



DARLINGTON

Borough Council

Cabinet Agenda

5.00 pm

Tuesday, 8 September 2026

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. Death in Service - Cher Wigglesworth (Pages 5 - 6)
4. To hear relevant representation (from Members and the General Public) on items on this Cabinet agenda.
5. To approve the Minutes of the Meeting of this Cabinet held on 13 July 2026 (Pages 7 - 14)
6. Matters Referred to Cabinet – Question from the Council Meeting on the 16 July 2026 referred to Cabinet for reconsideration. (Pages 15 - 16)
7. 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.
8. Key Decisions:-
 - (a) Commencement of work on a Joint Tees Valley Minerals and Waste Local Plan – Report of the Executive Director of Economy and Public Protection (Pages 17 - 24)
 - (b) Public Spaces Protection Order - Dog Control –

Report of the Executive Director of Environment, Highways and Community Services
(Pages 25 - 42)

- (c) Red Hall Primary School - Capital Works – Report of the Executive Director of People
(Pages 43 - 48)
- 9. Annual Review of the Investment Fund – Report of the Executive Director of Resources and Governance (Pages 49 - 58)
- 10. Acquisition of 18 King Street – Report of the Executive Director of Economy and Public Protection
(Pages 59 - 68)
- 11. Complaints, Compliments and Comments Annual Reports 2025/26 – Report of the Executive Director of Resources and Governance (Pages 69 - 212)
- 12. Complaints Made to Local Government Ombudsman – Report of the Executive Director of Resources and Governance (Pages 213 - 220)
- 13. Housing Services Rent Setting Policy – Report of the Executive Director of Resources and Governance (Pages 221 - 244)
- 14. Land at Morton Palms Business Park - Proposed Disposal of Plot – Report of the Executive Director of Economy and Public Protection (Pages 245 - 254)
- 15. Lease of Premises for an Employability Hub - Enterprise House – Report of the Executive Director of Economy and Public Protection (Pages 255 - 264)
- 16. Project Position Statement and Capital Programme Monitoring - Quarter 1 – Report of the Executive Director of Resources and Governance and the Executive Director of Environment, Highways and Community Services (Pages 265 - 284)
- 17. Regulatory Investigatory Powers Act (RIPA) – Executive Director of Resources and Governance (Pages 285 - 306)
- 18. Revenue Budget Monitoring - Quarter 1 – Report of the Executive Director of Resources and Governance (Pages 307 - 332)
- 19. Treasury Management Annual Report and Outturn Prudential Indicators 2025/26 – Report of the Executive Director of Resources and Governance (Pages 333 - 352)
- 20. Membership Changes - To consider any Membership Changes to Other Bodies to which Cabinet appoints.
- 21. 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.
- 22. Questions.

EXCLUSION OF THE PUBLIC AND PRESS

23. 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

24. 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.

25. Questions.

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

Amy Wennington
Assistant Director Law and Governance

Monday, 31 August 2026

Town Hall
Darlington.

Membership

Councillors Garner, Harker, McCollom, McEwan, Porter, Curry, 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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**CABINET
8 SEPTEMBER 2026**

DEATH IN SERVICE – CHER WIGGLESWORTH

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 inform Members of the recent Death in Service on 22 July 2026 of Cher Wigglesworth. Cher was employed as a social worker in Assessment & Safeguarding Team East (Children's Services) and was a very valued member of the team.

Summary

2. It is with great sadness that I have to inform Members of Cher Wigglesworth's death on 22 July 2026.
3. Cher was 49 years old and has a total of two months Local Government service. Cher had joined Darlington Borough Council via an agency in November 2025.
4. Cher was a well-respected member of the team and will be greatly missed.
5. A letter has been sent to Cher's family conveying the Council's sympathy and Human Resources are ensuring they receive appropriate advice and support.

Recommendations

6. It is recommended that the Cabinet note: -
 - (a) with great sadness the recent death in service of Cher Wigglesworth, a respected employee of the Council; and
 - (b) the actions of the Council in conveying the sympathy to Cher's family and the support offered from Human Resources.

Reasons

7. The recommendations are supported to make Members aware of the recent death in service.

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 27 JULY 2026**

CABINET
Monday, 13 July 2026

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

APOLOGIES – Councillors Porter and Dulston

C16 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

**C17 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.

C18 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON 9 JUNE 2026

Submitted - The Minutes (previously circulated) of the meeting of this Cabinet held on 9 June 2026.

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

REASON – They represent an accurate record of the meeting.

C19 MATTERS REFERRED TO CABINET

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

C20 ISSUES ARISING FROM SCRUTINY COMMITTEE

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

C21 CLIMATE CHANGE AND NATURE RESTORATION PROGRESS REPORT

The Cabinet Member with the Economy Portfolio introduced the report (previously circulated) of the Executive Director of Economy and Public Protection. The report gave an update to Cabinet Members on the progress towards both the Council's net zero target and its nature recovery ambition.

The report explained that as agreed in the Climate and Nature Emergency Declaration, this is an annual report for 2025/26, and that the increase in emissions reported for 2024/25 has levelled off, although they are still awaiting final answers from the electricity supplier for

issues at Allington Way.

The report described how solar generation has increased and is now available to begin measuring generation from the solar panels at the Dolphin Centre, a pie chart of where the emissions are coming from show the gas accounts for almost half of the total reported emissions.

It was explained that the Sustainability and Climate Change Lead Officer had been working with the Tees Valley Combined Authority to develop a Local Area Energy Plan, it is said that the plan will examine and cost the possible interventions needed to reach net zero. It was also mentioned that the Economy Portfolio Holder had been holding regular update meetings with Assistant Directors to understand the challenges facing delivery of actions in their departments.

RESOLVED - It is recommended that Cabinet acknowledges the report and draft Nature Restoration Action Plan at Appendix A.

REASON - The recommendations support our declaration to act on climate change and nature depletion. We run the risk of significant damage to our reputation if we do not deliver on our stated commitments to dealing with the Council's contribution to climate change and ambition for nature recovery.

C22 COLLECTION OF COUNCIL TAX, BUSINESS RATES AND RENT 2025/26

The Leader of the Council 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 2025/26 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 2025/26 had continued to be a significant challenge due to the current economic climate; despite the challenges, a total of £150.56M had been collected in 2025/26; and that approval was being sought to write-off a total of £1,215,433 of debts in respect of individual cases exceeding £1,000 for the financial year 2025/26, 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 £1,215,433 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.

C23 CPC ACTION PLAN

The Leader of the Council introduced the report (previously circulated) of the Chief Executive to inform Cabinet Members of the outcome of the Corporate Peer Challenge (CPC) and seek their approval for the action plan that had been developed in response to the recommendation within the CPC report.

