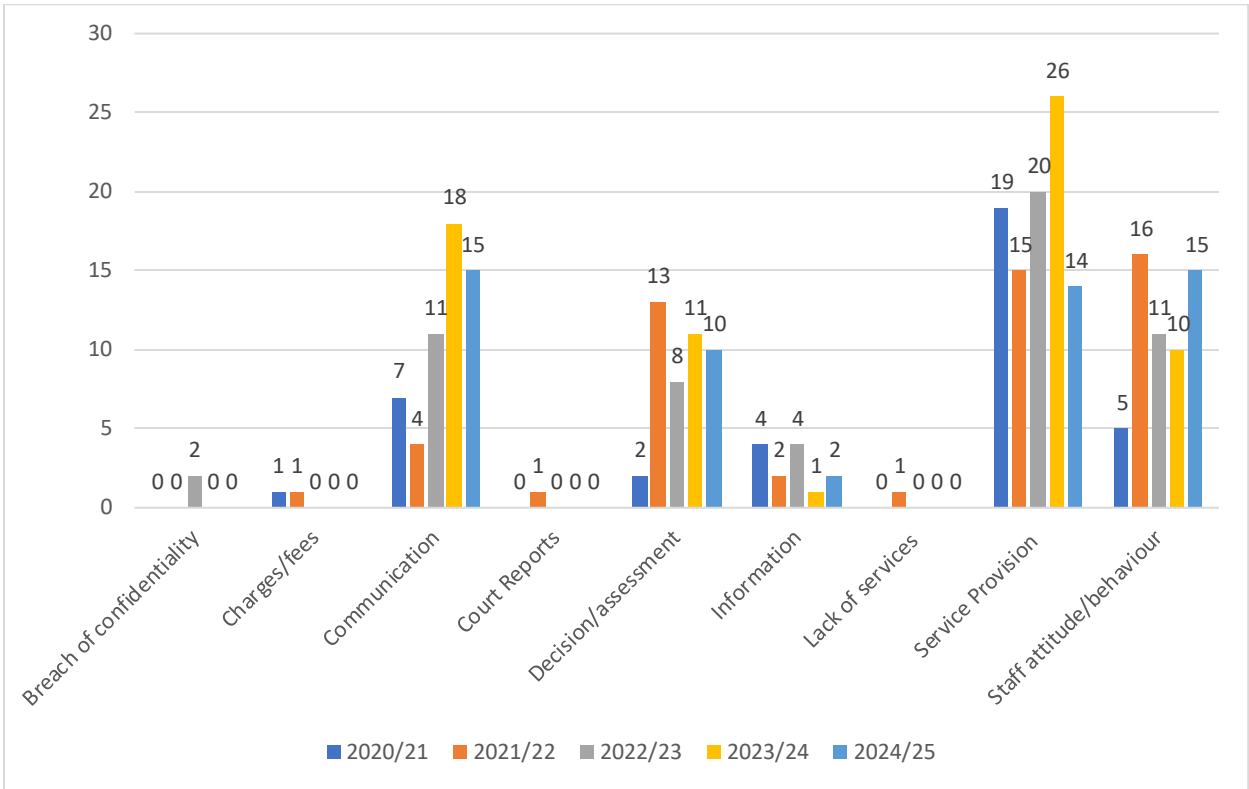
Breakdown of Stage 3 complaints by Service Area/Team

48. Four complaints were escalated to Stage 3, the same number as in 2023/24.



N.B. Those teams that are not listed did not receive any complaints during 2024/25.

Breakdown of complaints by Issue

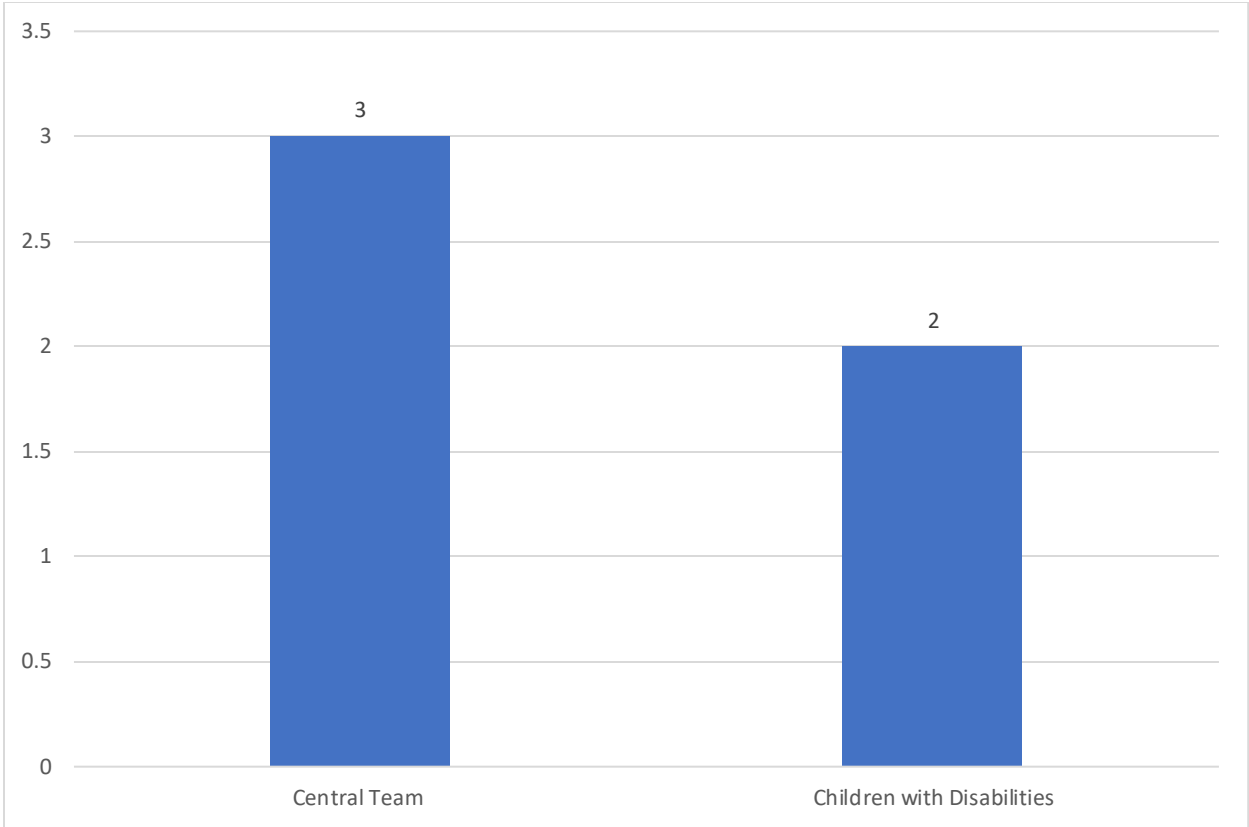


49. Communication and staff attitude/behaviour were the joint most commonly complained about issues in 2024/25. The Council received 15 complaints about communication, a decrease from 18 in 2023/24. The Council also received 15 complaints about staff attitude/behaviour, an increase from 10 complaints in 2023/24.
50. Service/provision was the second commonly complained about issue in 2024/25. The Council received 14 complaints, a significant decrease from 26 in 2023/24.
51. Decision/assessment was the third most complained about issues in 2024/25. The Council received 10 complaints about this issue, a decrease from 11 in 2023/24.
52. The Council also received two complaints about information, an increase from one in 2023/24.

Breakdown of Comments by Service Area/Team

53. The Council did not receive any comments during 2024/25, as was the case in 2023/24.

Breakdown of Compliments by Service Area/Team



54. Children’s Services received five compliments, a decrease from six in 2023/24.

Complaint Outcomes

Stage 1 - The below table shows the decisions reached on Stage 1 complaints during 2024/25.

Service Area/Team	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Children with Disabilities	0	0	0	0	1	0	1
Independent Reviewing Officers	0	0	0	1	0	0	1
Children's Initial Advice Team	0	0	0	1	0	0	1
Supervised Contact	0	0	1	0	0	0	1
North Team	0	0	1	3	0	1	5
East Team	0	0	1	2	1	2	6
South Team	0	0	0	2	0	1	3
West Team	1	0	2	1	0	2	6
Central Team	0	0	5	0	0	1	6
Children with Disabilities	0	0	0	4	1	0	5
Looked After Through Care (LATC)	1	0	7	4	1	3	16
Fostering & Supported Lodgings	0	0	1	0	1	1	3
Totals	2	0	18	18	5	11	54

Stage 2 - The below table shows the decisions reached on Stage 2 complaints during 2024/25.

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Children's Initial Advice Team	0	0	1	1	0	2
Supervised Contact	0	0	1	0	0	1
North Team	0	0	2	1	0	3
East Team	0	0	1	1	1	3
South Team	0	0	1	0	0	1
West Team	0	0	1	0	0	1
Placements	0	0	1	0	0	1
Looked After Through Care (LATC)	0	1	3	2	0	6
Fostering & Supported Lodgings	1	0	0	0	0	1
Totals	1	1	11	5	1	19

Stage 3 - The below table shows the decisions reached on Stage 3 complaints during 2024/25.

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
North Team	0	1	0	0	0	1
Placements	0	0	1	0	0	1
Looked After Through Care (LATC)	0	0	1	0	0	1
Totals	0	1	2	0	0	3

Local Government and Social Care Ombudsman (LGSCO) Complaints

55. One complaint was referred to the LGSCO during 2024/25, a decrease from three in 2023/24.

56. One complaint was determined by the LGSCO during 2024/25, a decrease from three in 2023/24.

Organisational Learning

57. 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 2024/25. Some examples of these are detailed below.

Children's Initial Advice Team (CIAT) at the Front Door

58. Children's Services should consider a review of the skills and knowledge base of its Initial Advice Team to ensure contacts relating to children with disabilities are responded to consistently.

59. Children's Services considered an urgent update of its Children with Disabilities eligibility criteria document.

60. Darlington Borough Council remind social workers of the importance of good communication with service users, including checking how best to communicate with them.

61. Darlington Borough Council agreed to advise staff providing responses to complaints raised by service users of the need to send the response to the Complaints Team.

62. Darlington Borough Council agreed to advise staff providing stage 1 responses that the service user should be advised of their right to escalate the complaint to stage 2 if they remain dissatisfied.

East Team

63. Agreed to ensure they have adequate processes in place that assist social workers in undertaking necessary inquiries where a parent is in prison and wanting contact with a child.

64. Agreed to reminder to all social workers and team managers of the importance of detailed and timely case recording.

North Team

65. Agreed to remind staff of the correct process for Section 20, and the importance of ensuring parents understand what they are consenting to, and this is recorded, including a copy of the signed order.

- 66. Agreed to remind staff of the importance of accurate case recording particularly in reference to significant information and decision making.
- 67. Reviewed processes within Business Support services, to assure themselves that any contacts or referrals received by them, that bypass the front door, are appropriately recorded within case records, rather than being sent by e-mail to the allocated social worker.
- 68. Agreed to review training for frontline staff in terms of conscious/unconscious bias, with consideration given to how this can impact decision making.
- 69. Agreed to review practice to ensure statutory visits are undertaken during the Child Protection Process.

Placements

- 70. Reminded officers of the importance of timely communication with parents in accordance with the Council's Customer Standards.

Looked After Through Care (LATC)

- 71. Agreed to provide an update to social workers and managers regarding their duties and responsibilities under Section 47 of The Children Act 1989, in respect of gathering relevant information and including foster carers where the allegations is against them.
- 72. Darlington Borough Council Children's Services agreed to consider a review of how important personal documents are adequately recorded, stored, and returned to the owner, as part of a concurrent data breach investigation under the UK General Data Protection Regulations (GDPR).
- 73. Reminded social workers of the importance of regular and effective communication with connected carers, particularly around issues of family time.
- 74. Asked that the Principal Social Worker to consider the guidance in place around communication with families of children in care as part of next review.
- 75. Reminded staff of the importance of accurate recording and reviewing of contact arrangements within care planning.

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

77. The below performance measures are in relation to those complaints responded to during 2024/25.

Timescales

Stage 1

78. 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.

- (a) 38.6% of stage 1 complaint responses were sent within 10 working days. This was a decrease in performance from 50.9% in 2023/24.
- (b) A further 28.1% of stage 1 complaint responses were sent within 20 working days.
- (c) In total 66.7% of stage 1 complaint responses were sent within the maximum 20 working day timescale, a decrease in performance from 76.5% in 2023/24.

Stage 2

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

- (a) 5.3% of stage 2 complaint responses were sent within 25 working days during 2024/25, a decrease from 6.3% in 2023/24.
- (b) 5.3% of stage 2 complaint responses were sent within the maximum timescale allowed (65 working days), a decrease in performance from 12.5% in 2023/24.
- (c) 94.7% of stage 2 complaint responses were sent after 65 working days, a decrease in performance from 87.5% in 2023/24.

Stage 3

80. At stage 3 the Review Panel should be held within 30 working days of the request. 75% of Review Panels were held within 30 working days.

81. The Review Panel should write to the Director within 5 working days of the panel. They did so in 75% of cases.

82. The Director should write to the complainant within 15 working days of receiving the Panel's response. The Director wrote to the complainants within 15 working days in 100% of cases, as was the case in 2023/24.

Performance against key performance indicators

83. In relation to children's social care complaints the Council's key performance indicator is the number of upheld decisions received from the Local Government and Social Care Ombudsman (LGSCO). Children's Services received zero upheld decisions during 2024/25, a decrease from two in 2023/24, the same number as in 2022/23 and 2021/22 and a decrease from one in 2020/21.
84. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 9 September 2025 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

Further recommendations

85. Children's Services and the Complaints Manager should work to improve the timeliness and quality of stage 1 responses, ensuring lessons are learned in order to reduce the overall number of complaints received and the number progressing to stages 2 and 3. The Complaints Manager has already ran several in house training sessions for staff required to respond to stage 1 complaints.
86. Children's Services and the Complaints Manager should work to performance against stage 2 response timescale.

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DARLINGTON

Borough Council

Corporate Complaints, Compliments and Comments Annual Report 2024/25

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Introduction

1. This report provides an analysis of the complaints, compliments and comments received by the Council during 2024/25 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 and performance 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 the Council can also take action where appropriate to improve services.
2. 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

3. In February 2024 the Local Government and Social Care Ombudsman (LGSCO) issued its Complaints Handling Code (the Code) as “advice and guidance” for all local councils in England under section 23(12A) of the Local Government Act 1974. The LGSCO encouraged to adopt the Code as soon as they are able to do so. The LGSCO intend to start considering the Code as part of their processes from April 2026 at the earliest to give councils the opportunity to adopt the Code successfully into working practices. The Code only applies to complaints where there is no statutory process in place.
4. The Council reviewed its procedure prior to 1 April 2024 to ensure it is compliant with the Code. The corporate procedure sets out how the Council will deal with all complaints, compliments and comments received with the exception of those where there is a statutory process in place i.e. adult and children’s social care services, public health, some social housing complaints and Members complaints.
5. 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.
6. Stage 2 is a formal investigation stage where complaints will usually be investigated by the Council’s Complaints Investigator, the Complaints and Information Governance Manager or another officer independent of the service being complained about.
7. If the complainant remains dissatisfied following a Stage 2 investigation they may refer the matter to the Local Government and Social Care Ombudsman.

Public Information and Accessibility

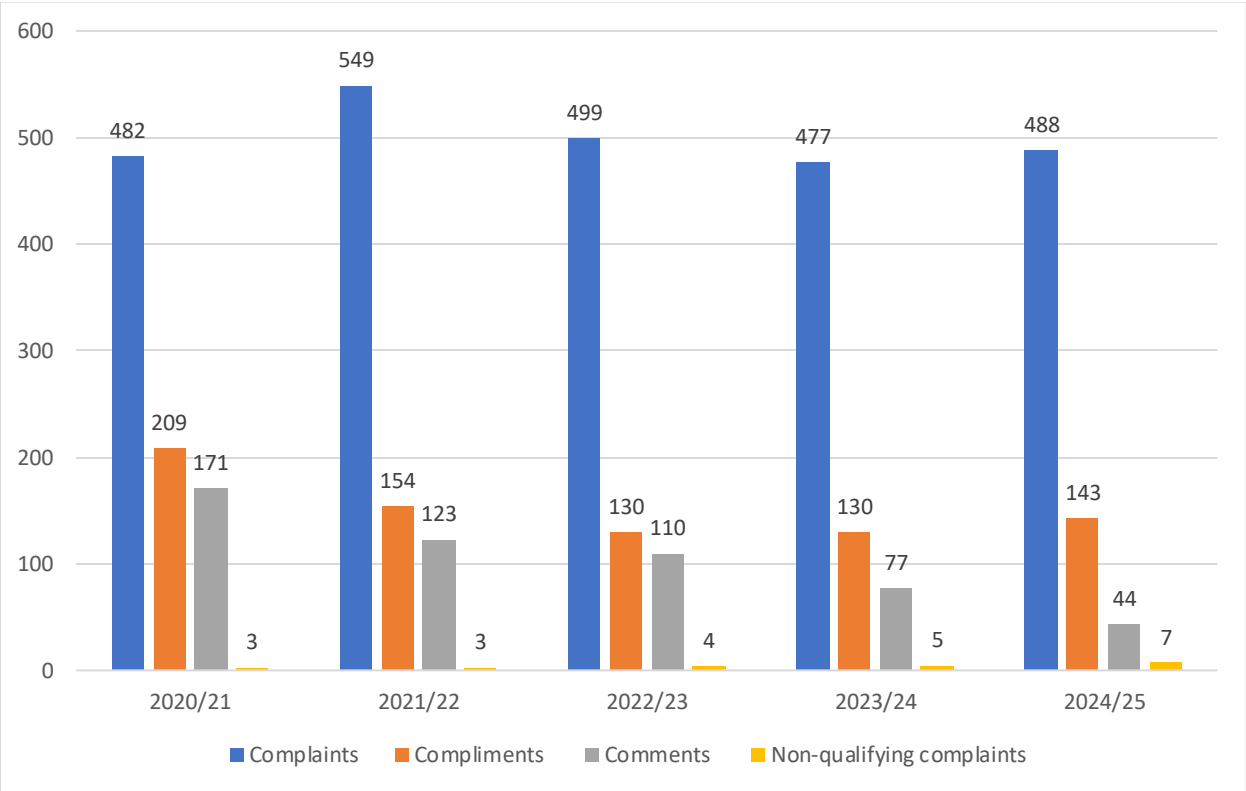
8. We are committed to making sure that everyone has equal access to all our services. To help make sure the Council's complaints procedures are easily accessible, information is available on the Council's website which contains an electronic form people can use to make a complaint, pay someone a compliment 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.
9. We have also 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.
10. The Complaints and Information Governance Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Complaints Information and Organisational Learning

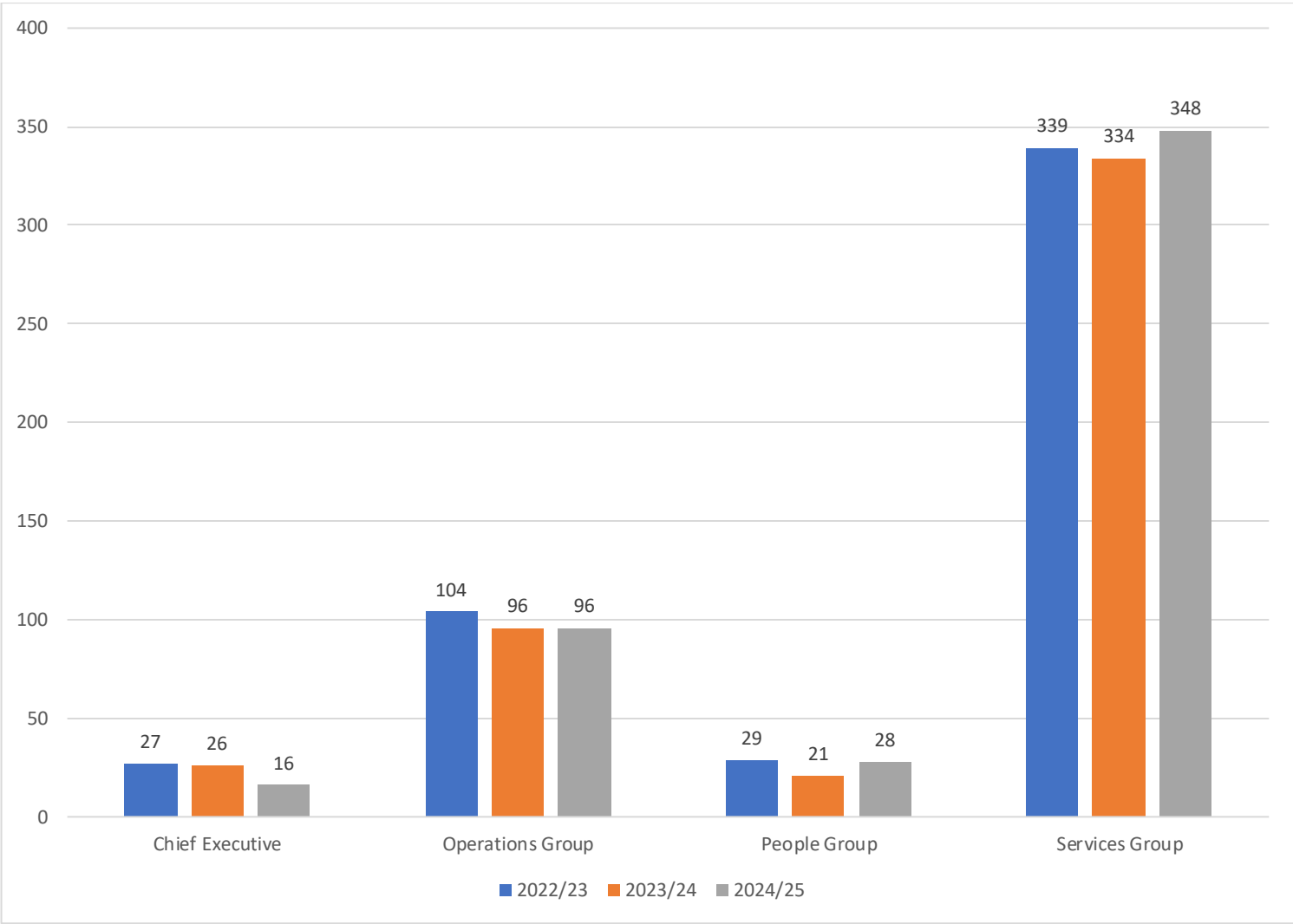
Overview of Corporate Complaints, Compliments and Comments

- 11. Between 1 April 2024 and 31 March 2025 the Council received a total of 682 representations under the corporate procedure, a decrease from 689 in 2023/24.
- 12. The Council received 488 corporate complaints in 2024/25, an increase from 477 in 2023/24. 467 complaints were initially dealt with at Stage 1 of the corporate procedure, whilst 21 were escalated directly to Stage 2. 52 Stage 1 complaints were escalated to Stage 2 following a Stage 1 investigation. In total 73 complaints were investigated at Stage 2, a decrease from 84 in 2023/24.
- 13. The Council received 143 corporate compliments in 2024/25, an increase from 130 in 2023/24.
- 14. The Council received 44 corporate comments in 2024/25, a reduction from 77 in 2023/24.
- 15. The Council also received seven non-qualifying corporate complaints in 2024/25, an increase from five in 2023/24.

Total Corporate Complaints, Compliments and Comments

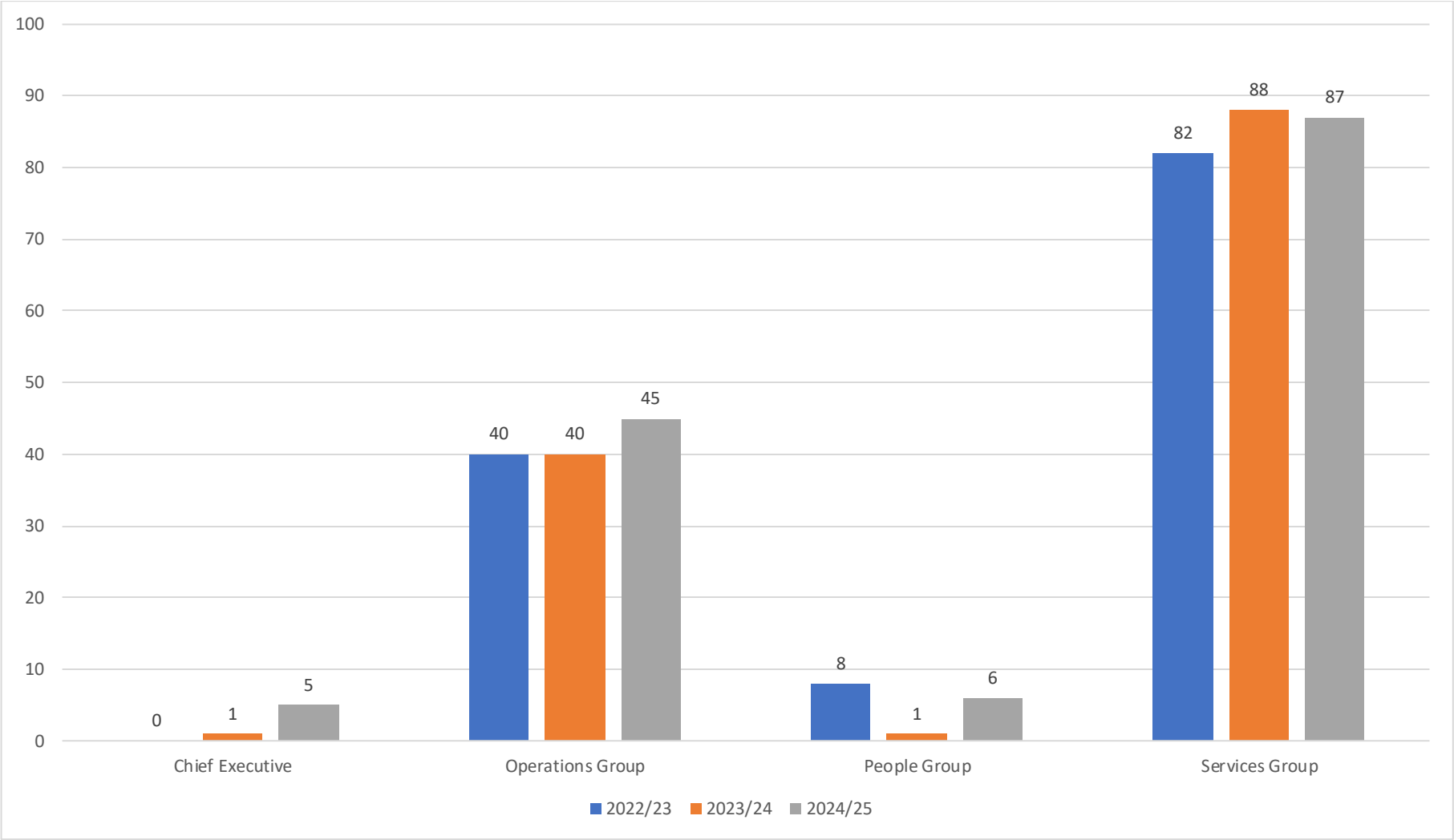


Corporate Complaints by Department

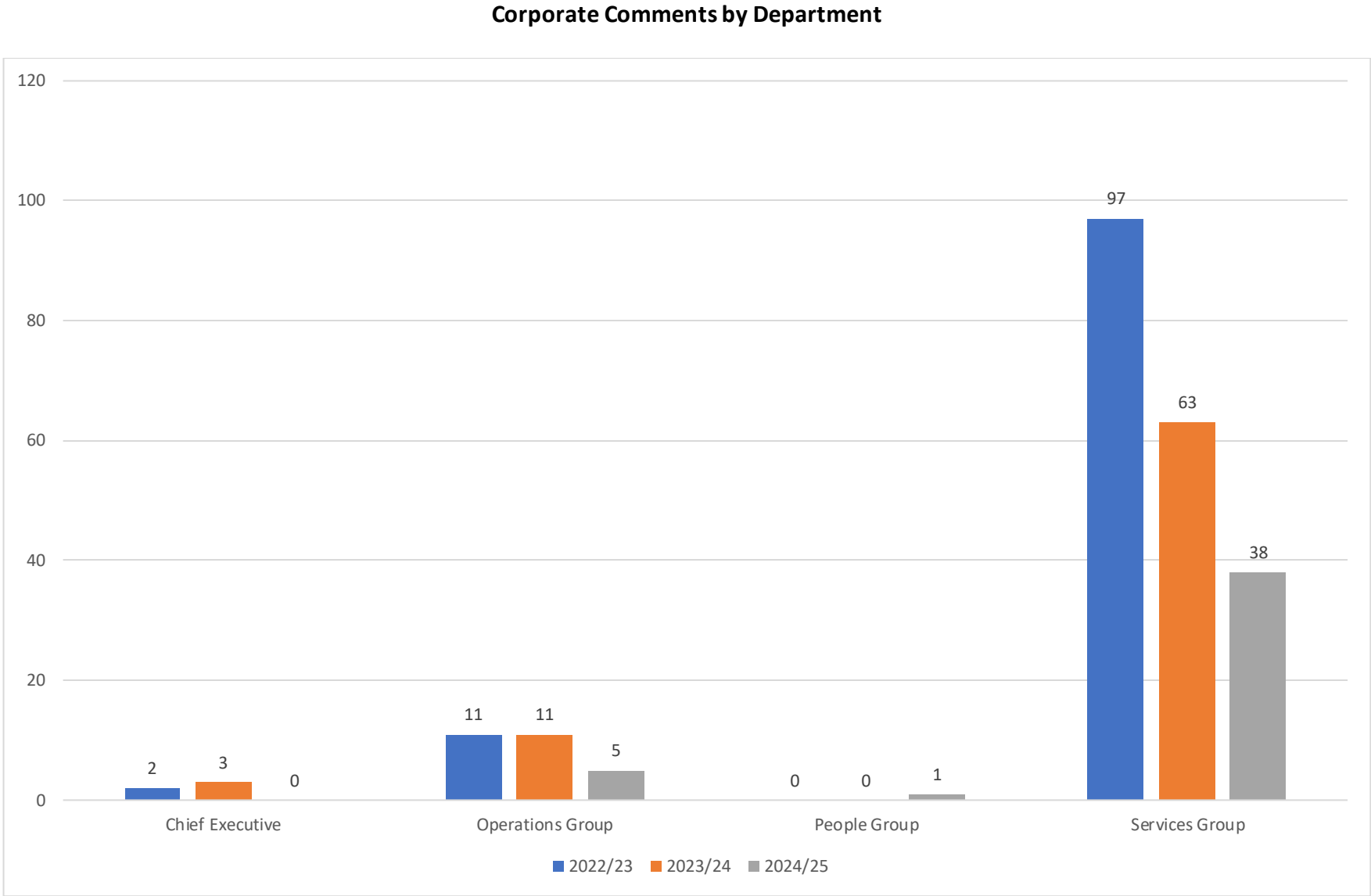


N.B. Direct comparison data is not available prior to 2022/23 due to the change in the Council’s organisational structure.

Corporate Compliments by Department



N.B. Direct comparison data is not available prior to 2022/23 due to the change in the Council’s organisational structure.

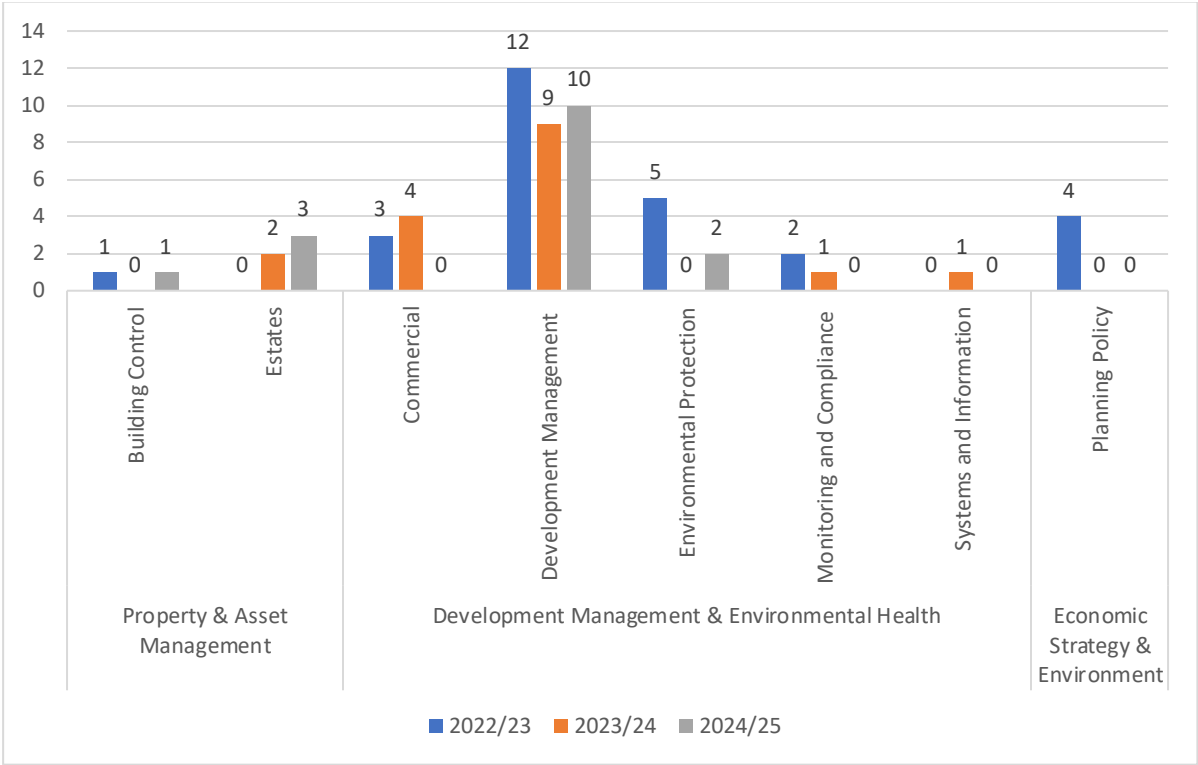


N.B. Direct comparison data is not available prior to 2022/23 due to the change in the Council’s organisational structure.

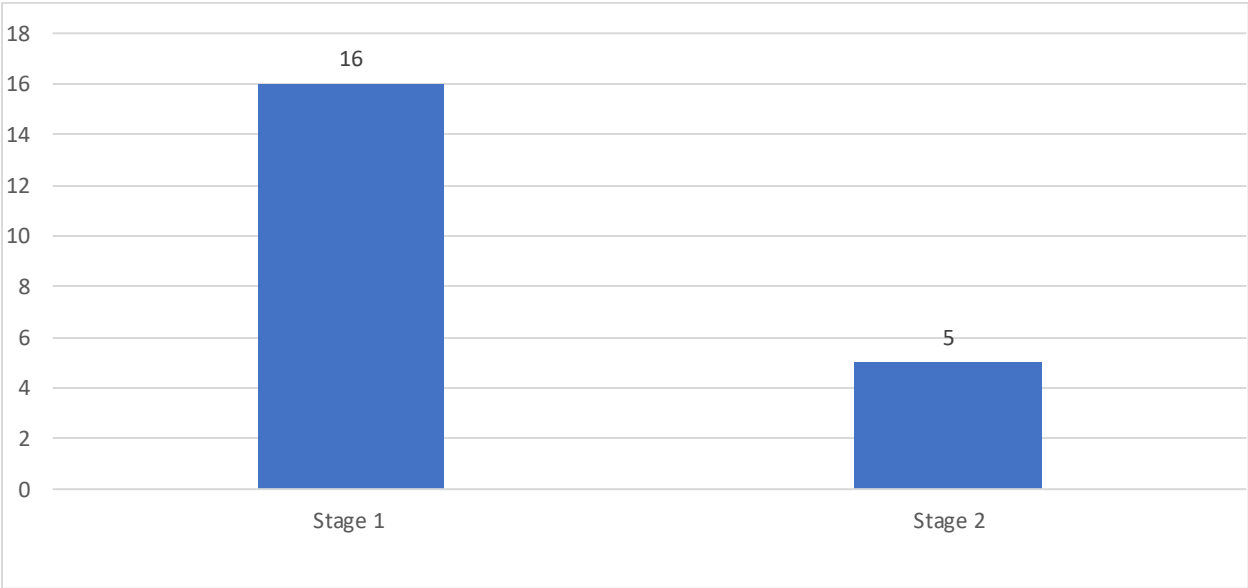
Complaints, Compliments and Comments by Department

Chief Executive
Complaints by Service Area/Team

16. Chief Executive received 16 corporate complaints during 2024/25, a decrease from 17 in 2023/24.



Complaints by Stage



Compliments by Service Area/Team

18. Chief Executive received five compliments, two for Commercial and three for Environmental Protection, an increase from one for Building Control in 2023/24.

Comments by Service Area/Team

19. Chief Executive received zero comments, a decrease from three in 2023/24.

Complaints by Outcome

20. The below tables show the decisions reached on complaints during 2024/25.

Stage 1 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Estates	1	0	0	0	1	2
Building Control	0	0	0	0	1	1
Development Management	0	8	1	1	0	10
Commercial	0	0	0	1	0	1
Environmental Protection	0	0	1	0	1	2
Totals	1	8	2	2	3	16

Stage 2 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Development Management	0	5	1	0	0	6
Systems and Information	0	0	1	0	0	1
Totals	0	5	2	0	0	7

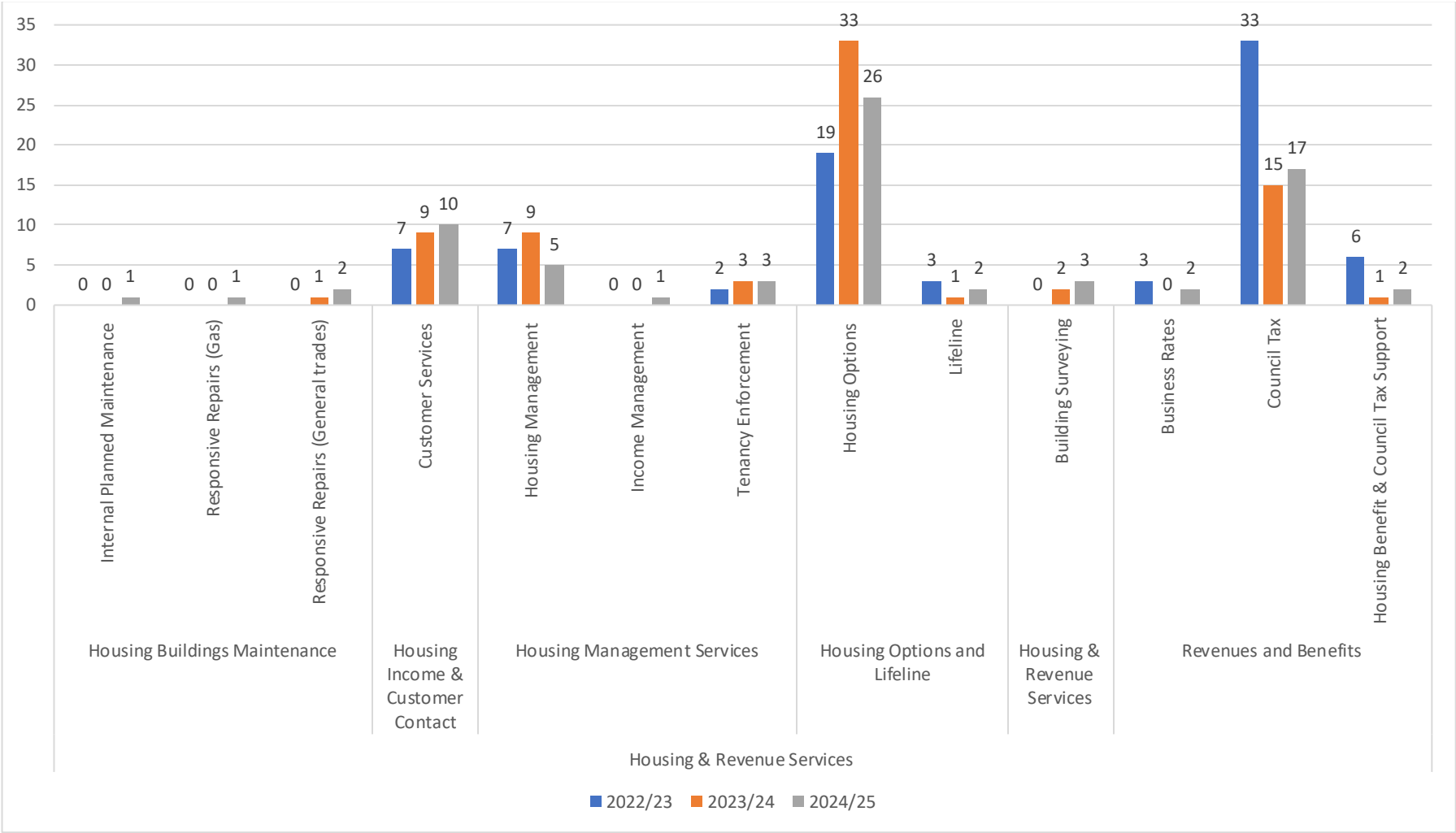
Organisational Learning

21. All resolution and organisational learning actions identified as a result of corporate 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, the following organisational learning resulted from the complaint investigations concluded during 2024/25.
22. Following a complaint for Systems and Information, the Council corrected its website to indicate when maintenance tasks may affect the availability of the public access section of the website, which allows people to view planning applications on-line.

Operations Group

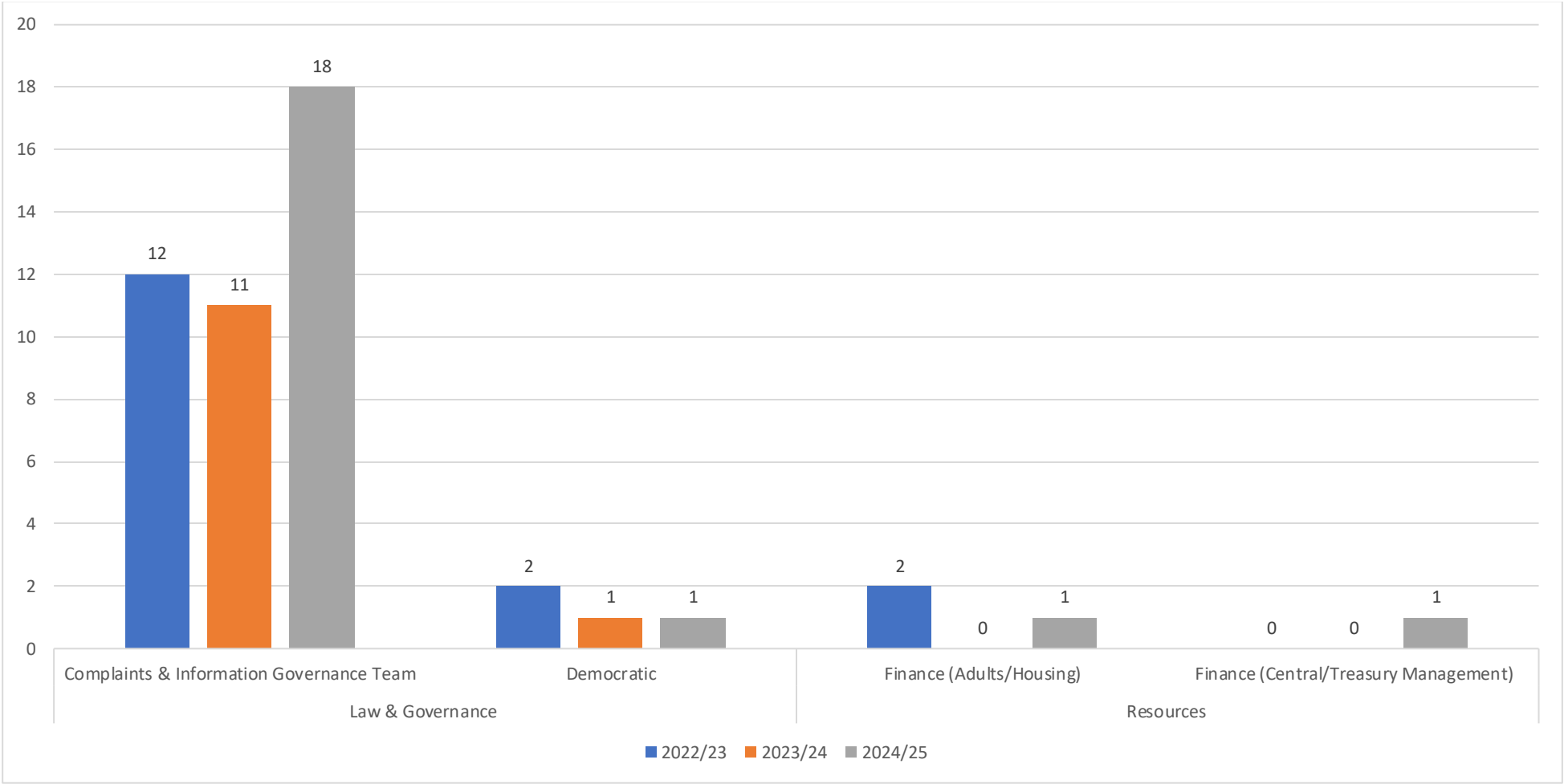
Complaints by Service Area/Team

32. Operations Group received 96 corporate complaints during 2024/25.



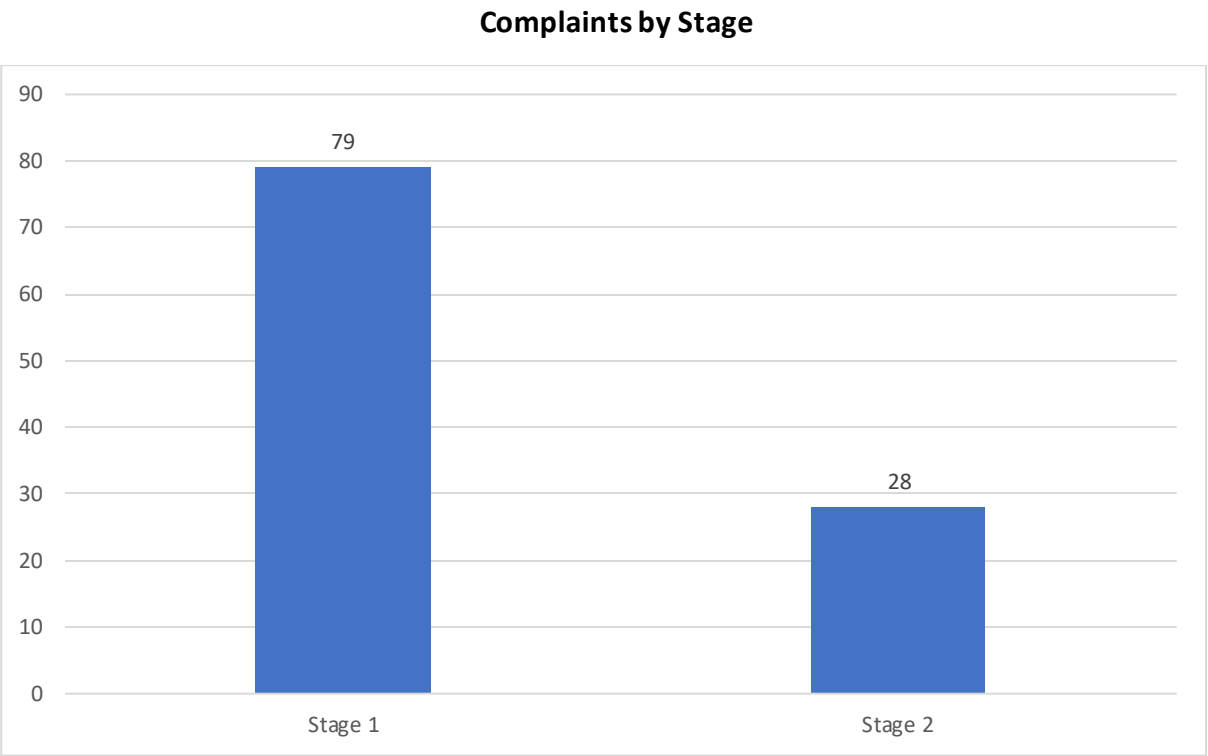
33. Internal Planned Maintenance received one corporate complaint during 2024/25, an increase from zero in 2023/24.
34. Responsive Repairs (Gas) received one corporate complaint during 2024/25, an increase from zero in 2023/24.
35. Responsive Repairs (General Trades) received two corporate complaints during 2024/25, an increase from one in 2023/24.
36. Customer Services received 10 corporate complaints during 2024/25, an increase from nine in 2023/24. Six complaints concerned the delays in the application process for Blue Badges, a decrease from seven complaints about this issue in 2023/24.
37. Housing Management received five corporate complaints in 2024/25, a decrease from nine during 2023/24. There were no identifiable themes.
38. Income Management received one corporate complaint during 2024/25, an increase from zero in 2023/24.
39. Tenancy Enforcement received three corporate complaints in 2024/25, the same number as in 2023/24. All three complaints concerned a lack of action in relation to neighbour nuisance issues.
40. Housing Options received 26 corporate complaints during 2024/25, a decrease from 33 in 2023/24. Complaints concerned people's dissatisfaction with their eligibility/banding, the kinds of properties they were able to bid on, not being allowed to bid due to rent arrears, the level of support provided and poor communication.
41. Lifeline received two corporate complaints in 2024/25, an increase from one in 2023/24.
42. Building Surveying received three corporate complaints during 2024/25, an increase from two in 2023/24. All three complaints concerned a lack of communication in relation to works to neighbouring Council properties.
43. Business Rates received two complaints in 2024/25, an increase from zero in 2023/24.
44. Council Tax received 17 complaints in 2024/25, an increase from 15 in 2023/24. Communication remained the most common cause of complaint.
45. Housing Benefit & Council Tax Support received two complaints in 2024/25, an increase from one in 2023/24.

Operations continued...



1.

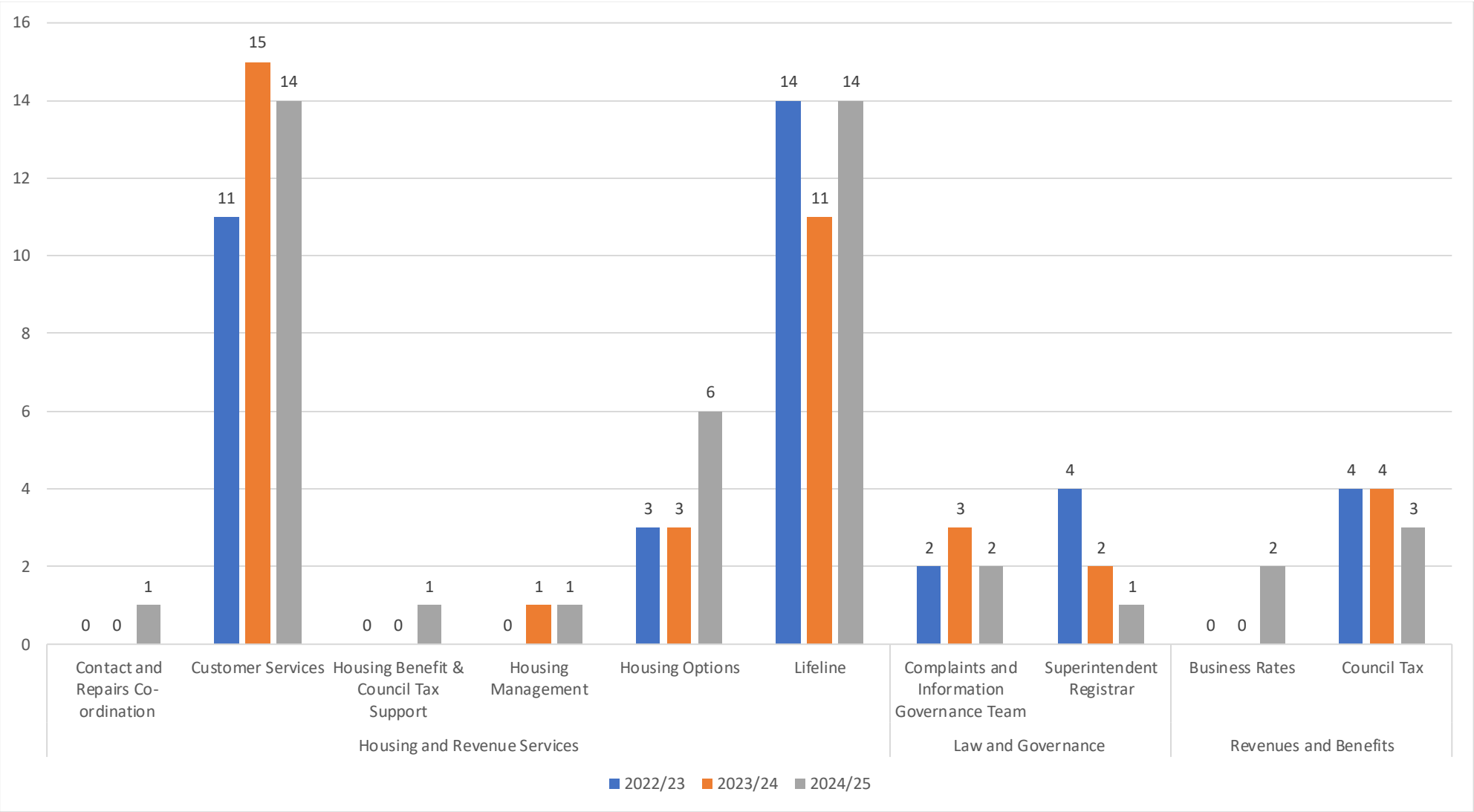
- 46. Complaints and Information Governance Team received 18 complaints, an increase from 11 in 2023/24. The most common theme was people’s dissatisfaction with the timeliness and/or content of the response to their Subject Access Request (SAR).
- 47. Democratic received one complaint in 2024/25, the same number as in 2023/24.
- 48. Finance (Adults/Housing) received one corporate complaint in 2024/25, an increase from zero in 2023/24.
- 49. Finance (Central/Treasury Management) received one corporate complaint in 2024/25, an increase from zero in 2023/24.



N.B. 17 complaints were escalated directly to Stage 2

Compliments by Service Area/Team

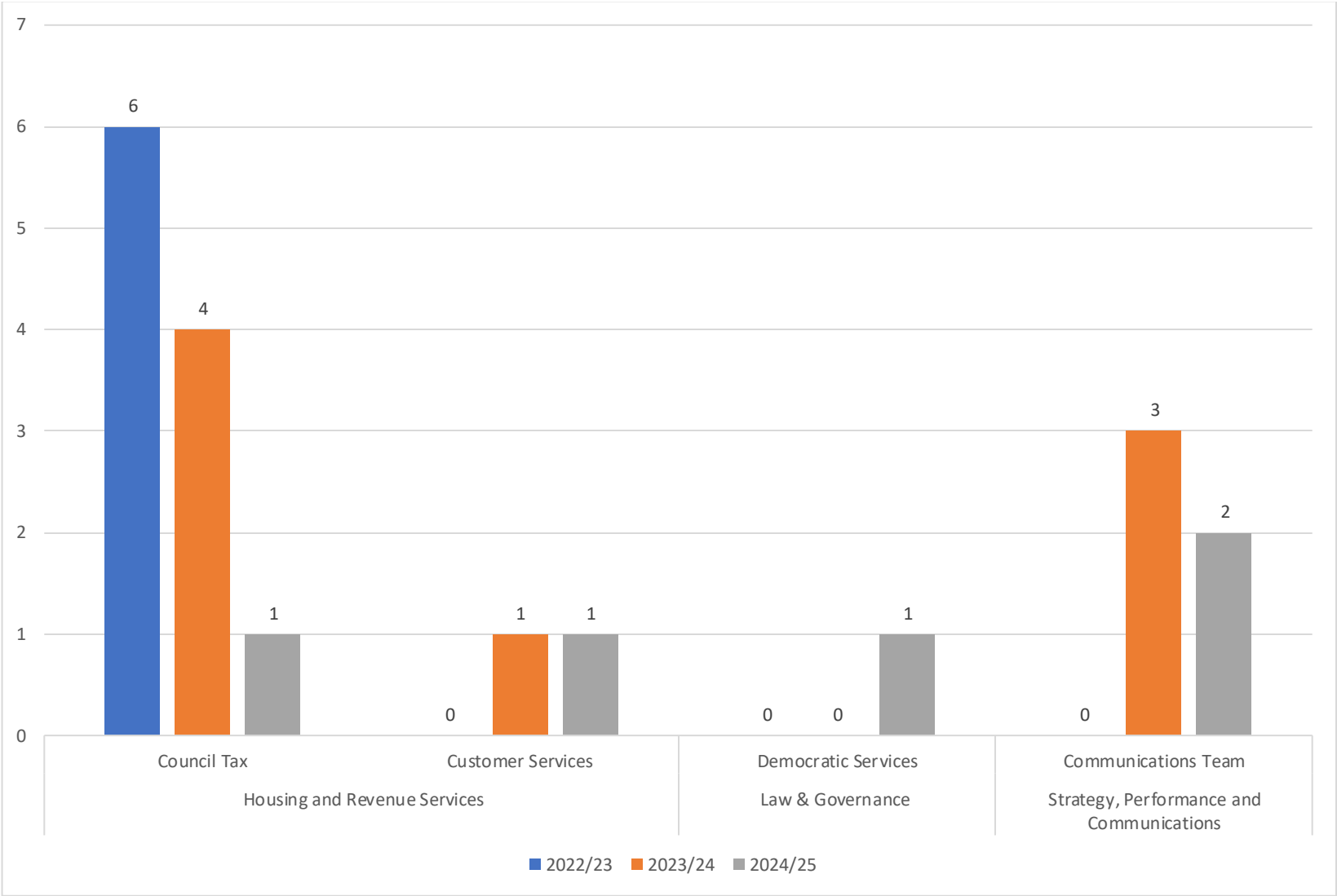
50. Operations Group received 45 corporate compliments during 2024/25.



51. Contact and Repairs Co-ordination received one corporate compliment in 2024/25, an increase from zero in 2023/24.
52. Customer Services received 14 corporate compliments in 2024/25, a slight decrease from 15 during 2023/24. The main themes were people's satisfaction with the service provided and assistance in applying for Blue Badges.
53. Housing Benefit & Council Tax Support received one compliment during 2024/25, an increase from zero in 2023/24.
54. Housing Management received one corporate compliment in 2024/25, the same number as in 2023/24.
55. Housing Options received six corporate compliments in 2024/25, an increase from three in 2023/24.
56. Lifeline received 14 corporate compliments during 2024/25, an increase from 11 in 2023/24. The main theme was people's satisfaction with the service provided, particularly in relation to staff responding to incidents.
57. Complaints and Information Governance Team received two compliments during 2024/25, a decrease from three in 2023/24.
58. Superintendent Registrar received one compliment during 2024/25, a decrease from two in 2023/24.
59. Council Tax received three compliments in 2024/25, a decrease from four in 2023/24.

Comments by Service Area/Team

60. Operations Group received five corporate comments during 2024/25.



32. Council Tax received one comment, a decrease from four in 2023/24.
33. Customer Services received one corporate comment during 2024/25, the same number as in 2023/24.
34. Democratic Services received one comment during 2024/25, an increase from zero in 2023/24.
35. Communications Team received two comments during 2024/25, a decrease from three in 2023/24.

Complaints by Outcome

36. The below tables show the decisions reached on complaints during 2024/25.

Stage 1 Outcomes

Service Area/Team	Escalated to Stage 2 no Stage 1 Response	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Communications Team	0	0	0	0	0	1	1
Complaints and Information Governance Team	0	0	0	1	1	0	2
Finance (Central/Treasury Management)	0	0	0	0	1	0	1
Finance (Adults/Housing)	1	0	0	0	0	0	1
Customer Services	0	0	1	0	1	9	11
Income Management	0	0	1	0	0	0	1
Housing Management	0	0	2	1	1	1	5
Tenancy Enforcement	0	0	1	1	0	1	3
Housing Options	0	2	11	4	2	4	23
Lifeline	0	0	2	0	0	0	2
Business Rates	0	0	1	0	1	0	2
Council Tax	0	0	11	1	4	1	17
Housing Benefit & Council Tax Support	0	0	1	0	0	1	2
General trades	0	0	0	1	0	1	2
Internal Planned Maintenance	0	0	0	0	0	1	1
Building Surveying	1	0	0	2	1	0	4
Totals	2	2	31	11	12	20	78

Stage 2 Outcomes

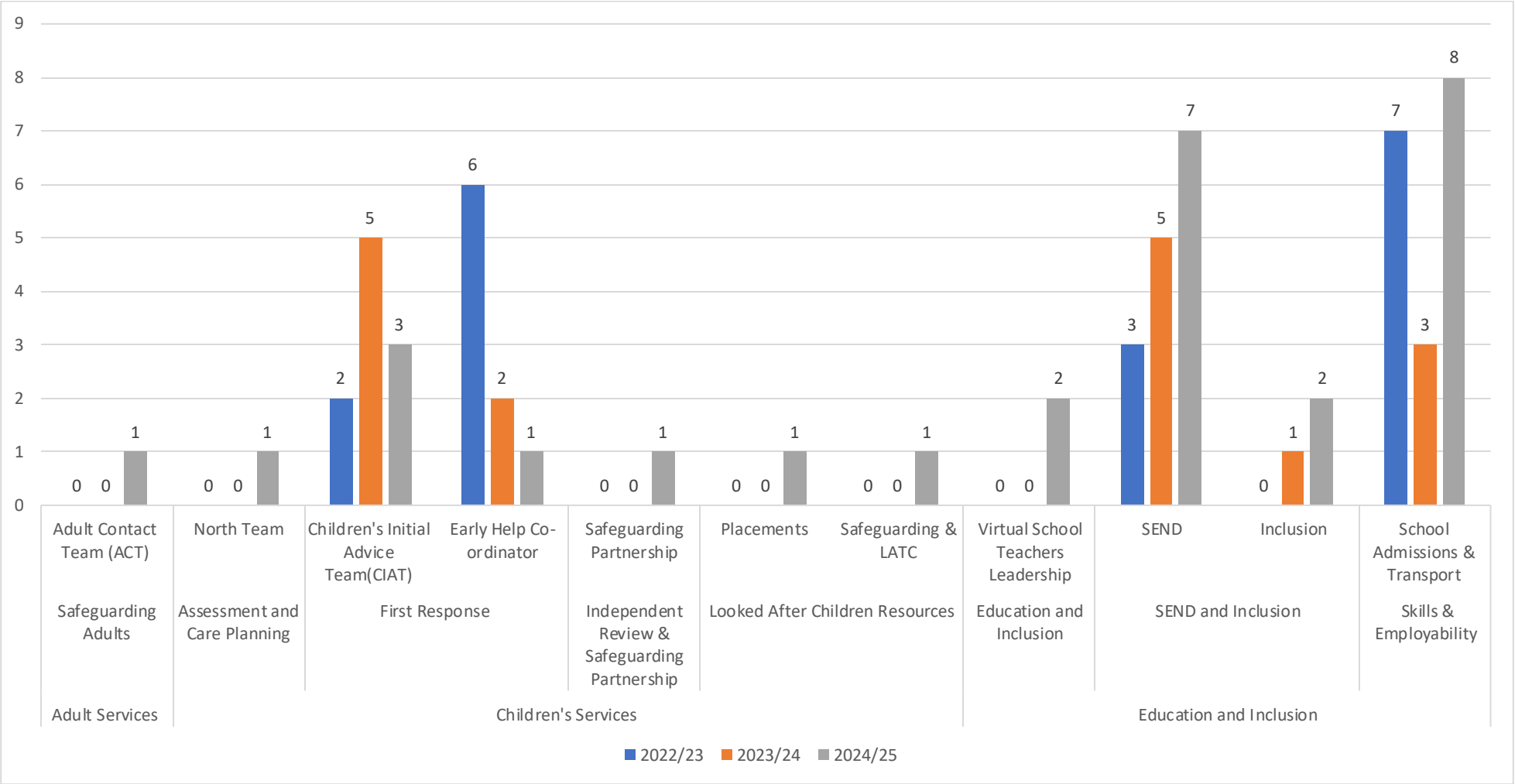
Service Area/Team	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Complaints and Information Governance Team	4	3	9	1	17
Democratic	1	0	0	0	1
Superintendent Registrar	0	1	0	0	1
Housing Options	3	2	0	0	5
Lifeline	0	1	0	0	1
Council Tax	1	2	1	0	4
Totals	9	9	10	1	29

Organisational learning

37. 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, the following organisational learning resulted from the complaint investigations concluded during 2024/25.
38. Following a complaint for Housing Options, the Council made sure officers making decisions on housing applications are clear, that in accordance with the Housing Services Allocations Policy 2023 – 2028, they cannot consider spent convictions as part of the assessment process.
39. Following another complaint for Housing Options, it was agreed that in accordance with the Homelessness Code of Guidance for Local Authorities, the Housing Options service would incorporate the duty to refer into their wider homelessness strategy and joint working arrangements and establish local arrangements with agencies in regard to referrals.
40. Following a complaint for Lifeline, it was agreed staff would be instructed to ensure that the proper checks are undertaken to avoid incorrect contact details being recorded in a customer's records. It was also agreed the new telecare agreement will show the client's contact number so they can check the information provided is correct. Lifeline officers were also reminded to ensure they discuss the most appropriate place to locate the Lifeline unit with the customer and explain any rationale if they propose to re-locate it.

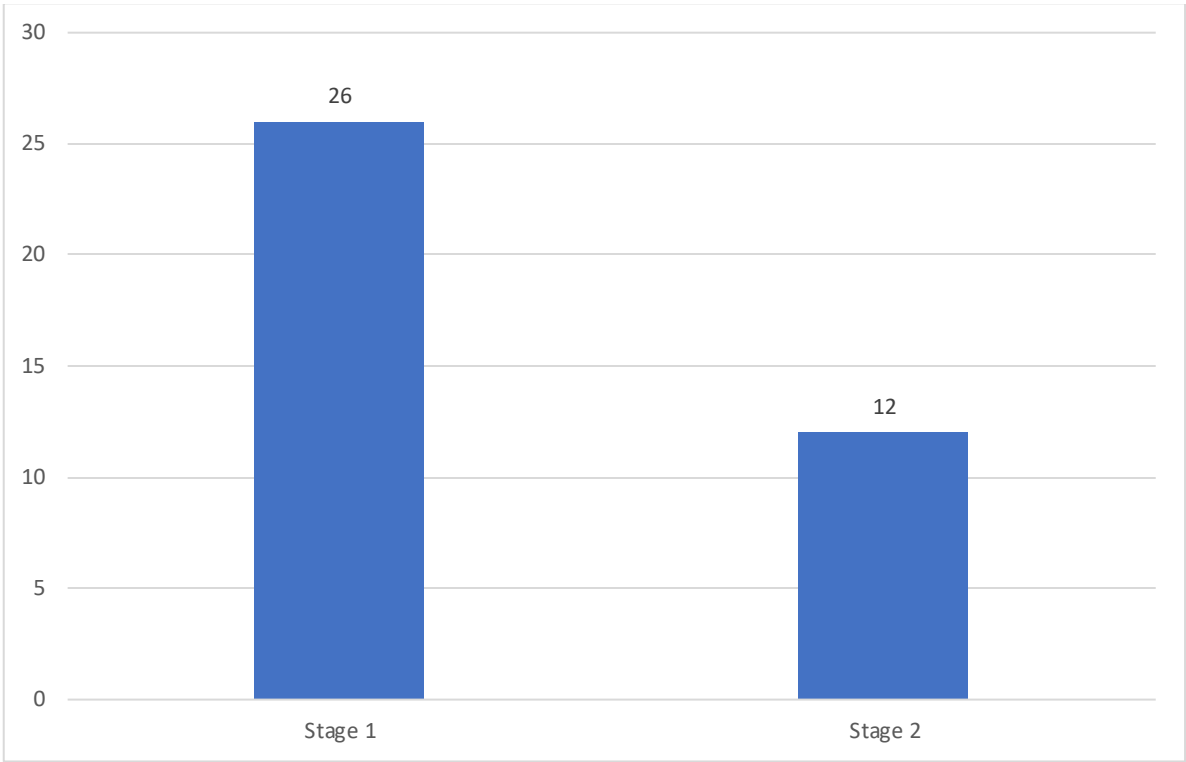
People Group
Complaints by Service Area/Team

41. People Group received 28 corporate complaints during 2024/25.



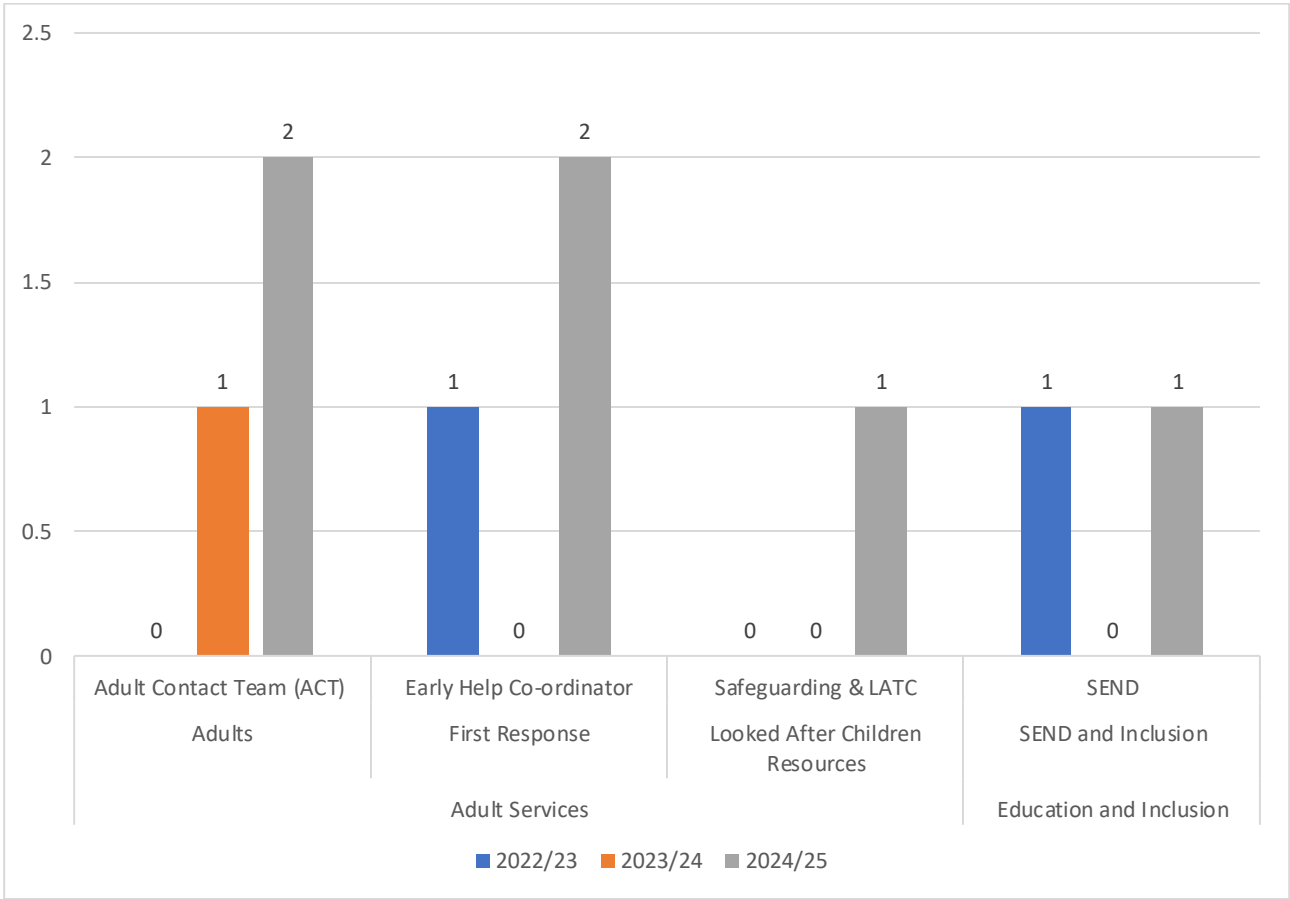
42. Adult Contact Team (ACT) received one corporate complaint during 2024/25, an increase from zero in 2023/24.
43. North Team received one corporate complaint during 2024/25, an increase from zero in 2023/24.
44. Children's Initial Advice Team (CIAT) received three corporate complaints in 2024/25, a decrease from five in 2023/24. There were no identifiable themes in the complaints received.
45. Early Help Co-ordinator received one corporate complaint in 2024/25, a decrease from two in 2023/24.
46. Safeguarding Partnership received one corporate complaint during 2024/25, an increase from zero in 2023/24.
47. Placements received one corporate complaint during 2024/25, an increase from zero in 2023/24.
48. Safeguarding & Looked After Through Care (LATC) received one corporate complaint during 2024/25, an increase from zero in 2023/24.
49. Virtual School Teachers Leadership received two complaints during 2024/25, an increase from zero in 2023/24.
50. Special Educational Needs and Disability (SEND) received seven complaints during 2024/25, an increase from five in 2023/24. Delays in securing the provision outlined in EHC Plans was an identifiable theme.
51. Inclusion received two complaints during 2024/25, an increase from one in 2023/24.
52. School Admissions & Transport received eight complaints during 2024/25, an increase from three in 2023/24. The most common cause of complaint was dissatisfaction with the school transport service provided.

Complaints by Stage



N.B. Two complaints were escalated directly to Stage 2

Compliments by Service Area/Team



- 53. Adult Contact Team (ACT) received two corporate compliments in 2024/25, an increase from one in 2023/24.
- 54. Early Help Co-ordinator received two corporate compliments during 2024/25, an increase from zero in 2023/24.
- 55. Safeguarding & Looked After Through Care (LATC) received one corporate compliment during 2024/25, an increase from zero in 2023/24.
- 56. Special Educational Needs and Disabilities (SEND) received one compliment during 2024/25, an increase from zero in 2023/24.

Comments by Service Area/Team

- 57. SEND received one comment in 2024/25, an increase from zero in 2023/24.

Complaints by Outcome

58. The below tables show the decisions reached on complaints during 2024/25.

Stage 1 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Adult Contact Team	0	0	0	0	1	1
Safeguarding Partnership	0	1	0	0	0	1
Early Help Co-ordinator	0	1	0	0	0	1
Children's Initial Advice Team	0	0	1	1	0	2
North Team	0	1	0	0	0	1
SEND	0	3	2	0	1	6
Inclusion	0	1	0	2	0	3
School Admissions & Transport	0	5	2	1	0	8
Virtual School Teachers Leadership	0	0	0	1	0	1
Totals	0	12	5	5	2	24

Stage 2 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Children's Initial Advice Team (CIAT) at the Front Door	0	0	0	1	0	1
Early Help Co-ordinator	0	0	1	0	0	1
Placements	0	0	0	1	0	1
Safeguarding & LATC	0	1	0	0	0	1
SEND	0	1	4	0	0	5
Inclusion	0	0	1	1	0	2
School Admissions & Transport	0	0	1	0	0	1
Totals	0	2	7	3	0	12

Organisational learning

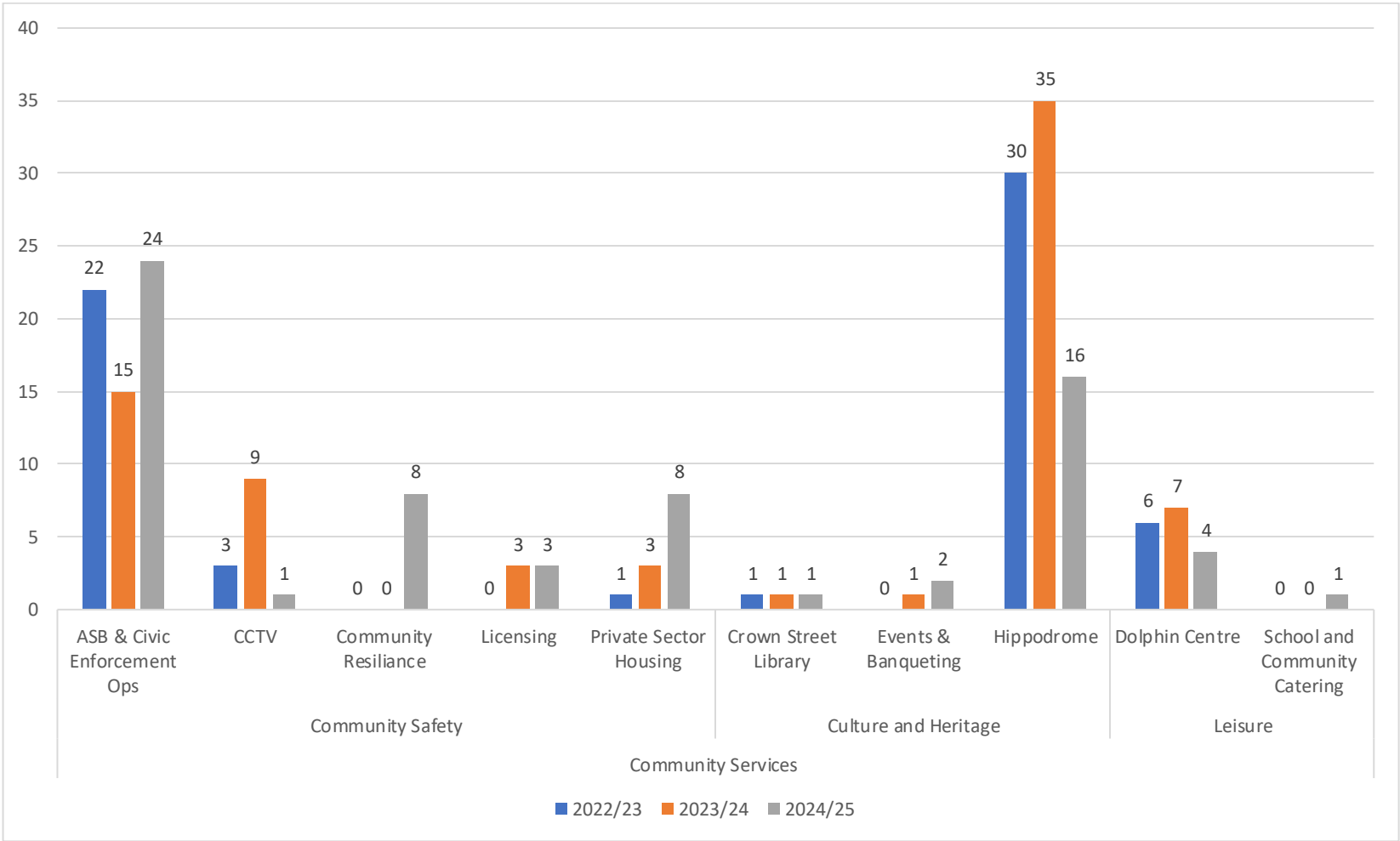
59. All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, the following organisational learning resulted from the complaint investigations concluded during 2024/25.
60. Following a complaint for Children's Initial Advice Team (CIAT) staff were reminded of the importance of Adult and Children's Services sharing information. Training was also provided on the Local Authority's duties under the Mental Health Act 1983 and the Children with Disabilities Eligibility Criteria.
61. Following a complaint for Inclusion the Vulnerable Pupil Panel Protocol was updated with regard to the Home to Hospital Teaching Service. The Council also reviewed its internal processes to ensure it is able make timely arrangements for the provision of suitable education in accordance with its duties under Section 19(1) of the Education Act 1996.