The report explained that as part of the commitment to continuous improvement, the Council asked the Local Government Association (LGA) to deliver a Corporate Peer Challenge (CPC) in March 2026. The CPC is an independent, sector-led review that provides a strategic challenge and support to the Councils, resulting in a report and suite of recommendations. The review was delivered by experienced external peers, and they gathered evidence from 132 stakeholders through 35 meetings.

The outcome of the CPC found Darlington Borough Council is well run and high performing, with a strong reputation, positive culture and trusted partnerships, consistently delivering impact beyond its size. The report stated that staff are proud and empowered, leadership is financially disciplined, and there are significant opportunities for growth supported by strong partner confidence. The outcome also recognised that capacity is stretched and delivery often relies on staff goodwill, there are opportunities to improve some systems and processes, and the Council should consider demonstrating how ambitions will be translated into measurable outcomes.

The report clarified that in response to the CPC report and its recommendations, the Council is required to create and publish an action plan, which is included in this report for Cabinet to consider. It was stated that the CPC team will conduct a progress review with the Council within 12 months of the CPC.

RESOLVED - It is recommended that:-

- (a) Cabinet notes the Corporate Peer Challenge Report and recommendations.
- (b) Approves the action plan that has been developed in response to the recommendations.

REASON- The recommendations are supported by the following reasons:

- (a) As part of the CPC process, the Council is required to develop and publish an action plan in response to the recommendations made in the CPC report.
- (b) The action plan sets a clear response to the recommendations in the CPC report, including specific actions, target dates, and responsible officers.

C24 DISABLED FACILITIES GRANT 2026-27

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 available for Disabled Facilities Grants (DFGs) during 2026-27 and to seek members' approval for the release of those resources to be utilised in accordance with 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, they are means tested and are available to owner-occupiers, tenants of private rented properties and Housing Association tenants.

The report clarified 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 a Home Improvement Agency service to provide guidance and practical assistance to people who are older, disabled or on low incomes to claim a DFG to repair, improve or adapt their homes. It was also outlined how they provide support to people until the work is completed and the contractor has been paid.

RESOLVED - It is recommended that :-

- (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 2026-2027 (which is the same as 2025 –2026) plus a previous additional in year allocation of £92,788 in 2025 -26.
- (b) The capital funding for 2026-27 and the additional capital funding for 2025-26 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 reasons: -

- (a) To enable the adaptations for those individuals who are eligible to receive a DFG for 2026-27 to proceed.

C25 MEETING DATES FOR THE GENERAL LICENSING COMMITTEE FOR THE MUNICIPAL YEAR 2026/27

The Leader of the Council introduced the report (previously circulated) of the Executive Director of Resources and Governance for Members to consider the date of the first meeting of the General Licensing Committee for the 2026/27 Municipal Year.

The first meeting of the General Licensing Committee in the 2026/27 Municipal Year was cancelled due to lack of business and, as such, the Committee has not had opportunity to agree the remaining dates of meetings of the Committee for the 2026/27 Municipal Year.

RESOLVED - It is recommended that the amended date of the first meeting of the General Licensing Committee be agreed, and the proposed dates for the remainder of the 2026/27 Municipal Year, as detailed in the Calendar attached as an Appendix, be considered by the Committee at its first meeting.

REASON- The recommendations are supported by the following reason:

- (a) To enable the General Licensing Committee to consider the dates of its meetings.

C26 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.

C27 PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING OUTTURN 2025-26

The Leader of the Council 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 2026; proposed financing of the 2025/26 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 2025/26 totalled £48.073M; there were 19 live projects currently being managed by the Council with an overall value of £151.564M; 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 2025/26 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 2025/26 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.

C28 REVENUE OUTTURN 2025/26

The Leader of the Council introduced the report (previously circulated) of the Executive Director Resources and Governance presenting the 2025/26 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 2025/26; the year-end projection showed an overall improvement in the 2025/26 financial position of £1.935M; there was an improvement of £0.537M on the 2026/27 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 - It is recommended that:-

- (a) The revenue outturn for 2025/26 be noted.
- (b) The carry forward of resources referred to in paragraphs 16 - 19 be noted and approved.

REASON - The recommendations are supported by the following reasons:

- (a) To continue effective management of resources.
- (b) To continue to deliver services to agreed levels

C29 XENTRALL SHARED SERVICES ANNUAL REPORT

The Leader of the Council 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 eighteen years since it was formed.

REASON - The recommendation is supported to 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 eighteen years since it was formed.

C30 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.

There were no membership changes reported at the meeting.

C31 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS :-

C32 QUESTIONS.

**DECISIONS DATED –
FRIDAY 17 JULY 2026**

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CABINET
8 SEPTEMBER 2026

**MATTERS REFERRED TO CABINET – QUESTIONS FROM THE COUNCIL MEETING ON THE 16
JULY 2026 REFERRED TO CABINET FOR RECONSIDERATION**

Question referred:

Because there are no nationally collated statistics on crimes in leisure centres, I wrote FOIs to Durham Constabulary and the council requesting the data on sexual offences committed in the Dolphin Centre since 2006. The police response showed there had been 8 incidents since 2016. The single sex spaces recorded nil episodes; the changing village recorded 2. (The other incidents weren't listed with a specific location). Worryingly, the two FOI responses don't correlate: the council doesn't appear to have recorded any incidents, and the response curtailed the timeframe I asked about to only 3.5 years. Now it could be that pool users don't inform the staff about incidents, but Durham Constabulary has records of incidents. It appears that the council don't have reliable systems in place for knowing what has happened on their premises nor adequate processes to address issues.

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**CABINET
8 SEPTEMBER 2026**

TEES VALLEY JOINT MINERALS AND WASTE LOCAL PLAN

**Responsible Cabinet Member -
Councillor Chris McEwan, Economy Portfolio**

**Responsible Director -
Trevor Watson, Executive Director Economy and Public Protection**

SUMMARY REPORT

Purpose of the Report

1. In order to meet the Council's statutory duty to prepare a development plan for the area, it is necessary to commence work on the Tees Valley Joint Minerals and Waste Local Plan.
2. The current Tees Valley Joint Minerals and Waste Local Plan was adopted in September 2011 and is therefore significantly out of date. If a joint Minerals and Waste Plan is not prepared, individual authorities will need to include this in their own Local Plans.

Summary

3. In accordance with the requirements of the Planning and Compulsory Purchase Act 2004, the Levelling-up and Regeneration Act 2023, and the Town and Country Planning (Local Planning) (England) Regulations 2026, Darlington Borough Council is required to review and update its planning policy framework relating to minerals and waste development.
4. The purpose of this report is to seek approval to commence preparation of a new Tees Valley Joint Minerals and Waste Local Plan, in partnership with neighbouring Tees Valley authorities. The new plan will provide an up-to-date statutory framework for managing mineral extraction, safeguarding mineral resources, waste management infrastructure, recycling facilities, landfill restoration, and associated development across the Tees Valley.
5. Gateway 1 is the first of 3 mandatory gateways that support authorities in adopting a plan within 30 months. Gateway 1 involves self-assessing the readiness to start the 30-month plan preparation process and includes the publishing of a self-assessment.

Recommendations

6. It is recommended that Cabinet recommend that Full Council :-

- a) Approve the commencement of the preparation of the Tees Valley Joint Minerals & Waste Local Plan in accordance with the Planning and Compulsory Purchase Act (2004) and the Town and Country Planning (Local Planning) (England) Regulations 2026
- b) delegates authority to the Executive Director of Economy and Public Protection in consultation with the Economy Portfolio Lead to:
 - I. prepare, publish and submit a 'Notice of intention to commence the Tees Valley Joint Minerals & Waste Local Plan';
 - II. publish and update the Tees Valley Joint Minerals & Waste Local Plan Timetable monthly (or as required), to ensure an up-to-date timetable is publicly available in accordance with Regulation 6 of the Town and Country Planning (Local Planning) (England) Regulations 2026;
 - III. undertake a 'scoping consultation' on the joint Tees Valley Joint Minerals & Waste Local Plan; and
 - IV. produce all associated documentation to allow the joint Tees Valley Minerals and Waste Local Plan to progress through Gateway 1.

Delegations

- 7. In order to meet the deadlines, set by government for 'new style' plans, the delegations recommended are required to progress the early stages of the preparation of this document.
- 8. Further details on the preparation of 'new style' local plans are included in the main report. It should be noted this process is different to that of the Local Plan Review which is being undertaken under transitional arrangements.

Reasons

- 9. The recommendations are supported by the following reasons: -
 - (a) In accordance with the requirements of the Planning and Compulsory Purchase Act 2004, the Levelling-up and Regeneration Act 2023, and the Town and Country Planning (Local Planning) (England) Regulations 2026, Darlington Borough Council is required to review and update its planning policy framework relating to minerals and waste development.

Trevor Watson
Executive Director Economy and Public Protection

Background Papers

No background papers were used in the preparation of this report

David Nelson : Extension 6291

Council Plan	The Tees Valley Joint Minerals and Waste Local Plan will sit alongside the Darlington Local Plan and are integral to the delivery of the Council Plan and its priorities (adopted by Council in July 2024). The key priorities are: ECONOMY - building a strong sustainable economy and highly skilled workforce with opportunities for all. The Local Plan allocates land for employment sufficient to meet the future needs of the borough. The Tees Valley Joint Minerals and Waste Local Plan will ensure sufficient supply of minerals and capacity for waste processing to ensure this happens. HOMES – affordable and secure homes that meet the current and future needs of residents. The Local Plan allocates sufficient land to meet the Boroughs needs, sets affordable housing requirements and ensures new developments are well planned, safe and attractive. The Joint Tees Valley Minerals and Waste Plan will explore the possibilities to supply locally sourced aggregate and ensure waste is handled in a sustainable manner. Although the scope of the Minerals and Waste Plan is more focused than the Local Plan it is still key to the Council’s growth aspirations.
Addressing inequalities	An Equalities Impact Assessment will be part of the plan when submitted for examination.
Tackling Climate Change	The Tees Valley Joint Minerals and Waste Local Plan will set out a policy framework to deliver sustainable minerals and waste development, and will be subject to Strategic Environmental Assessment. The approach will consider climate change impacts.
Efficient and effective use of resources	The preparation of a joint plan as opposed to having to evidence policies in each of the Tees Valley Authorities individual Local Plans makes financial sense as costs of evidence gathering can be split. This is also a strategic matter which makes sense to be considered on a larger scale.
Health and Wellbeing	A key objective of Local Plan and supporting documents is to improve people’s health and wellbeing by protecting and

	improving the economic, social and environmental conditions in the Borough. The Tees Valley Joint Minerals and Waste Local Plan will help secure some of these objectives.
S17 Crime and Disorder	Potential crime and disorder issues will be considered during the preparation of this document.
Wards Affected	All
Groups Affected	All
Budget and Policy Framework	The Tees Valley Joint Minerals and Waste Local Plan will be prepared using existing budgets and will form part of the Council's Planning 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

Background and relevant information

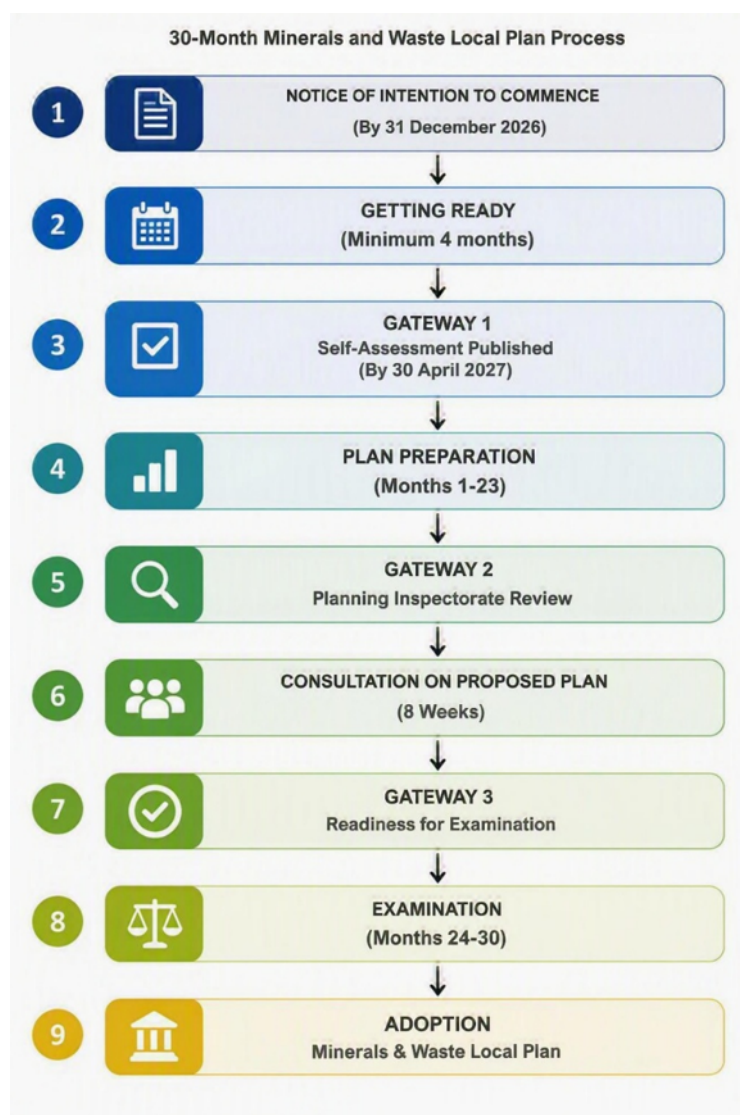
10. Under the provisions of the Planning and Compulsory Purchase Act 2004, the Council is required to prepare a statutory development plan that sets out the policies and land allocations to guide development in the Borough. The new Local Plan, that is currently at examination and due for adoption in December 2026, covers all development matters except for Minerals and Waste.
11. Planning for Minerals and Waste has historically been undertaken jointly by the five Tees Valley local planning authorities. The policy framework for Minerals and Waste currently comprises:
 - (a) The Tees Valley Minerals and Waste Joint Core Strategy Development Plan Document (DPD) (2011); and
 - (b) The Tees Valley Minerals and Waste Joint Policies & Sites DPD (2011).
12. The Joint DPDs cover the period to 2026 and are due to be reviewed. It is proposed that Darlington Borough Council continues to plan for Minerals and Waste jointly with the other Tees Valley Local Planning Authorities.