Services Group

Complaints by Service Area/Team

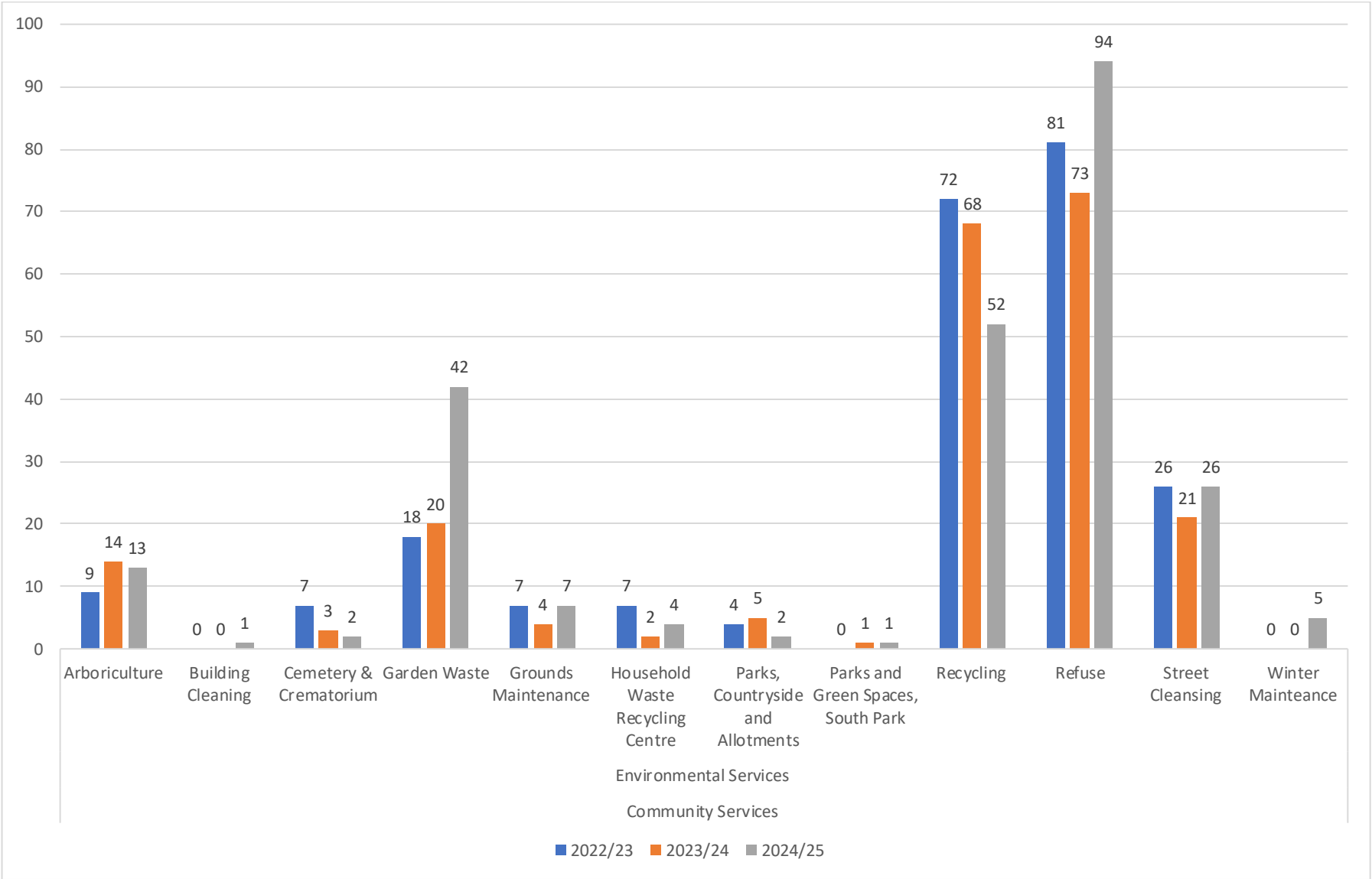
62. Services Group received 348 corporate complaints during 2024/25.

Community Services



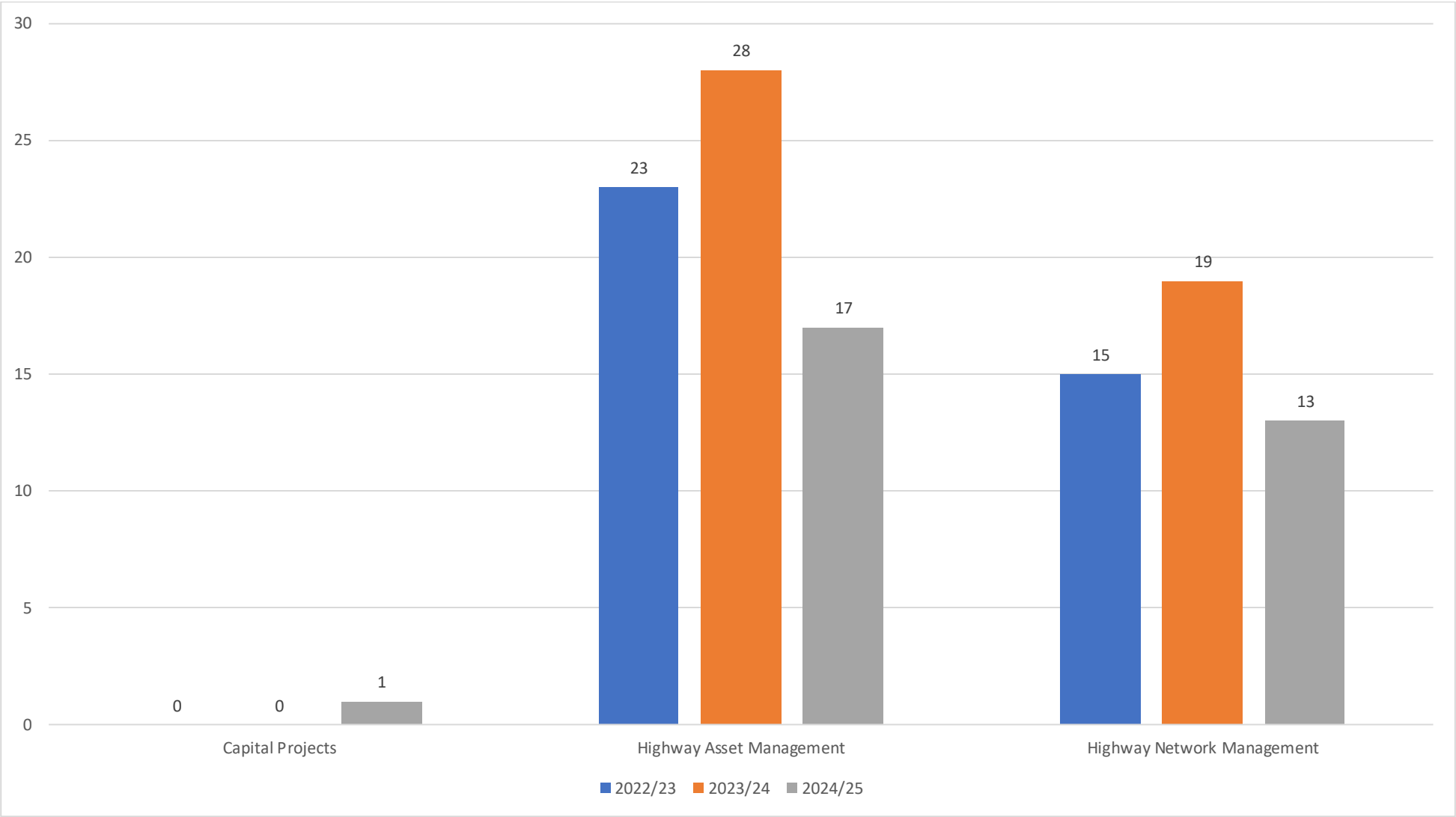
63. Anti-Social Behaviour & Civic Enforcement Ops received 24 complaints during 2024/25, an increase from 15 in 2023/24. The most common themes were dissatisfaction with a perceived lack of action in relation to requests for enforcement and dissatisfaction with the attitude and actions of enforcement officers.
64. CCTV received one complaint in 2024/25, a reduction from nine in 2023/24.
65. Community Resilience received eight complaints during 2024/25, an increase from zero in 2023/24. All the complaints received stemmed from a single incident and concerned the Council's interpretation of the Public Sector Equality Duty.
66. Licensing received three complaints during 2024/25, the same number as in 2023/24. There were no identifiable themes.
67. Private Sector Housing received eight complaints during 2024/25, an increase from three in 2023/24. All complaints concerned dissatisfaction with the help provided or a lack of response.
68. Crown Street Library received one complaint during 2024/25, the same number as in 2023/24.
69. Events and Banqueting received two complaints during 2024/25, an increase from one in 2023/24.
70. Hippodrome received 16 complaints during 2024/25, a significant reduction from 35 during 2023/24. The main cause of complaints was that staff did not adequately address inappropriate behaviour by other audience members during shows.
71. Dolphin Centre received four complaints during 2024/25, a reduction from seven during 2023/24. There were no identifiable themes.
72. School and Community Catering received one complaint during 2024/25, an increase from zero in 2023/24.

Community Services continued...

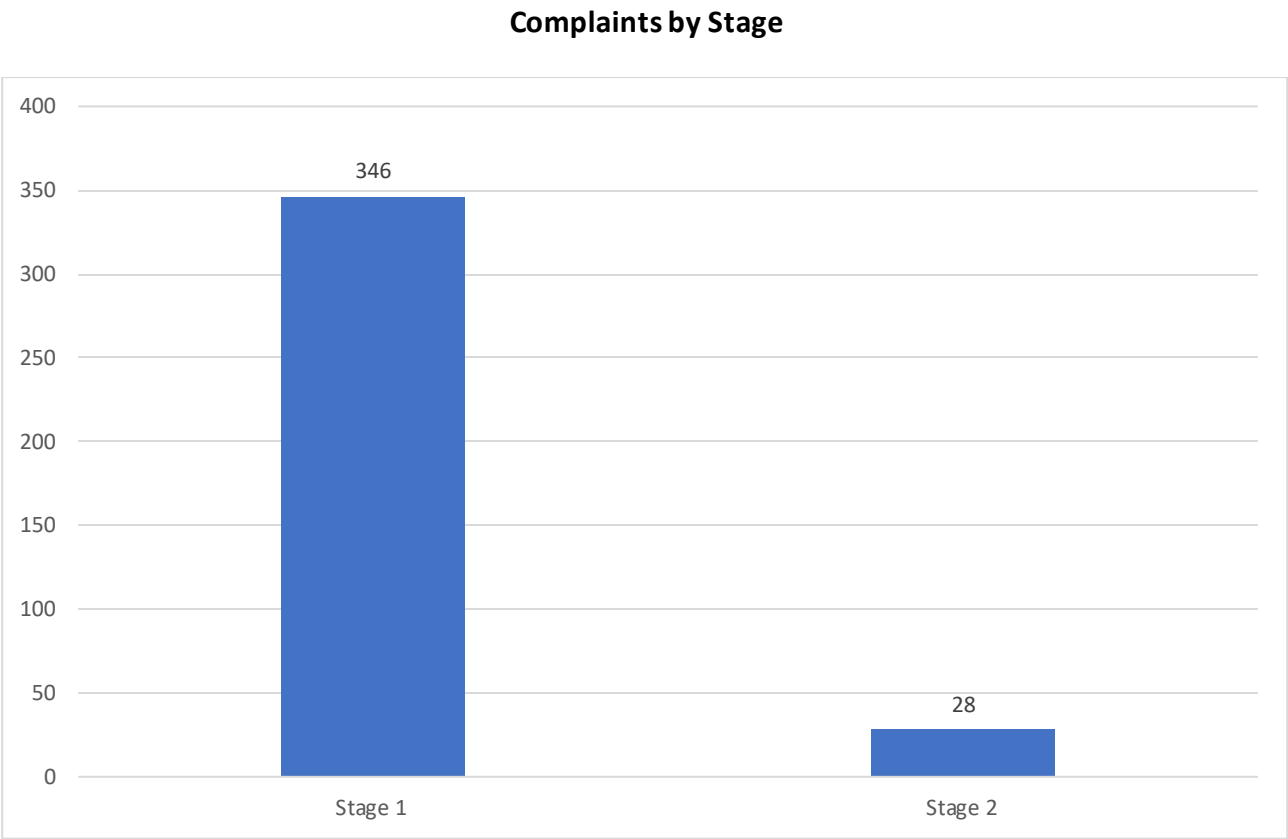


73. Arboriculture received 13 complaints during 2024/25, a decrease from 14 in 2023/24. These complaints generally resulted from dissatisfaction with a decision not to undertake works to a tree for the reasons requested.
74. Building Cleaning received one complaint in 2024/25, an increase from zero in 2023/24.
75. Cemetery & Crematorium received two complaints in 2024/25, a decrease from three in 2023/24.
76. Garden Waste received 42 complaints during 2024/25, a significant increase from 20 in 2023/24. Complaints primarily concerned missed collections, including assisted collections and stickers not being delivered in a timely manner.
77. Grounds Maintenance received seven complaints in 2024/25, an increase from four in 2023/24. Dissatisfaction with the grass cutting service was the main cause of complaint.
78. Household Waste Recycling Centre (HWRC) received four complaints in 2024/25, an increase from two in 2023/24. There were no identifiable themes.
79. Parks, Countryside and Allotments received two complaints in 2024/25, a decrease from five in 2023/24.
80. South Park received one complaint in 2024/25, the same number as in 2023/24.
81. Recycling received 52 complaints during 2024/25, a significant reduction from 68 in 2023/24. The most common cause of complaint was recycling not being collected and the caddy not being returned after collection.
82. Refuse received 94 complaints during 2024/25, a significant increase from 73 in 2023/24. Complaints primarily related to refuse collections, including assisted collections being missed on one or more occasion and bins not being returned to the position they were put out for collection.
83. Street Cleansing received 26 complaints during 2024/25, an increase from 21 during 2023/24. Complaints primarily related to the lack of response to requests for service.
84. Winter Maintenance received five complaints during 2023/24, an increase from zero in 2023/24. There were no identifiable themes.

Capital Projects, Building Services, Highways and Transport



- 85. Capital Projects received one complaint in 2024/25, an increase from zero in 2023/24.
- 86. Highway Asset Management received 17 complaints during 2024/25, a significant decrease from 28 in 2023/24. Themes included delays in responding to requests for service and dissatisfaction with the impact of highway works on individual properties.
- 87. Highway Network Management received 13 complaints during 2024/25, a decrease from 19 in 2023/24. Themes included delays in responding to requests for service and dissatisfaction with decisions in relation to variety of highways issues.

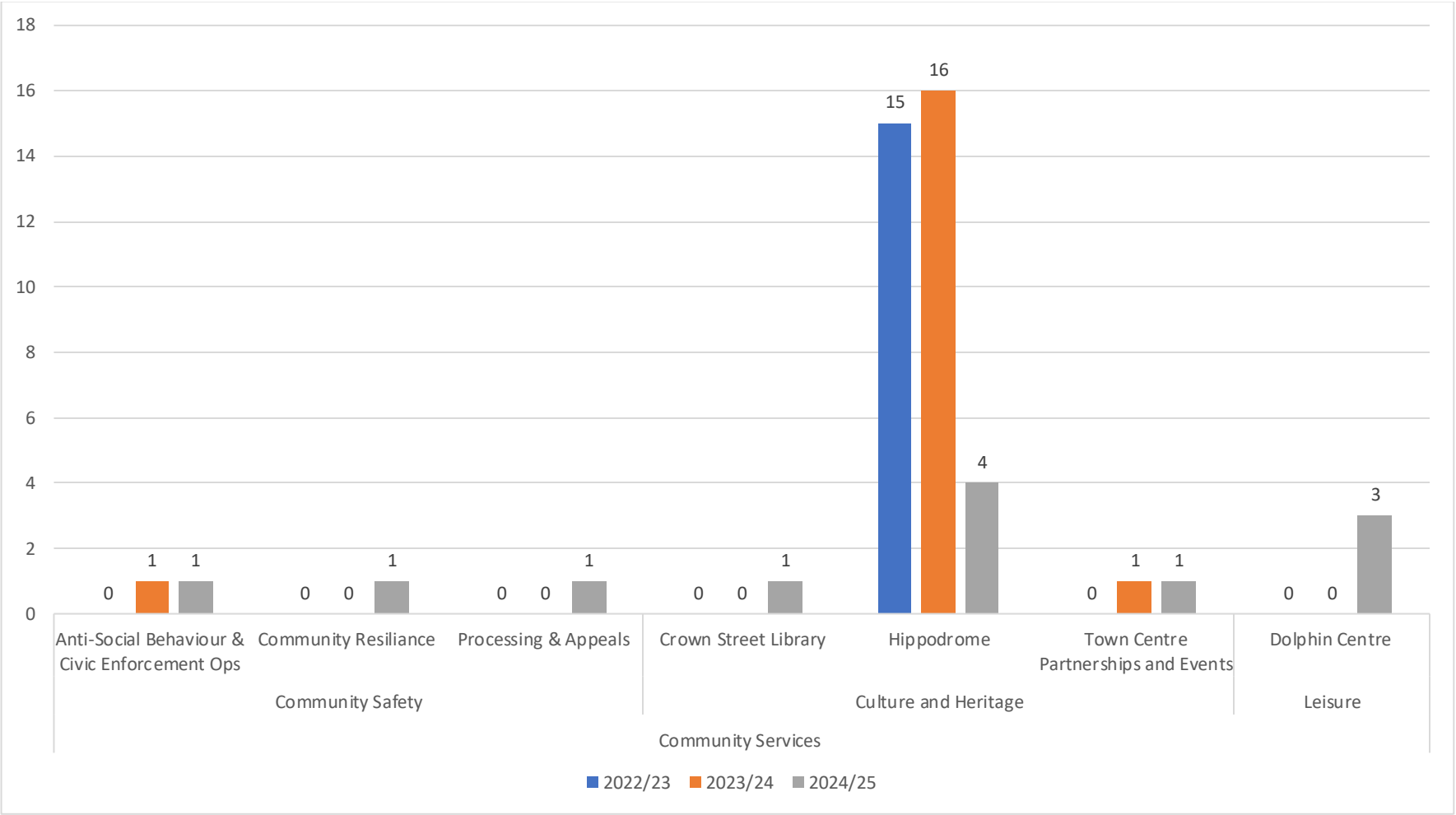


N.B. Two complaints were escalated directly to Stage 2

Compliments by Service Area/Team

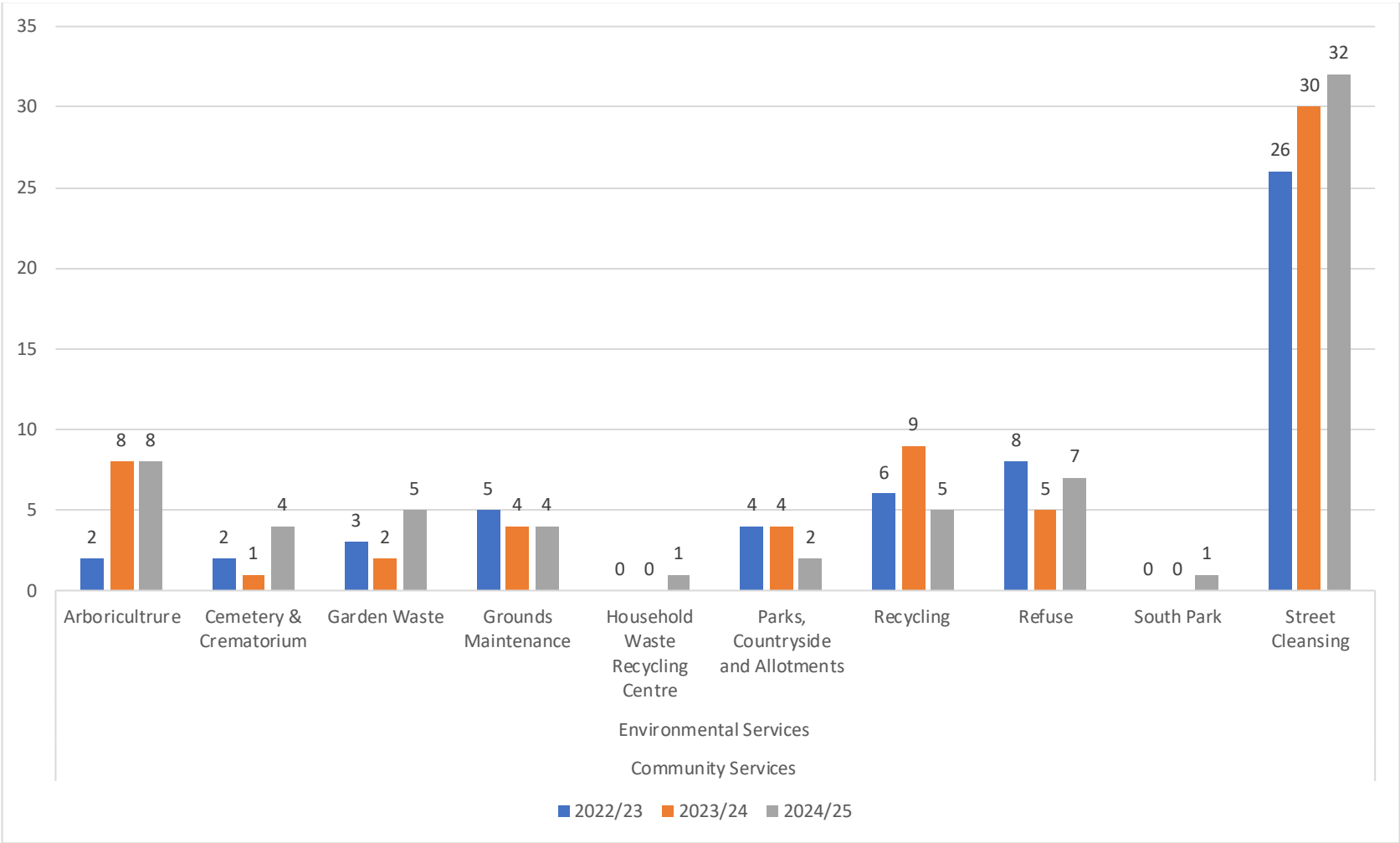
88. Services Group received 87 corporate compliments during 2024/25.

Community Services



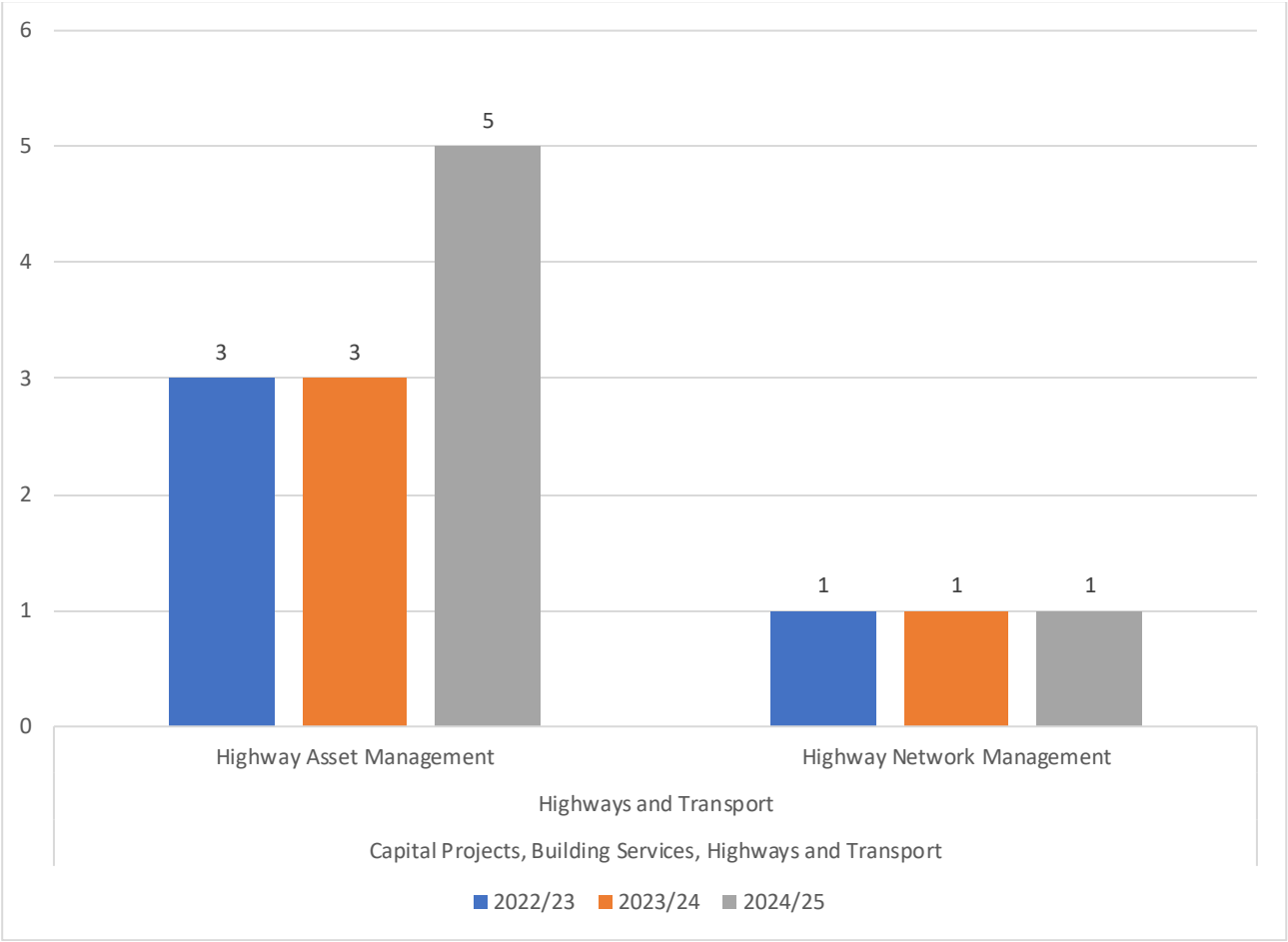
89. Anti-Social Behaviour and Civic Enforcement Ops received one compliment in 2024/25, the same number as in 2023/24.
90. Community Resilience received one compliment during 2024/25, an increase from zero in 2023/24.
91. Processing & Appeals received one compliment during 2024/25, an increase from zero in 2023/24.
92. Crown Street Library received one compliment during 2024/25, an increase from zero in 2023/24.
93. Hippodrome received four compliments during 2024/25, a significant decrease from 16 in 2023/24. The most common themes were satisfaction with the level of customer service and support from staff.
94. Town Centre Partnership and Events received one compliment in 2024/25, the same number as in 2023/24.
95. Dolphin Centre received three compliments during 2024/25, an increase from zero in 2023/24.

Community Services continued...



96. Arboriculture received eight compliments in 2024/25, the same number as in 2023/24. The most common theme was satisfaction with tree works.
97. Cemetery & Crematorium received four compliments during 2024/25, an increase from one in 2023/24. There were no identifiable themes.
98. Garden Waste received five compliments in 2024/25, an increase from two in 2023/24. Compliments concerned people's general satisfaction with the service provided.
99. Grounds Maintenance received four compliments in 2024/25, the same number as in 2023/24. Compliments concerned people's general satisfaction with the service provided.
100. Household Waste Recycling Centre (HWRC) received one compliment in 2024/25, an increase from zero in 2023/24.
101. Parks, Countryside and Allotments received two compliments during 2024/25, a decrease from four in 2023/24.
102. Recycling received five compliments during 2024/25, a decrease from nine during 2023/24. There were no identifiable themes.
103. Refuse received seven compliments during 2024/25, an increase from five in 2023/24. There were no identifiable themes.
104. South Park received one compliment in 2024/25, an increase from zero in 2023/24.
105. Street Cleansing received 32 compliments during 2024/25, an increase from 30 in 2023/24. Themes included general satisfaction with the cleanliness of streets and satisfaction with the team's response to specific requests for service.

Capital Projects, Building Services, Highways and Transport

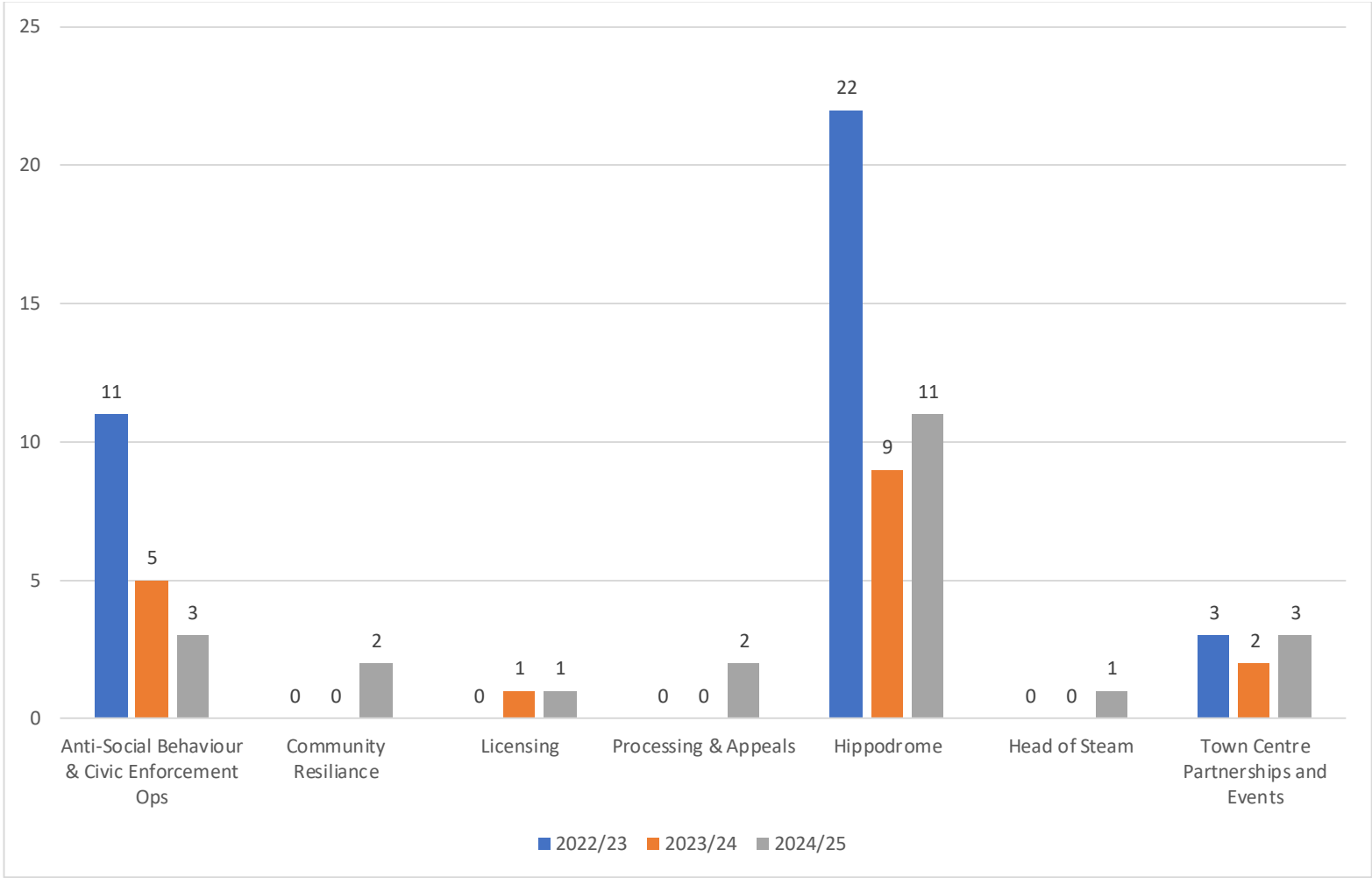


- 106. Highway Asset Management received five compliments in 2024/25, an increase from three in 2023/24. There were no identifiable themes.
- 107. Highway Network Management received one compliment in 2024/25, the same number as in 2023/24.

Comments by Service Area/Team

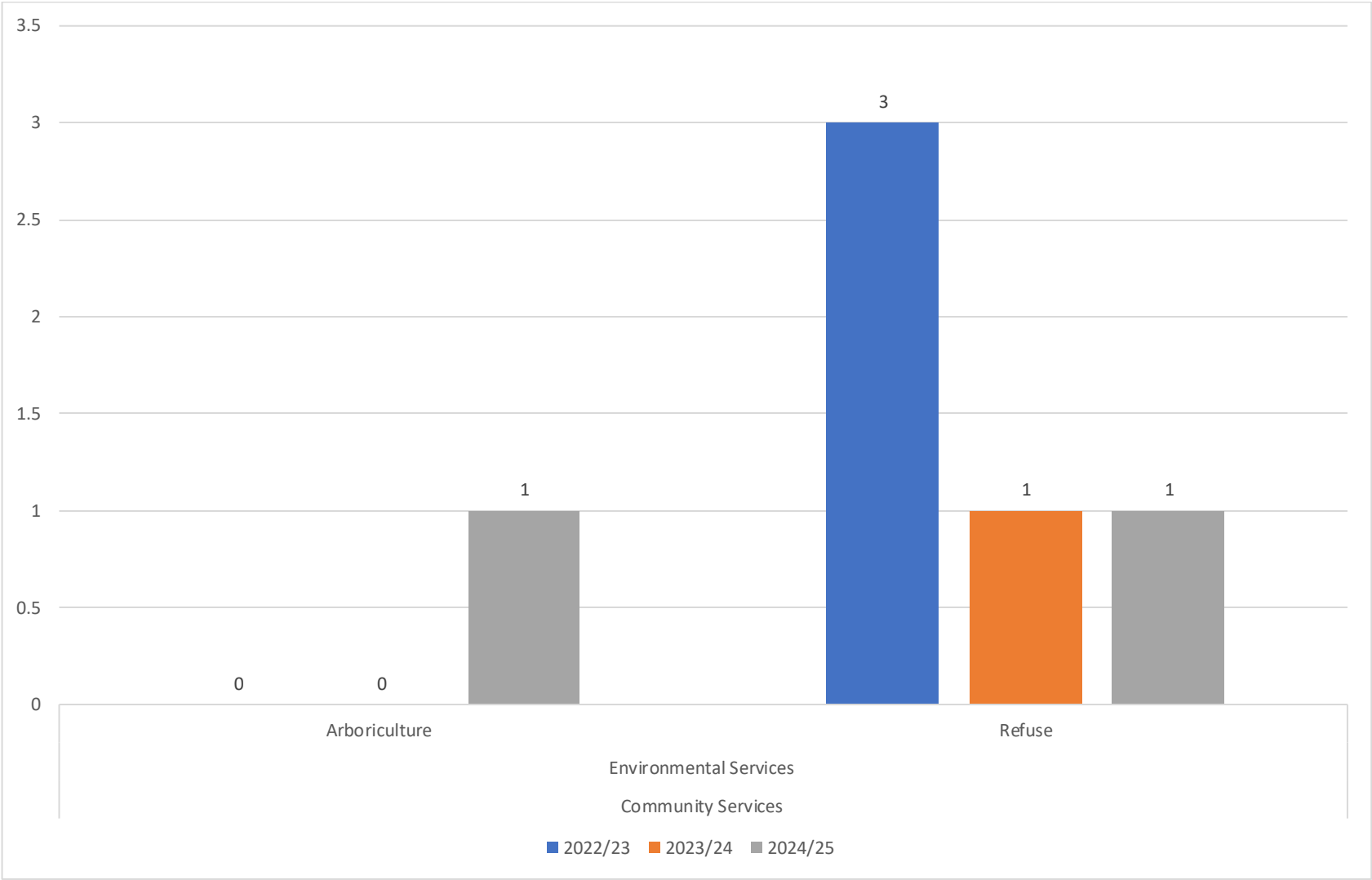
108. Services Group received 38 corporate comments during 2024/25.

Community Services



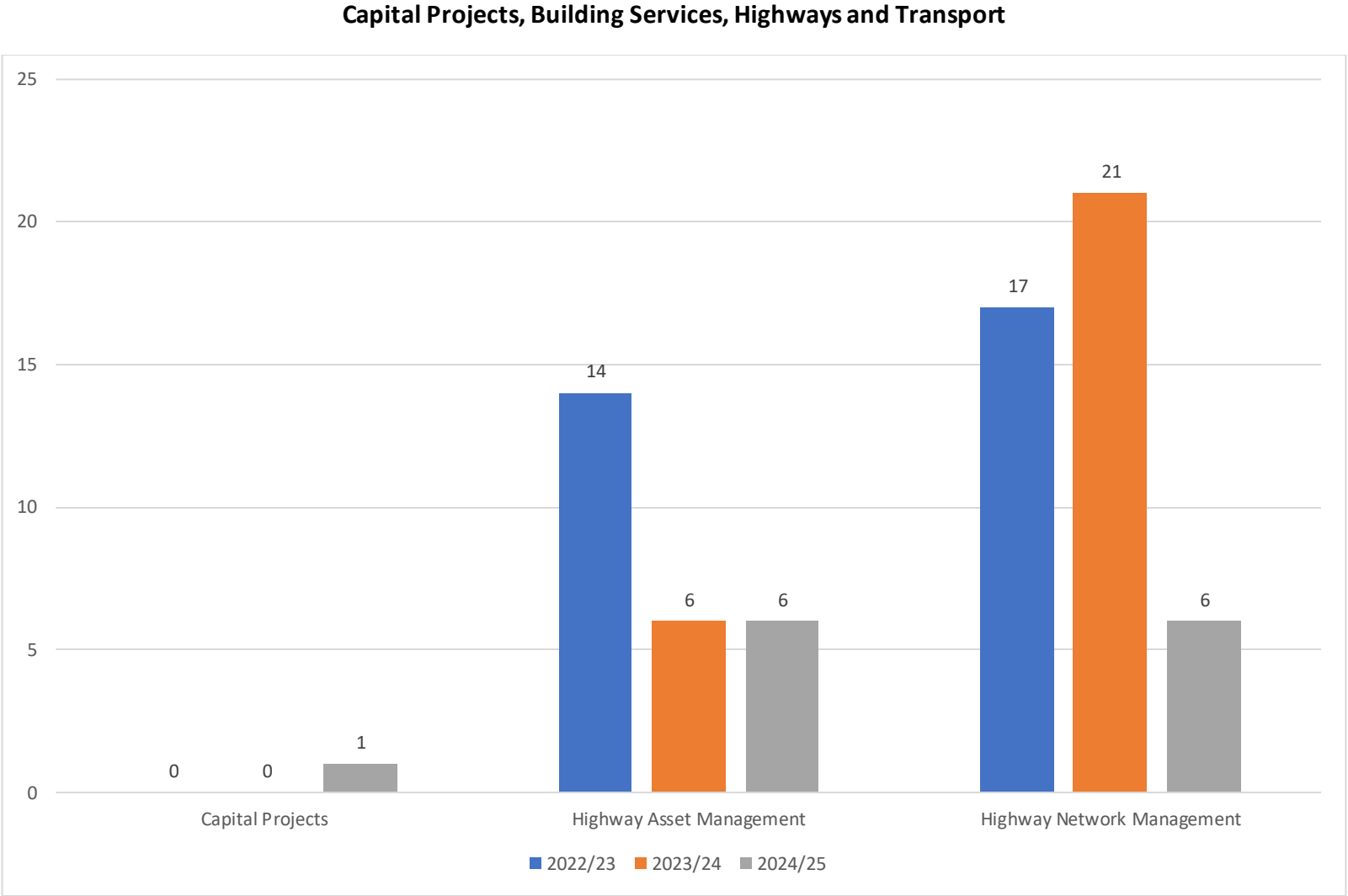
109. Anti-Social Behaviour & Civic Enforcement Ops received three comments during 2024/25, a reduction from five in 2023/24. There were no identifiable themes.
110. Community Resilience received two comments during 2024/25, an increase from zero in 2023/24.
111. Licensing received one comment in 2024/25, the same number as in 2023/24.
112. Processing and Appeals received two comments during 2024/25, an increase from zero in 2023/24.
113. Hippodrome received 11 comments during 2024/25, an increase from nine during 2023/24. Dissatisfaction with quality of shows and disruptive members of the audience were the most common themes.
114. Head of Steam received one comment in 2024/25, an increase from zero in 2023/24.
115. Town Centre Partnerships and Events received three comments during 2024/25, an increase from two in 2023/24. Two comments concerned the market and condition of town.

Community Services continued...



116. Arboriculture received one comment in 2024/25, an increase from zero in 2023/24.

117. Refuse received one corporate comment in 2024/25, the same number as in 2023/24.



32. Capital Projects received one comment in 2024/25, an increase from zero in 2023/24.
33. Highway Asset Management received six comments in 2024/25, the same number as in 2023/24. There were no identifiable themes.
34. Highway Network Management received six comments during 2024/25, a significant decrease from 21 in 2023/24. There were no identifiable themes.