New Plan Making System

13. The Levelling-up and Regeneration Act 2023 introduced a new plan-making framework that fundamentally reshapes the development plan system with a streamlined 30-month process. The Government has subsequently introduced the Town and Country Planning

(Local Planning) (England) Regulations 2026 in March 2026 confirming the procedures for this new plan-making framework.

14. The updated plan-making system has introduced new statutory requirements which the Council must comply with. This includes a 30-month timeframe for plan preparation and adoption, and involves a scoping consultation, two plan consultations and progression through three gateways as the Local Plan progresses through the system.
15. The overall process is outlined within the figure below:



16. Please note this process is different to the review of the existing local plan which is being undertaken in line with the previous system under transitional arrangements due to end this year.

Next Steps – the ‘Getting Ready’ Stage

17. The Council has agreed joint working principles with the other Tees Valley Local Planning Authorities through Terms of Reference for the Plan. An officer working group has been established with representatives from each authority. The project will be overseen by the

Tees Valley Investment Board, which comprises senior managers from each authority. Each authority will be responsible for seeking political direction for the Plan. Decisions on the Joint Plan will need to be taken by each authority individually.

18. The legislation requires that a Gateway 1 self-assessment must be published by 30th April 2027 (and no earlier than 4 months after the notice is issued).
19. In order to achieve Gateway 1, a number of key requirements must be met:
 - (a) preparing and publishing a local plan timetable;
 - (b) issuing a notice to commence plan making (no later than 31st December 2026);
 - (c) establishing project management and governance arrangements about the preparation of the plan;
 - (d) confirming the need for a Strategic Environmental Assessment (SEA); and
 - (e) undertaking a Scoping consultation for a minimum of six weeks to provide an early opportunity for public engagement, which must seek views on:
 - (i) developing an approach to consulting and engaging on the plan; and
 - (ii) developing the anticipated content of the plan, including base line information, vision, land availability and evidence.
20. To ensure this process is properly coordinated with the other Tees Valley Authorities, and to allow the completion of the initial 'Getting Ready' stage in a timely manner, this report seeks delegated authority to undertake a number of tasks including the Initial Notice, Timetable, Scoping consultation and the preparation of other documents required to reach Gateway 1.
21. Once Gateway 1 has been passed, a summary of the Scoping consultation must be published before the formal 30-month Plan preparation commences. This must explain the key issues raised and how the responses received have been considered.
22. As the plan develops beyond Gateway 1 it will be necessary to bring further reports to members at key stages.

Financial Implications

23. Preparation of a joint Minerals and Waste Local Plan across all Tees Valley Authorities will have a significant cost but with these costs being split between authorities it will be more cost efficient than commissioning evidence as individual authorities.

Legal Implications

24. There is a statutory requirement for the Council to prepare a Local Plan for the Borough. The Tees Valley Joint Minerals and Waste Local Plan will deal with the issues not covered by the Darlington Local Plan.
25. The preparation of the Local Plan must be undertaken in accordance with the Planning and Compulsory Purchase Act 2004, the Levelling-up and Regeneration Act 2023, and the Town and Country Planning (Local Planning) (England) Regulations 2026.

26. Decisions on the statutory stages of the Local Plan are a non-executive function and must be made by the Council, as required by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and the Council's Constitution.

Procurement Advice

27. A joint procurement exercise will need to be undertaken in due course to appoint specialist consultants to develop an appropriate evidence base. It has not been determined yet at this early stage who will lead on this.

Carbon Impact and Climate Change

28. The Tees Valley Joint Minerals and Waste Local Plan will set out a policy framework to deliver sustainable minerals and waste development and will be subject to Strategic Environmental Assessment. The approach will consider climate change impacts.

Equalities considerations

29. An equalities impact assessment will be prepared alongside the Joint Tees Valley Minerals and Waste Plan.

Consultation

30. To satisfy the Regulations, it is necessary to prepare and submit a 'Notice of intention to commence the Tees Valley Joint Minerals and Waste Local Plan' and the Tees Valley Joint Minerals and Waste Local Plan Timetable. It is also necessary to undertake a Scoping consultation and complete various other tasks before 'Gateway 1' is passed, and work can formally commence on preparing the Plan.

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CABINET
8 SEPTEMBER 2026

PUBLIC SPACES PROTECTION ORDER – DOG CONTROL

Responsible Cabinet Member -
Councillor Jim Garner, Stronger Communities Portfolio

Responsible Director -
Dave Winstanley, Executive Director – Environment, Highways & Community Services

SUMMARY REPORT

Purpose of the Report

1. The Council has a Public Spaces Protection Order (PSPO) covering dog control. The PSPO is in place until 31st January 2027. The Council is keen to extend the order and also seek to extend the number of areas covered by the PSPO.

Summary

2. The PSPO for dog control was introduced in February 2021 and an amended order was granted in February 2024.
3. The PSPO outlines that in public areas, people may be required to comply with the following: -
 - Keep your dog on a lead on specified land including East, West and North cemeteries
 - Put your dog on a lead if you are told to by a police officer, civic enforcement officer, park ranger or someone from the Council
 - Stop your dog going onto land from which they are excluded such as parts of a park or a children's play area
 - Clear up after your dog
4. Having a PSPO in place allows appropriately trained staff to issue a fixed penalty notice if a person ignores the PSPO. The PSPO plays an important role in ensuring public safety and ensures that dog owners take responsibility for cleanliness.
5. The report highlights the proposed route for the amendment of the order, including a period of public consultation, so that the matter can be considered by Cabinet.

Recommendations

6. It is recommended that:-

- (a) Cabinet agree to commence a consultation regarding extending the Public Spaces Protection Order- Dog Control for a further three years and expanding the number of areas that it covers.