Complaints by Outcome

35. The below tables show the decisions reached on complaints during 2024/25.

Stage 1 Outcomes

Service Area/Team	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
CCTV	0	0	0	1	0	0	1
Anti-Social Behaviour & Civic Enforcement Ops	0	0	3	6	3	5	17
Processing & Appeals	0	0	1	0	0	0	1
Licensing	0	1	0	2	0	0	3
Private Sector Housing	0	0	1	2	0	1	4
Hippodrome	0	0	4	3	5	1	13
Crown Street Library	0	0	0	0	1	0	1
Arboriculture	2	0	7	0	2	1	12
Building Cleaning and Compliance	0	0	0	1	0	0	1
Cemetery & Crematorium	0	0	1	0	1	0	2
Parks, Countryside and Allotments	0	0	1	1	0	0	2
Grounds Maintenance	0	0	1	1	4	1	7
Street Cleansing	1	0	8	3	5	1	18
Garden Waste	0	1	6	0	29	1	37
Recycling	0	13	11	1	24	0	49
Refuse	0	9	34	3	40	3	89
Winter Maintenance and Call Out	0	0	3	0	2	0	5
HWRC	0	0	2	0	1	0	3
School and Community Catering	0	0	1	0	0	0	1
Dolphin Centre	0	0	1	1	4	0	6
Events & Banqueting	0	0	1	0	1	0	2
Highway Asset Management	0	0	7	3	5	0	15
Capital Projects	0	0	0	0	1	0	1
Highway Network Management	0	1	7	1	2	0	11
Totals	3	25	100	29	130	14	301

Stage 2 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Processing & Appeals	1	0	0	0	0	1
Private Sector Housing	0	1	0	0	0	1
Arboriculture	0	2	0	1	0	3
Building Cleaning and Compliance	0	0	0	1	0	1
Recycling	0	0	0	0	1	1
Refuse	0	0	0	0	2	2
School and Community Catering	0	0	1	0	0	1
Highway Asset Management	0	2	0	0	0	2
Highway Network Management	0	1	1	0	0	2
Totals	1	6	2	2	3	14

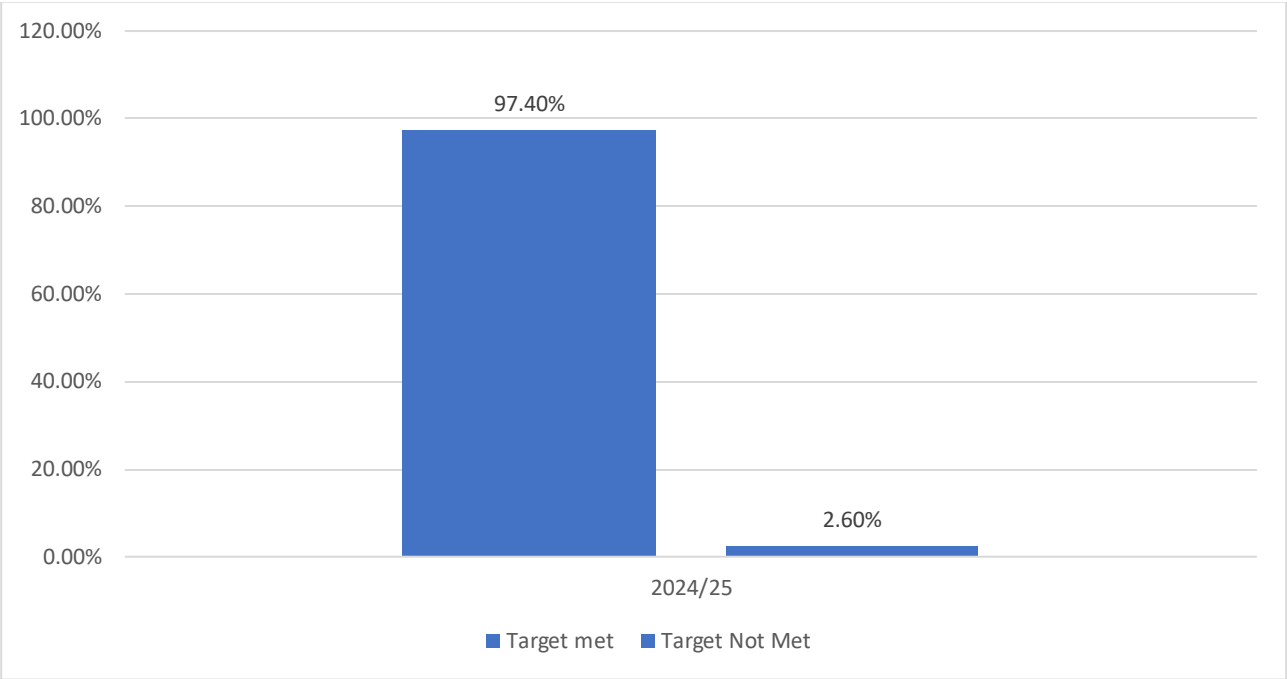
Organisational Learning

36. 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, the following organisational learning resulted from the complaint investigations concluded during 2024/25.
37. Following a complaint for Anti Social Behaviour and Civic Enforcement Ops, officers were reminded of the importance of engaging with motorists within a vehicle which is parked in contravention before issuing a penalty charge notice.
38. Following another complaint for Anti Social Behaviour and Civic Enforcement Ops, all officers who triage online reports were advised they must, whenever details are available, make contact with those reporting issues before any further action is taken.
39. Following a complaint for the Dolphin Centre a formalised procedure was implemented to ensure that our pensioner swim price is offered to anyone from outside of Darlington on providing evidence of their eligibility for the concession.
40. Following a complaint for Highways Network Management it was agreed the Council would raise awareness of the Customer Standards with officers.
41. As a result of another complaint for Highways Network Management the Council changed the way we manage requests through the Customer Contact Centre to ensure there is management oversight and that all requests are responded to in a timely manner.
42. Following a complaint for Highways Asset Management it was agreed a letter would be sent to residents prior to any future projects to notify them of the works.

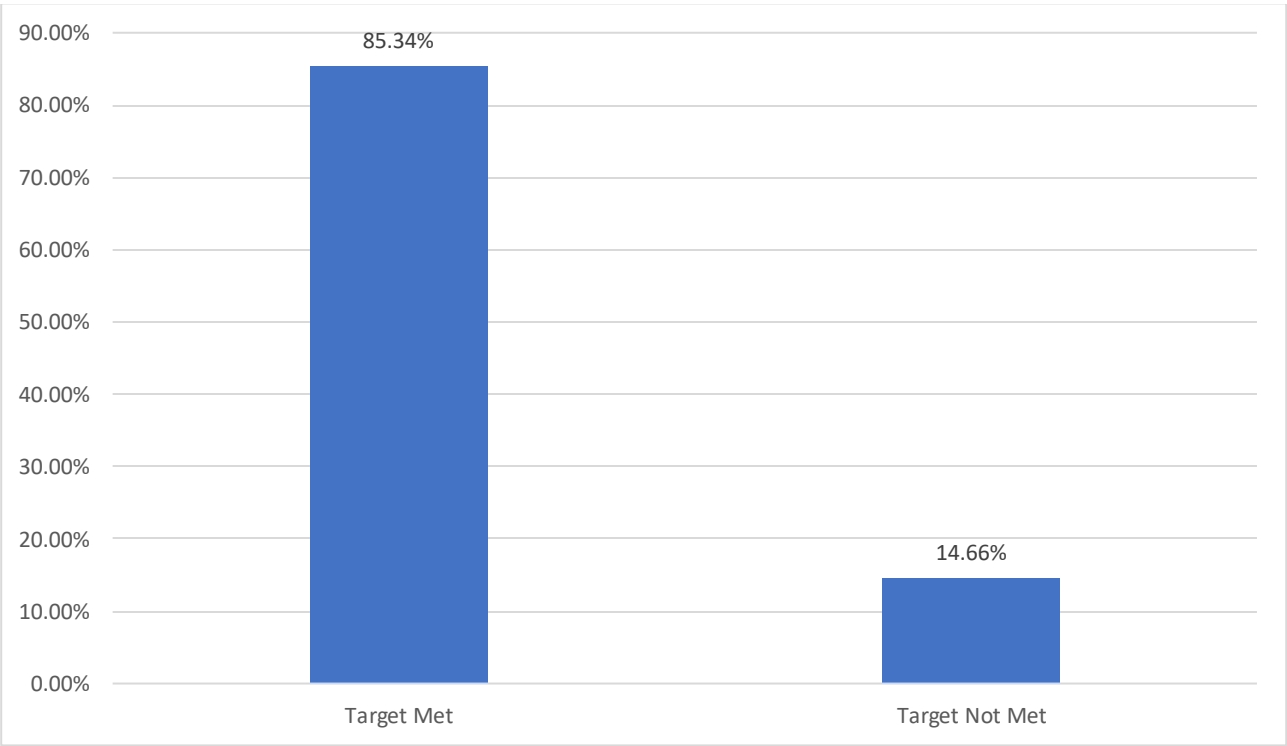
Overall Council Performance against the Corporate Complaints, Compliments and Comments Procedure

Stage 1

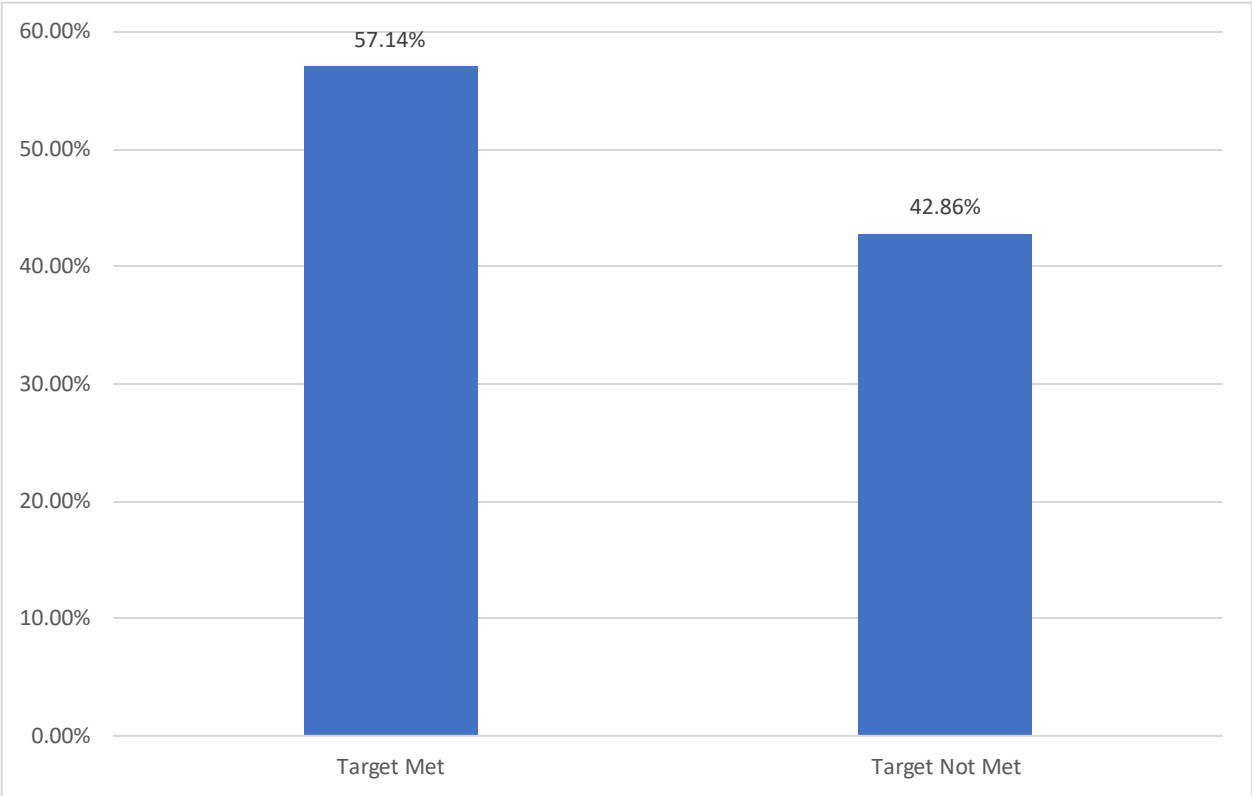
Performance against Stage 1 complaint acknowledgement target (5 working days)



Performance against Stage 1 complaint response target (10 working days)

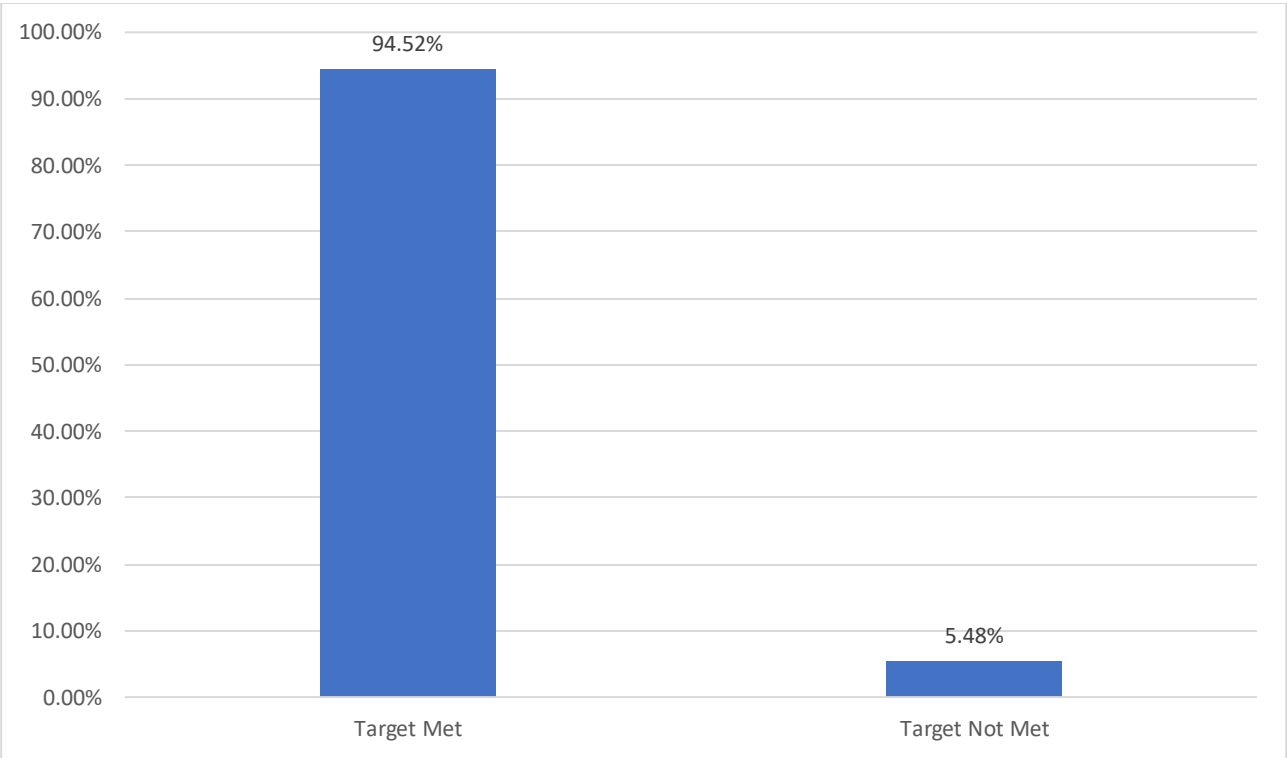


Performance against Stage 1 extended complaint response target (20 working days)

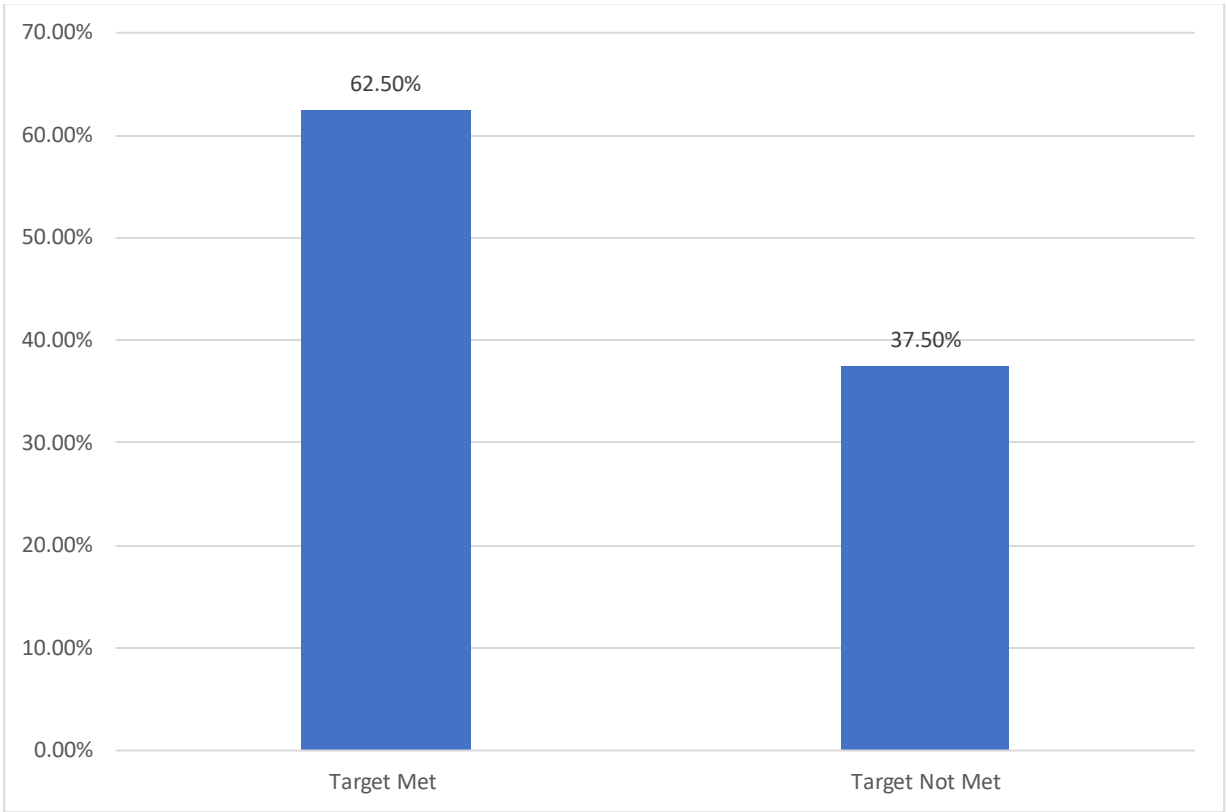


Stage 2

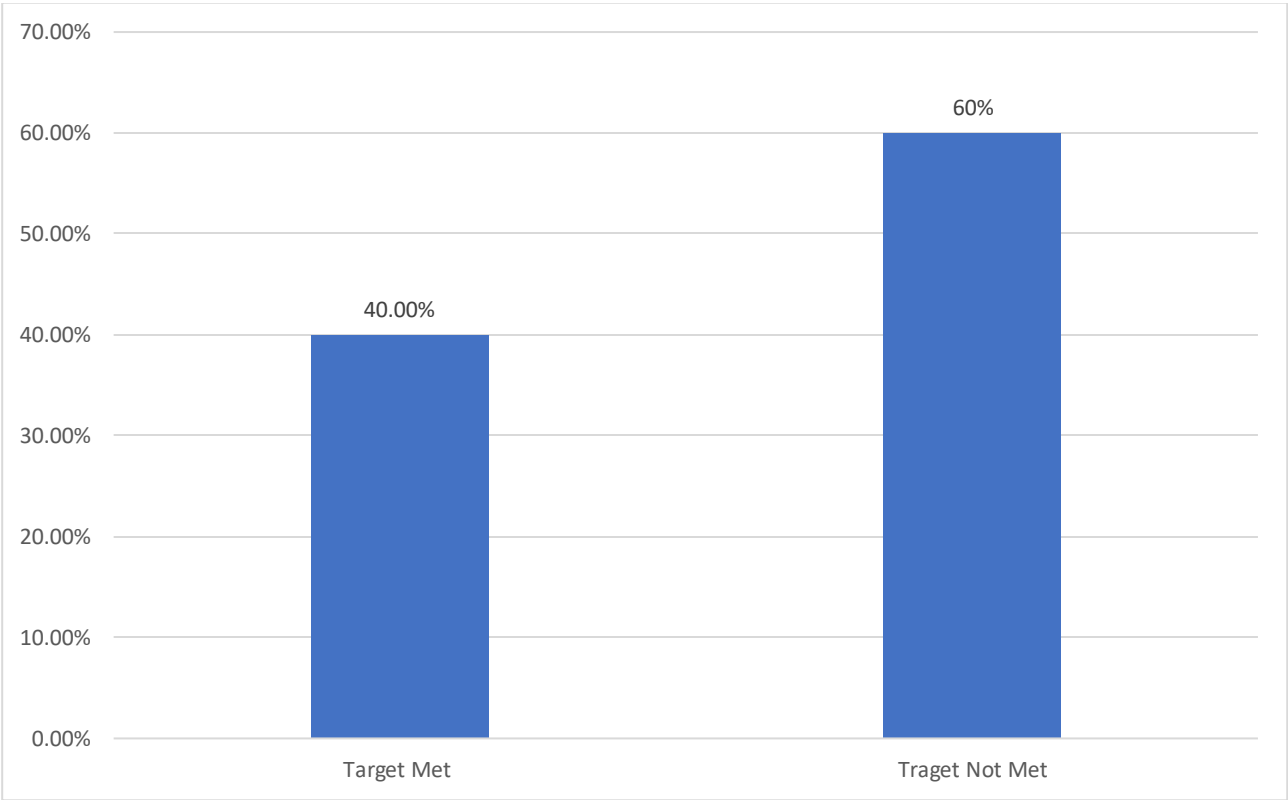
Performance against Stage 2 complaint acknowledgement target (5 working days)



Performance against Stage 2 complaint response target (20 working days)



Performance against Stage 2 extended complaint response target (40 working days)



Further Recommendations

43. The Complaints Manager should provide training for stage 1 responding officers on the updated complaints procedure (introduced by the Local Government and Social Care Ombudsman's Complaint Handling Code on 1 April 2024), to improve performance against timescales prior to them being monitored by the Local Government and Social Care Ombudsman from 1 April 2026.
44. The Complaints & Information Governance Team should work to improve compliance with the new Stage 2 timescales (introduced by the Local Government and Social Care Ombudsman's Complaint Handling Code on 1 April 2024), prior to the Council's performance against them being monitored by the Local Government and Social Care Ombudsman from 1 April 2026.

Performance against Local Performance Indicators

45. In relation to corporate complaints the Council's key performance indicator is the number of upheld decisions received from the Local Government and Social Care Ombudsman. The Council received two upheld decisions during 2024/25, the same number as in 2023/24, and an increase from one in 2022/23.
46. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 9 September 2025 entitled [Review of Outcome of Complaints Made to Ombudsman](#).



DARLINGTON

Borough Council

Housing Complaints, Compliments and Comments Annual Report 2024/25

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Introduction

1. While the Council has produced an annual report, relating to its function as a social landlord for over a decade, this is now a requirement of the Housing Ombudsman's [Complaint Handling Code](#) which became statutory on 1 April 2024. It is also a requirement to submit a self-assessment to the Housing Ombudsman and publish a copy of the self-assessment as part of the annual complaints' performance and service improvement report on our website. The governing body's response to the report must be published alongside this. A copy of the self-assessment is contained in the final section of this report.
2. This report provides an analysis of the complaints, compliments and comments received by the Council during 2024/25 under the Housing Complaints, Compliments and Comments Procedure (the procedure) / The Housing Ombudsman's Complaint Handling Code. 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 because of complaints received and make further recommendations based on trend data to improve services. The report also seeks to highlight any areas of good practice and identify topics and trends in relation to comments made by members of the public so the Council can take action where appropriate to improve services.
3. 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

4. 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).
5. The procedure has 2 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 most complaints at Stage 1 of the procedure. Housing Services employs a Housing Complaints Officer to assist with delivery of the Housing Ombudsman's Complaint Handling Code.
6. Stage 2 is a formal investigation stage where complaints will usually be investigated by the Complaints Investigator or Complaints and Information Governance Manager. We may also appoint an independent investigating officer.

7. The Council has appointed the Complaints and Information Governance Manager in line with the Code to be accountable for complaint handling. The Complaints and Information Governance Manager will assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.
8. In addition to this, as required by the Code, the Council has appointed the Assistant Director, Housing and Revenues as a member of the governing body (or equivalent) to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC').

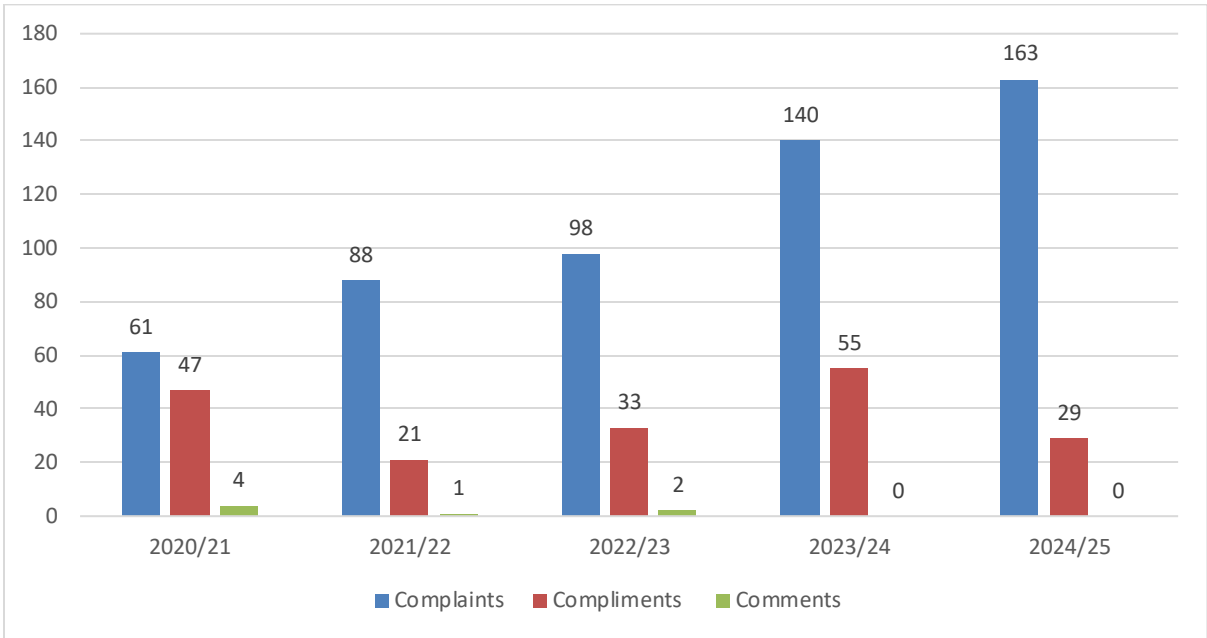
Public Information and Accessibility

9. 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.
10. 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.
11. The Council can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Complaints Information and Organisational Learning

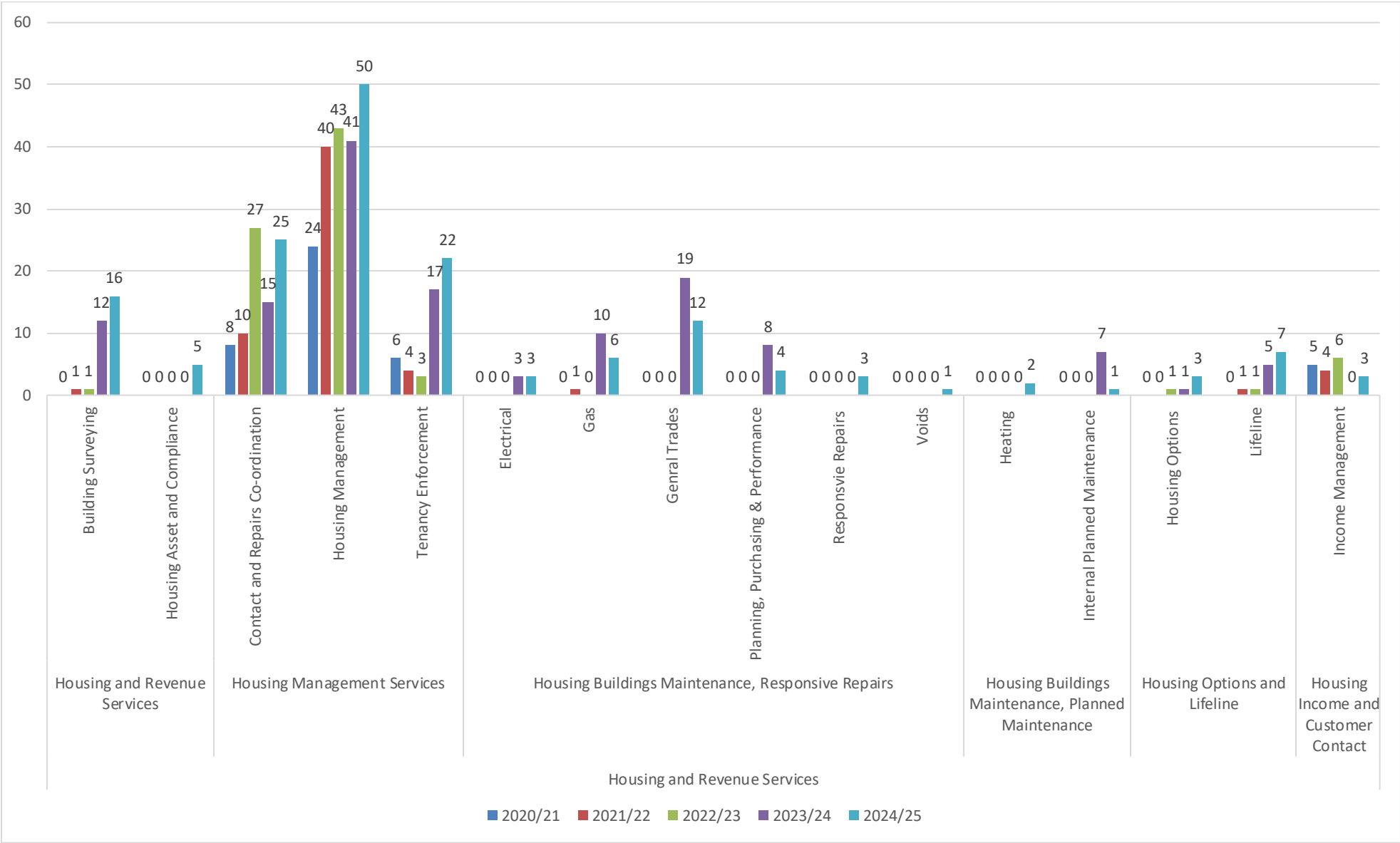
Overview of Complaints, Compliments and Comments

Total Complaints, Compliments and Comments



- 12. Between 1 April 2024 and 31 March 2025 the Council received a total of 163 complaints under the procedure, an increase from 140 in 2023/24. While this increase can in part be attributed to the additional promotional work undertaken by Housing Services to highlight the complaints procedure and the launch of the Housing Ombudsman’s Statutory Complaints Handling Code on 1 April 2024, it also reflects a national trend with the Housing Ombudsman reporting an unprecedented 474% increase in complaints between 2019/20 and 2024/25, with complaints about repairs accounting for 45%.
- 13. A total of 27 complaints were considered at Stage 2, a decrease from 30 in 2023/24.
- 14. The Council received 29 compliments under the procedure, a decrease from 55 in 2023/24.
- 15. The Council did not receive any comments under the procedure, as was the case in 2023/24.
- 16. The Council did not receive any non-qualifying complaints during 2024/25.

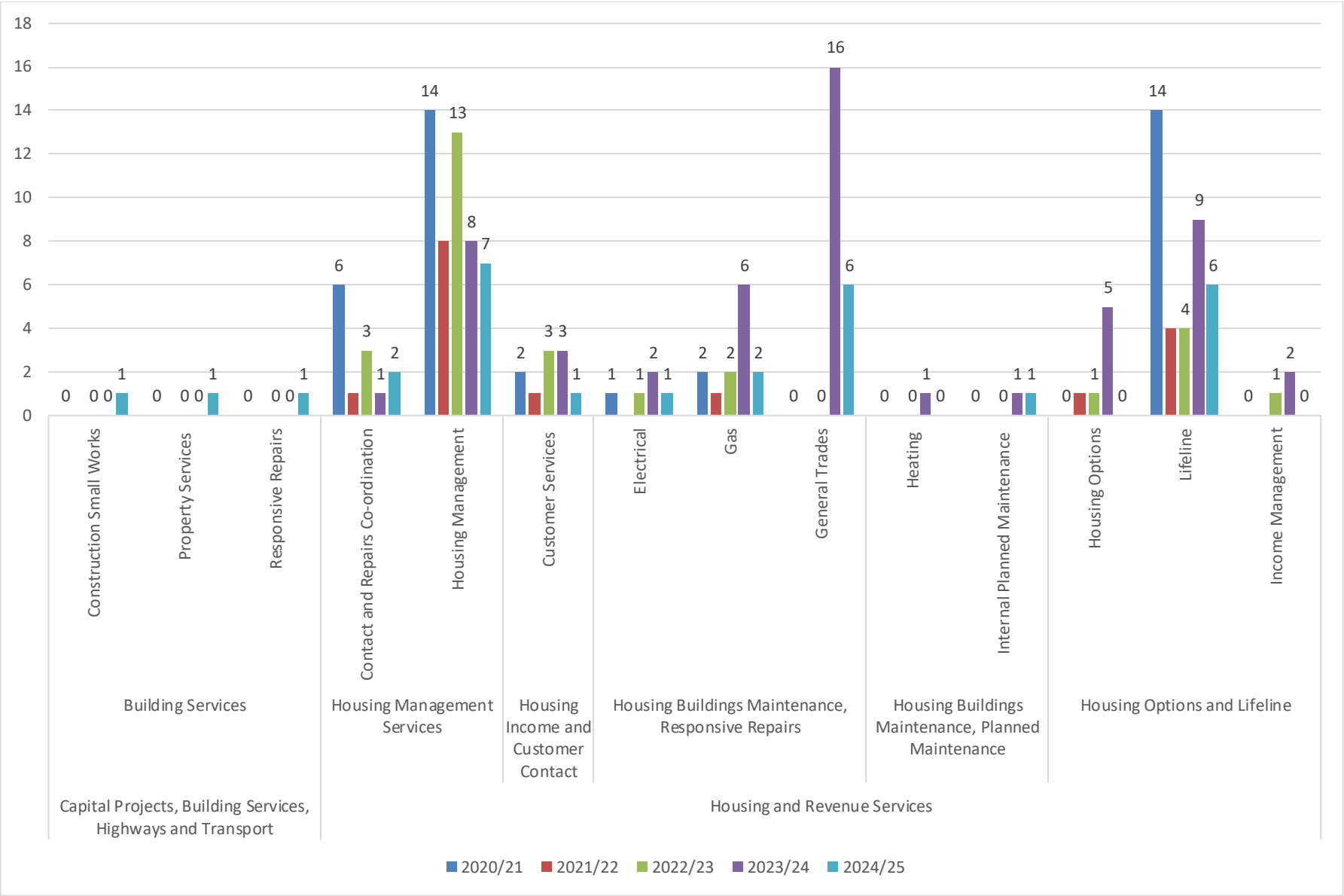
Complaints by Team



17. Building Surveying received 16 complaints, an increase from 12 in 2023/24. The identifiable themes were dissatisfaction with delays in completing repairs and poor communication.
18. Housing Asset and Compliance received five complaints, an increase from zero in 2023/24. There were no identifiable themes.
19. Contact & Repairs Co-ordination received 25 complaints, a significant increase from 15 in 2023/24. Again, the identifiable themes were dissatisfaction with delays in completing repairs and poor communication.
20. Housing Management received 50 complaints, an increase from 41 in 2023/24. Complaints concerned dissatisfaction with communication and the support from Housing Management Officers in relation to neighbour nuisance issues and a variety of other housing matters including the timeliness and quality of repairs.
21. Tenancy Enforcement received 22 complaints, an increase from 17 in 2023/24. The identifiable themes were dissatisfaction with the perceived lack of action in relation to reports of anti-social behaviour and the attitude/behaviour of Officers towards complainants.
22. Electrical Services received three complaints, the same number as in 2023/24. There were no identifiable themes.
23. Gas repairs received six complaints, a decrease from 10 in 2023/24. The most common causes of complaint was people's dissatisfaction with the timeliness and quality of repairs.
24. General Trades received 12 complaints, a decrease from 19 complaints in 2023/24. Again, the most common causes of complaint was people's dissatisfaction with the timeliness and quality of repairs.
25. Planning, Purchasing and Performance received four complaints, a decrease from eight in 2023/24. Complaints mainly concerned issues with booking appointments.
26. Responsive Repairs received three complaints, an increase from zero in 2023/24.
27. Voids received one complaint, an increase from zero in 2023/24.
28. Heating received two complaints, an increase from zero in 2023/24.
29. Internal Planned Maintenance received one complaint, a decrease from seven in 2022/23.
30. Housing Options received three complaints, an increase from one in 2023/24.
31. Lifeline received seven complaints, an increase from five in 2023/24. There were no identifiable themes.

32. Housing Income Management received three complaints, an increase from zero in 2023/24.

Compliments by Team

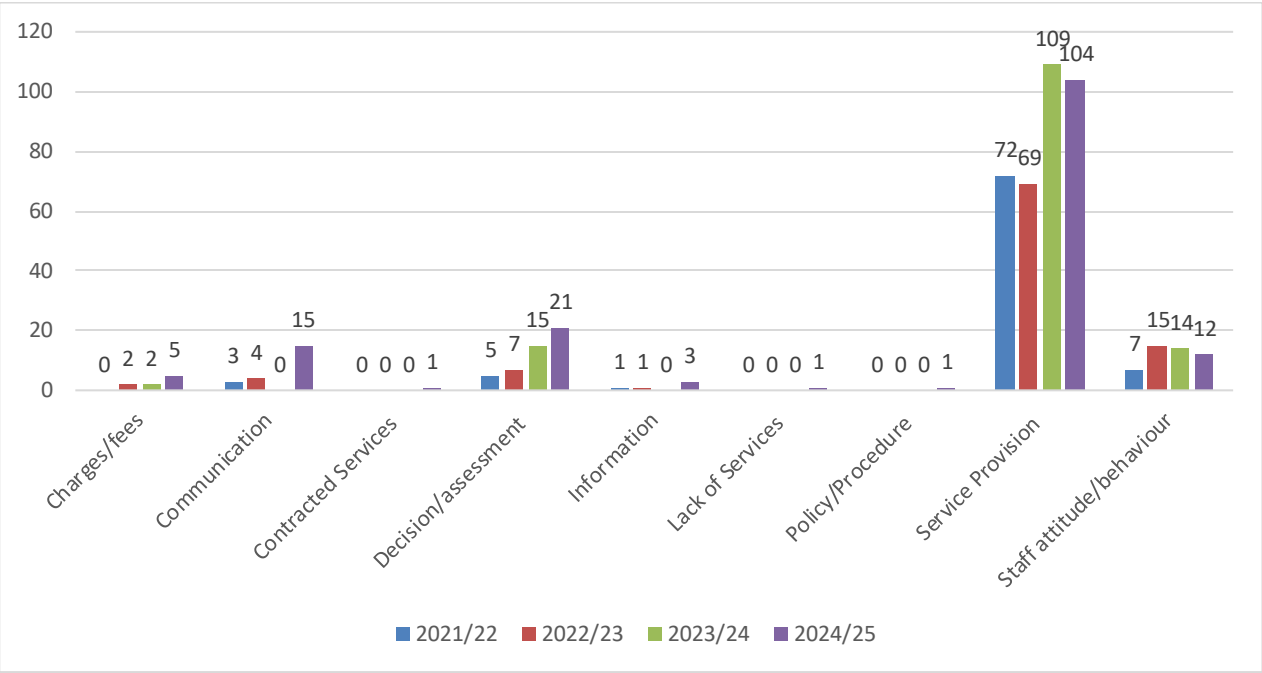


33. Housing Services received 29 compliments, a significant decrease from 55 in 2023/24.

Comments by Team

34. The Council received zero comments during 2024/25, the same number as in 2023/24.

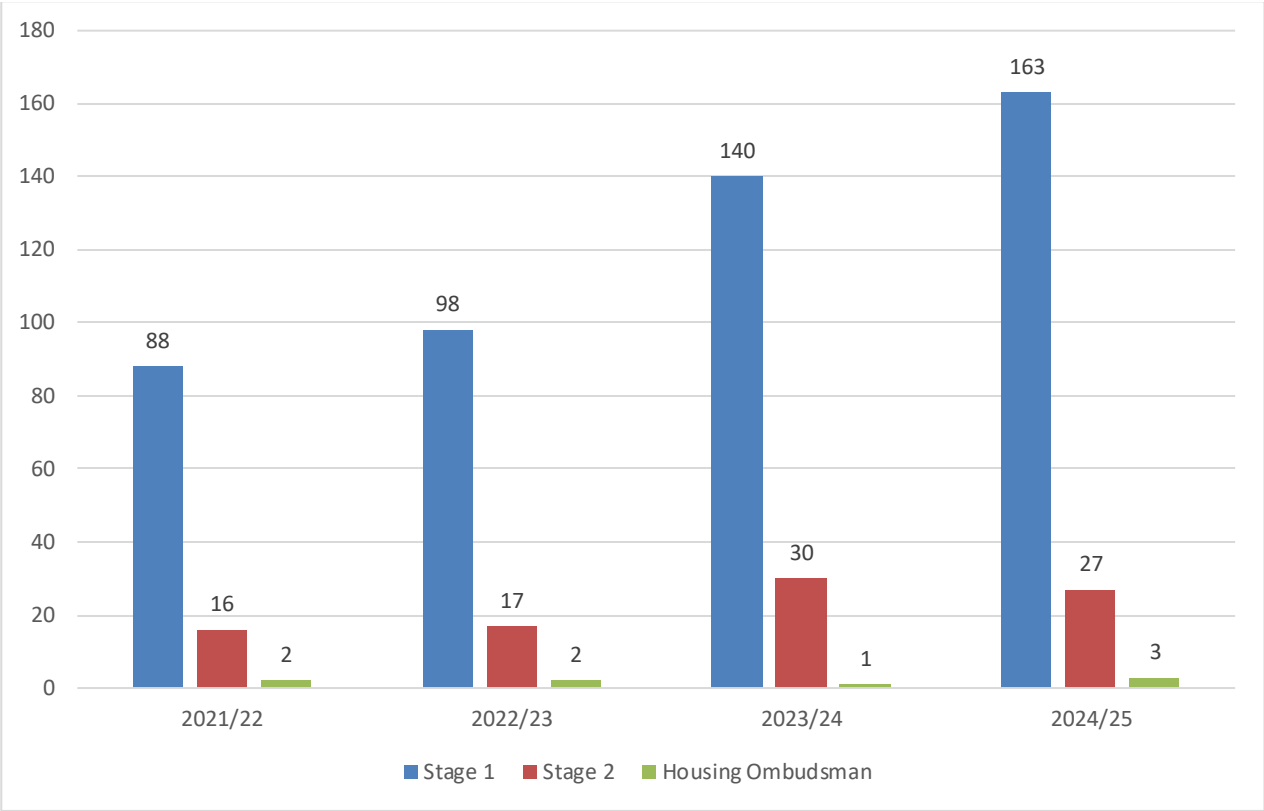
Complaints by Issue



- 35. Five complaints related to charges/fees, an increase from two in 2023/24.
- 36. 15 complaints related to communication, a significant increase from zero in 2023/24.
- 37. One complaint related to Contracted Services, an increase from zero in 2023/24.
- 38. 21 complaints related to decision/assessment, an increase from 15 in 2023/24.
- 39. Three complaints related to information, an increase from zero in 2023/24.
- 40. One complaint related to lack of services, an increase from zero in 2023/24.
- 41. One complaint related to policy/procedure, an increase from zero in 2023/24.
- 42. There were 104 complaints about service provision, a decrease from 109 in 2023/24.
- 43. 12 complaints related to staff attitude/behaviour, a decrease from 14 in 2023/24.