Dave Winstanley
Executive Director Environment, Highways & Community Services

Background Papers

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

Ben Grabham : Extension 3321

Council Plan	This report helps to ensure that the Council can deliver its ambitions to ensure local people are active and involved and that we have safe and secure communities with improved safety in public spaces.
Addressing inequalities	There are no impacts associated with this report.
Tackling Climate Change	There is no impact on climate change within this report.
Efficient and effective use of resources	There are no impacts associated with this report.
Health and Wellbeing	This report ensures that we recognise that we need to ensure appropriate controls are in place to ensure all communities can access open spaces that can be used safely by all sections of the community.
S17 Crime and Disorder	The report seeks to commence a consultation regarding extending the Public Spaces Protection Order - Dog Control for a further three years and expand the number of areas that it covers.
Wards Affected	All wards
Groups Affected	N/A
Budget and Policy Framework	If approved additional signage will need to be erected in particular locations but this can be met within current budget.
Key Decision	Yes
Urgent Decision	No
Impact on Looked After Children and Care Leavers	There is no impact on looked after children and care leavers within this report

MAIN REPORT

7. The Council has a Public Space Protection Order (PSPO) covering dog control in place until 31st January 2027.
8. There are currently 43 areas identified across the borough where the PSPO covering dog controls are in place. These are predominantly in play areas but do also cover some other areas such as allotments, town centre and the memorial hospital grounds. These are identified in Appendix 1. Schedule 2 areas are areas where dogs are excluded from entering. Schedule 3 are areas where dogs must be on leads.
9. The Council is aware of at least four areas where it would propose to seek to extend the areas covered through the PSPO for dog control and these are listed below: -
 - Blackwell Heritage Parkland (schedule 3)
 - Cow Green play area (to be constructed in Autumn 2026 / Winter 2027) (schedule 2)
 - Neasham Road play area (schedule 2)
 - Warwick Square (schedule 2)
10. The Council is keen to understand if there is public support for the adoption of the areas outlined above and to see if any other areas are identified by the public. Therefore, it is proposed to run a public consultation exercise, over a six-week period, in September and October 2026 to gain responses. As part of the consultation, we will include maps which consultees can review to aid the visualisation of areas.
11. If approved, there will be a very small cost for additional signage, but this will be met from existing budgets.
12. A copy of the current PSPO for dog control is included at Appendix 2 for information.
13. The Communities and Local Services Scrutiny Committee will also be consulted at their meeting in October 2026.

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APPENDIX 1

SCHEDULE 2 (Areas where dogs are excluded)

- Albert Hill Park - Enclosed Play Area
- Alderman Crooks Park - Enclosed Play Area
- Bensham Park-Enclosed Play Area
- Bishopton Play Area
- Brinkburn Dene - Enclosed Play Area
- Brinkburn Dene - Tennis Dene
- Broken Scar Sand Pit Area
- Bushell Hill Park (whole site)
- Branksome Park-Enclosed Play Area
- Darrowby Drive - Enclosed Play Area
- Eastbourne Park-Enclosed Play Areas
- Eastbourne Sports Complex
- Eastmount Road - Enclosed Play Area
- Emley Moor Road Park - Enclosed Play Area
- Ettersgill Park- Enclosed Play Area
- Fryer Crescent - Enclosed Play Area
- Grass Street - Enclosed Play Area
- Green Park - Enclosed Play Area
- Harrowgate Farm - Enclosed Play Area
- Haxby Road and Station Road, Middleton St George - Enclosed Play Areas
- Hurworth Community Centre - Enclosed Play Area
- Lascelles Park-Enclosed Play Area
- North Lodge Park-Enclosed Play Area, multi-use games area (MUGA) and Bowling Green
- North Park - Enclosed Play Area and Bowling Green Centre
- Parish Hall Lane and St Michaels Crescent Parks, Heighington
- Pensbury Street - Enclosed Play Area
- Red Hall - Headingley Crescent Enclosed Play Area
- South Park- Enclosed Play Area, Skate Area and MUGA
- Springfield Park-Enclosed Play Area
- Stanhope Park-Tennis Courts
- West Auckland Park - Enclosed Play Area

SCHEDULE 3 (Areas where dogs must be on leads)

- Albert Hill Kick About Area
- Arnold Road Allotments
- Brinkburn Dene (Play Dene)
- Broken Scar Play Area (unfenced)
- Cockerton Allotments
- Darlington Memorial Hospital - hospital grounds excluding residential area

- Dodmire Allotments
- Drury Street Allotments
- East Cemetery
- Eastbourne Sports Complex - parking area and footpath accessing site
- Emley Moor Road Play Area
- Field Street Allotments
- Green Park Play Area (unfenced)
- Honeypot Lane Allotments
- Lascelles Allotments
- North Cemetery
- Red Hall Football Pitch
- Sadberge Play Area
- Salters Lane North Allotments
- Salters Lane South Allotments
- Skerne Green Play Area
- South Park - all formal areas except the show field
- Springwell Allotments
- Station Road Play Area and Water Park, Middleton St George
- Town Centre
- West Auckland Road Allotments
- West Cemetery
- West Park Play Area (unfenced)

DARLINGTON BOROUGH COUNCIL

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

PUBLIC SPACES PROTECTION ORDER – DOG CONTROL

Number 1 of 2023

Notice is hereby given that Darlington Borough Council (“the Council”) in exercise of its powers under sections 59 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) being satisfied that the conditions set out in section 59 of the Act have been met, make the following Order:-

PRELIMINARY

1. This Order applies to all land which is in the administrative area of the Council and which is open to the air (which includes land that is covered but open to the air on at least one side) and to which the public are entitled or permitted to have access (with or without payment), with the exception of land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967. A map of this area appears at Schedule 1.
2. The Order may be cited as the Darlington Borough Council Public Spaces Protection Order – Dog Control and shall come into force on 1st February 2024 for the duration of 3 years. At any point before the expiry of this three year period the Council can extend the Order by up to three years if they are satisfied on reasonable grounds that this is necessary to prevent the activities identified in the Order from occurring or recurring or to prevent an increase in the frequency or seriousness of those activities after that time.
3. The activities identified in paragraph 6 below have been carried out in public places within the Council’s area and have had a detrimental effect to the quality of life of those living in the locality.