Complaints by Stage

44. The below graph shows the number of complaints received at each stage of the procedure during.



45. The Council received 163 Stage 1 complaints in 2024/25, a significant increase from 140 in 2023/24.

46. 27 were investigated at Stage 2, a decrease from 30 in 2023/24.

47. Three complaints were escalated to the Housing Ombudsman in 2024/25, an increase from one in 2023/24.

Complaints Outcomes

48. The below tables show the decisions reached on complaints received during 2024/25.

Stage 1

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Income Management	0	1	2	0	0	3
Housing Management Services	0	2	0	1	0	3
Housing Management	0	19	8	4	9	40
Tenancy Enforcement	1	13	1	1	6	22
Contact and Repairs Co-ordination	0	6	3	4	7	20
Housing Options	0	1	2	0	0	3
Lifeline	0	1	1	1	4	7
Gas	0	1	2	1	1	5
General trades	1	3	1	3	2	10
Voids	0	1	0	0	0	1
Electrical	0	1	1	1	0	3
Planning, Purchasing & Performance	0	2	1	1	0	4
Internal Planned Maintenance	0	0	1	0	0	1
Heating (IPMteam)	0	0	0	0	2	2
Building Surveying	1	3	7	5	0	16
Housing Asset and Compliance	0	3	2	0	0	5
Building Cleaning and Compliance	0	1	0	0	0	1
Totals	3	58	32	22	31	146
Percentage	2.05%	39.72%	21.91%	15.06%	21.23%	100%

N.B. 18 stage 1 complaints remained open at the time of writing.

Stage 2

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Housing Management	0	2	2	1	0	5
Tenancy Enforcement	0	4	0	0	0	4
General trades	0	0	1	0	0	1
Building Surveying	0	0	3	1	0	4
Housing Asset and Compliance	0	1	0	0	1	2
Totals	0	7	6	2	1	16
Percentage	0%	43.75%	37.5%	12.5%	6.25%	100%

N.B. 11 stage 2 complaints remained open at the time of writing.

Housing Ombudsman

49. The Housing Ombudsman commenced three investigations during 2024/25.
50. The Housing Ombudsman made a decision in relation to one of those complaint investigations it commenced during 2024/25.
51. Full details of any complaints determined by the Housing Ombudsman are included in the Cabinet reports of 9 September 2025 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

Organisational Learning

52. 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 and Information Governance Manager. In addition to those actions taken to resolve individual complaints, a number of service improvements were made following complaint investigations during 2024/25, some of which are detailed below:

Building Surveying

53. Following a complaint about the gas servicing process it was agreed the process and letters would be reviewed with a view to improving communication between teams and tenants and ultimately the timeliness in which repairs are completed. It was also agreed to discuss the gas servicing process with the Tenant's Panel and seek their views on what we could have done differently.
54. After receiving a complaint about contractors not being aware of tenant vulnerabilities, staff were reminded to ensure they are updating the Vulnerability User defined Characteristic (UDC) on the internal ICT system so that all staff are aware and to include this information on all orders for contractors where appropriate.
55. Following a complaint about staff conduct, a staff member was briefed on the appropriate way to handle conflict and the need to always remain professional.
56. Housing Services would implement improvements for the roofer's record keeping via Accuserv (repairs appointment ICT system).
57. Following a complaint about a lack of information being provided to a tenant after a fire, it was agreed a post-fire procedure would be written.

Contact and Repairs Co-ordination

58. Following a complaint about missed issues, staff were reminded of the need to ensure they read and address all aspects of service requests from tenants to ensure they feel listened to fully.
59. Staff were reminded to ensure they are listing all issues mentioned by the tenant when an inspection is raised. In this instance the tenant had mentioned their floor tiles had lifted, the rubber door threshold had perished and that they had damp and mould, however, only a damp and mould inspection ticket was raised.
60. Following a complaint about delays in a tenant receiving additional keys, the key-cutting process was reviewed to ensure tenants are aware of the duration to obtain keys and deliver them.

61. After a complaint was received about delays in responding to tenants' queries, staff were reminded to return phone calls within the 7 working days outlined in the Customer Standards.

Gas

62. From a complaint about a delay to gas appliances being safety checked in a new tenancy, a new void process was agreed where the electrical check is completed a week prior to the gas check & key exchange.

General Trades

63. Following a complaint about not responding to a tenant's queries in a timely manner, the team were reminded to check voicemails/ messages and ensure they return any missed messages following leave/absence.
64. After a complaint about delays to emergency repairs, staff were reminded that urgent works need to be rang through to the Planners for an urgent appointment to prevent further damage occurring.

Housing Management

65. Following a complaint about a letter received by a tenant, Housing Officers were asked to make sure they knock on doors when hand delivering letters and ensure the letters are signed.
66. Following a complaint about the repairs process, the team were reminded to ensure they are manually completing any jobs that require follow-on work to prevent any subsequent reminder letters being sent in error.
67. Building Surveyors were reminded that they should be liaising with tenants regarding the outcome of inspections/works involving contractors to ensure a transparent service to tenants, this was following a complaint about lack of communication after an inspection.
68. After a complaint about fly-tipping, staff were reminded to ensure that when items are reported to be fly tipped in communal spaces they arrange for disposal in the first instance to ensure we are working in line with the fire and fire door safety guidelines.

Income Management

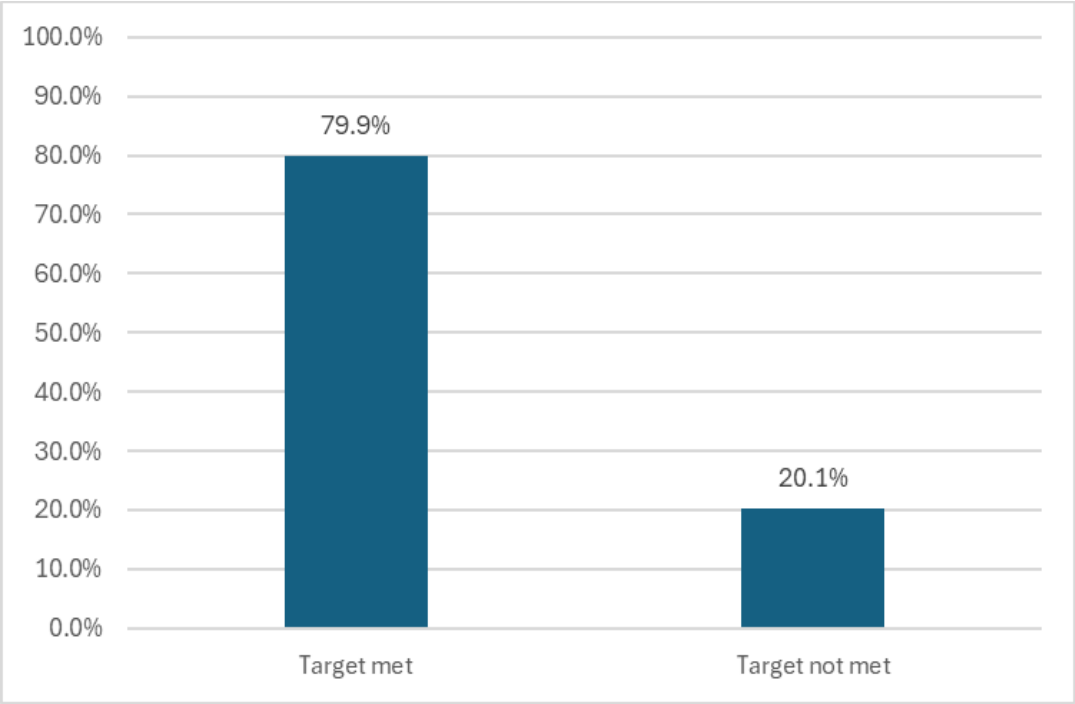
69. Following a complaint about delays to a complaint being logged and subsequently responded to, Housing Income Management were made aware that the Complaints Team need consent from a tenant in order to accept a complaint from a third party. They were reminded that the Housing Services Access to Personal Information form should be completed, but also that the form required updating to ensure it reflected the more

stringent consent requirements introduced by UK GDPR and those detailed in our Housing Complaints Procedure.

Performance against the Housing Complaints, Compliments and Comments Procedure

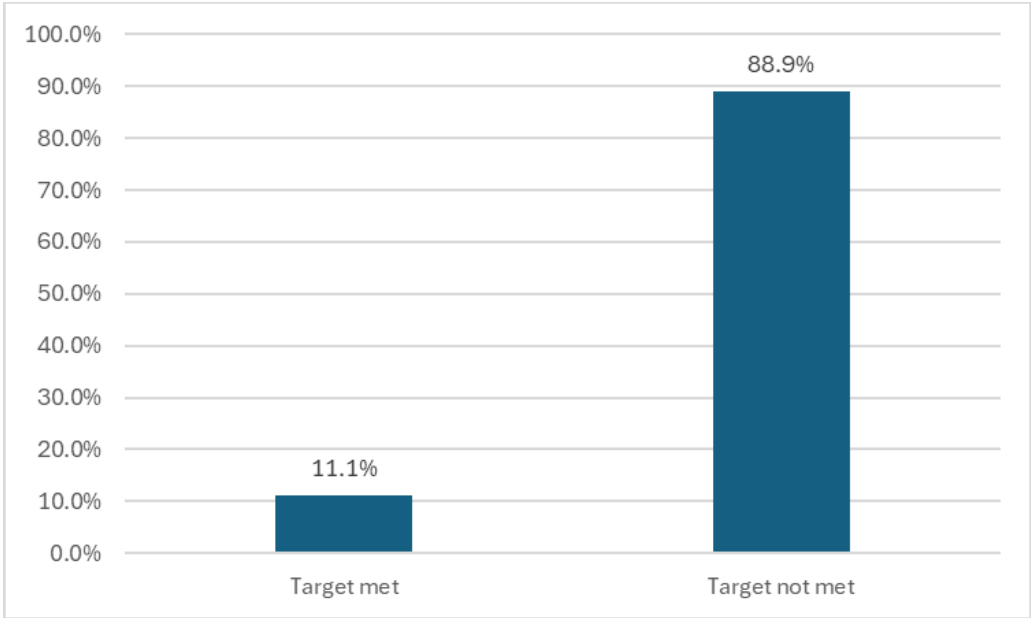
Stage 1

Proportion of stage one complaints responded to within the Housing Ombudsman’s Complaint Handling Code timescales



Stage 2

Proportion of stage two complaints responded to within the Housing Ombudsman’s Complaint Handling Code timescales



70. The Regulator of Social Housing has issued guidance on how to calculate the above, which means the methodology used now differs from that previously used, and that currently used in relation to all other Council complaints. We have applied this same methodology to the reporting of Housing Ombudsman decisions in this report; however, we do not intend to adopt it elsewhere.
71. The methodology identifies the percentage of complaints ***made by tenants during the reporting*** year that were responded to in timescale during the reporting year, as opposed to the overall percentage of complaints responded to in timescale during the reporting year. Consequently, any complaints received in 2023/24 and responded to in 2024/25 are excluded from the calculation. As are any complaints received in 2024/25 that remained open after the 31 March 2025.

Further recommendations

72. Housing Services should consider what can be done to reduce complaints about the timeliness and quality of repairs and poor communication and to improve relationships between officers and tenants.
73. Housing Services should consider reviewing resources to ensure all stage 1 complaints are responded to within Housing Ombudsman’s Complaint Handling Code timescales.
74. The Complaints & Information Governance Team should consider reviewing resources to ensure all stage 2 complaints are responded to within Housing Ombudsman’s Complaint Handling Code timescales.

Housing Ombudsman Code Self-Assessment

75. This self-assessment form should be completed by the complaints officer and it must be reviewed and approved by the landlord's governing body at least annually.
76. Once approved, landlords must publish the self-assessment as part of the annual complaints performance and service improvement report on their website. The governing body's response to the report must be published alongside this.
77. Landlords are required to complete the self-assessment in full and support all statements with evidence, with additional commentary as necessary.
78. We recognise that there may be a small number of circumstances where landlords are unable to meet the requirements, for example, if they do not have a website. In these circumstances, we expect landlords to deliver the intentions of the Code in an alternative way, for example by publishing information in a public area so that it is easily accessible.

Section 1: Definition of a complaint

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
1.2	A complaint must be defined as: <i>'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.'</i>	Yes	Darlington BC - Housing complaints	See Section 3
1.3	A resident does not have to use the word 'complaint' for it to be treated as such. Whenever a resident expresses dissatisfaction landlords must give them the choice to make complaint. A complaint that is submitted via a third party or representative must be handled in line with	Yes	Darlington BC - Housing complaints	The Council has adopted the definition in 1.2 which does not require a resident to use the complaint. Nor did our previous definition. This is covered in our training.

	the landlord's complaints policy.			
1.4	Landlords must recognise the difference between a service request and a complaint. This must be set out in their complaints policy. A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly.	Yes	Darlington BC - Housing complaints	The Council has separate and robust processes in place to consider requests for service and complaints.
1.5	A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. Landlords must not stop their efforts to address the service request if the resident complains.	Yes	Darlington BC - Housing complaints	This happens as a result of the aforementioned process and is covered in our training.
1.6	An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where landlords ask for wider feedback about their services, they also must provide details of how residents can complain.	Yes		Details of how to complain are included in our Satisfaction Surveys.

Section 2: Exclusions

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
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2.1	Landlords must accept a complaint unless there is a valid reason not to do so. If landlords decide not to accept a complaint they must be able to evidence their reasoning. Each complaint must be considered on its own merits	Yes	Darlington BC - Housing complaints	The Council's approach has always been based on best practice and we look for every reason to accept a complaint, before deciding it does not qualify for investigating. Where we decide a complaint is non-qualifying we explain our reasons and advised the individual of their right to refer the matter to the HOS.
2.2	<p>A complaints policy must set out the circumstances in which a matter will not be considered as a complaint or escalated, and these circumstances must be fair and reasonable to residents. Acceptable exclusions include:</p> <ul style="list-style-type: none"> • The issue giving rise to the complaint occurred over twelve months ago. • Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court. • Matters that have previously been considered under the complaints policy. 	Yes	Darlington BC - Housing complaints	See Section 7
2.3	Landlords must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of		Darlington BC - Housing complaints	See Section 7

	the issue, unless they are excluded on other grounds. Landlords must consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.			
2.4	If a landlord decides not to accept a complaint, an explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion has been fairly applied, the Ombudsman may tell the landlord to take on the complaint.	Yes	Darlington BC - Housing complaints	Where we decide a complaint is non-qualifying we explain our reasons and advised the individual of their right to refer the matter to the HOS.
2.5	Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint.	Yes	Darlington BC - Housing complaints	See Section 7

Section 3: Accessibility and Awareness

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
3.1	Landlords must make it easy for residents to complain by providing different channels through which they can make a complaint. Landlords must consider their duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments	Yes	Darlington BC - Housing complaints Darlington BC - Complaints compliments and comments	

	of residents who may need to access the complaints process.			
3.2	Residents must be able to raise their complaints in any way and with any member of staff. All staff must be aware of the complaints process and be able to pass details of the complaint to the appropriate person within the landlord.	Yes	Darlington BC - Housing complaints	Training provided to officers.
3.3	High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.	Yes	Darlington BC - Housing complaints	
3.4	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the two stage process, what will happen at each stage, and the timeframes for responding. The policy must also be published on the landlord's website.	Yes	Darlington BC - Housing complaints	
3.5	The policy must explain how the landlord will publicise details of the complaints policy, including information about the Ombudsman and this Code.	Yes	Darlington BC - Housing complaints	See Section 1
3.6	Landlords must give residents the opportunity to have a representative deal with their complaint	Yes	Darlington BC - Housing complaints	See Section 8

	on their behalf, and to be represented or accompanied at any meeting with the landlord.			
3.7	Landlords must provide residents with information on their right to access the Ombudsman service and how the individual can engage with the Ombudsman about their complaint.	Yes	Darlington BC - Housing complaints	See Section 12. This is also included response and extension letters

Section 4: Complaint Handling Staff

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
4.1	Landlords must have a person or team assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the governing body (or equivalent). This Code will refer to that person or team as the 'complaints officer'. This role may be in addition to other duties.	Yes	Darlington BC - Housing complaints	See Section 2.
4.2	The complaints officer must have access to staff at all levels to facilitate the prompt resolution of complaints. They must also have the authority and autonomy to act to resolve disputes promptly and fairly.	Yes		The Council's Complaints Manager, Complaints Investigator and the Housing Complaints Officer have access to staff at all levels to facilitate the prompt resolution of complaints and have the authority and autonomy to act to resolve disputes promptly and fairly.

4.3	Landlords are expected to prioritise complaint handling and a culture of learning from complaints. All relevant staff must be suitably trained in the importance of complaint handling. It is important that complaints are seen as a core service and must be resourced to handle complaints effectively	Yes	Darlington BC - Housing complaints Darlington BC - Annual reports	See Section 1 of the Complaints Procedure. The Council's culture in respect of complaints handling is detailed in its procedures, annual reports and its reports to its Scrutiny Committees and Cabinet . All staff are suitably trained. The sufficiency of resources is subject to the budget constraints of the Local Authority.
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Section 5: The Complaint Handling Process

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
5.1	Landlords must have a single policy in place for dealing with complaints covered by this Code. Residents must not be treated differently if they complain.	Yes	Darlington BC - Housing complaints	See Section 1.2
5.2	The early and local resolution of issues between landlords and residents is key to effective complaint handling. It is not appropriate to have extra named stages (such as 'stage 0' or 'informal complaint') as this causes unnecessary confusion.	Yes	Darlington BC - Housing complaints	
5.3	A process with more than two stages is not acceptable under any circumstances as this will make the complaint process unduly long and delay access to the Ombudsman.	Yes	Darlington BC - Housing complaints	

5.4	Where a landlord's complaint response is handled by a third party (e.g. a contractor or independent adjudicator) at any stage, it must form part of the two stage complaints process set out in this Code. Residents must not be expected to go through two complaints processes.	Yes	Darlington BC - Housing complaints	See Section 6.5
5.5	Landlords are responsible for ensuring that any third parties handle complaints in line with the Code.	Yes	Darlington BC - Housing complaints	See Section 6.5
5.6	When a complaint is logged at Stage 1 or escalated to Stage 2, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. The Code will refer to this as "the complaint definition". If any aspect of the complaint is unclear, the resident must be asked for clarification.	Yes	Darlington BC - Housing complaints	See Section 11
5.7	When a complaint is acknowledged at either stage, landlords must be clear which aspects of the complaint they are, and are not, responsible for and clarify any areas where this is not clear.	Yes	Darlington BC - Housing complaints	We set this out in our acknowledgment letters
5.8	At each stage of the complaints process, complaint handlers must: <ul style="list-style-type: none"> a. deal with complaints on their merits, act independently, and have an open mind; b. give the resident a fair chance to set out their position; 	Yes	Darlington BC - Housing complaints	All complaint handlers are appropriately trained to ensure complaints are handled in this manner.

	<p>c. take measures to address any actual or perceived conflict of interest; and</p> <p>d. consider all relevant information and evidence carefully.</p>			
5.9	Where a response to a complaint will fall outside the timescales set out in this Code, the landlord must agree with the resident suitable intervals for keeping them informed about their complaint.	Yes	Darlington BC - Housing complaints	The Council informs the resident the date by which they can expect a response in the extension letter/email. Where the resident requires more frequent updates we agree this on an individual basis.
5.10	Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a resident has disclosed. Any agreed reasonable adjustments must be kept under active review.	Yes	Darlington BC - Housing complaints	See Section 10
5.11	Landlords must not refuse to escalate a complaint through all stages of the complaints procedure unless it has valid reasons to do so. Landlords must clearly set out these reasons, and they must comply with the provisions set out in section 2 of this Code.	Yes	Darlington BC - Housing complaints	On the rare occasion we may refuse to escalate a complaint, for example where the resident or the Council has commenced legal proceedings in relation to the matter being complained about, we would explain this to the resident in writing and advise them of their right

				to refer the matter to the HOS.
5.12	A full record must be kept of the complaint, and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties, and any relevant supporting documentation such as reports or surveys.	Yes	Darlington BC - Housing complaints	See Section 17 of the Complaints Procedure. This information is held in the Council's Complaints Management Database. Some information is also held on the tenancy record.
5.13	Landlords must have processes in place to ensure a complaint can be remedied at any stage of its complaints process. Landlords must ensure appropriate remedies can be provided at any stage of the complaints process without the need for escalation.	Yes	Darlington BC - Housing complaints)	See Section 13
5.14	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives. Landlords must be able to evidence reasons for putting any restrictions in place and must keep restrictions under regular review.	Yes	Darlington BC - Housing complaints	See Section 16 of the Complaints Procedure. The Council operates an Unreasonably Persistent Complainants Procedure and an Employee Protection Register to manage unacceptable behaviour from residents and/or their representatives.
5.15	Any restrictions placed on contact due to unacceptable behaviour must be proportionate and demonstrate regard for the provisions of the Equality Act 2010.	Yes	Darlington BC - Housing complaints Darlington BC - Equality information	

Section 6: Complaints Stages

Stage 1

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.1	Landlords must have processes in place to consider which complaints can be responded to as early as possible, and which require further investigation. Landlords must consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident	Yes	Darlington BC - Housing complaints	See Section 11
6.2	Complaints must be acknowledged, defined and logged at stage 1 of the complaints procedure <u>within five working days of the complaint being received.</u>	Yes	Darlington BC - Housing complaints Darlington BC - Annual reports	
6.3	Landlords must issue a full response to stage 1 complaints <u>within 10 working days</u> of the complaint being acknowledged.	Yes	Darlington BC - Housing complaints Darlington BC - Annual reports	
6.4	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the reason(s)	Yes	Darlington BC - Housing complaints	

	must be clearly explained to the resident.			
6.5	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	Yes	Darlington BC - Housing complaints	This is included in our extension letter/email.
6.6	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.	Yes	Darlington BC - Housing complaints	Response are issued when the answer to the complaint is known. All actions are allocated to a responsible officer and tracked via the Council's complaint management system.
6.7	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	Darlington BC - Housing complaints	We have template response letters and investigation reports which assist complaints officers in ensuring they address all points raised in the complaint definition.
6.8	Where residents raise additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.	Yes	Darlington BC - Housing complaints	This is something we have always done and will continue to do.

6.9	<p>Landlords must confirm the following in writing to the resident at the completion of stage 1 in clear, plain language:</p> <ul style="list-style-type: none"> a. the complaint stage; b. the complaint definition; c. the decision on the complaint; d. the reasons for any decisions made; e. the details of any remedy offered to put things right; f. details of any outstanding actions; and g. details of how to escalate the matter to stage 2 if the individual is not satisfied with the response. 	Yes	Darlington BC - Housing complaints	We have template response letters and investigation reports which ensure this information is provided in the response.
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Stage 2

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.10	If all or part of the complaint is not resolved to the resident's satisfaction at stage 1, it must be progressed to stage 2 of the landlord's procedure. Stage 2 is the landlord's final response.	Yes	Darlington BC - Housing complaints	See Section 11
6.11	Requests for stage 2 must be acknowledged, defined and logged at stage 2 of the complaints procedure within five working days of the escalation request being received.	Yes	Darlington BC - Housing complaints	See Section 11
6.12	Residents must not be required to explain their reasons for requesting a stage 2 consideration.	Yes	Darlington BC - Housing complaints	See Section 11

	Landlords are expected to make reasonable efforts to understand why a resident remains unhappy as part of its stage 2 response.			
6.13	The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1.	Yes	Darlington BC - Housing complaints	See Section 11
6.14	Landlords must issue a final response to the stage 2 within 20 working days of the complaint being acknowledged.	Yes	Darlington BC - Housing complaints	See Section 11
6.15	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident.	Yes	Darlington BC - Housing complaints	See Section 11
6.16	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	Yes	Darlington BC - Housing complaints	This is included in our extension letter/email.
6.17	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed.	Yes	Darlington BC - Housing complaints	Complaint responses are issued when the answer to the complaint is known. All actions are allocated to a responsible officer and tracked via the

	Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.			Council's complaint management system.
6.18	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	Darlington BC - Housing complaints	This is standard investigative practice and something we do in all cases. We have template response letter and investigation report templates and good investigative practice guidance for complaints officers to ensure this happens. Complaints Officers also receive training on good investigative practice.
6.19	Landlords must confirm the following in writing to the resident at the completion of stage 2 in clear, plain language: a. the complaint stage; b. the complaint definition; c. the decision on the complaint; d. the reasons for any decisions made; e. the details of any remedy offered to put things right; f. details of any outstanding actions; and g. details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied.	Yes	Darlington BC - Housing complaints	We have template response letters and investigation reports which ensure this information is provided in the response.
6.20	Stage 2 is the landlord's final response and must involve all suitable staff	Yes	Darlington BC - Housing complaints	All officers involved are consulted and the Assistant Director are

	members needed to issue such a response.			given the opportunity to comment on the response/provide any further evidence that may lead the complaints office to a different conclusion prior to the response being sent.
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Section 7: Putting things right

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
7.1	Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right. These can include: <ul style="list-style-type: none"> • Apologising; • Acknowledging where things have gone wrong; • Providing an explanation, assistance or reasons; • Taking action if there has been delay; • Reconsidering or changing a decision; • Amending a record or adding a correction or addendum; • Providing a financial remedy; • Changing policies, procedures or practices. 	Yes	Darlington BC - Housing complaints	See Section 13
7.2	Any remedy offered must reflect the impact on the resident as a result of any fault identified.	Yes	Darlington BC - Housing complaints	See Section 13
7.3	The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be	Yes	Darlington BC - Housing complaints	See Section 13 of the complaints procedure. All remedy actions are allocated to a responsible officer and tracked via the Council's complaint

	followed through to completion.			management system.
7.4	Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.	Yes	Darlington BC - Housing complaints	Complaints officers use the HOS Guidance on Remedies.

Section 8: Self-assessment, reporting and compliance

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
8.1	Landlords must produce an annual complaints performance and service improvement report for scrutiny and challenge, which must include: a. the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements. b. a qualitative and quantitative analysis of the landlord's complaint handling performance. This must also include a summary of the types of complaints the landlord has refused to accept; c. any findings of non-compliance with this Code by the Ombudsman; d. the service improvements made as a result of the learning from complaints; e. any annual report about the landlord's performance from the Ombudsman; and f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.	Yes	Darlington BC - Annual reports Agenda for Cabinet on Tuesday, 9th September, 2025, 5.00 pm Darlington Borough Council	
8.2	The annual complaints performance and service improvement report must be reported to the landlord's governing body (or equivalent) and published on the on the section of its website relating to complaints. The governing body's		Darlington BC - Annual reports Agenda for Economy and Resources Scrutiny Committee on Thursday, 4th September, 2025	The annual report is also considered by Council Officers at the Chief Officers Board.

	response to the report must be published alongside this.		Agenda for Cabinet on Tuesday, 9th September, 2025, 5.00 pm Darlington Borough Council	
8.3	Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.	Yes	See this document	This is our annual return and is being completed shortly after the recent restructure of Housing Services
8.4	Landlords may be asked to review and update the self-assessment following an Ombudsman investigation.	Yes		
8.5	If a landlord is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, they must inform the Ombudsman, provide information to residents who may be affected, and publish this on their website Landlords must provide a timescale for returning to compliance with the Code.	Yes		

Section 9: Scrutiny & oversight: continuous learning and improvement

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
9.1	Landlords must look beyond the circumstances of the individual complaint and consider whether service improvements can be made as a result of any learning from the complaint.	Yes	Darlington BC - Housing complaints	See Section 13 of the complaints procedure. Regular reports to the MRC and the annual report enable the Council to ensure this happens.
9.2	A positive complaint handling culture is integral	Yes	Darlington BC - Housing complaints	See Section 13 of the complaints

	to the effectiveness with which landlords resolve disputes. Landlords must use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.			procedure. Regular reports to the MRC and the annual report enable the Council to ensure this happens.
9.3	Accountability and transparency are also integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints to stakeholders, such as residents' panels, staff and relevant committees.	Yes	Darlington BC - Annual reports Agenda for Economy and Resources Scrutiny Committee on Thursday, 4th September, 2025 Agenda for Cabinet on Tuesday, 9th September, 2025, 5.00 pm Darlington Borough Council	See Section 14 of the complaints procedure. The report is also considered by the Chief Officer's Board and the Tenant's panel.
9.4	Landlords must appoint a suitably senior lead person as accountable for their complaint handling. This person must assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.	Yes	Darlington BC - Housing complaints	See Section 1. This is the Complaints and Information Governance Manager
9.5	In addition to this a member of the governing body (or equivalent) must be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC').	Yes	Darlington BC - Housing complaints	See Section 1. This is the Assistant Director, Housing and Revenues Services

9.6	The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord's complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings.	Yes	Darlington BC - Annual reports Agenda for Economy and Resources Scrutiny Committee on Thursday, 4th September, 2025 Agenda for Cabinet on Tuesday, 9th September, 2025, 5.00 pm Darlington Borough Council	Regular information is also provided to the MRC and they have regular contact with the Complaints and Information Governance Manager.
9.7	As a minimum, the MRC and the governing body (or equivalent) must receive: a. regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance; b. regular reviews of issues and trends arising from complaint handling; c. regular updates on the outcomes of the Ombudsman's investigations and progress made in complying with orders related to severe maladministration findings; and d. annual complaints performance and service improvement report.	Yes	Darlington BC - Annual reports Agenda for Economy and Resources Scrutiny Committee on Thursday, 4th September, 2025 Agenda for Cabinet on Tuesday, 9th September, 2025, 5.00 pm Darlington Borough Council	The MRC receives all of the items listed and has direct access to all officers as the relevant Assistant Director.
9.8	Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to: a. have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments; b. take collective responsibility for any	Yes	Darlington BC - Housing complaints	

	shortfalls identified through complaints, rather than blaming others; and c. act within the professional standards for engaging with complaints as set by any relevant professional body.			
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DARLINGTON

Borough Council

Public Health Complaints, Compliments and Comments Annual Report 2024/25

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Introduction

1. 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).
2. 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.
3. The Council implemented a new procedure providing a local framework to ensure complaints are handled effectively and in line with the regulations.
4. 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.
5. The Chief Executive is 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.
6. 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

7. 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

8. 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.
9. 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.
10. The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Summary

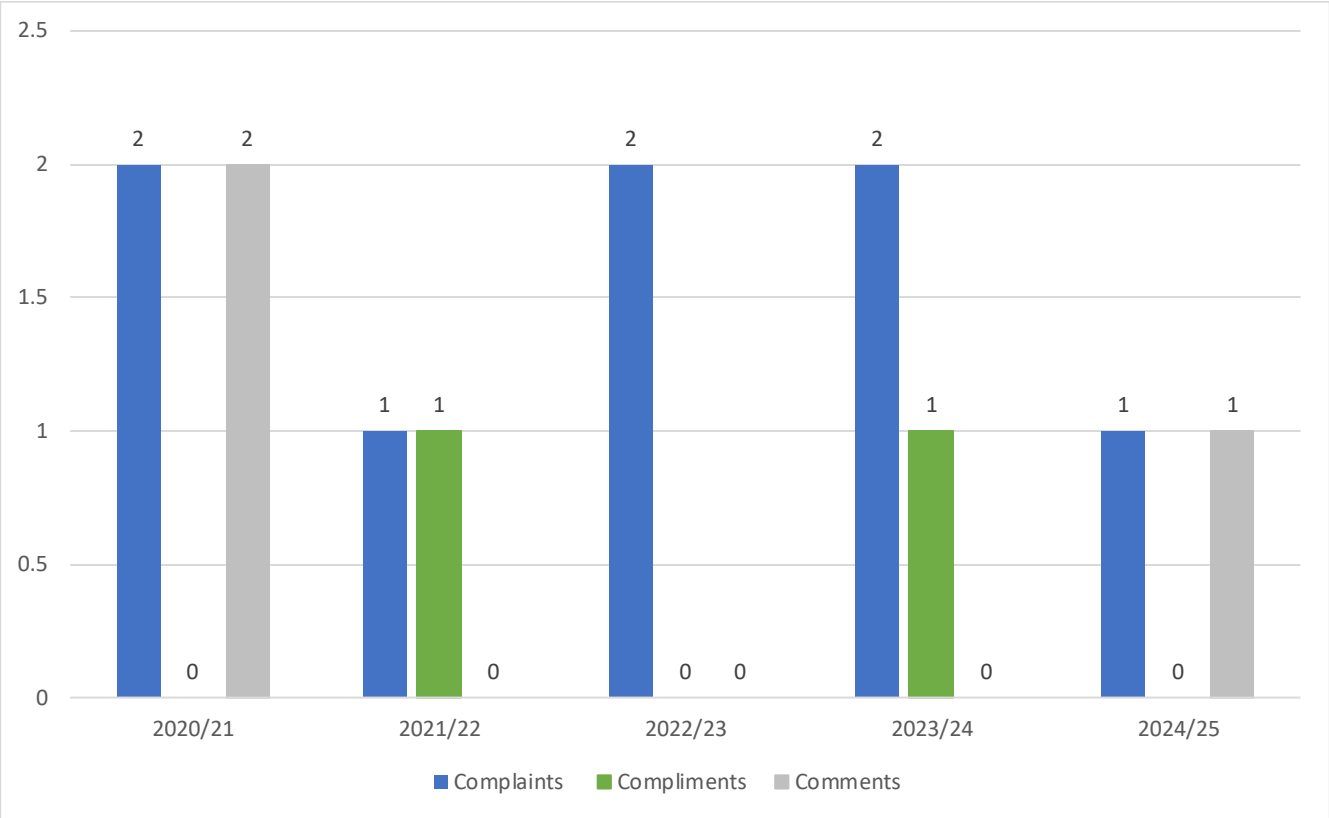
11. The Council received one complaint about Public Health services in 2024/25, a decrease from two in 2023/24.
12. Zero compliments were received about Public Health services in 2024/25, a decrease from one in 2023/24.
13. The Council received one comment about Public Health services during 2024/25, an increase from zero in 2023/24.

Review of the Year

Breakdown of all Representations

14. A total of two representations were handled under the procedure during 2024/25.

Total Complaints, Compliments and Comments Received



15. The complaint related to a delay in responding to a referral to the smoking cessation service.

16. The comment suggested that in addition to services aimed at prevention of child sexual abuse there should be a greater focus on intervention with those at risk of going on to commit offences.

Complaint Outcomes

17. Two complaints were determined during 2024/25. One was not upheld and the other was partially upheld.

Local Government and Social Care Ombudsman Complaints (LGSCO) Received 2024/25

18. No Public Health complaints were progressed to the LGSCO during 2024/25, as was the case in 2023/24.

Local Government Ombudsman Complaint Outcomes (LGSCO) 2024/25

19. No Public Health complaints were determined by the LGSCO during 2024/25, as was the case in 2023/24.

Organisational Learning

20. As a result of the complaint regarding the smoking cessation service it was agreed going forward that Public Health would contact the GP Practice to remind staff of the information required as part of a referral and also the availability of the option for self-referral. Public Health also attended the GP Practice Managers' meeting to ensure every GP Practice in the borough understands how to refer into the Stop Smoking Service, in an effort to ensure there are no further issues in the future.

Further recommendations

21. There are no further recommendations.

Performance against the Procedure

22. While the Regulations allow a maximum of six months to respond to a complaint, we aim to respond to complaints within 30 working days.
23. While the complaint determined during 2024/25 was not responded to within 30 working days, it was responded to within the time permitted in the Regulations.

Performance Indicator for 2024/25

24. In relation to Public Health 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 zero maladministration decisions during 2024/25.
25. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 9 September 2025 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

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PLEASE REMOVE THIS PAGE ONCE MOVED TO STAGE 3 FOLDER

COMPLAINTS MADE TO LOCAL GOVERNMENT OMBUDSMAN

ADVICE	THE NAME OF THE OFFICER PROVIDING THE ADVICE AND DATE ADVICE WAS PROVIDED	SUBSTANCE OF THE ADVICE	WHETHER THE OFFICER HAS SIGNED OFF THE WORDING IN THE REPORT
HR Advice	PLEASE INCLUDE OFFICERS' NAME		PLEASE INCLUDE OFFICER'S NAME
Finance Advice			
Legal Advice			
Equalities Advice			
Procurement Advice			
Data Protection Advice (GDPR) Data Protection Impact Assessment	Lee Downey	There are no data protection implications arising from the publication of the anonymised complaint information contained in this report. The practice is consistent with that of both Ombudsmen.	Lee Downey
Climate Change (Liaison with Margaret Enstone)			

KEY DECISIONS - Is this a Key Decision (Contact Olivia Hugill for guidance)	YES/NO (Delete where applicable)
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REPORT DELEGATION	
Complete if your recommendations include a Delegated Power to an officer	
Delegated To	Terms of Delegation

Note – The report author must complete a delegated decision record when the delegated decision has been made and return it to Olivia Hugill for publication on the Council’s website	

Approved by AW	Approved by ED	<i>For PA Manager Use only</i>
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- AS SOON AS YOU ARE AWARE THAT YOU WILL NEED TO SUBMIT A REPORT TO CABINET YOU SHOULD CONTACT DEMOCRATIC SERVICES (LYNNE WOOD) TO CONFIRM IF YOUR REPORT IS A KEY DECISION.
- PLEASE ALSO CONTACT YOUR PA MANAGER TO UPDATE THE REPORTS DATABASE.
- EACH APPENDICE SHOULD BE REFERRED TO IN THE REPORT AND HIGHLIGHTED IN **BOLD PRINT**.

**CABINET
9 SEPTEMBER 2025**

**COMPLAINTS MADE TO THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN
AND THE HOUSING OMBUDSMAN SERVICE**

**Responsible Cabinet Member -
Councillor Mandy Porter, Resources Portfolio**

**Responsible Director -
Elizabeth Davison, Executive Director Resources and Governance**

SUMMARY REPORT

Purpose of the Report

1. To provide Members with the Annual Review Letter of the Local Government and Social Care Ombudsman (LGSCO) (**Appendix 1**).
2. To provide Members with an update on the outcome of cases which have been determined by the LGSCO and the Housing Ombudsman Service (HOS) since the preparation of the previous report to Cabinet on 10 September 2024.

Summary

3. The Annual Review Letter of the LGSCO, provides a positive assessment of the Council's performance against their three performance measures.
4. This report sets out in abbreviated form the decisions reached by the LGSCO and the HOS between 1 April 2024 and 31 March 2025 and outlines actions taken as a result. It seeks to identify trends and any further organisational learning to improve services provision.

Recommendation

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

Reasons

6. The recommendations are supported by the following reason; it is important that Members are aware of the outcome of complaints made to the LGSCO and the HOS in respect of the Councils activities.

**Elizabeth Davison
Executive Director Resources & Governance**

Background Papers

Correspondence with the LGSCO and HOS is treated as confidential to preserve anonymity of complainants.