4. The Council is satisfied that the conditions set out in sections 59 and 72 of the Act have been met and that it is, in all the circumstances, expedient to make this Order in order to seek to reduce the detrimental effect on the quality of life of those in the locality caused by the activities listed in paragraph 6 below.
5. The effect or likely effect of these activities is, or is likely to be, of a persistent or continuing nature, such as to make these activities unreasonable, and therefore justifies the restrictions imposed by this Order.
6. The activities referred to are:
 - Dog fouling
 - Failure to put dogs on leads when requested
 - Failure to keep dogs on leads in prescribed areas
 - Failure to exclude dogs entirely from prescribed areas
7. The Council has had particular regard to the rights and freedoms set out in Article 10 (right of freedom of expression) and Article 11 (right of freedom of assembly) of the European Convention on Human Rights and has concluded that the restrictions on such rights and freedoms imposed by this Order are lawful, necessary and proportionate.
8. For the purposes of this Order a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog.
9. For the purposes of this Order each of the following is a "Prescribed Charity"
 - (i) Dogs for the Disabled (registered charity number 700454)
 - (ii) Support Dogs (registered charity number 1088281)
 - (iii) Canine Partners for Independence (registered charity number 803680)

10. THE FOULING OF LAND BY DOGS

(1) If a dog defecates at any time on land to which this Order applies and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless —

(a) he has a reasonable excuse for failing to do so; or

(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

(2) Nothing in this article applies to a person who

(a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or

(b) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

(3) For the purposes of this article —

(a) placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land; and

(b) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces.

11. DOGS ON LEADS BY DIRECTION

(1) In this Order "an authorised officer of the Council" means an employee of the Council who is authorised in writing by the Council for the purpose of giving directions under this Order.

(2) A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which this Order applies, he does not comply with a direction given to him by an authorised officer of the Council to put and keep the dog on a lead, unless —

(a) he has a reasonable excuse for failing to do so; or

(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

(3) For the purposes of this article an authorised officer of the Council may only give a direction under this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person [on any land to which this order applies] or the worrying or disturbance of any animal or bird.

12. DOG EXCLUSION AREAS

(1) This section of the Order only applies to the land specified in Schedule 2.

(2) A person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any land to which this section of the Order applies unless —

(a) he has reasonable excuse for doing so; or

(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.

(3) Nothing in this article applies to a person who —

(a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or

(b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or

(c) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

13. DOGS ON LEADS

- (1) This section of the Order only applies to the land specified in Schedule 3.
- (2) A person in charge of a dog shall be guilty of an offence if, at any time, on any land to which this section of the Order applies he does not keep the dog on a lead, unless —
- (a) he has a reasonable excuse for failing to do so; or
- (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

EFFECT OF FAILING TO COMPLY WITH THIS ORDER

15. It is an offence for a person without reasonable excuse to engage in an activity that is prohibited by this Order.
16. A person guilty of any offence listed above, in accordance with section 67 of the Act, is liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1000). The full text of section 67 of the Act is set out in Schedule 4 to this Order.

FIXED PENALTY NOTICES

17. A constable or an authorised person may issue a fixed penalty notice to any person he or she believes has committed an offence under section 67 of the Act. The person will then have 14 days to pay a fixed penalty of £100. If payment is received within 14 days they will not be prosecuted.
18. Authorised person means a person authorised for the purposes of this section by Darlington Borough Council.

CHALLENGING THIS ORDER

19. Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. There is further detail regarding this in Schedule 5 to this Order.

GIVEN under the common seal of
The Council of the Borough of Darlington

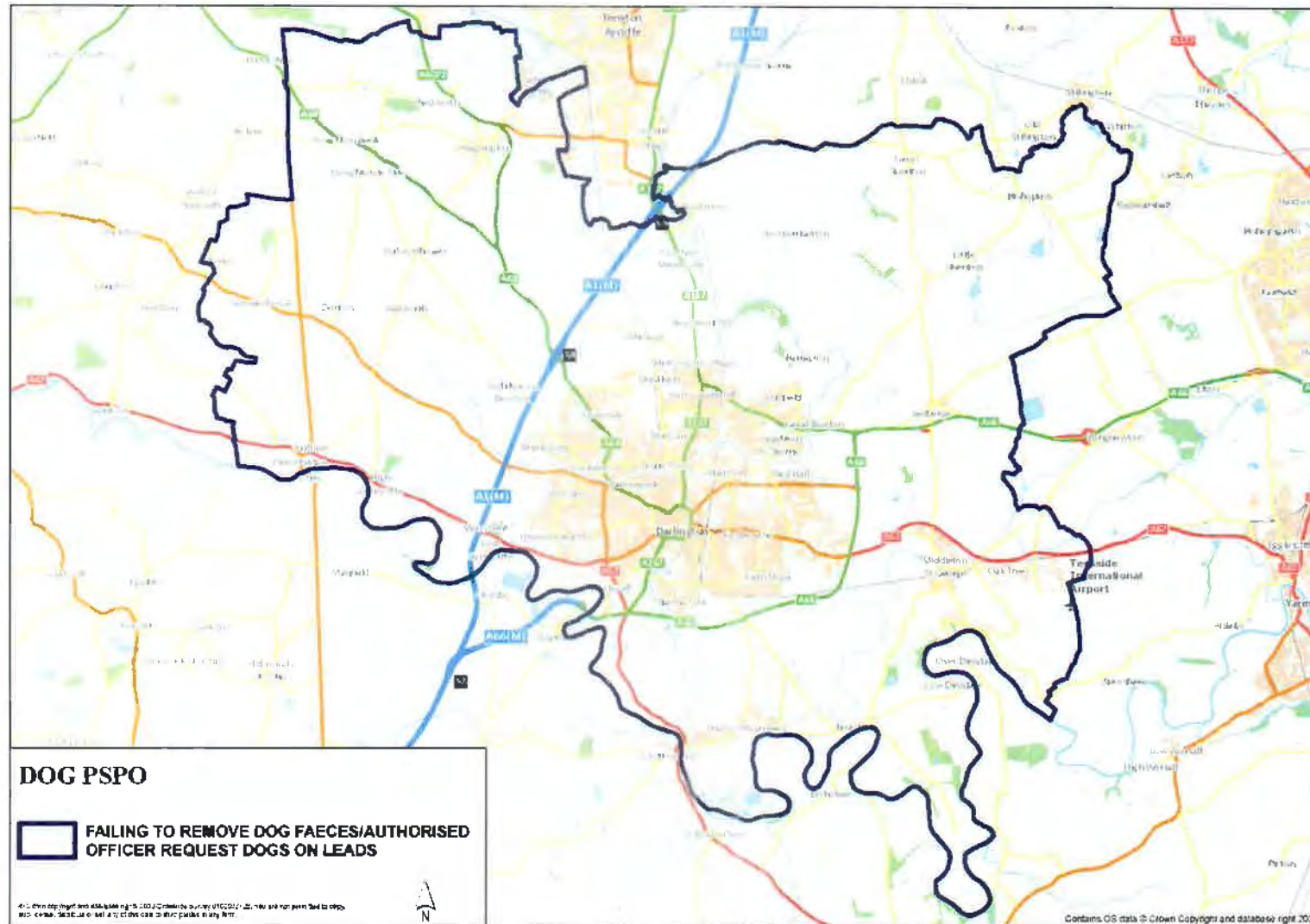
On the 15th day of January 2024

THE COMMON SEAL of the
Council of the Borough of Darlington
was hereunder affixed in the presence of :-