Lee Downey : Extension 5451

Council Plan	Learning from complaints contributes towards the delivery of the priorities in the Plan.
Addressing inequalities	Learning from complaints, compliments and comments contributes to addressing inequality.
Tackling Climate Change	Learning from complaints, compliments and comments contributes to tackling climate change.
Efficient and effective use of resources	The revised procedures aim to improve the efficiency with which complaints are handled. The recommendations contained within the appended reports aim to reduce risk and improve efficiency in the way we interact with our customers.
Health and Wellbeing	Learning from complaints, compliments and comments contributes to the effective delivery and the improved health and well-being of the population of Darlington.
S17 Crime and Disorder	Learning from complaints, compliments and comments contributes to the effective delivery of the Community Safety services.
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.
Impact on Looked After Children and Care Leavers	The purpose of the Children's Social Care Complaints, Compliments and Comments Annual Report is, in part, to improve the service we provide to Looked After Children and Care Leavers.

MAIN REPORT

Background

- The LGSCO encourages officers to share the annual letter with colleagues and elected Members, as the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.
- 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 and Analysis

Annual Review Letter of the Local Government and Social Care Ombudsman

- 9. As detailed in their Annual Review Letter (Appendix 1), the LGSCO made 5.4 upheld decisions per 100,000 residents. The average for authorities of this type is 5.3 upheld decisions per 100,000 residents.
- 10. The LGSCO were satisfied the Council had successfully implemented 100% of their recommendations.
- 11. The LGSCO also found the Council had provided a satisfactory remedy in more upheld cases (33%) than similar organisations (10%), before the complaint reached the Ombudsman.

Outcome of cases which have been determined by the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman Service (HOS)

- 12. Between 1 April 2024 and 31 March 2025, the LGSCO notified the Council it had determined 17 complaints.
- 13. Between 1 April 2024 and 31 March 2025, the HOS notified the Council it had determined one complaint.
- 14. The LGSCO has updated the decisions they use. As a result, it is not possible to make a direct comparison with previous years. However, the new decisions in ***bold/italics*** in the table below are broadly comparable to those previous decisions in *italics* in the table below.

15. The outcome of cases on which the LGSCO reached a decision is shown in the table below.

LGSCO Findings	No. of cases 2024/25	No. of cases 2023/24	No. of cases 2022/23	No. of cases 2021/22
Closed after initial enquiries: no further action	7	11	9	9
Closed after initial enquiries: out of jurisdiction	4	5	4	1
<i>Not upheld: no fault</i>	0	0	1	N/A
<i>Not upheld: No further action</i>	0	1	N/A	N/A
<i>Not upheld: no maladministration</i>	0	0	1	1
Premature	0	1	N/A	N/A
<i>Upheld: fault and injustice</i>	3	3	4	N/A
<i>Upheld: Maladministration and Injustice</i>	0	0	0	4
Upheld: Maladministration, No Injustice	0	0	0	0
<i>Upheld: fault and injustice – no further action, organisation already remedied</i>	0	2	1	N/A
<i>Upheld: maladministration and injustice - no further action, satisfactory remedy provided by the org</i>	0	0	0	1
<i>Upheld: no further action, organisation already remedied</i>	3	3	1	N/A
<i>Upheld: not investigated - injustice remedied during Body in Jurisdiction's complaint process</i>	0	0	0	0

16. The outcome of cases on which the HOS reached a decision is shown in the table below.

HOS Findings	No. of cases 2024/25	No. of cases 2023/24	No. of cases 2022/23	No. of cases 2021/22
Maladministration	0	2	0	0
No Maladministration	0	0	0	0
Service Failure	1	0	0	2

17. A summary of the findings in relation to those cases which were upheld is provided below.

Local Government and Social Care Ombudsman (LGSCO)

Upheld: fault and injustice

18. Mrs X complained the Council failed to properly comply with some of the recommended actions it agreed to complete following the Ombudsman's investigation into her original complaint about Disability Related Expenditure (DRE) requests. The Council was at fault for

its delays and failure to properly complete the agreed actions. It was also at fault for its poor communication with Mrs X. This caused Mrs X and Mr Y injustice. To remedy the injustice caused by the faults identified, the Council apologised; paid Mrs X £150 to acknowledge the further distress and confusion caused; issued Mr Y a new support plan which showed the increased £50 per session for his Day Care DRE; and backdated Mr Y's Day Care DRE to May 2021 and refunded him with the additional one-year outstanding DRE cost.

19. Mr X and his mother, Mrs Y, complained about the Council's failure to provide a personal budget that met his eligible care and support needs. The LGSCO found the Council to be at fault. To remedy the injustice the Council agreed to apologise, pay Mr X and Mrs Y £100 each to recognise their distress and frustration caused; and refund the money paid by Mr X to attend day services back to when he was first charged. The Council also agreed to refund other services users who were similarly affected and make service improvements.
20. Mr X complained the Council lost evidence, delayed and didn't adequately investigate his reports of noise nuisance from a barking dog. The Council had not retained all the documents relating to this case causing frustration and uncertainty. However, the Council had subsequently investigated the complaints and found no evidence of a statutory nuisance. To remedy the injustice caused by the fault identified the Council paid Mr X £400 to recognise the uncertainty and frustration caused and issued a written reminder to all staff of the importance of keeping proper records.

Upheld: no further action, organisation already remedied

21. Mr X complained about the quality of his mother's, Mrs Y's, domiciliary care. He said the Care Provider had failed to provide the care specified in Mrs Y's care plan, including medication errors, and missed meals. Mr X said despite the Council upholding his complaint the issues had continued. The LGSCO decided they would not investigate the complaint as the Council had fully upheld the complaint and agreed to make service improvements. The LGSCO concluded further investigation by the Ombudsman would not lead to a different outcome.
22. Mr B was concerned about a lack of safety procedures in the Lifeline services provided by the Council to meet Adult Social Care needs. Because the Council had not provided a copy of the relevant procedures Mr B did not believe they existed and worried anyone using the Lifeline service is at risk. Mr B wanted the Council to review or create safety procedures for the Lifeline service. The LGSCO decided they would not investigate the complaint as the Council accepted fault and has taken satisfactory action to acknowledge the impact on the complainant and improve future service. The LGSCO concluded there was not enough evidence to suggest a wider problem that would justify investigation.
23. Mr X complained his father Mr Y, has been charged £9,000 for care received having been told by the Council the care would be funded. The LGSCO decided not to investigate Mr X's complaint as the Council has agreed a proportionate way to resolve the complaint.

Housing Ombudsman Services (HOS)

Service Failure

24. The HOS determined that in accordance with paragraph 52 of the Housing Ombudsman Scheme, there was service failure by the landlord (the Council) in relation to its response to the resident installing CCTV and its complaints handling. To remedy the complaint the Council apologised and paid the resident £200 in recognition of the distress, inconvenience and time and trouble caused. The Council also ensured its staff were fully trained on the guidelines surrounding domestic CCTV and are clear on how residents can apply for permission and in what circumstances it might grant permission; and contacted the resident to check if they had any current concerns about vandalism or security issues.

Analysis

25. The Council's performance, as detailed in the Annual Review Letter of the LGSCO, is comparable to other unitary authorities in terms of upheld decisions, implementation of recommendations and notably better in terms of providing a satisfactory remedy to complainants prior to the LGSCO's involvement.
26. In relation to LGSCO decisions, the Council received three Upheld: Fault and Injustice decisions, the same number as in 2023/24. The Council also received three Upheld: no further action, organisation already remedied decisions, the same number as in 2023/24.
27. In relation to HOS decisions, the Council received zero maladministration decisions, a decrease from two in 2023/24. The Council also received one Service Failure decision, an increase from zero in 2023/24.
28. No trends have been identified that would lead the Council to implement additional measures to those identified by the Ombudsmen, and the organisational learning identified as a result of these complaints should be sufficient to assist in ensuring there is not a re-occurrence.

Outcome of Consultation

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

21 May 2025

By email

Ms Rouse
Chief Executive
Darlington Borough Council

Dear Ms Rouse

Annual Review letter 2024-25

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2025. The information offers valuable insight about your organisation's approach to complaints, and I know you will consider it as part of your corporate governance processes. We have listened to your feedback, and I am pleased to be able to share your annual statistics earlier in the year to better fit with local reporting cycles. I hope this proves helpful to you.

[Your annual statistics are available here.](#)

In addition, you can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

In a change to our approach, we will write to organisations in July where there is exceptional practice or where we have concerns about an organisation's complaint handling. Not all organisations will get a letter. If you do receive a letter it will be sent in advance of its publication on our website on 16 July 2025, alongside our annual Review of Local Government Complaints.

Supporting complaint and service improvement

In February we published [good practice guides](#) to support councils to adopt our [Complaint Handling Code](#). The guides were developed in consultation with councils that have been piloting the Code and are based on the real-life, front-line experience of people handling complaints day-to-day, including their experience of reporting to senior leaders and elected members. The guides were issued alongside free [training resources](#) organisations can use to make sure front-line staff understand what to do when someone raises a complaint. We will be applying the Code in our casework from April 2026 and we know a large number of councils have already adopted it into their local policies with positive results.

This year we relaunched our popular [complaint handling training](#) programme. The training is now more interactive than ever, providing delegates with an opportunity to consider a complaint from receipt to resolution. Early feedback has been extremely positive with delegates reporting an increase in confidence in handling complaints after completing the training. To find out more contact training@lgo.org.uk.

Yours sincerely,



Amerdeep Somal
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

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CABINET
09 SEPTEMBER 2025

PROJECT POSITION STATEMENT & CAPITAL PROGRAMME MONITORING
QUARTER 1 2025/26

Responsible Cabinet Member -
Councillor Mandy Porter, Resources Portfolio

Responsible Director -
Dave Winstanley, Executive Director – Environment, Highways & Community Services
Elizabeth Davison, Executive Director – Resources & Governance

SUMMARY REPORT

Purpose of the Report

1. This report provides:
 - (a) A summary of the latest Capital resource and commitment position, to inform monitoring of the affordability and funding of the Council's capital programme.
 - (b) An update on the current status of all construction projects currently being undertaken by the Council.
2. It also seeks approval for a number of changes to the programme.

Summary

3. The projected outturn of the current Capital Programme is £354.868m against an approved programme of £354.982m. The investment is delivering a wide range of improvements to the Council's assets and more critically, to Council services. Refurbishment of council homes, improved learning environments in schools, better traffic flows and opportunities for sustainable travel have been achieved and are detailed within the report. The programme, including commitments, remains affordable within the Medium Term Financial Plan (MTFP) for 2025/26 – 2028/29.
4. The Council has a substantial annual construction programme of work. The current project position statement (PPS) shows there are 19 live projects currently being managed by the Council with an overall projected outturn value of £131.234m. The majority of projects are running to time, cost and quality expectations but are being monitored given the current pressures on resources in the construction sector nationally.
5. The projects are managed either by the Council's in-house management team, a Framework Partner or by Consultants sourced via an open/OJEU tender process.

Recommendations

6. It is recommended that Cabinet:
- (a) Note the attached status position on construction projects.
 - (b) Note projected capital expenditure and resources.
 - (c) Approve the adjustments to resources as detailed in paragraph 21.

Reasons

7. The recommendations are supported by the following reasons:
- (a) To inform Cabinet of the current status of construction projects.
 - (b) To make Cabinet aware of the latest financial position of the Council.
 - (c) To maintain effective management of resources.

Dave Winstanley
Executive Director - Environment, Highways & Community Services

Elizabeth Davison
Executive Director - Resources & Governance

Background Papers

- (i) Capital Medium Term Financial Plan 2025/26 – 2028/29
- (ii) Project Position Statement and Capital Monitoring Outturn 2024/25

Brian Robson : Extension 6608
Steve Wake : Extension 5424

Council Plan	The Capital Programme referred to in the report supports delivery of the Council plan.
Addressing inequalities	There are no specific implications for Addressing Inequalities.
Tackling Climate Change	Tackling Climate Change issues are assessed and reported in individual projects.
Efficient and effective use of resources	The recommendations support the effective and efficient use of resources.
Health and Wellbeing	There are no issues relating to Health and Wellbeing which the report needs to address.
S17 Crime and Disorder	This report has no implications for crime and disorder.
Wards Affected	All wards are affected.
Groups Affected	The proposals do not affect any particular groups within the community.
Budget and Policy Framework	This report does not represent a change to the budget and policy framework.
Key Decision	The report does not represent a key decision.
Urgent Decision	For the purpose of the 'call-in' procedure this does not represent an urgent matter.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers.

MAIN REPORT

Information and Analysis

2025/26 Capital Spend and Resources

8. **Appendix 1** is for information and lists all live construction projects and provides details on numbers, type and details of the key individuals responsible for the delivery of the projects. It also provides a statement on the current status position on each project, details of actions being taken, where required and any current issues.
9. **Appendix 2** summarises the Council's capital commitments which are yet to be financed and also shows how it is intended for them to be financed. The total value of commitments, including available resources brought forward from previous years and 2025-26 schemes previously released by Cabinet, is £132.034m.

10. **Appendix 3** shows the Council's projected capital receipts and how they are going to be utilised to help finance the capital programme over the life of the MTFP.

Project Position Statement

11. Project management procedures require the production by project managers of a Project Position Statement (PPS) for all projects over £75,000. This report brings together the pertinent data from the current PPS with financial information from the Financial Management System (FMS) and approvals by Cabinet.
12. The Project Position Statement (Appendix 1) details the current live construction projects, up to the end of June 2025, by delivery area, and provides details on numbers, type and details of the key individuals responsible for the delivery of the projects. It also provides a statement on the current status position on each project, details of actions being taken, where required and any current issues. The statement excludes any completed projects or those on hold.
13. The overview of live construction projects is as follows:

	Projects	Current Approved Budget £ / p	Projected Outturn £ / p	Variance %	Variance (Value) £ / p
Environment, Highways & Community Services	10	76,975,830	77,728,430	1.0	752,600
Resources & Governance	3	38,485,621	37,691,715	(2.1)	(793,906)
Economy & Public Protection	6	15,813,360	15,813,360	0.0	0
TOTAL	19	131,274,811	131,233,505		(41,306)

14. The table shown above includes a column for current approved budget. In certain cases this budget figure may be different from the original approved budget. This could be as a result of variances identified during construction or other variables not known at the initiation stage. The original budget and all subsequent changes have been reported to and approved by Cabinet.

15. The live projects are at the following stages:

Department	Brief	CP1	CP2	CP3	CP4	CP5	Total
Environment, Highways & Community Services	0	0	0	4	2	4	10
Resources & Governance	0	0	0	3	0	0	3
Economy & Public Protection	0	0	1	5	0	0	6
TOTAL	0	0	1	12	2	4	19

Control Point 1 (CP1) – Start Up: is used to define the position of a project at its conception stage.

- (a) **Control Point 2 (CP2) – Initiate:** defines a project at feasibility stage and will likely include a desktop assessment of a project and the use of informed estimates.
- (b) **Control Point 3 (CP3) – Define:** the point that the project is progressed to RIBA Stage F, i.e. detailed design.
- (c) **Control Point 4 (CP4) – Construction Phase:** is the stage at which work begins on the project, i.e. for a construction project on site through to build completion.
- (d) **Control Point 5 (CP5) – Evaluate:** is the stage post completion of the project at which time the project is reviewed and lessons learned are discussed in order that they can be taken to the next or similar projects.

16. The status on live projects is as follows:

Department	Red	Blue	Green
Environment, Highways & Community Services	2	8	0
Resources & Governance	0	1	2
Economy & Public Protection	0	6	0
TOTAL	2	15	2

- (a) Colours (Green better Red worse than) are used to identify projects that have variances which are:
 - (i) More than £5,000, if the variance is also more than 5% of the approved budget for the project, or
 - (ii) More than £50,000 regardless of the percentage variance
- (b) Projects that are within these margins are symbolised with the colour Blue.

- (c) In addition to cost, the same colours are used to indicate similar levels of variances in time and quality/outputs/outcomes.

17. Current projects with the Red colour are as follows:

Project	Reason for Variance	Action
Skinnergate Re-development Housing	A number of delays have occurred on this project including the need to produce a revised design to satisfy concerns raised by English Heritage at the planning application stage and the requirements for Nutrient Neutrality.	Phase 1 demolition is now complete, remaining demolition works have now commenced.
Hopetown Darlington	<p>Over the past twelve months, a range of outcomes regarding financial outturn have been presented, primarily due to remaining construction risks and disputes. These outcomes were expressed as a range, from a £605k under budget position to a £363k over budget position.</p> <p>With the project now substantially complete and final accounts submitted there is more clarity on the risk and additional costs.</p> <p>At the conclusion of the financial year 24/25, the project is presently £569k over budget after the final account had been submitted.</p> <p>However, this figure includes several items subject to dispute.</p> <p>Should the Council be successful in claims against the relevant parties, then project's budget deficit will be reduced to £124k. Conversely, if all aspects prove unsuccessful, the upper limit of the forecast projection will result in a budget deficit of £792,000. We will continue to report the high-end number in the PPS which represents an</p>	We are seeking legal advice on the areas of dispute.

	overspend of 2%.	
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Reconciliation of Project Position Statement to Capital Programme

18. The table shown below reconciles the differences between the Capital Programme (CP) and the Project Position Statement (PPS). Differences occur because the Project Position Statement includes all construction projects over £75,000 in value funded from Capital and Revenue sources. Spending within the Capital Programme is not always of a construction nature, can be of any value and excludes Revenue funded schemes.

	Value £m
Live Projects from Project Position	131.234
Schemes closed or on hold within CP but awaiting PPS post project review.	13.411
Annualised Schemes excluded from PPS - Housing Repairs & Maintenance	35.176
Annualised Schemes excluded from PPS - Highways Maintenance	15.139
Annualised Schemes excluded from PPS - Childrens Services School Maintenance	0.509
Non construction excluded from PPS	14.092
Capital Investment fund excluded from PPS	100.283
Projects under 75k excluded from PPS	1.830
Capital Schemes not yet integrated into PPS reporting	21.281
Included in PPS & CMR	0.000
Funding not yet allocated	21.913
Capital Programme	354.868

19. The table below shows the split of the approved capital programme of £354.982m, between the different service areas and also the various categories of spend. When compared to the table above it shows that there is a projected £0.114m underspend on the approved capital programme, however, it should be noted that most of this amount is made up of grant funding or borrowing.

	Construction				Non construction	Capital investment fund	Housing New Build - not yet allocated	Total
	Live Schemes 75k & Over	Annualised Schemes	Completed Schemes awaiting review	Live Schemes under 75k				
Area	£m	£m	£m	£m	£m	£m	£m	£m
Housing	43.551	35.079	0.000	0.033	2.069	0.000	16.925	97.657
Economic Growth	33.057	0.099	0.440	0.350	8.284	77.833	3.476	123.539
Highways/Transport	50.372	15.013	9.800	0.883	2.003	17.978	1.512	97.561
Leisure & Culture	22.025	0.125	2.545	0.310	0.000	3.974	0.000	28.979
Education	3.768	0.509	0.000	0.177	0.079	1.061	0.000	5.594
Adult Social Care	0.000	0.000	0.000	0.000	0.071	0.000	0.000	0.071
Other	0.000	0.000	0.000	0.000	1.581	0.000	0.000	1.581
Total	152.773	50.825	12.785	1.753	14.087	100.846	21.913	354.982

Capital Programme

20. Paragraph 21 shows the movements in the Capital Programme since the approval of the 2025/26 Capital MTFP, some of which have not yet been approved by Members.

21. Adjustment to resources requested by departments:

Adjustments needing approval release

Department	Scheme	Value £	Reason for adjustment	Resource type adjusted
Environment, Highways & Community Services	Bridge Maintenance	£145,810	Revenue Contribution to Capital Outlay (RCCO) 24/25 Contribution from Bridge Maintenance	RCCO
Environment, Highways & Community Services	Dolphin Centre M&E Phase 3	£50,000	RCCO 24/25 Contribution towards Dolphin Centre Design Fees for Invest to Save - M&E Phase 3	RCCO
Environment, Highways & Community Services	Whessoe Road 25/26	£130,000	RCCO 20/21 Contribution to fund street lighting cabling work	RCCO
TOTAL		£325,810		

Outcome of Consultation

22. There has been no consultation in the preparation of this report.

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2025/26 Capital Resources Summary

Row Ref.		Approved Commitments £M	Virement of Resources £M	Variance £M	Total £M
1	Capital Commitments				
2	Brought forward from 2024/25	95.525			
3	2025/26 Capital Programme (released by Cabinet)	36.509			132.034
4	Projected (Under)/Over Spend				
5	Total Commitments	132.034	0.000	0.000	132.034
	To Be Funded By:				
	External and Departmental Resources				
6	External Funding and Departmental Supported Borrowing	19.702	-	-	19.702
7	Departmental Unsupported Borrowing	0.000	-	-	0.000
8	Capital Grants	51.480	-	-	51.480
9	Capital Contributions	0.000	-	-	0.000
10	Revenue Contributions	19.013	-	-	19.013
11	Capital Receipts - HRA	0.300	-	-	0.300
	Total	90.495	0.000	0.000	90.495
	Corporate Resources				
12	Capital Receipts (General Fund)/ Prudential Borrowing	41.539	-	-	41.539
	Total	41.539	0.000	0.000	41.539
13	Total Resources	132.034	0.000	0.000	132.034

Corporate Resources Analysis

		£M
14	Required Resources to fund 2025/26 expenditure (see above)	41.539
15	Total Planned Use of Corporate Resources	41.539
16	Less: Total Projected net Capital Receipts 25/26 (as per Appendix 3)	(6.436)
17	Add: projects already released and included in the capital commitments above	5.955
18	Corporate Resources required to fund capital programme	41.058

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Capital Receipts Utilisation - latest projection

	2025/26	2026/27	2027/28
	£m	£m	£m
Projected Opening Balance as at 1 April	2.681	0.481	4.225
Projected net Capital Receipts	3.755	4.444	4.262
Total projected Capital Receipts	6.436	4.925	8.487
<u>Less (as per approved capital programme)</u>			
Capitalisation utilisation as per MTFP	(1.400)	0.000	0.000
Council funded schemes	(0.400)	(0.250)	(0.250)
Economic Growth Investment Fund	(0.500)	0.000	0.000
Earmarked receipts	(0.182)	0.000	0.000
Slippage from previous years	(3.473)	(0.450)	0.000
Projected available Capital Receipts as at 31 March	0.481	4.225	8.237

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**CABINET
9 SEPTEMBER 2025**

REGULATORY INVESTIGATORY POWERS ACT (RIPA)

**Responsible Cabinet Member -
Councillor Mandy Porter, Resources Portfolio**

**Responsible Director - Elizabeth Davison,
Executive Director – Resources and Governance**

SUMMARY REPORT

Purpose of the Report

1. This report informs and updates Members about issues relevant to the use of the Regulation of Investigatory Powers Act 2000 and developments that have taken place since the last report to Cabinet in March 2025. Members are also asked to consider and approve the RIPA Policy.

Summary

2. The Regulation of Investigatory Powers Act 2000 (“RIPA”) enables local authorities to carry out certain types of surveillance activity, as long as specified procedures are followed. The information obtained as a result of surveillance operations can be relied upon in court proceedings providing RIPA is complied with.
3. The Investigatory Powers Act 2016 (“IPA”) is the main legislation governing the acquisition of communications data. The information obtained as a result of these acquisitions can also be relied upon in court proceedings providing IPA is complied with.
4. This report updates members on issues relevant to this area of work and gives details of RIPA directed surveillance applications and IPA communications data applications that have been authorised since the last report to Cabinet.
5. The RIPA Policy is also attached for Members to consider and approve. This is in line with the Home Office Code of Practice which recommends an annual approval process.

Recommendations

6. It is recommended that Members:-
 - (a) Note the issues raised in the report
 - (b) Approve the RIPA Policy at **Appendix 1** to this report

- (c) Members receive further reports on the Council's use of RIPA and IPA and other associated issues.

Reasons

7. The recommendations are supported by the following reasons:-

- (a) As stated in the Home Office Code of Practice, the RIPA Policy should be approved by Members on an annual basis.
- (b) In order to ensure that the Council complies with the legal obligations under RIPA, IPA and national guidance.
- (c) To help in raising awareness and giving transparency about the use of RIPA and IPA in this Council.

Elizabeth Davison
Executive Director, Resources and Governance

Background Papers

General Information: Investigatory Powers Commissioners Office website: [Home page - IPCO](#)
Home Office, Covert Surveillance and Property Interference, Revised Code of Practice, August 2018

Jim Langley : Extension 3137

Council Plan	The appropriate use of powers can help improve the quality of lives, local communities and the environment.
Addressing inequalities	The RIPA Policy treats all groups equally
Tackling Climate Change	There are no issues that this report needs to address
Efficient and effective use of resources	Clarity about the lawful use of RIPA and IPA will help in understanding their efficient and effective use
Health and Wellbeing	There are no specific implications for Health and Wellbeing
S17 Crime and Disorder	The appropriate use of and oversight of RIPA and IPA powers can help the Council to provide evidence to support prosecutions and tackle crime.
Wards Affected	All wards
Groups Affected	All groups
Budget and Policy Framework	This does not represent a change to the Council's budget and policy framework.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

Annual Approval of this Council's RIPA Policy

8. Paragraph 4.47 of the Home Office, Covert Surveillance and Property Interference, Revised Code of Practice, August 2018, states that elected members of a local authority should set the RIPA policy at least once a year. The policy is therefore due for approval again having last been reviewed by Cabinet on 10 September 2024.
9. The Policy has undergone some very minor amendments since it was last approved. These amendments simply relate to the updating of job titles and names of authorising officers following the retirement of the previous Chief Executive and the recruitment of a new Executive Director.

Investigatory Powers Commissioner's Annual Report

10. On 22 May 2025 the Investigatory Powers Commissioner ("IPC"), Sir Brian Leveson, published his Annual Report on the use of covert investigatory powers by public authorities. These reports are submitted to the Prime Minister annually. The IPC has a statutory obligation to publish his findings and activities to the Prime Minister each year before it is laid in Parliament.
11. The IPC said: "I am pleased to present the 2023 Annual Report, which marks my fifth full year as the Investigatory Powers Commissioner. I remain satisfied that public authorities continue to demonstrate a high standard of compliance in their use of covert investigatory powers. The quality of applications submitted to the Investigatory Powers Commissioner's Office (IPCO), along with the thorough reviews carried out by my Inspectors, reflect a clear commitment to operating within the bounds of legislation and the Codes of Practice."
12. "I am confident that IPCO continues to provide rigorous oversight and scrutiny, ensuring that public authorities across the UK exercise investigatory powers lawfully and with full regard to their human rights obligations."

Training and awareness raising – Update

13. Training sessions will be held in September/October 2025 for Council Officers in service areas that use or may need to consider using RIPA. This training will be delivered by Jim Langley, the Principal Lawyer (Litigation).
14. In addition, all of the designated Authorising Officers and Chief Officers will receive refresher RIPA training. This training will be delivered by the Assistant Director, Law and Governance.
15. It is an essential requirement for us to conduct annual refresher training with our staff and we have to demonstrate our compliance with this requirement when we are inspected by IPCO.
16. Information about the need to consider RIPA continues to be highlighted to staff at regular intervals via the weekly "The Briefing" email, most recently featuring on 15 July 2025.

Bi-Annual Report Regarding this Council's RIPA and IPA usage

Directed Surveillance Authorisations

17. There have been no authorisations granted since the last Cabinet Report.

Communications Data Authorisations

18. There have been no authorisations granted since the last Cabinet Report.

REGULATION OF INVESTIGATORY POWERS ACT 2000



DARLINGTON
Borough Council

RIPA POLICY

REVIEWED BY CABINET ON 9 September 2025

REGULATION OF INVESTIGATORY POWERS

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THE REGULATION OF INVESTIGATORY POWERS ACT 2000

Policy Statement

1. Darlington Borough Council will apply the principles of the Regulation of Investigatory Powers Act 2000 (RIPA) to all activities where covert surveillance or covert human intelligence sources are used. In doing so the Council will also take into account their duties under other legislation, in particular the Human Rights Act 1998 and Data Protection Act 2018, and its common law obligations.

Overview of the Act

2. The Act came into force on the 24th September 2000, and aims to balance, in accordance with the European Convention of Human Rights, the rights of individuals with the need for law enforcement and security agencies to have powers to perform their roles effectively. The Act and amending legislation allow local authorities to collect evidence of criminal activity lawfully where the investigation requires covert surveillance even where that may lead to them obtaining private information about individuals.

Purpose of the Act

3. RIPA provides a statutory basis for local authorities to authorise the use of directed surveillance and covert human intelligence sources (undercover officers, agents, informants) and accessing communications data.
4. The Human Rights Act 1998 requires that all actions which may potentially breach an individual's human rights are: -
 - (a) proportionate
 - (b) necessary
 - (c) non-discriminatory
 - (d) lawful
5. RIPA provides lawful authority to carry out certain types of surveillance, the carrying out of which could potentially breach an individual's human rights, provided that specified procedures are followed.
6. Failure to comply with RIPA does not mean that an authority's actions in relation to surveillance will be unlawful however it does mean that evidence obtained from surveillance could be inadmissible in court proceedings and jeopardise a successful outcome. Such action could also be open to challenge as a breach of the Human Rights Act and a successful claim for damages could be made against the Council.

Definitions

Private Information

7. Should be taken generally to include any aspect of a person's private or personal relationship with others, including family and professional or business relationships.

Confidential Information

8. Confidential information consists of matters subject to legal privilege, confidential journalistic material, constituent information and confidential personal information which is held in confidence about the physical or mental health or spiritual counselling of a person [whether living or dead] who can be identified from it. Where it is believed that knowledge of confidential information is likely to be acquired, authorisation can only come from the Executive Director Resources and Governance or, in their absence, the Executive Director People would deputise for them.

Surveillance

9. Monitoring, observing, or listening to persons, their movements, conversations or other activities and communications.

10. Recording anything monitored, observed, or listened to in the course of surveillance.
11. Surveillance by or with the assistance of a surveillance device.

Covert Surveillance

12. Surveillance carried out in a manner which is calculated to ensure that any persons who are subject to the surveillance are unaware that it is or may be taking place.

Intrusive Surveillance

13. Local Authorities have no power to grant authorisations for intrusive surveillance but it is included here to alert Officers to be aware of inadvertently breaching this rule.
14. Intrusive Surveillance is covered by Section 26(3) of RIPA. Surveillance is intrusive for the purposes of RIPA if, and only if, it is covert surveillance that (a) is carried out in relation to anything taking place on any residential premises or in any private vehicle; and (b) involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device.

Residential Premises

15. Any premises as is for the time being occupied or used by any person, however temporarily, for residential purposes or otherwise as living accommodation.
16. The definition does not include communal areas, front gardens, or driveways readily visible to the public.

Private Vehicles

17. Used primarily for the private purposes of the person who owns it or a person otherwise having the right to use it e.g. a company car.

Directed surveillance

18. Surveillance is “directed” if it is covert, but not intrusive, and is undertaken: -
 - (a) for the purposes of a specific investigation or operation
 - (b) in such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation).
19. Surveillance will not be directed, and therefore will not require authorisation, if it is done by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation to be

sought for carrying out the surveillance.

Covert Human Intelligence Source

20. A person is identified as a CHIS if he establishes or maintains a personal or other relationship with a person for the covert purpose of facilitating the doing of anything falling within the following two categories: -
 - (a) he covertly uses such a relationship to obtain information or to provide access to any information to another person: or,
 - (b) he covertly discloses information obtained by the use of such a relationship or as a consequence of the existence of such a relationship.
21. It is possible that persons undertaking test purchases may fall into this category especially if they enter into a prolonged conversation with retail staff. If the purchaser simply enters a shop and purchases an item with the minimum of conversation it is arguable that they are not acting as a CHIS. Such an operation may still require an authorisation for directed surveillance.
22. In cases where members of the public contact Council Departments to provide information, consideration will need to be given about whether this person could be a CHIS. The provision of unsolicited historic information (for instance via a fraud hotline) would not be regarded as coming from a CHIS. However, if ongoing contact was maintained with an individual who continued to pass information on, consideration must be given about how the information has been obtained (for instance by establishing or maintaining a relationship) and whether the individual should be considered a potential CHIS
23. The Code of Practice relating to Covert Human Intelligence Sources can be found at <https://www.gov.uk/government/collections/ripa-codes>

Revised Code of Practice 2018

24. The Home Office have produced a Code of Practice for Covert Surveillance and Property Interference, this has been revised recently and this Policy has been updated in accordance with the Revised Code. The Revised Code of Practice 2018 provides guidance on the use by public authorities to authorise covert surveillance that is likely to result in obtaining private information about a person.
25. A copy of the Revised Code of Practice 2018 can also be found at <https://www.gov.uk/government/collections/ripa-codes>

Collateral Intrusion

26. Collateral intrusion is the interference with the privacy of people not connected with your investigation. The risk and proportionality of such intrusion must be weighed up and steps taken to mitigate it, where possible.

Does RIPA apply?

27. Before any authorisation takes place officers must consider whether the surveillance falls under RIPA. Consideration needs to be given to the changes introduced by the Protection of Freedoms Act 2012 (see paragraphs 31 and 32 below) and also to circumstances when guidance suggests that RIPA does not apply.
28. The Revised Code of Practice 2018 at pages 24 to 29 outlines various circumstances when a RIPA authorisation is not required or not appropriate.
29. If the type of surveillance being considered does not fall under RIPA, it cannot be authorised. The Council will therefore not be afforded the legal protection that RIPA provides. For this reason, such operations should not be undertaken without the advice of Legal Officers. Please refer to paragraphs 97 to 100 at pages 16 to 17 of this Policy.
30. Even if RIPA does not apply, use of surveillance will still have to be in accordance with the Human Rights Act 1998 and will therefore need to be:
 - (a) Proportionate
 - (b) Necessary
 - (c) Non-discriminatory
 - (d) Lawful.

Restrictions on the use of RIPA

31. The Protection of Freedoms Act 2012 (in particular a statutory instrument made under the Act) restricts the use of RIPA to conduct that would constitute a criminal offence which is punishable by a maximum custodial sentence of 6 months or more. This effectively restricts the use of RIPA to circumstances when the conduct is considered to be serious criminal conduct, by reference to sentencing powers.
32. There are some limited exceptions to the 6 month rule, set out in the statutory instrument. These are:
 - (a) The sale of alcohol to children (s.146 of the Licensing Act 2003)
 - (b) Allowing the sale of alcohol to children (s.147 of the Licensing Act 2003)
 - (c) Persistently selling alcohol to children (s.147A of the Licensing Act 2003)
 - (d) The sale of tobacco to persons under 18 years of age (s.7 Children and Young Persons Act 1933)
 - (e) Purchase of tobacco or nicotine products on behalf of persons under 18 years of age (s.91 of the Children and Families Act 2014)
 - (f) The sale of nicotine products to persons under 18 years of age (s.92 of the Children and Families Act 2014)
33. If RIPA does apply then the investigation will only be lawful if the authorisation procedures set out below are followed.

Authorisation Procedures

34. Each covert surveillance operation involving directed surveillance and/or covert human intelligence sources must be authorised internally in writing, using the standard forms provided. In addition to the internal authorisation process an application must also be externally approved by a Magistrate. **No investigation can commence until it has been both internally authorised and externally approved by the Court.**

Written Authorisations

35. The application forms are available from the intranet (the forms portal). Each application will have a Unique Reference Number (URN). The URN is obtained from Legal Services, which holds the centrally retrievable recording system of all RIPA authorisations. This URN will be recorded on the application for all the forms completed in respect of a particular authorisation for identification and retrieval purposes.
36. The application will be made in writing (or can be typed) by completing the application form and forwarding this to the relevant authorising officer. Authorising officers are those officers listed on page 17. Authorising officers can only authorise the use of RIPA if they have completed the SRO approved mandatory training and attended the mandatory training updates. Authorisations, unlike applications, should be handwritten and not typed. This is best practice as, in a typed form, an authorising officer is open to the assertion that they received the authorisation form already completed and merely signed it or that it had been changed retrospectively.
37. Guidance and support in completing the application and authorisation process can be obtained from Legal Services.
38. Immediately after internal authorisation is granted an electronic copy of the form must be sent to the Assistant Director, Law and Governance with the original (with wet signatures) being sent in a confidential envelope via the internal post. This will be retained on the central record. A copy must also be retained by the applicant on the department file.
39. The application for judicial approval by a Magistrate will be made by Legal Services on receipt of the completed internal authorisation. The Authorising Officer should however make themselves available to attend court with the Legal Services' Officer.
40. For urgent applications Legal Services should be contacted at the earliest opportunity in order to make urgent arrangements to see a Magistrate. The application form and internal authorisation will still be needed but the time in which to get judicial approval should be reduced.

Time Limits

41. Authorisations only remain valid for specific periods and will require either renewal or cancellation if these periods are to be either increased or reduced. Written authorisations for directed surveillance last for a fixed duration of 3 months and for CHIS they last for a fixed duration of 12 months (or 4 months in the case of a juvenile CHIS) from the date of the Magistrate's approval.
42. Authorisations MUST be cancelled if the conditions are no longer met. Authorisations do not expire when the conditions are no longer met and therefore cancellations are to be made at the earliest opportunity. Authorisations must also be cancelled when the fixed duration comes to an end (and renewal is not requested) as authorisations cannot simply expire.

Reviews

43. Reviews of Authorisations should take place every four weeks or sooner if the risk of obtaining private information or of collateral intrusion is high and in accordance with the circumstances of the case.
44. A Review will take place by an applicant completing a Review Form which is located on the forms portal of the intranet before the date for review and forward the form to the Authorising Officer for consideration.
45. A copy of the review form should be forwarded electronically [immediately after the review is completed] to the Assistant Director, Law and Governance for inclusion onto the central file. The original form (wet signature) must also be forwarded to the Assistant Director, Law and Governance in the internal post. A copy of the review form should also be kept on the departmental file.

Renewals

46. If your authorisation time period is about to end, it will be necessary to complete a renewal form and forward this to the relevant authorising officer who will then consider whether the grounds for authorisation still exist. An application for judicial approval by a Magistrate of the internal renewal decision will also be needed. The time in which to get judicial approval will need to be factored in when seeking to get an extension of authorisation. If in the meanwhile the original approval has lapsed no further surveillance should be carried out.
47. A copy of the renewal form should be forwarded electronically [immediately after completion] to the Assistant Director, Law and Governance for inclusion onto the central file. The original form (wet signature) must also be forwarded to the Assistant Director, Law and Governance in the internal post. A copy of the renewal form should also be kept on the departmental file.
48. Subject to internal authorisation and judicial approval, the surveillance can be extended for a further 3 months and a CHIS can be extended for a further 12

months, starting on the date of the day the old authorisation ended.

Cancellations

49. If the conditions for surveillance being carried out are no longer satisfied, and the authorisation period has not ended, a cancellation form must be completed and all those involved in the surveillance should receive notification of the cancellation, which must be confirmed in writing at the earliest opportunity.
50. Copies of all completed cancellation forms must be forwarded electronically [immediately after cancellation] to the Assistant Director, Law and Governance for retention in the central record within 48 hours from the time of signing the cancellation form. The original (with wet signatures) should be sent to Legal Services in the internal post for the central record. A copy must also be retained by the applicant on the department file.
51. Authorisations must also be cancelled when the fixed duration expires (if renewal is not requested) as authorisations do not expire despite the fixed duration coming to an end.

Records

52. The centrally retrievable record of authorisations, renewals and cancellations is held in a locked cabinet in Legal Services and overseen by the Assistant Director, Law and Governance. The record for each RIPA application contains the following information:-
 - (a) the URN of the investigation or operation
 - (b) the title of the investigation or operation
 - (c) the type of authorisation
 - (d) the date the authorisation was given
 - (e) name and rank and grade of the authorising officer
 - (f) the application for judicial approval and order made
 - (g) if the authorisation has been renewed, when it was renewed and who authorised the renewal
 - (h) whether the investigation or operation is likely to result in obtaining confidential information
 - (i) whether the authorisation was granted by an individual directly involved in the investigation
 - (j) the date the authorisation was cancelled
53. To ensure that the centrally retrievable record is up to date, and to allow proper central oversight, it is important that all applications approved and any subsequent renewals, extensions or cancellations are sent electronically to the Assistant Director, Law and Governance as soon as those decisions are made. Hard copy original application, extension and cancellation forms (i.e. with wet signatures) must also be forwarded to the Assistant Director, Law and Governance in the internal post. All documents sent by internal post must be marked confidential.

54. The documents in the centrally retrievable record are kept until such time as they have been made available for an OSC inspection and, in any event, for a period of at least three years from the date of the end of the authorisation.
55. All original and copy documents shall be destroyed after a period of three years from the date the authorisation comes to an end. Regular reviews should take place to ensure that retention and destruction take place appropriately.
56. Departments should also keep copies of all application forms (whether the application is granted or not), including renewal and cancellation forms on an accessible record. All records should be kept in a secure place, preferably a locked cabinet or drawer with limited key holders. All authorisations, renewals, cancellations and records of reviews shall be retained for a period of three years commencing on the date the authorisation comes to an end.
57. In relation to the use of covert human intelligence sources additional records must be maintained (see pages 14 to 16 below).

Monitoring and Review

58. Officers who made applications for Authorisations and Authorising Officers should monitor any Authorisation and keep them under review. Consideration should also be given by applicant officers and authorising officers as to whether Authorisations should be cancelled or renewed. Decisions should be recorded in addition to the reasons for those decisions.
59. In addition to the above review mechanism the Senior Responsible Officer (SRO) or their designated officer will review the authorisations held on the central file on a quarterly basis to ensure that the Act is being used consistently with the policy and the policy remains fit for purpose and that authorisation forms are being correctly completed.
60. The Executive Director Resources and Governance is appointed by the Council as the SRO for the purpose of RIPA within the Council. The SRO is responsible for:-
 - (a) the integrity of the process in place within the Council to authorise directed surveillance and the use of CHIS
 - (b) Compliance with RIPA and its Codes
 - (c) Engagement with the Commissioners and Inspectors when conducting their inspections
 - (d) Where necessary overseeing the implementation of any post-inspection action plans recommended or approved by a Commissioner

- (e) Ensuring that all authorising officers are of an appropriate standard
- 61. The Assistant Director, Law and Governance is the Co-Ordinating Officer for RIPA. They are responsible for record-keeping; oversight of the applications, authorisations, reviews, renewals and cancellations; organising training; and raising RIPA awareness within the Council.
- 62. Elected members will review the RIPA policy annually and will consider internal reports on the use of RIPA bi-annually. These reports will be completed by the Senior Responsible Officer (SRO) or their designated officer and update members about RIPA usage (or non-usage if there has been no covert surveillance undertaken in that half of a year), compliance reviews and other matters of general relevance concerning RIPA including proposals for legislative change and guidance updates.
- 63. Elected members should not be involved in making decisions on specific authorisations.
- 64. The Investigatory Powers Commissioner's Office has set up an Inspectorate to monitor the various authorities' compliance with the Act. For local authorities the first point of contact for the Inspectors will be the Assistant Director, Law and Governance, however potentially any of the Councils' employees and records could be subject to inspection.

Granting Authorisations - Guidance for Authorising Officers

- 65. Where an application for authorisation is received, it should only be approved where the authorising officer believes the surveillance :-
 - (a) Relates to criminal conduct, and is
 - (b) Necessary
 - (c) Proportionate to what it aims to do
 - (d) Non-discriminatory.
- 66. The authorisation forms contain various sections for completion and, when completed fully, they address all considerations to be taken into account when deciding whether an authorisation can be granted or not. Use the notes below to assist you when applying for authorisations or when asked to authorise applications. Only if all these conditions are satisfied should an application for authorisation be granted.
- 67. The authorisation form must always be completed and copied. The copy will be held on a file within the Department. Authorising Officers should also retain their own separate copy. Immediately after an authorisation is granted the form should be forwarded electronically to the Assistant Director, Law and Governance with the original form (with wet signatures) sent in the internal post to the Assistant Director, Law and Governance for retention on the central file.

Criminal Conduct

68. The use of RIPA is limited to circumstances when the conduct being investigated is criminal conduct of a certain level of seriousness. Subject to the exceptions set out in the paragraph below, the conduct being investigated must constitute a criminal offence that is punishable by a maximum custodial sentence of 6 months or more.
69. There are some limited exceptions to the 6-month rule. These are:
- (a) The sale of alcohol to children (S.146 of the Licensing Act 2003).
 - (b) Allowing the sale of alcohol to children (S.147 of the Licensing Act 2003).
 - (c) Persistently selling alcohol to children (S.147A of the Licensing Act 2003).
 - (d) The sale of tobacco to persons under 18 years of age (S.7 Children and Young Persons Act 1933).
 - (e) Purchase of tobacco or nicotine products on behalf of persons under 18 years of age (s.91 of the Children and Families Act 2014)
 - (f) The sale of nicotine products to persons under 18 years of age (s.92 of the Children and Families Act 2014)

Necessity

70. Local authorities are only permitted to obtain such information where it is necessary for the purpose of preventing or detecting crime or of preventing disorder:-

When completing the application form the applicant should set out:

- (a) The nature of the enquiry or investigation.
- (b) What offences are being investigated?
- (c) When was the complaint received/investigation started?
- (d) Where relevant, outline the intelligence case indicating how the intended surveillance will further the enquiry. This should indicate what steps have already been taken in the investigation to identify any suspects and the evidential value to the investigation of obtaining the information (in other words what will it give you?).
- (e) Where relevant, give the exact date/time/place of the incident under investigation.
- (f) Date of the offence being investigated for which the information is required (or period if relevant). This will demonstrate how collateral intrusion is being minimised by focusing on the offence or search for supporting evidence.
- (g) In long-term or complex investigations it may be appropriate to have an opening paragraph in this section that briefly sets the scene and background which then leads into the specific applicants investigative requirements (in other words;

what do you actually want on this occasion).

- (h) In the case of applications for directed surveillance authorisations, both the applicant and the authorising officer MUST explain why covert surveillance is a necessary activity for the investigation.

Proportionality

- 71. The applicant and authorising officer must also believe that the obtaining of the data is proportionate to what is sought to be achieved by ensuring that the conduct is no more than is required in the circumstances. There must be evidence that consideration has been given by both the applicant and the authorising officer to the issue of proportionality on the written authorisation.
- 72. This involves balancing the seriousness of the intrusion into the privacy of the subject of the operation (or any other person who may be affected) against the need for the activity in investigative and operational terms.
- 73. The following elements of proportionality should therefore be considered:-
 - (a) Balancing the size and scope of the proposed activity against the gravity and extent of the perceived crime or offence
 - (b) Explaining how and why the methods to be adopted will cause the least possible intrusion on the subject and others
 - (c) Considering whether the activity is an appropriate use of the legislation and a reasonable way, having considered all reasonable alternatives, of obtaining the necessary result
 - (d) Evidencing, as far as reasonably practicable, what other methods had been considered and why they were not implemented

Equipment

- 74. Each department shall keep a record of equipment held and to be used for the purposes of RIPA. A copy of the list of equipment should be forwarded to the Assistant Director, Law and Governance in order for the central record of all equipment held by the Council to be maintained and kept up to date.
- 75. The equipment is to be held by the individual departments but should be accessible by other departments within the Council in order to carry out the functions under RIPA. Appropriate training must be given to the individual installing and using the equipment to ensure that the equipment is correctly installed and that data recorded is fit for purpose and meets the objectives of the investigation.
- 76. The impact on necessity and/or proportionality will be directed related to the type of equipment used. Any equipment used must be fit for purpose in meeting the

objectives of the investigation. It is therefore important for the authorising officer to be informed of what equipment is being used and its capabilities [i.e. range, how its turned on manually or remotely] on the application form so that due consideration can be given when considering whether or not to grant the authorisation. The authorising officer will also need to give consideration and advise how images will be managed, for example images will not be disclosed without first speaking with the data controller to ensure compliance with the appropriate data protection requirements under the Data Protection Act 2018 and any relevant codes of practice produced by the Council.

77. When equipment has been installed a check should be undertaken at least every 48 hours if not daily in order to ensure it remains operational.
78. The Criminal Procedure and Investigations Act 1996 Code of Practice makes provision for the storage and retention of the product of the surveillance. Retention of the investigation data, such as images etc, are to be kept by the relevant department in accordance with both the Code of Practice and any relevant policy of that Department. The investigator must retain material obtained in a criminal investigation which may be relevant to the investigation. Material may be photographed, video-recorded, captured digitally or otherwise retained in the form of a copy rather than the original at any time, if the original is perishable; the original was supplied to the investigator rather than generated by him and is to be returned to its owner; or the retention of a copy rather than the original is reasonable in all the circumstances. All original and copy documents shall be destroyed after a period of three years from the date the authorisation comes to an end. Regular reviews should take place to ensure that retention and destruction take place appropriately.

Covert Human Intelligence Sources (CHIS)

79. If a CHIS is to be used, there are detailed requirements regarding management of their activities. The use of a CHIS who is an adult and not a vulnerable person can be authorised by any of the authorising officers. In a case where the proposed CHIS is a juvenile or a vulnerable person, only the Chief Executive can grant an authorisation or, in their absence, the Executive Director People would deputise for them and can grant the authorisation instead.
80. Because of the particular requirements when using a CHIS you should seek advice from the Assistant Director, Law and Governance when considering the use of a CHIS and before any decisions are made.
81. It is of primary importance when using a CHIS that the Local Authority officers involved comply with the statutory risk assessment requirements specified in section 29 of the Act which are designed for the safety of the individual acting as a CHIS and the protection of the Human Rights of those who may be directly or indirectly involved in the operation. The CHIS must be made aware of any potential risks associated with the role of CHIS.
82. The Code of Practice relating to Covert Human Intelligence Sources can be found

at www.gov.uk/government/collections/ripa-codes and provides:-

- (a) There will at all times be an officer who has day to day responsibility for dealing with the source and the sources safety and welfare.
 - (b) Another officer will have general oversight of the use made of the source.
 - (c) An officer will have responsibility for maintaining a record of the use made of the source.
 - (d) The records must contain all matters specified by the Secretary of State.
 - (e) Records which disclose the identity of the source are not available to persons other than those who need access to them.
83. There are special provisions relating to the use of juveniles as a CHIS
- (a) A CHIS under the age of 16 years old should never be authorised to give information against his parents or anyone with parental responsibility for him.
 - (b) The local authority must ensure that an appropriate adult is present at meetings with the CHIS
 - (c) Use of a CHIS under the age of eighteen must not be authorised, granted or renewed unless the Local Authority has carried out or updated a risk assessment sufficient to demonstrate that any risk has been identified and evaluated, that the risk is justified, that the risks have been properly explained and understood by the potential CHIS
 - (d) Only the Chief Executive or, in their absence, the Executive Director People who would deputise for them, can authorise the use of a juvenile CHIS.
84. A vulnerable individual is a person who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of himself, or unable to protect himself against significant harm or exploitation. Such a person should only be used as a CHIS in the most exceptional circumstances and only the Chief Executive may authorise use of a vulnerable adult as a CHIS or, in the absence of the Chief Executive, only the Executive Director People when deputising for them can grant the authorisation instead.
85. The Code of Practice details the records which must be kept when using a CHIS. Originals must be hand delivered to the Litigation Team, Legal Services.
86. Each department or section shall nominate an officer who will have responsibility for ensuring that such records are kept and retained and the Assistant Director, Law and Governance informed of the identity of the designated officer.

87. It should be noted that the Code of Practice states that an officer must not grant authorisation for use of a CHIS unless he believes that there are arrangements in place for ensuring that there is at all times a person with the responsibility for maintaining a record made of the use of the source.
88. Procedures, codes of conduct etc., developed by individual Departments in respect of their operations, which involve the use of a CHIS, must incorporate the requirements of this Policy.

Social Networking Sites and Internet Sites

89. Although social networking and internet sites are easily accessible, if they are going to be used during the course of an investigation, consideration must be given as to whether RIPA authorisation should be obtained.
90. Care must be taken to understand how the social media site being used works. Officers must not be tempted to assume that one service provider is the same as another or that the services provided by a single provider are the same.
91. Officers are also reminded that they must not use personal devices or their personal social media profiles in the course of an investigation. All such investigation must take place using Council devices and generic Council profiles.
92. Paragraphs 3.10 through to 3.17 of the Covert Surveillance and Property Interference Revised Code of Practice (August 2018), which can be accessed at <https://www.gov.uk/government/collections/ripa-codes> sets out in detail the considerations to be worked through in order to establish whether a RIPA authorisation is necessary for any covert online investigation.

Lawful Business Practice

93. The Investigatory Powers (Interception by Businesses etc. for Monitoring and Record-keeping Purposes) Regulations 2018 deals with the lawful interception of communications and the restrictions on such interception. This statutory instrument can be found by accessing the link below: <https://www.legislation.gov.uk/uksi/2018/356/contents/made>
94. Such interceptions are only allowed if the controller of the telecommunications system on which they are affected has made all reasonable efforts to inform potential users that interceptions may be made. This Council's Internet and E-mail Usage policy does inform employees that internet and e-mail usage is monitored. Please note however that the telephone system is not subject to such monitoring therefore these regulations cannot be used as authorisation to intercept telephone calls.
95. Telephone calls may be intercepted with the consent of one of the parties to the call. However, an authorisation for directed surveillance or for the use of a Covert Human Intelligence Source must first be granted.

96. Local Authorities may not intercept communications where neither party has been made aware that the communication is being monitored.

Surveillance outside of RIPA

97. RIPA provides a lawful means of carrying out directed surveillance and using CHIS. There is case law that suggests that RIPA only applies to circumstances when the local authority is carrying out a core function (these are the specific public functions undertaken by the local authority, for instance a regulatory function). This means that if a matter relates to an ordinary function RIPA does not apply. Accordingly, any surveillance activity will be undertaken outside of RIPA (but without the statutory protection afforded by RIPA compliance). In such circumstances the activity will only be lawful if it can be shown that the requirements of the Human Rights Act 1998 have been complied with.
98. Under Article 8 of the European Convention on Human Rights an individual has the right to respect for their private and family life. This is a qualified right, which means that in certain circumstances public authorities can interfere with the private and family life of an individual. Such interference must be proportionate, in accordance with law and necessary to protect national security, public safety or the economic wellbeing of the country; to prevent disorder or crime, protect health or morals, or to protect the rights and freedoms of others.
99. This is a highly technical area. Specific legal advice must be obtained from the Assistant Director, Law and Governance if it is considered that surveillance being contemplated relates to an ordinary function and on any occasion when any surveillance in this category is contemplated.
100. If it is agreed with Legal Services that such surveillance is permissible then there are relevant forms to be completed for audit and record keeping purposes that will be provided for completion, after that discussion with the Assistant Director, Law and Governance has taken place.

Darlington Borough Council Designated Authorising Officers

101. The following persons are Authorising Officers:-
Rose Rouse – Chief Executive
Dave Winstanley – Executive Director Environment, Highways and Community Services
Elizabeth Davison – Executive Director Resources and Governance
James Stroyan – Executive Director People
Trevor Watson – Executive Director Economy and Public Protection

No officer with direct involvement in an operation should authorise the use of RIPA unless it is unavoidable. If considered to be unavoidable the centrally retrievable record should record that an officer with direct involvement in the operation has authorised the use of RIPA and this authorisation and reasons for it should be highlighted to the commissioner's inspector

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CABINET
9 SEPTEMBER 2025

REVENUE BUDGET MONITORING 2025/26 – QUARTER 1

Responsible Cabinet Member -
Councillor Mandy Porter, Resources Portfolio

Responsible Director -
Elizabeth Davison, Executive Director - Resources and Governance

SUMMARY REPORT

Purpose of the Report

1. To provide an early forecast of the 2025/26 revenue budget outturn as part of the Council's continuous financial management process.

Summary

2. This is the first revenue budget management report to Cabinet for 2025/26. The latest projections show an overall decline of £2.166m on the 2025-29 Medium Term Financial Plan (MTFP). This is due to £3.489m of departmental pressures, a decline in corporate resources of £0.166m, offset by £1.489m of additional balances following the 2024/25 final outturn.

Recommendation

3. It is recommended that:-
 - (a) The forecast revenue outturn for 2025/26 be noted.
 - (b) Further regular reports be made to monitor progress and take prompt action if necessary

Reasons

4. The recommendations are supported by the following reasons:-
 - (a) To continue effective management of resources.
 - (b) To continue to deliver services to agreed levels.

Elizabeth Davison
Executive Director - Resources and Governance

Background Papers

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

Brett Nielsen : Extension 5403

Council Plan	The Council's revenue budget contributes to all priorities outlined within the Council Plan.
Addressing inequalities	This report is providing an update on the revenue budget position therefore there is no impact as a result of this report.
Tackling Climate Change	This report provides an update on the revenue budget position, which supports the council's responsibilities and ambitions to tackle climate change.
Efficient and effective use of resources	This report contains updated information regarding efficiency savings contained within the MTFP.
Health and Wellbeing	This report is providing an update on the revenue budget position therefore there is no impact as a result of this report.
S17 Crime and Disorder	This report has no implications for crime and disorder
Wards Affected	No specific impact on an individual area as a result of this report
Groups Affected	No specific impact on an individual area as a result of this report
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

- This is the first revenue budget management report to Cabinet for 2025/26 and provides an early forecast of the latest revenue position as part of the Council's continuous financial management process.
- The information in this report has been taken from the financial records to June and managers' projections for the remainder of the year. Assumptions have been made

concerning future demand for services over the year, therefore changes in the projected outturn are inevitable as the Council is a large and complex organisation.

7. Overall, the projected General Fund reserves position as at the 31 March 2026 is £6.223m, which is £2.166m less than the planned balances in the 2025-29 MTFP. This change relates to £3.489m of departmental pressures, a decline in corporate resources of £0.166m, offset by £1.489m of additional balances following the 2024/25 outturn.

Departmental Resources

8. Departmental resource projections are summarised in **Appendix 2** and detailed in **Appendices 2(a) to 2(e)**.
9. **People Group** budgets are projected to be overspent by £3.825m at the end of the financial year. The main changes are detailed below:
 - (a) **Children's Services** are projecting an overspend of £3.895m at the year end, the main changes from the MTFP are;
 - (i) The Adoption and Placements budget is projected to be overspent of £3.677m.
 - a) There are five new residential placements, with projected costs of £2.135m. Additional costs are projected for two existing placements where the needs have increased substantially from budget setting, with increased costs of £1.389m. There has been an independent home closure and two children who were placed there have therefore moved with increased expenditure of £0.437m and remand costs of £0.080m. These pressures have been offset in part by additional Home Office grant income of £0.111m.
 - b) Independent Foster placements (IFA's) are projected to be underspent by £0.261m as four placements have ceased. Further placements in IFA's have not been secured because there is no suitable capacity in the market, therefore requiring the use of more costly residential placements (as above) to meet the statutory care needs of the children.
 - (ii) The children's staffing divisions are projected to be overspent by £0.218m, this is a combination of additional staffing and agency costs to cover demand in children caseloads.
 - (b) **Adult Social Care & Health** is projected to be underspent by £0.018m, the main changes from the MTFP are:
 - (i) External Packages of Care budgets are projected to underspend by £0.069m. There have been additional placements within residential and domiciliary care, however these have been offset by additional grant income.
 - (ii) Long Term Conditions are projected to be £0.040m over budget due to additional costs at the short break stay facility and additional staffing costs.

11. **Environment, Highways and Community Services** budgets are projecting an underspend of £0.389m, the main changes are detailed below:

- (a) **Highways & Capital Projects** is projected to be underspent by £0.172m. Following agreement between TVCA and the bus operators on the English National Concessionary Travel Scheme (ENCTS) scheme for 2025/26. Concessionary Fares should underspend by £0.142m as the final agreed cost to Darlington is slightly better than the estimates used when setting the MTFP. An ongoing budgeted underspend for electricity in Car Parking R&M is expected to see the service underspend by £0.030m.
- (b) **Community Services** is expected to be underspent by £0.250m. Waste Management tonnages over the first quarter have not risen as greatly as estimated compared to the levels used when setting the MTFP. Overall disposal costs are expected to be underspent by £0.250m. Tonnages will be monitored over the year and projections updated as appropriate.
- (c) **Community Safety** overall is expected to be underspent by £0.250m. Car Parking and Enforcement is expected to be over target income by £0.250m as patronage at the Council's car parks has remained positive and continues to perform better than levels projected as part of the MTFP.
- (d) **Leisure and Cultural Services** is expected to overspend by £0.220m. Work on the business plan at Hopetown Darlington continues at pace to drive income and efficiencies at the museum. One area that has been identified as a pressure is income generation associated to Skerne Bridge car park which is expected to have a shortfall of £0.220m due to low patronage as visitors to the site use alternative parking or transport solutions.
- (e) **Corporate Landlord** is expected to overspend by £0.076m due to pressures associated with utilities. Delays outside the control of the Council associated with the replacement of the CHP unit at the Dolphin Centre is the main driver for the overspend. The unit is installed but awaiting inspection by an external body which is expected shortly.

12. **Resources and Governance** budgets are projecting a year end budget overspend of £0.053m, the changes from MTFP are detailed below:

- (a) **Law & Governance** is projecting an overspend of £0.061m. The main areas of variance are,
 - (i) The Coroners service is projecting an overspend of £0.048m due to the increased costs of running the service, resulting in a higher recharge from Durham County.
 - (ii) Legal Services division is reporting an overspend of £0.059m, from additional agency costs to support the demand of Children's legal cases, (including backfill

of vacant posts) offset in part by a projected underspend in the costs of independent legal services for children's legal cases.

- (iii) The overspends have been offset in part by running cost and staff turnover savings across the division.

13. The **Economy and Public Protection** budgets are projected to break even.

14. The School balances and allocations are shown in **Appendix 2(f)**.

Council Wide and Corporately Managed Resources

15. The Council Wide budget is projected to be £0.166m overspent at the year end from the pay offer of 3.2%. At the time of writing the pay offer has been accepted for the National Joint Council employees and Chief Officers, though some of agreements remain outstanding. The MTFP included an estimated pay award of 3% the projected overspend therefore is due to the additional 0.2%. All other Corporate Resources are forecast to be on target at this stage of the year.

Housing Revenue Account (HRA)

16. HRA projections are shown in **Appendix 3** with an overall projected balanced budget. There has been a reduction in the estimated working balance of £0.116m, which is primarily due to:

- (i) Dwelling rental income is forecast £0.154m lower, due to 31 right to buys since the budget was set and voids.
- (ii) Sundry rents are forecast to be £0.037m better due to an increase in income from garages and shops and income from charges for facilities is forecast £0.089m better from an increase in flats, communal areas and lifeline.
- (iii) Operational Costs are forecast £0.103m higher than planned, due to increases in staffing costs following a restructure and an increase in subscription costs.

Conclusion

17. The Council's projected revenue reserves at the end of 2025/26 are £6.223m, £2.166m lower than the initial 2025-29 MTFP position. This position relates to £3.489m of departmental pressures, a decline in corporate resources of £0.166m, offset by £1.489m of additional balances following the 2024/25 outturn.

18. The Council is facing significant pressures from increases in the complexity of need and the lack of suitable provision for children in our care. This is not only impacting on Darlington but is a national issue that has been a pressure for all Councils with social care responsibilities in recent years. In Darlington we have invested in our own provision through placement sufficiency which has provided positive outcomes to date, but this

takes time to build capacity. We continue to develop options to further our provision to provide solutions to all needs.

19. As a Council we continue to lobby the Government to highlight the pressures that Councils face to deliver statutory services, particularly the issues with supporting the needs of our Children.
20. The Government is consulting on funding reform with a revised financial settlement due towards the end of the year. There is an acknowledgement that areas with deprivation are not being funded correctly and that significant budget cuts through the austerity years were unsustainable for many Local Authorities in areas including the North East. It is anticipated that Darlington will benefit from these reforms although at present it is not clear the extent of this.
21. All services continue to scrutinise their budgets to reduce expenditure or generate additional income to assist with the in-year budget position and provide savings for inclusion in the next MTFP.

Outcome of Consultation

22. No external consultation has been carried out in preparing this report.

REVENUE BUDGET MANAGEMENT 2025/26**Projected General Fund Reserve at 31st March 2026**

	2025-29 MTFP (Feb 2025)
Medium Term Financial Plan (MTFP) :-	£000
MTFP Planned Opening Balance 01/04/2025	11,458
Approved net contribution from balances	(3,069)
Planned Closing Balance 31/03/2026	8,389
 Increase in opening balance from 2024-25 results	 1,489
 Projected corporate underspends / (overspends) :-	
Council Wide - Pay Award Pressure	(166)
Financing Costs	0
Joint Venture - Investment Return	0
Contingencies Budget	0
 Projected General Fund Reserve (excluding Departmental)	 at 9,712
31st March 2026	
 Planned Balance at 31st March 2026	 8,389
Improvement	1,323

Departmental projected year-end balances

	Improvement / (decline) compared with 2025-29 MTFP
	£000
People Group	(3,825)
Environment, Highways & Community Services Group	389
Resources and Governance Group	(53)
Chief Executive & Economy	0
 TOTAL	 (3,489)

Summary Comparison with :-

	2025-29 MTFP
	£000
Corporate Resources - increase in opening balance from 24/25 results	1,489
Corporate Resources - additional in-year Improvement/(Decline)	(166)
Quarter 1 Budget Rebase	0
Departmental - Improvement / (Decline)	(3,489)
 Improvement / (Decline) compared with MTFP	 (2,166)
 Projected General Fund Reserve at 31st March 2026	 6,223

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GENERAL FUND REVENUE BUDGET MANAGEMENT 2025/26

	Budget			Expenditure	
	Original 2025/26	Approved Adjustments	Amended Approved Budget	Projected Outturn	Variance
	£000	£000	£000	£000	£000
Departmental Resources					
People Services	90,541	339	90,880	94,705	3,825
Environment, Highways & Community Services	26,170	233	26,403	26,014	(389)
Resources and Governance	15,568	177	15,745	15,798	53
Chief Executive	329	5	334	334	0
Economy & Public Protection	1,832	125	1,957	1,957	0
Total Departmental Resources	134,440	879	135,319	138,808	3,489
Corporate Resources					
Council Wide - Pay Award Pressure	663	(879)	(216)	(50)	166
Financing Costs	4,028	0	4,028	4,028	0
Joint Venture - Investment Return	(1,977)	0	(1,977)	(1,977)	0
Contingencies Budget					
Apprentice Levy	272	0	272	272	0
Total Corporate Resources	2,986	(879)	2,107	2,273	166
Net Expenditure	137,426	0	137,426	141,081	3,655
Contributions To / (From) Reserves					
Planned Contribution to General Fund Reserves (MTFP)	(2,639)	0	(2,639)	(2,639)	0
General Fund Total	134,787	0	134,787	138,442	3,655

Note: Appendix 1 shows an increase in reserves of £1.489m brought forward from 2024/25

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REVENUE BUDGET MANAGEMENT UPDATE 2025/26

	Budget			Expenditure			(Under)/ Over Spend £000
	Original Budget £000	Approved Adjustments £000	Amended Approved Budget £000	Expenditure to June £000	Projected Spend £000	Total Projection £000	
<u>Council Wide</u>							
Procurement savings	(50)	0	(50)	0	(50)	(50)	0
Pay Award	713	(879)	(166)	0	0	0	166
In Year Over/(Under) Spend	663	(879)	(216)	0	(50)	(50)	166

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REVENUE BUDGET MANAGEMENT UPDATE 2025/26							
	Budget			Expenditure			(Under)/ Over Spend £000
	Original Budget £000	Approved Adjustments £000	Amended Approved Budget £000	Expenditure to June £000	Projected Spend £000	Total Projection £000	
<u>People Group</u>							
Director and Departmental	193	2	195	14	181	195	0
<u>Adults & Children Services</u>							
Performance & Transformation	810	10	820	138	682	820	0
Business Support	1,745	22	1,767	296	1,471	1,767	0
	2,555	32	2,587	434	2,153	2,587	0
<u>Children's Services</u>							
Children's Services Management & Other Services	672	7	679	134	595	729	50
Assessment & Care Planning	4,577	(125)	4,452	552	4,098	4,650	198
First Response & Early Help	4,036	216	4,252	494	3,728	4,222	(30)
Youth Offending	320	0	320	(14)	334	320	0
Adoption & Placements	21,927	44	21,971	4,714	20,934	25,648	3,677
Disabled Children	1,632	11	1,643	278	1,365	1,643	0
Quality Assurance & Practice Improvement	138	3	141	(133)	274	141	0
	33,302	156	33,458	6,025	31,328	37,353	3,895
<u>Development & Commissioning</u>							
Commissioning	2,081	17	2,098	715	1,374	2,089	(9)
Voluntary Sector	292	0	292	18	274	292	0
	2,373	17	2,390	733	1,648	2,381	(9)
<u>Education</u>							
Education	868	16	884	2,974	(2,133)	841	(43)
Schools	0	0	0	1,858	(1,858)	0	0
Transport Unit	3,362	13	3,375	1,228	2,147	3,375	0
	4,230	29	4,259	6,060	(1,844)	4,216	(43)
<u>Public Health</u>							
Public Health	0	0	0	2,194	(2,194)	0	0
	0	0	0	2,194	(2,194)	0	0
<u>Adult Social Care & Health</u>							
External Purchase of Care	39,948	0	39,948	1,969	37,910	39,879	(69)
Intake & Enablement	735	27	762	667	95	762	0
Older People Long Term Condition	2,090	27	2,117	738	1,387	2,125	8
Physical Disability Long Term Condition	6	0	6	0	6	6	0
Learning Disability Long Term Condition	2,331	30	2,361	591	1,810	2,401	40
Mental Health Long Term Condition	1,228	24	1,252	412	848	1,260	8
Service Development & Integration	977	(11)	966	(103)	1,064	961	(5)
Workforce Development	573	6	579	104	475	579	0
	47,888	103	47,991	4,378	43,595	47,973	(18)
In Year Over/(Under) Spend	90,541	339	90,880	19,838	74,867	94,705	3,825

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REVENUE BUDGET MANAGEMENT UPDATE 2025/26

	Budget			Expenditure			(Under)/ Over Spend £000
	Original	Approved	Amended	Expenditure	Projected	Total	
	Budget	Adjustments	Budget	to June	Spend	Projection	
<u>Environment, Highways & Community Services</u>	£000	£000	£000	£000	£000	£000	
Executive Director - Environment, Highways & Community Services	189	2	191	45	146	191	0
<u>Highways & Capital Projects</u>							
AD - Highways & Capital Projects	115	2	117	34	83	117	0
Building Design Services	-21	7	(14)	8	(22)	(14)	0
Capital Projects	394	8	402	121	281	402	0
Car Parking R&M	613	0	613	516	67	583	(30)
Concessionary Fares	2711	0	2,711	10	2,559	2,569	(142)
Flood & Water Act	90	0	90	(189)	279	90	0
Highways	4114	56	4,170	(718)	4,888	4,170	0
Highways - DLO	-344	0	(344)	2,633	(2,977)	(344)	0
Investment & Funding	97	1	98	30	68	98	0
Sustainable Transport	99	0	99	(326)	425	99	0
	7,868	74	7,942	2,119	5,651	7,770	(172)
<u>Community Services</u>							
AD - Environmental Services &							
Community Safety	155	18	173	49	124	173	0
Allotments	21	0	21	(3)	24	21	0
Building Cleaning - DLO	29	8	37	205	(168)	37	0
Cemeteries & Crematorium	(716)	5	(711)	(158)	(553)	(711)	0
Street Scene	7,074	50	7,124	527	6,597	7,124	0
Transport Unit - Fleet Management	0	6	6	270	(264)	6	0
Transport Unit - Fleet Management							
MOT & Private	(15)	1	(14)	29	(43)	(14)	0
Waste Management	4,492	0	4,492	820	3,422	4,242	(250)
Winter Maintenance	642	3	645	166	479	645	0
	11,682	91	11,773	1,905	9,618	11,523	(250)
<u>Community Safety</u>							
CCTV	309	7	316	(294)	610	316	0
Community Safety	843	(97)	746	(83)	829	746	0
Parking	(2,459)	35	(2,424)	(573)	(2,091)	(2,664)	(240)
Parking Enforcement	20	(3)	17	(65)	72	7	(10)
	(1,287)	(58)	(1,345)	(1,015)	(580)	(1,595)	(250)
<u>Leisure and Culture</u>							
Dolphin Centre	1,052	29	1,081	224	857	1,081	0

REVENUE BUDGET MANAGEMENT UPDATE 2025/26

	Budget			Expenditure			(Under)/ Over Spend £000
	Original Budget £000	Approved Adjustments £000	Amended Approved Budget £000	Expenditure to June £000	Projected Spend £000	Total Projection £000	
<u>Environment, Highways & Community Services</u>							
Eastbourne Complex	33	42	75	97	(22)	75	0
Hippodrome	158	22	180	(998)	1,178	180	0
Hopetown Darlington	470	31	501	351	370	721	220
Indoor Bowling Centre	20	0	20	4	16	20	0
Libraries	1,056	9	1,065	291	774	1,065	0
Move More	39	(39)	0	(241)	241	0	0
Outdoor Events	471	3	474	(23)	497	474	0
Community Catering - DLO	0	0	0	15	(15)	0	0
Culture and Heritage Fund	125	1	126	10	116	126	0
	3,424	98	3,522	(270)	4,012	3,742	220
<u>Building Services</u>							
Construction & Minor Works - DLO	(361)	15	(346)	(5,897)	5,551	(346)	0
	(361)	15	(346)	(5,897)	5,551	(346)	0
<u>Corporate Landlord</u>							
Corporate Landlord	4,445	11	4,456	717	3,815	4,532	76
<u>General Support Services</u>							
Works Property & Other	78	0	78	0	68	68	(10)
<u>Joint Levies & Boards</u>							
Environment Agency Levy	132	0	132	129	0	129	(3)
In Year Over/(Under) Spend	26,170	233	26,403	(2,267)	28,281	26,014	(389)

REVENUE BUDGET MANAGEMENT UPDATE 2025/26

	Budget			Expenditure			(Under)/ Over Spend £000
	Original Budget £000	Approved Adjustments £000	Amended Approved Budget £000	Expenditure to June £000	Projected Spend £000	Total Projection £000	
<u>Resources and Governance</u>							
Group Director of Operations	140	2	142	18	124	142	0
<u>Resources</u>							
AD Resources	127	2	129	21	108	129	0
Financial Services	1,608	16	1,624	215	1,380	1,595	(29)
Financial Assessments & Protection	320	5	325	75	260	335	10
Xentrall (D&S Partnership)	2,107	37	2,144	11	2,133	2,144	0
Human Resources	711	12	723	121	602	723	0
Health & Safety	205	3	208	53	155	208	0
	5,078	75	5,153	496	4,638	5,134	(19)
<u>Head of Strategy Performance & Communications</u>							
Communications & Engagement	1,055	12	1,067	223	844	1,067	0
Systems	1,226	9	1,235	594	641	1,235	0
	2,281	21	2,302	817	1,485	2,302	0
<u>Law & Governance</u>							
AD Law & Governance	140	2	142	17	98	115	(27)
Complaints & FOI	344	3	347	(19)	343	324	(23)
Democratic Services	1,581	12	1,593	184	1,383	1,567	(26)
Registrars	(39)	6	(33)	(107)	74	(33)	0
Administration	439	6	445	68	377	445	0
Legal Services	1,899	13	1,912	231	1,740	1,971	59
Procurement	253	4	257	43	244	287	30
Coroners	334	0	334	0	382	382	48
	4,951	46	4,997	417	4,641	5,058	61
<u>Xentrall Shared Services</u>							
ICT	812	0	812	(109)	921	812	0
	812	0	812	(109)	921	812	0
<u>Building Services</u>							
Maintenance - DLO	(718)	0	(718)	2,822	(3,540)	(718)	0
	(718)	0	(718)	2,822	(3,540)	(718)	0
<u>Housing & Revenues</u>							
Local Taxation	506	11	517	294	269	563	46
Rent Rebates / Rent Allowances / Council Tax	1,061	0	1,061	3,197	(2,134)	1,063	2
Housing Benefits Administration	716	12	728	240	471	711	(17)
Customer Services	256	5	261	83	146	229	(32)
Homelessness	329	5	334	(1,408)	1,754	346	12
Service, Strategy & Regulation and General	156	0	156	(403)	559	156	0
	3,024	33	3,057	2,003	1,065	3,068	11
In Year Over/(Under) Spend	15,568	177	15,745	6,464	9,334	15,798	53

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REVENUE BUDGET MANAGEMENT UPDATE 2025/26

	Budget			Expenditure			(Under)/ Over Spend £000
	Original Budget £000	Approved Adjustments £000	Amended Approved Budget £000	Expenditure to June £000	Projected Spend £000	Total Projection £000	
<u>Chief Executive & Economy</u>							
<u>Chief Executive</u>							
Chief Executive	222	3	225	38	187	225	0
Darlington Partnership	107	2	109	(282)	391	109	0
	329	5	334	(244)	578	334	0
<u>Economy and Public Protection</u>							
Executive Director Economy & Public Protection	194	2	196	66	130	196	0
Emergency Planning	97	0	97	0	97	97	0
Building Control	170	4	174	10	164	174	0
Development Management	65	8	73	(73)	146	73	0
Economy	314	3	317	49	268	317	0
Environmental Health	374	6	380	78	302	380	0
Planning Policy, Economic Strategy & Environment	595	8	603	(320)	923	603	0
Property Management and Estates	(377)	6	(371)	(496)	125	(371)	0
Head of Public Protection	0	78	78	0	78	78	0
Private Sector Housing	125	3	128	(18)	146	128	0
General Licensing	0	2	2	15	(13)	2	0
Taxi Licensing	0	2	2	2	0	2	0
Trading Standards	275	3	278	45	233	278	0
	1,832	125	1,957	(642)	2,599	1,957	0
In Year Over/(Under) Spend	2,161	130	2,291	(886)	3,177	2,291	0

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BUDGET MANAGEMENT 2025/26

SCHOOLS PROJECTED BALANCES 2025/26					
School Name	Opening Balance at 1st April 2025	Formula Budget Allocation*	Total Available	Closing Balance at 31st March 2026	Projected Closing Balance as proportion of Formula Budget Allocation
Primary	£000	£000	£000	£000	%
Federation of Darlington Nursery Schools	134	1,275	1,409	96	8%
Harrowgate Hill Primary	(39)	2,548	2,509	(193)	(8%)
Red Hall Primary	156	1,577	1,733	68	4%
Rise Carr College, Clifton House & Eldon House	244	2,268	2,512	192	8%
Primary Total	495	7,668	8,163	163	

*Federation of Darlington Nursery Schools/Rise Carr College original budget. Actual allocation based on attendance.

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HOUSING REVENUE ACCOUNT 2025/26

	Budget				
	Original Budget £000	Approved Adjustments £000	Amended Approved Budget £000	Total Projection £000	(Under)/ Over Spend £000
<u>Housing Revenue Account</u>					
<u>Income</u>					
Rents Of Dwellings (Gross)	(24,180)	0	(24,180)	(24,026)	154
Sundry Rents (Including Garages & Shops)	(513)	0	(513)	(550)	(37)
Charges For Services & Facilities	(3,593)	0	(3,593)	(3,682)	(89)
Contribution towards expenditure	(1,527)	0	(1,527)	(1,561)	(34)
Interest Receivable	(374)	0	(374)	(374)	0
Total Income	(30,187)	0	(30,187)	(30,193)	(6)
<u>Expenditure</u>					
Operational	6,390	43	6,433	6,536	103
Service Charges	3,593	19	3,612	3,631	19
Maintenance	6,693	0	6,693	6,693	0
Capital Financing Costs	4,430	0	4,430	4,430	0
Revenue Contribution to Capital Outlay	15,947	0	15,947	15,947	0
Increase in Bad Debt Provision	263	0	263	263	0
In year contribution to/(from) balances	(7,129)	(62)	(7,191)	(7,307)	(116)
Total Expenditure	30,187	0	30,187	30,193	6
(Surplus)/Deficit	0	0	0	0	0

HRA Balances	£000
Opening balance 01/04/2025	23,346
Contribution to/(from) balances	(7,307)
Closing balance	16,039

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CABINET
9 SEPTEMBER 2025

SINGLE USE PLASTIC POLICY

Councillor Chris McEwan, Economy Portfolio

Trevor Watson, Executive Director Economy and Public Protection

SUMMARY REPORT

Purpose of the Report

1. To propose adoption of a single use plastic policy (**Appendix A**).

Summary

2. Global plastic production has increased significantly in recent decades, with resulting increases in disposal costs.
3. The UK Government has begun making strides to reducing single use plastic production.
4. Plastic provides risk to our health and our environment and is also a major contributor to climate change.
5. Council catering outlets are already working towards reducing their use of single use plastic.
6. The rest of Council operations should be demonstrating the same commitment and leading by example.
7. Three principles would help us reduce our dependence on single use plastic and encourage others to take action:
 - (a) Lead by example;
 - (b) Work with suppliers and contractors;
 - (c) Support Darlington.

Recommendations

8. It is recommended that Cabinet approves the single use plastic policy.

Reasons

9. The recommendations are supported by the increasing public pressure to act on climate change and support our local environment. We run the risk of significant damage to our reputation if we do not deliver on our stated commitment to dealing with the Council's contribution to climate change and nature depletion.