A. C. Wenington
(Authorised Signatory)



SCHEDULE 1



SCHEDULE 2

Albert Hill Park - Enclosed Play Area (map 1)

Alderman Crooks Park – Enclosed Play Area (map 2)

Bensham Park – Enclosed Play Area (map 3)

Bishopton Play Area (map 28)

Brinkburn Dene – Enclosed Play Area (map 4)

Brinkburn Dene – Tennis Dene (map 29)

Broken Scar Sand Pit Area (map 5)

Bushell Hill Park (whole site) (map 6)

Branksome Park – Enclosed Play Area (map 7)

Darrowby Drive – Enclosed Play Area (map 8)

Eastbourne Park – Enclosed Play Areas (map 9)

Eastbourne Sports Complex (map 10)

Eastmount Road - Enclosed Play Area (map 11)

Emley Moor Road Park – Enclosed Play Area (map 12)

Ettersgill Park – Enclosed Play Area (map 13)

Fryer Crescent – Enclosed Play Area (map 14)

Grass Street – Enclosed Play Area (map 15)

Green Park – Enclosed Play Area (map 16)

Harrowgate Farm - Enclosed Play Area (map 17)

Haxby Road and Station Road, Middleton St George – Enclosed Play Areas (map 18)

Hurworth Community Centre – Enclosed Play Area (map 19)

Lascelles Park – Enclosed Play Area (map 9)

North Lodge Park – Enclosed Play Area, MUGA and Bowling Green (map 20)

North Park – Enclosed Play Area and Bowling Green Centre (map 21)

Parish Hall Lane and St Michaels Crescent Parks, Heighington (map 41)

Pensbury Street – Enclosed Play Area (map 22)

Red Hall - Headingley Crescent Enclosed Play Area (map 23)

South Park – Enclosed Play Area, Skate Area and MUGA (map 24)

Springfield Park – Enclosed Play Area (map 25)

Stanhope Park – Tennis Courts (map 26)

West Auckland Park – Enclosed Play Area (map 27)

SCHEDULE 3

Albert Hill Kick About Area (map 1)

Arnold Road Allotments (map 10)

Brinkburn Dene (Play Dene) (map 4)

Broken Scar Play Area (unfenced) (map 5)

Cockerton Allotments (map 33)

Darlington Memorial Hospital – hospital grounds excluding residential area (map 34)

Dodmire Allotments (map 9)

Drury Street Allotments (map 35)

East Cemetery (map 30)

Eastbourne Sports Complex – parking area and footpath accessing site (map 10)

Emley Moor Road Play Area (map 12)

Field Street Allotments (map 15)

Green Park Play Area (unfenced) (map 16)

Honeypot Lane Allotments (map 36)

Lascelles Allotments (map 9)

North Cemetery (map 31)

Red Hall Football Pitch (map 23)

Sadberge Play Area (map 42)

Salters Lane North Allotments (map 37)

Salters Lane South Allotments (map 3)

Skerne Green Play Area (map 43)

South Park – all formal areas except the show field (map 24)

Springwell Allotments (map 38)

Station Road Play Area and Water Park, Middleton St George (map 18)

Town Centre (map 39)

West Auckland Road Allotments (map 33)

West Cemetery (map 32)

West Park Play Area (unfenced) (map 40)

SCHEDULE 4

Text of section 67 of the Act

(1) It is an offence for a person without reasonable excuse—

(a) to do anything that the person is prohibited from doing by a public spaces protection order or an expedited order, or

(b) to fail to comply with a requirement to which the person is subject under a public spaces protection order or an expedited order.

(2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) A person does not commit an offence under this section by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order or expedited order.

(4) Consuming alcohol in breach of a public spaces protection order or an expedited order is not an offence under this section (but see section 63).

SCHEDULE 5

Challenging this Order (Section 66 of the Act)

1. Any challenge to this Order must be made in the High Court by an interested person within six weeks of it being made. An interested person is someone who lives in, regularly works in, or visits the restricted area. This right to challenge also applies where this Order is varied by the Council.
2. Interested persons can challenge the validity of this Order on two grounds: (1) that the Council did not have the power to make the Order, or to include particular prohibitions or requirements; or (2) that one of the requirements of the legislation has not been complied with.
3. When an application is made the High Court can decide to suspend the operation of the Order pending the Court's decision, in part or in totality. The High Court has the ability to uphold the Order, quash it or vary it.

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**CABINET
8 SEPTEMBER 2026**

RED HALL PRIMARY SCHOOL – CAPITAL WORKS

**Responsible Cabinet Member -
Councillor Nick Wallis, Children and Young People Portfolio**

**Responsible Director -
James Stroyan, Executive Director of People**

SUMMARY REPORT

Purpose of the Report

1. To seek Cabinet's agreement (and subsequently Council) to release £928,305 to fund priority capital works at Red Hall Primary School to bring the school up to a satisfactory condition, and so that the school can academise and be moved into the Education Village Academy Trust (EVAT).

Summary

2. Two condition surveys of Red Hall Primary, both undertaken by external consultants, have identified a significant amount of capital works as part of the due diligence process for academisation. The council, as the responsible body, is required to ensure that the school is handed over in a safe and sound condition. This report proposes that the priority works identified in the survey are funded through council borrowing of £890,755 (plus a contribution of £37,550 from the DfE School Capital Allocation) in order for the academisation to go ahead. The cost of the borrowing will be around £61,500 per annum over 30 years.
3. It is proposed that the capital funds are paid to the academy trust as a grant to undertake the identified works (most of which will need to take place in Summer 2027), this will allow them to meet the proposed academisation date of 1 January 2027. It will also ensure that any liability of cost overrun sits with the trust. The trust is aware that this will be a one-off payment and responsibility for future capital works will sit with the trust.
4. If the request is not approved the council would still have to find the funds to undertake all the necessary priority works, as the DfE grant is not sufficient, and it would retain responsibility for any subsequent capital works that arose. The priority works are currently estimated to be between £1.4m and £1.8m. EVAT are fully aware of the

estimated cost range for the work needed and have considered this when requesting funding of £0.928m from the council.

Recommendation

5. It is recommended that Cabinet recommend to Council to approve and release £928,305 to EVAT to fund priority capital works at Red Hall Primary School.

Reasons

6. The recommendation is supported by the following reasons: -
- (a) Agreement for the release of funding will bring the school up to a satisfactory condition and allow the academisation of Red Hall Primary School.
 - (b) Department for Education best practice guidance suggest that councils are responsible for ensuring maintained schools are in a safe and sound condition prior to academisation. If the council does not meet it's responsibilities the academisation will not proceed and the school would remain the council's responsibility, with the works still needing to be undertaken in the near future.