Trevor Watson
Executive Director Economy and Public Protection

Background Papers

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

Margaret Enstone: Extension 6229

Council Plan	<p>This report reflects the Council Plan Core Principle in Tackling Climate Change.</p> <p>In turn, actions that we take for climate change impact on our Council priorities. For example, as we improve our council stock, we improve the quality of life for our residents, leading to better health outcomes, which in</p>
Addressing inequalities	Climate change affects everyone, but it has a disproportionate impact on areas of deprivation. This report demonstrates how we are addressing our own carbon emissions and resilience, giving us the ability to demonstrate through good practice what other people can do themselves
Tackling Climate Change	The Council has recognised the need to consider the carbon impact of the decisions it makes. This report is a progress report of our journey to reducing our carbon emissions and adapting our services to the unavoidable effects of climate change.
Efficient and effective use of resources	Our approach to reducing emissions will mean that resources are used more efficiently.
Health and Wellbeing	According to the WHO, climate change is the greatest threat to global health in the 21st century. This report is a progress report of our journey to becoming a carbon neutral council.
S17 Crime and Disorder	There is no expected impact on Crime and Disorder in Darlington.
Wards Affected	This report covers how the Council is addressing its own carbon emissions and resilience. It will not affect any particular ward.
Groups Affected	This report covers how the Council is addressing its own carbon emissions and resilience. It will not affect any particular group.
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework.
Key Decision	No
Urgent Decision	No
Impact on Looked After Children and Care Leavers	No

MAIN REPORT

Information and Analysis

10. Plastic production has increased from around two million tonnes in 1950 to over 450 million tonnes today.
11. This means that we have increasing costs of disposal – both financially, and environmentally.
12. In 2018, the UK Government published its 25-year Environment Plan, which included a target of zero avoidable plastic waste by the end of 2042.
13. In 2020, the government restricted sales of some single use plastic items and extended that in 2023 to further catering supplies.
14. Plastic pollution is litter. It is a global and local issue affecting natural and urban environments, the oceans and beaches. There are increasing links to health and wellbeing.
15. Plastic does not disappear, it simply breaks down into smaller and smaller pieces, that are now being found inside our bodies: in our lungs and bloodstream. It is in our food chain and airborne particles have been found in areas such as high mountainous terrain that rarely see any human visitors.
16. Plastic is a major contributor to climate change. Almost all plastics require fossil fuels. The more plastic made, the higher the demand for gas, oil and even coal.
17. As a leader of place, the Council should be setting an example to other businesses in Darlington.
18. Our catering outlets in Hopetown, the Hippodrome and Dolphin Centre are already abiding by the legal requirements of no plastic cutlery or straws and are going further to source cups and plates that are not single-use plastic.
19. The Town Hall still uses plastic cups in the Committee Room and Council Chamber area. These are costing us, both in terms of purchase and in disposal.
20. We could also be encouraging our suppliers to reduce the amount of single-use plastic used in packaging materials.
21. And further, we can use our influence to encourage best practice and model positive behaviours.
22. The attached single use plastic policy (see Appendix A) sets out three key principles to reduce our dependence on single use plastic:
 - (a) Lead by example
 - (i) All Darlington Borough Council teams will work to reduce and remove single-use plastic across our buildings and services.

- (ii) Where the use of plastics is unavoidable, DBC will encourage the use of recycled plastics, supporting manufacturers that make products from locally sourced waste plastics.
 - (iii) Encourage all staff and Members to use reusable water bottles or cups.
- (b) Work with our suppliers and contractors
 - (i) Ask DBC suppliers to demonstrate that they are minimising the use of single-use plastics in their service provision and are finding sustainable alternatives (where appropriate).
- (c) Support Darlington
 - (i) Continue to support local communities by sharing best practice, raise awareness, supporting and promoting positive initiatives, campaigns and actions for reducing waste. For example, the Refill project app which signposts to businesses prepared to refill water bottles for free.

Financial Implications

23. We will be encouraging use of reusable bottles or cups by all officers and Members, which will reduce the need to both purchase these items and for disposal of them.

Legal Implications

24. There are no legal implications, but with increasing public pressure to act on the threats to our environment, we must demonstrate how we are taking responsibility for our own actions.

HR Implications

25. The report does not affect the terms and conditions of any staff or change their duties.

Estates and Property Advice

26. The report does not affect the Council's land holdings or involve a lease, or licence or any transfer or purchase of land.

Procurement Advice

27. The report does not involve any purchase over £100k.

Carbon Impact and Climate Change

28. Climate change is a corporate priority. Public scrutiny in this area is growing, and we should consider and set out the climate impacts of decisions. Single-use plastic has a direct impact on carbon emissions. By reducing our use of it, we are demonstrating our commitment to action.

Equalities considerations

29. This policy is highly unlikely to impact negatively on anyone with a protected characteristic.

Consultation

30. The Cross Party Climate Change Working Group has been consulted. The paper has also been discussed at Chief Officers Board. This issue was also supported by the Climate Champions, made up from officers across departments in the Council. No public consultation has been carried out.

Draft: Single-Use Plastic Policy

Reducing the amount of single use plastics in Council operations.

Introduction

With its low costs, durability, and incredible versatility, plastic has become an indispensable material and is used extensively in most industries worldwide. However, huge amounts of plastic products become waste. It is estimated that around 50% of plastic waste we produce globally is packaging that is used just once. In the UK alone, it is estimated that around [100 billion](#) pieces of plastic packaging are thrown away every year.

Plastic production has sharply increased over the last 70 years. In 1950, the world produced two million tonnes. It now produces over 450 million tonnes.

Plastic has its place, and it is one of the most useful inventions in recent history. However, it can easily become an environmental pollutant. One to two million tonnes of plastic enter our oceans yearly, affecting wildlife and ecosystems.

Single-use plastic is found in many products: medical supplies, cigarette filters, chewing gums, disposable nappies, food packaging, balloons, cups, and straws, to name just a few.

National policy

In January 2018, the UK Government set the target of “achieving zero avoidable plastic waste by the end of 2042” in its 25-Year Environment Plan.

In 2020, the government restricted sales of single-use plastic straws, cotton buds and coffee stirrers. From October 2023, the ban was extended to plastic cutlery, polystyrene packaging for ready to eat food, and plastic balloon sticks. Single-use plastic plates, trays and bowls cannot be sold directly to consumers but are still allowed in food hospitality.

The enforcement of the ban in Darlington is carried out by our own Trading Standards officers.

The challenge we face with plastic:

We have identified four key issues linked to plastic:

1. Plastic Pollution and Littering.

Plastic pollution is both a global and local issue. From oceans and seas to wildlife, local parks and roadsides, plastic littering affects both natural and urban environments and the health and well-being of the individuals that occupy them. If you have ever seen plastic littered in our town-centre and have experienced frustration or other negative feelings as a result, you are not alone. Recent studies have shown that being around littered plastic can have negative psychological impacts on individuals and community morale as a whole.¹ The most littered plastic items are those used ‘on-the-go’. When plastic is littered and turned into an environmental pollutant, it is costly to clear up and removes the possibility of managing its end of life effectively.

¹ <https://medium.com/@ayeshacuriouss/the-plastic-paradox-how-our-waste-is-wounding-our-mental-health-521e05ab8cc1>

2. Plastic as a Major Contributor to Climate Change.

Chemicals derived from fossil fuel production are used to make almost all plastics. The more plastic made, the higher the demand for gas, oil and even coal. By reducing or removing single-use plastic, DBC will be helping to reduce the demand for fossil fuels, thereby reducing the amount of carbon in the atmosphere. This will support our climate change emergency declaration.

3. Not all Plastics can be Easily Recycled.

The types of polymers used to produce some plastic items are currently hard to recycle, so they often end up in residual waste.

4. Most Plastics are not Biodegradable.

Rather than being broken down by living organisms and absorbed into the environment naturally, most plastics slowly break down into smaller fragments known as microplastics. Some studies suggest that plastic bags and containers made of expanded polystyrene foam can take thousands of years to decompose. This contaminates soil and water and poses significant ingestion, choking and entanglement hazards to wildlife on land and in the ocean. Microplastics have been found in marine animals, drinking water, and are spread widely on soils on land, potentially ending up in the food we eat.

Options

Packaging is more difficult for us to directly impact. When we procure items, we can ask suppliers to work on reducing their single-use plastic packaging or change to compostable options.

Hopetown already uses reusable plastic cups, and The Hippodrome will be trialling reusable plastic glasses. We still use plastic cups in the Town Hall's Committee Rooms and foyer.

In principle, compostable cups appear to be environmentally preferable to the plastic ones that we use. However, under current arrangements, it is likely that the majority of compostable cups end up in landfill where their breakdown produces methane. Methane is a greenhouse gas with a warming potential at least 25 times greater than carbon dioxide.²

Waste facilities might also not be able to readily distinguish between compostable and non-compostable plastics, leading to the wrong thing in the wrong place.

It will be essential to ensure that reusable replacement products don't have a greater environmental impact than disposable alternatives.

² The Global Warming Potential (GWP) was invented to allow direct comparisons between different gases implicated in global warming. It measures how much energy one ton of a gas will absorb over a given period of time compared to one ton of CO₂. If a gas has a higher GWP than CO₂, it means it will warm the Earth more over that period than CO₂ would. Since CO₂ is being used as the reference, it has a GWP of one. Methane has a GWP of more than 25 over 100 years, meaning it is significantly more potent as a greenhouse gas than CO₂.

Considering the above, we recommend focusing on waste prevention via reuse as the preferred option for cups.

The Policy

Darlington Borough Council will act to remove and reduce the use of Single-Use Plastic from its operations and services, as well as working towards finding positive solutions for reducing unnecessary waste across Darlington.

We will go about doing this by following some key principles:

- **Lead By Example**
 - All Darlington Borough Council teams will work to reduce and remove single-use plastic across our buildings and services.
 - Where the use of plastics is unavoidable, DBC will encourage the use of recycled plastics, supporting manufacturers that make products from locally sourced waste plastics.
 - Encourage all staff and Members to use reusable water bottles or cups.
- **Work with our Suppliers and Contractors**
 - Ask DBC suppliers to demonstrate that they are minimising the use of single-use plastics in their service provision and are finding sustainable alternatives (where appropriate).
- **Support Darlington**
 - Continue to support local communities by sharing best practice, raising awareness, and supporting and promoting positive initiatives, campaigns and actions for reducing waste.

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CABINET
9th SEPTEMBER 2025

TREASURY MANAGEMENT ANNUAL REPORT AND OUTTURN
PRUDENTIAL INDICATORS 2024/25

Responsible Cabinet Member -
Councillor Mandy Porter, Resources Portfolio

Responsible Director -
Elizabeth Davison, Executive Director - Resources and Governance

SUMMARY REPORT

Purpose of the Report

1. This report provides important information regarding the regulation and management of the Council's borrowing, investments and cash-flow. It is a requirement of the Council's reporting procedures and by regulations issued under the Local Government Act 2003 to produce an annual treasury management review that covers treasury activity for 2024/25. The report also seeks approval of the Prudential Indicators results for 2024/25 in accordance with the Prudential Code.

Summary

2. The financial year 2024/25 was yet another unprecedented year with regards to treasury management. With the Ukraine conflict continuing, events in the Middle East, cost of living increases and inflation taking time to recover, the markets have been quite cautious. Interest rate forecasts initially suggested gradual reductions in short, medium and longer-term fixed borrowing rates. The bank rate peaked at 5.25% at the start of the year, but the initial expectation of significant rate reductions did not transpire, primarily because inflation concerns remained elevated. Forecasts were too optimistic from a rate reduction perspective, but more recently the forecasts from November 2024 onwards look more realistic. The market now expects the bank rate to fall to 3.75% by the end of December 2025. Although the returns for cash investments have remained favourable due to higher interest rates they remain below the cost of borrowing and these do decline at a much faster rate than the cost of borrowing.
3. During 2024/25 the Council complied with its legislative and regulatory requirements. The borrowing need (**Table 1**) was only increased for capital purposes.
4. At 31 March 2025 the Council's external debt was £172.738m which is £19.860m more than the previous year. This increase relates to the progression of various capital schemes and the rise in the costs of these schemes due to inflationary pressures. The average interest rate for borrowing increased from 2.65% in 2023/24 to 3.37% in 2024/25. Investments totalled £35.408m at 31 March 2025 (£31.136m at 31 March 2024) earning

interest of 4.94% on short term cash investments and 0.42% on Property Fund units net of costs.

5. Financing costs had an overspend of £0.324m mainly due to interest rates remaining higher for longer due to the economic climate. To offset this the Council has reduced borrowing as far as possible to minimise exposure to higher rates. Property fund dividend income has also decreased as the Lothbury property fund is wound up and its assets sold.

Recommendations

6. It is recommended that:
 - (a) The outturn 2024/25 Prudential Indicators within this report and those in **Appendix 1** be noted.
 - (b) The Treasury Management Annual Report for 2024/25 be noted.
 - (c) This report to be forwarded to Council, in order for the 2024/25 Prudential Indicators to be noted.

Reasons

7. The recommendations are supported by the following 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.

Elizabeth Davison
Executive Director of Resources and Governance

Background Papers

- (i) Accounting Records
- (ii) Annual Investment Strategy 2024/25
- (iii) Prudential Indicators and Treasury Management Strategy Report 2024/25

Judith Murray: Extension 5204

Council Plan	The Council's Treasury Management Strategy contributes to all priorities outlined within the Council Plan.
Addressing inequalities	There is no impact as a result of this report.
Tackling Climate Change	There is no impact as a result of this report.
Efficient and effective use of resources	The Council's Treasury Management Strategy contributes towards the efficient and effective use of resources.
Health and Well Being	This report has no implications for the Council's Health and Well Being agenda.
S17 Crime and Disorder	This report has no implications for S 17 Crime and Disorder.
Wards Affected	All Wards.
Groups Affected	All Groups.
Budget and Policy Framework	This report must be considered by Council.
Key Decision	This is not an executive decision.
Urgent Decision	For the purposes of call in this report is not an urgent decision.
Impact on Looked After Children and Care Leavers	This report does not impact on Looked After Children or Care Leavers.

MAIN REPORT

Information and Analysis

8. This report summarises:
 - (a) Capital expenditure and financing for 2024/25
 - (b) The Council's overall borrowing need
 - (c) Treasury position at 31 March 2025
 - (d) Prudential indicators and compliance issues
 - (e) The economic background for 2024/25
 - (f) A summary of the Treasury Management Strategy agreed for 2024/25
 - (g) Treasury Management activity during 2024/25
 - (h) Performance and risk benchmarking
9. Throughout this report a number of technical terms are used, a glossary of terms can be found at the end of this report.

The Council's Capital Expenditure and Financing 2024/25

10. The Council undertakes capital expenditure on long term assets, which is financed either:
 - (a) Immediately through capital receipts, capital grants, contributions and from revenue; or
 - (b) If insufficient financing is available, by borrowing.
11. Part of the Council's treasury activities is to address this borrowing need, either through borrowing from external bodies, or utilising temporary cash resources within the Council. The wider treasury activities also include managing the Council's cash flow, its previous borrowing activities and the investment of surplus funds. These activities are structured to manage risk foremost and then optimise performance.
12. Capital Expenditure forms one of the prudential indicators that are used to regulate treasury activity. Table 1 shows total capital expenditure and how this was financed, compared with what was expected to be spent and how this would have been financed. Actual expenditure was £16.982m less than planned, mostly down to slippage in the HRA, and some Towns Fund initiatives. As some of the HRA expenditure was to be financed by borrowing this has led to a decrease in borrowing needed of £10.220m.

Table 1 – Capital Expenditure and Financing

	2023/24	2024/25		
	Outturn £m	Revised Estimate £m	Outturn £m	Variance £m
General Fund Capital Expenditure	39.361	20.876	24.086	3.210
HRA Capital Expenditure	13.753	43.032	21.998	(21.044)
Loans to Joint Ventures etc	7.450	5.738	6.590	0.852
Total Capital Expenditure	60.564	69.646	52.664	(16.982)
Resourced by:				
Capital Receipts GF	2.491	0.887	3.145	2.258
Capital receipts Housing	0.000	0.000	2.663	2.663
JV Loans Repaid	0.500	1.000	3.820	2.820
Capital Grants	36.996	16.319	12.179	(4.140)
Capital Contributions	0.261	0.000	0.437	0.437
Revenue Contributions - GF	1.167	0.651	1.403	0.752
Investment Fund - Housing	0.000	0.000	0.000	0.000
Revenue Contributions - HRA	8.003	25.007	13.455	(11.552)
Total Resources	49.418	43.864	37.102	(6.762)
Borrowing needed to finance expenditure	11.146	25.782	15.562	(10.220)

The Council's Overall Borrowing Need

13. The Council's underlying need to borrow is called the Capital Financing Requirement (CFR). The figure is a gauge for the Council's debt position. The CFR results from the capital activity of the Council and resources used to pay for the capital spend. It represents 2024/25 and prior years' net capital expenditure which has not yet been paid for by revenue or other resources.
14. Part of the Council's treasury activities is to address the funding requirements for this borrowing need. Depending on the capital expenditure programme, the treasury service organises the Council's cash position to ensure that sufficient cash is available to meet the capital plans and cash flow requirements. This may be sourced through borrowing from external bodies (such as the government, through Public Works Loan Board (PWLb), or the money markets) or utilising temporary cash resources within the Council.
15. The Council's (non HRA) underlying borrowing need (CFR) is not allowed to rise indefinitely. Statutory controls are in place to ensure that capital assets are broadly charged to revenue over the life of the asset. The Council is required to make an annual revenue charge, called the Minimum Revenue Provision (MRP), to reduce the CFR. This is effectively a repayment of the non-Housing Revenue Account borrowing need, (there is no statutory requirement to reduce the HRA CFR). This differs from the treasury management arrangements which ensure that cash is available to meet capital commitments. External debt can also be borrowed or repaid at any time, but this does not change the CFR.

16. The total CFR can be reduced each year through a Voluntary Revenue Provision (VRP) or by the application of additional capital financing resources (such as unapplied capital receipts).
17. The Council's CFR for the year is shown in Table 2 and represents a key prudential indicator. The CFR outturn for 2024/25 is £247.613m which is £0.348m higher than approved due to an increase in estimated JV loan repayment of £2.820m and an increase in the borrowing requirement for Right of Use Assets. Right of Use Assets are a new statutory requirement and the extent to which this affected the CFR was not fully known until the Statement of Accounts was completed.

Table 2 - Capital Financing Requirement

	2023/24	2024/25		
	Outturn £m	Approved Indicator £m	31 March Actual £m	Variance £m
Opening Balance	228.659	233.973	233.973	0.000
Add Capital Expenditure financed by borrowing	11.645	19.078	19.382	0.304
Right of Use Assets	0.00	1.000	4.020	3.020
Less repayment of JV loans	(0.500)	(1.000)	(3.820)	(2.820)
Less MRP/VRP GF	(4.299)	(4.254)	(4.417)	(0.163)
Less MRP/VRP Housing	(0.426)	(0.426)	(0.426)	0.000
Less MRP/VRP PFI	(1.106)	(1.106)	(1.099)	0.007
Closing balance	233.973	247.265	247.613	0.348

Treasury Position at 31 March 2025

18. Whilst the measure of the Council's underlying need to borrow is the CFR, the Executive Director of Resources and Governance can manage the Council's actual borrowing position by:
 - (a) Borrowing to the CFR level; or
 - (b) Choosing to utilise some temporary cash flows instead of borrowing ("under borrowing"); or
 - (c) Borrowing for future increases in CFR (borrowing in advance of need, the "over borrowed" amount can be invested).
19. The Council's treasury management debt and investment position is organised by the treasury management service in order to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities. Procedures and controls to achieve these objectives are well established both through member reporting and through officer activity detailed in the Council's Treasury Management Practices.

20. The Council's total debt outstanding at 31st March 2025 was £172.738m. In addition to this, a liability of £9.932m relating to the PFI scheme and Right of Use Assets brings the total to £182.670m. The Council's revised CFR position was estimated to be £247.265m, however, the actual out turn position was £247.613m. When comparing this to borrowing of £182.670m this meant that the Council was "under borrowed" by £64.943m. This "under borrowed" amount was financed by internal borrowing which means that the amount that could have been invested externally was reduced to cover this. The reduced under borrowed position still has the dual effect of reducing costs to the MTFP because borrowing costs are generally greater than investment returns and it reduces counterparty risk by reducing our exposure to banks and other financial institutions.
21. The treasury position at 31 March 2025, including investments compared with the previous year is shown in table 3 below.

Table 3 – Summary of Borrowing and Investments

Treasury Position	31 March 2024		31 March 2025	
	Principal £m	Average Rate %	Principal £m	Net Annualised Average Rate %
General Debt - Fixed Rate Debt, Market and Public Works Loan Board (PWLB)	127.878	2.65%	147.738	3.37%
Property Fund Borrowing	25.000	2.60%	25.000	3.70%
Total Debt	152.878	2.61%	172.738	3.41%
Cashflow Investments up to 6 months	6.370	5.09%	10.090	4.94%
Capital Investments over 6 months	0.000	0.00%	0.000	0.00%
Property Fund Investment - net of costs	24.766	0.65%	25.318	0.42%
Total Investments	31.136		35.408	
Net borrowing position	121.742		137.330	

Prudential Indicators and Compliance Issues

22. Some prudential indicators provide an overview while others are specific limits on treasury activity. These indicators are shown below:
23. **Gross Borrowing and the CFR** – in order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council should ensure that its gross external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year (2023/24) plus the estimates of any additional capital financing requirement for the current (2024/25) and next two financial years. This essentially means that the Council is not borrowing to support revenue expenditure. This indicator allowed the Council some flexibility to borrow in advance of its immediate capital

needs in 2024/25. The table below highlights the Council's gross borrowing position against the CFR. The Council has complied with this prudential indicator.

Table 4 – Gross Borrowing Compared with CFR

	31 March 2024 Actual £m	31 March 2025 Approved Indicator £m	31 March 2025 Actual £m
Gross Borrowing Position	152.878	171.411	172.738
PFI and Right of Use Asset	7.011	7.912	9.932
Total	159.889	179.323	182.670
CFR	233.973	247.265	247.613
(Under)/over funding of CFR	(74.087)	(67.942)	(64.943)

24. **The Authorised Limit** – The Authorised Limit is the “Affordable Borrowing Limit” required by section 3 of the Local Government Act 2003. The Council does not have power to borrow above this level.
25. **The Operational Boundary** – The Operational Boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the Boundary are both acceptable, subject to the Authorised Limit not being breached.
26. **Actual financing costs as a proportion of net revenue expenditure** - This indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue expenditure. The actual for this indicator has risen from the previous year due to an increase in the Financing costs outturn.

Table 5 – Key Prudential Indicators

	Actual 2023/24 £m	Original Approved Limits 2024/25 £m	Revised Approved Limits 2024/25 £m	Actual Total Liabilities Borrowing + PFI/ ROU Assets 2024/25 Maximum £m
Approved Indicator – Authorised Limit	245.675	273.111	259.628	259.994
Approved Indicator – Operational Boundary	159.889	183.973	179.323	182.670
Financing costs as a percentage of net revenue expenditure	4.47%	4.16%	4.10%	3.91%

27. At 31 March 2025 the total liabilities were £172.738m which is below both the approved Authorised Limit and the approved Operational Boundary. The Operational Boundary is the point at which we expect borrowing to be, but it can be lower or higher. Borrowing cannot exceed the Authorised Limit.
28. A further four prudential indicators are detailed in **Appendix 1**.

Economic Background for 2024/25

29. A summary of the general economic conditions that have prevailed through 2024/25 provided by MUFG, the Council's treasury management advisors is attached at **Appendix 2**.

Summary of the Treasury Management Strategy agreed for 2024/25

30. The revised Prudential Indicators anticipated that during 2024/25 the Council would need to borrow £25.782m to finance part of its capital programme, whereas the actual outturn figure was £15.562m. The reason for this change is slippage on housing schemes which will now be progressed into 2025/26.
31. The Annual Investment Strategy stated that the use of specified (usually less than one year) and non-specified (usually more than one year) investments would be carefully balanced to ensure that the Council has appropriate liquidity for its operational needs. In the normal course of the Council's business it is expected that both specified and non-specified investments will be utilised for the control of liquidity as both categories allow for short term investments.
32. Longer term instruments (greater than one year from inception to repayment) will only be used where the Council's liquidity requirements are safeguarded. An estimate of long term investments (over one year) were included in the report on the Prudential Indicators update these were as follows £50m for 2023/24 and £50m for 2024/25. No other investments of over one year duration have been made during 2024/25.

Treasury Management Activity during 2024/25

Borrowing Strategy

33. During 2024/25, the Council maintained an under-borrowed position. This meant that the capital borrowing need, (the CFR), was not fully funded with loan debt as cash supporting the Council's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as borrowing rates were higher than investment returns.
34. The Council has sought to minimise the taking of long-term borrowing at elevated interest rate levels and has focused on a policy of internal and temporary borrowing as appropriate whilst rates remain high.
35. A cost of carry remained during the year on any new long-term borrowing that was not immediately used to finance capital expenditure, as it would have caused a temporary increase in cash balances; this would have incurred a revenue cost – the difference between (higher) borrowing costs and (lower) investment returns.

36. The policy of avoiding new borrowing by running down spare cash balances has served well over the last few years (see table 6 below). However, this was kept under review to avoid incurring higher borrowing costs in the future when this authority may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt.

Table 6 – net borrowing

	Market Loans (incl. other Local Authorities)			Total
	Amount £m	Length of Loan	Interest Rate %	£m
New Loans Taken	5.000	11 months	5.30%	47.000
	10.000	1 year	4.90%	
	2.000	9 months	4.80%	
	5.000	10 months	4.95%	
	5.000	9 months	4.85%	
	5.000	7 months	5.70%	
	10.000	1 year	4.47%	
	5.000	1 year	4.41	
Total New Loans				47.000
Loans Repaid	(2.000)	3 months	6.00%	(27.000)
	(5.000)	3 months	6.75%	
	(3.000)	4 months	6.00%	
	(5.000)	1 year	5.25%	
	(2.000)	6 months	5.30%	
	(5.000)	6 months	5.30%	
	(5.000)	6 months	5.20%	
Total New Borrowing				20.000

37. **Summary of Debt Transactions** –The consolidated rate of interest increased from 2.65% to 3.37% due to increased interest rates in the market.

Investment Position

38. **Investment Policy** – the Council's investment policy for 2024/25 is governed by the MHCLG Guidance which has been implemented in the annual investment strategy for 2024/25 approved by Special Council on 15 February 2024. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided

by the three main credit rating agencies, supplemented by additional market data, (such as rating outlooks, credit default swaps, bank share prices etc.).

39. The investment activity during the year conformed to the approved Strategy and the Council had no liquidity difficulties.
40. Investment returns remained robust throughout 2024/25 with the bank rate reducing steadily throughout the course of the financial year (three 0.25% rate cuts in total). The headline rate has reduced from 5.25% at the start of the year to 4.5% in March 2025.
41. Looking back to 2024/25 returns in excess of 5% for 1-12 month deposits were achievable but this decreased to around the 4-4.25% by the end of the financial year.
42. While the Council has taken a cautious approach to investing, it is also fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the aftermath of the financial crisis. These requirements have provided a far stronger basis for financial institutions, with annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme stressed market and economic conditions.
43. Investment balances have been kept to a minimum through the agreed strategy of using reserves and balances to support internal borrowing, rather than borrowing externally from the financial markets. External borrowing would have incurred an additional cost, due to the differential between borrowing and investment rates. Such an approach has also provided benefits in terms of reducing counterparty risk exposure, by having fewer investments placed in the financial markets.
44. Investments held by the Council consist of temporary surplus balances, capital receipts and other funds. Cash balances are invested on a daily basis to maximise the benefit of temporary surplus funds. These include investments in Money Market Funds, the Government's Debt Management Office, other local authorities and bank short term notice accounts. Short term investments of up to a year earned interest of £779k on an average balance of £15.782m which equated to an annual average interest rate of 4.94%.
45. The Council also has longer term investments which consist of the property funds and the returns are shown below in **Table 7**.
46. The Council has received its share of the distributions of funds from the Lothbury Fund as and when assets are sold. Distributions which the Council have received to date have been invested in the UBS Triton Property fund. The investment of future distributions will be decided as and when they are received, in consideration of the best investment opportunities and the Council's financial position at the date of receipt.
47. As reported in the Council's Prudential Indicators and Treasury Management Strategy Report 2025/26 Hermes Federated were looking into a potential merger with another larger property fund. The Council awaits the decision on that merger and will report the outcome during 2025/26.

Table 7 – Longer Term 6 months to 5 years - Property Funds

	Original Budget 2024/25	Actual 2024/25
Daily average level of Investments	£24.766m	£25.318m
Interest earned (gross)	1.086m	1.032m
Average Rate of Return on Investment Interest earned (gross)	4.38%	4.08%
Average Rate of Return on Investment (net of costs)	0.65%	0.42%

Performance and Risk Benchmarking

48. A regulatory development is the consideration and approval of security and liquidity benchmarks. Yield benchmarks are currently widely used to assess investment performance.
49. The following reports the current position against the benchmarks originally approved.
50. Security – The Council’s maximum security risk benchmarks for the current portfolio of investments, when compared to historic default tables was set as follows:

0.077% historic risk of default when compared to the whole portfolio

51. **Table 8** shows that there has been a fluctuation in the historic levels of default over the year although still well below the benchmark. This is mainly due to some longer term investments actually being made for shorter terms i.e. up to six months rather than one year as these investments were a better fit with how the Council was expecting to utilise investments. It also shows more emphasis being placed on counterparties with a higher credit rating.
52. The investment portfolio was maintained within this overall benchmark during this year as shown in **Table 8**.

Table 8

Maximum	Benchmark 2024/25	Actual June 2024	Actual October 2024	Actual December 2024	Actual March 2025
Year 1	0.077%	0.004%	0.005%	0.005%	0.000%

53. The counterparties that we use are all high rated therefore our actual risk of default based on the ratings attached to counterparties is virtually nil.
54. Liquidity – In respect of this area the Council set liquidity facilities/benchmark to maintain

- (a) Bank Overdraft £0.100M
- (b) Liquid short term deposits of at least £3.000M available within a week's notice.
- (c) Weighted Average Life benchmark is expected to be 146 days with a maximum of one year.

55. Liquidity arrangements have been adequate for the year to date as shown in **Table 9**.

Table 9

	Benchmark	Actual June 2024	Actual October 2024	Actual December 2024	Actual March 2025
Weighted Average life	146 days to 1 year	92 days	71 days	117 days	0 days

56. The figures are for the whole portfolio of cash flow investments deposited with Money Market funds on a call basis (i.e. can be drawn on without notice) as well as call accounts that include a certain amount of notice required to recall the funds.

57. Money Market Funds do not have a Weighted Average Life as they are on a call basis. During the latter part of the year the Council held it's surplus cash in Money Market Funds as the rates for these were on par (sometimes even better) than short term investments, hence there is no Weighted Average Life in March 2025.

58. Yield - In respect of this area performance indicators relating to interest rates for borrowing and investments were set with reference to comparative interest rates. For borrowing, the indicator is the average rate paid during the year compared with the previous year. Investment rates are compared with a representative set of comparative rates.

Risk

59. The Council's treasury management activities are regulated by a variety of professional codes, statutes and guidance:-

- (a) The Local Government Act 2003(the Act), which provides the powers to borrow and invest as well as providing controls and limits on this activity.
- (b) The Act permits the Secretary of State to set limits either on the Council or nationally on all local authorities restricting the amount of borrowing which may be undertaken (although no restrictions were made in 2024/25).
- (c) Statutory Instrument (SI) 3146 2003, as amended, develops the controls and powers within the Act.
- (d) The SI requires the Council to undertake any borrowing activity with regard to the CIPFA Prudential Code for Capital Finance in Local Authorities.

- (e) The SI also requires the Council to operate the overall treasury function with regard to the CIPFA code of Practice for Treasury Management in Public Services.
 - (f) Under the Act the Department of Levelling Up, Housing & Communities has issued Investment Guidance to structure and regulate the Council's investment activities.
 - (g) Under section 238(2) of the Local Government and Public Involvement in Health Act 2007 the Secretary of State has taken powers to issue guidance on accounting practices. Guidance on Minimum Revenue Provision was issued under this section on 8 November 2007.
60. The Council's Treasury Management function has complied with all of the relevant statutory and regulatory requirements, which limit the levels of risk associated with its treasury management activities. In particular its adoption and implementation of both the Prudential Code and the code of Practice for Treasury Management means both that its capital expenditure is prudent, affordable and sustainable and its treasury practices demonstrate a low risk approach.
61. Officers of the Council are aware of the risks of passive management of the treasury portfolio and, with the support of Link Group, the Council's advisers, have proactively managed the debt and investments over the year.

Treasury Management Budget

62. There are three main elements within the Treasury Management Budget:-
- (a) Long Term capital investments including Property Funds which earns interest and dividends, this comprises of the Council's revenue and capital balances, unused capital receipts, reserves and provisions.
 - (b) Cash flow interest earned – the authority has consistently had positive cash flow. Unlike long term capital investments it does not represent any particular sum but it is the consequence of many different influences such as receipts of grants, the relationship between debtors and creditors, cashing of cheques and payments to suppliers.
 - (c) Debt servicing costs – This is the principal and interest costs on the Council's long term debt to finance the capital programme.

Table 10 - Changes to the Treasury Management Budget 2024/25

	£m	£m
Original Treasury Management Budget		3.547
Debt		
Movements in interest payable on debt	0.374	
Investments		
Movements in investment income	(0.104)	
Movements in property fund dividend	0.054	
Outturn Treasury Management Budget 2024/25		3.871

63. The estimated reduction in the interest rates payable on debt was far slower to materialise than originally estimated. Interest rates have remained higher for longer due to economic factors beyond the Council's control and therefore interest payable was more than originally forecast. The Council has also increased its level of debt which has increased interest payable.
64. The Council have been able to take advantage of the higher interest rates by investing any surplus cash and have therefore been able to partially offset the increased interest payable by an increase in interest receivable.
65. The decrease in property fund dividend is due to the termination of the Lothbury Property Fund and the decreased level of dividends as assets are sold.

Conclusion

66. The Council's treasury management activity during 2024/25 has been carried out in accordance with Council Policy and within legal limits. The financial year has remained very volatile with interest rates not falling as quickly as expected leading to pressures on the treasury management budget. Interest rates cuts are expected to be gradual over 2025/26 with any real reduction in rates not expected to take place until the latter part of the financial year.

Outcome of Consultation

67. No formal consultation has been undertaken regarding this report.

Appendix 1

Additional Prudential Indicators not reported in the body of the report.

		2023/24 Actual	2024/25 Approved Indicator	2024/25 Outturn
1	limits on fixed interest rates	79%	100%	70%
2	limits on variable interest rates	21%	40%	30%
3	Maturity structure of fixed interest rate borrowing (upper Limit)			
	Under 12 months	21%	40%	30%
	12 months to 2 years	21%	50%	30%
	2 years to 5 years	26%	60%	39%
	5 years to 10 years	31%	80%	40%
	10 years and above	100%	100%	100%
4	Maximum Principal funds invested greater than 364 days	£50m	£50m	£50m

The Economy and Interest Rates

UK. Economy.

UK inflation has proved somewhat stubborn throughout 2024/25. Having started the financial year at 2.3% y/y (April), the CPI measure of inflation briefly dipped to 1.7% y/y in September before picking up pace again in the latter months. The latest data shows CPI rising by 2.8% y/y (February), but there is a strong likelihood that figure will increase to at least 3.5% by the Autumn of 2025.

Against that backdrop, and the continued lack of progress in ending the Russian invasion of Ukraine, as well as the potentially negative implications for global growth as a consequence of the implementation of US tariff policies by US President Trump in April 2025, Bank Rate reductions have been limited. Bank Rate currently stands at 4.5%, despite the Office for Budget Responsibility reducing its 2025 GDP forecast for the UK economy to only 1% (previously 2% in October).

Moreover, borrowing has becoming increasingly expensive in 2024/25. Gilt yields rose significantly in the wake of the Chancellor's Autumn Statement, and the loosening of fiscal policy, and have remained elevated ever since, as dampened growth expectations and the minimal budget contingency (<£10bn) have stoked market fears that increased levels of borrowing will need to be funded during 2025.

The Bank of England sprung no surprises in their March meeting, leaving Bank Rate unchanged at 4.5% by a vote of 8-1, but suggesting further reductions would be gradual. The Bank of England was always going to continue its cut-hold-cut-hold pattern by leaving interest rates at 4.50% but, in the opposite of what happened at the February meeting, the vote was more hawkish than expected. This suggested that as inflation rises later in the year, the Bank cuts rates even slower, but the initial impact of President Trump's tariff policies in April 2025 on the financial markets underpin our view that the Bank will eventually reduce rates to 3.50%.

Having said that, the Bank still thinks inflation will rise from 2.8% in February to 3¾% in Q3. And while in February it said "inflation is expected to fall back thereafter to around the 2% target", this time it just said it would "fall back thereafter". That may be a sign that the Bank is getting a bit more worried about the "persistence in domestic wages and prices, including from second-round effects". Accordingly, although we expect a series of rate cuts over the next year or so, that does not contradict the Bank taking "a gradual and careful" approach to cutting rates, but a tepid economy will probably reduce inflation further ahead and prompt the Bank to cut at regular intervals.

From a fiscal perspective, the increase in businesses' national insurance and national minimum wage costs from April 2025 is likely to prove a headwind, although in the near-term the Government's efforts to provide 300,000 new homes in each year of the current Parliament is likely to ensure building industry employees are well remunerated, as will the clamp-down on immigration and the generally high levels of sickness amongst the British workforce. Currently

wages continue to increase at a rate close to 6% y/y. The MPC would prefer a more sustainable level of c3.5%.

As for equity markets, the FTSE 100 has recently fallen back to 7,700 having hit an all-time intra-day high 8,908 as recently as 3rd March. The £ has also endured a topsy-turvy time, hitting a peak of \$1.34 before dropping to \$1.22 in January and then reaching \$1.27 in early April 2025.

USA. Economy

Despite the markets willing the FOMC to repeat the rate cut medicine of 2024 (100 basis points in total), the Fed Chair, Jay Powell, has suggested that the Fed. Funds Rate will remain anchored at 4.25%-4.5% until inflation is under control, and/or the economy looks like it may head into recession as a consequence of President Trump's tariff policies.

Inflation is close to 3% and annualised growth for Q4 2024 was 2.4%. With unemployment just above 4%, and tax cuts in the pipeline, the FOMC is unlikely to be in a hurry to cut rates, at least for now.

EU. Economy

The Eurozone economy has struggled throughout 2024 and is flat lining at present, although there is the promise of substantial expenditure on German defence/infrastructure over the coming years, which would see a fiscal loosening. France has struggled against a difficult political backdrop, but with a large budget deficit it is difficult to see any turn-around in economic hopes in the near-term.

With GDP currently below 1% in the Euro-zone, the ECB is likely to continue to cut rates, although the headline inflation rate is still above 2% (2.3% February 2025). Currently at 2.5%, a further reduction in the Deposit Rate to at least 2% is highly likely.

Other Issues

Throughout this report Right of Use Assets are referred to. The adoption of IFRS 16 – Leases became mandatory for all local authorities from 1st April 2024. It requires lessees to recognise most leases on their balance sheet, whereas the previous standard (IAS17) allowed for these leases to be treated as operating leases and therefore off-balance sheet.

The effect of IFRS 16 is to bring leases on balance sheet as our own assets and this therefore impacts on the Capital Finance Requirement (CFR) as there is an obligation to fund these assets. As payments are made this obligation decreases through the MRP contribution and reduces the balance on the CFR.

Glossary of Terms

Capital Financing Requirement (CFR)	This is the Councils underlying need to borrow which can be traced back to the Councils Balance Sheet and the value of the Councils assets which have yet to be paid for.
Minimum Revenue Provision (MRP)	Monies set aside from the revenue budget to repay accumulated debt.
Call	Investments that can be returned without a period of notice
Counterparty	Institutions, Banks etc. that with make investments or take out loans with.
Specified Investments	Investments in Banks and Building Societies with a high credit rating for periods of less than 1 year
Non-Specified Investments	Investments in un-rated Building Societies and any investments in Banks and Building Societies for more than 1 year.
Operational Liquidity	Working Cash flow
Authorised Limit	Maximum amount of borrowing that could be taken in total.
Operational Boundary	The expected amount of borrowing assumed in total.
PWLB	Public Works Loan Board. The Governments lending body to Local Authorities
Discount	Amount payable by the PWLB when loans are repaid if the current loan rate is less than the rate borne by the original debt
Yield Curve	Is a graph that shows the relationship between the interest rate paid and length of time to repayment of a loan.
Gilts	Government Borrowing Bonds
SONIA	The Sterling Overnight Index Average – generally a replacement set of indices (for LIBID) for those benchmarking their investments.
Spreads	The difference between the highest rate of interest and the lowest rate of interest earned/charged on any one particular maturity period i.e. 1 year, 2 year 5 year etc.
LIBID	London Interbank Bid Rate. The average rate at which a bank is willing to borrow from another bank.

LIBOR	London Interbank Offer Rate. The average rate at which a bank is willing to lend to another bank. LIBOR is always higher than the corresponding bid rate and the difference between the two rates is known as the spread.
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