**James Stroyan,
Executive Director of People**

Background Papers

No background papers were used in the preparation of this report

Paul Richardson: Extension 6015

Council Plan	CHILDREN AND YOUNG PEOPLE – supporting the best start in life, realising potential and raising aspirations Undertaking the necessary works would enhance the learning environment at the schools and make it safe and sound for pupils.
Addressing inequalities	All pupils at Red Hall primary will have access to a safe and sound learning environment.
Tackling Climate Change	All work undertaken will be designed and constructed with sustainability in mind and aim to reduce the carbon footprint, and re-use energy and environmental resources.
Efficient and effective use of resources	The amount proposed to fund will meet the Council's responsibilities and any continuing liabilities will sit with the Trust
Health and Wellbeing	All pupils at Red Hall primary will have access to a safe and sound learning environment.
S17 Crime and Disorder	Not applicable

Wards Affected	Red Hall and Lingfield
Groups Affected	Pupils at Red Hall Primary School
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework.
Key Decision	This is a key decision.
Urgent Decision	This is not an urgent decision.
Impact on Looked After Children and Care Leavers	This development has the potential to impact on looked after children who are pupils at Red Hall Primary.

MAIN REPORT

Background

7. As part of the due diligence process the Education Village Academy Trust (EVAT) commissioned Eddison's, a company of chartered surveyors, to undertake a condition survey of Red Hall Primary School, prior to their academisation and absorption into the EVAT.
8. Due to the cost of the works required EVAT put a hold on the academisation of Red Hall until a resolution was found and informed the DfE accordingly.
9. In accordance with Department for Education (DfE) due diligence best practice guide the existing responsible body (in this case DBC) should resolve any health and safety issues prior to the transfer of the school to the new sponsor. They are also responsible for ensuring that school buildings are:
 - (a) safe – including fire safety
 - (b) weatherproof
 - (c) have sufficient space, heating, lighting and ventilation
10. Despite the DfE doubling the allocation in 2025/26 the local authority has only received £150,198 from the 2026/27 DfE School Condition Allocation (SCA) to undertake condition works across all five settings in the maintained sector. Whilst this funding is not school specific the formula would suggest that Red Hall would generate around 25% of that (roughly £37,550). This funding will be used to offset the total cost of £928,305, but only for 2026/27, once the school academises the local authority will no longer receive this funding.

Information and analysis

11. The Eddison's survey (received on 21 February 2025) identified an estimated £1,141,700 of costs over a five-year period.

12. To validate those costs the local authority commissioned its own surveys which reported in November 2025.
13. The tasks identified in both surveys have been categorised along industry standards as shown in the table below:

Condition Rating	Definition
A - Good	Performing as intended.
B - Satisfactory	Performing as intended, but exhibiting minor deterioration
C - Poor	Exhibiting major defects and/or not operating as intended
D - Bad	Life-expired and/or at serious risk of imminent failure.

Priority Rating	Definition
Priority 1	Immediate or year 1 remedial action required
Priority 2	Year 1 - 2 action required
Priority 3	Year 3 - 5 action required
Priority 4	5 + Years action required

14. It should be recognised that we have moved on a year since the surveys were completed and works that were required in years 3-5 now require action in the next 2-4 years. Due to the nature of most of the works they won't be able to be undertaken until the 2027 summer holidays with almost another year gone by. Therefore, funding of priority 3 works will now be necessary starting from 2027/28 financial year.
15. The condition survey commissioned by the local authority estimated that the priority P1-P3 works required at Red Hall ranged from £1,424,280 (low estimate) to £1,784,080 (high estimate). Well in excess of the £928,305 requested by the trust.
16. The items identified as either Poor or Bad (C/D) condition ranged from £1,031,930 (low estimate) to £1,465,730 (high estimate).
17. As indicated above, the local authority has not received sufficient grant from the DfE over the years to cover these costs and the only way to fund these essential works and to facilitate the academisation of Red Hall, thus removing the continuing maintenance liability, would be to fund through council borrowing.
18. EVAT is keen to continue with the academisation of Red Hall and submitted a counter-offer of £928,305. EVAT have also indicated they would be prepared to commission the works themselves, thus reducing the risk to the council of any budgetary overspend. Funding would be paid to EVAT through a grant agreement and the academy lease for Red Hall would be subject to the agreed works being completed by the trust.
19. Once the school has academised future capital works become the responsibility of the academy trust.

20. As there are limited capital funds available, borrowing will be required to fund the works. The final cost of borrowing will be dependent on interest rates when the borrowing is taken out, however based on current PWLB rates borrowed over 30 years the annual charge will be circa. £61,500 per year. As this is a budget change over the £500k delegated to Cabinet for the 2026/27 MTFP (agreed in February 2026) approval will be required by Council following Cabinet agreement.

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CABINET
08 SEPTEMBER 2026

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.
2. To seek approval to increase the value of the fund.

Summary

3. 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.
4. Following the successful implementation, Council agreed to increase the fund by £20m to £50m on 29 November 2018.
5. 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 £9.5m and five of the JV schemes have fully repaid the investment back into the fund, with three schemes completed.
6. The Investment Fund is currently funding thirteen schemes as detailed in the report.
7. Due to the success of the fund and inflationary increases on new schemes since 2018 the current allocation is expected to be fully committed in the short term, therefore an increase of £10m is requested, to allow further investment opportunities to increase resources for the Medium Term Financial Plan (MTFP).

Recommendation

8. It is recommended that Cabinet,
- (a) Note the use of the Investment Fund and the returns achieved through the Joint Venture vehicles.
 - (b) Recommend to Council that the Investment Fund is increased by £10m to £60m, and that the operation of the increased overall fund is delegated to Cabinet in line with previous Council approval.

Reasons

9. The recommendations are 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 gain investment income for the Council.
 - (c) To allow the revised fund to be established.
 - (d) To enable Cabinet to consider detailed proposals, many of which are commercially sensitive.

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	The use of the Investment Fund contributes to economic development, regeneration and activity therefore contributing to the Council Plan priority. ECONOMY - building a strong sustainable economy and highly skilled workforce with opportunities for all.
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	The increase in the fund size is a Council decision.
Key Decision	The increase in the fund size is a Council 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

10. 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.
11. 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.
12. 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.

Investment update

13. Since the establishment of the fund, Cabinet have agreed to twenty uses (22 separate requests), seven of which have completed with the investment recycled back into the fund. There are thirteen remaining schemes as summarised below:

Investment	Cabinet Agreement Date	Agreed Amount £m's	Repaid £m's	Balance £m's
Markets (MAMDL Ltd)	04/02/25	1.800	0.000	1.800
Neasham Road – Relocation of Cattle Mart	06/03/18	3.140	2.036	1.104
JV - West Park	03/04/18	12.000	12.000	0.000
JV - ESH/DBC North East	03/12/19	9.500	0.000	9.500
Land Acquisition – Faverdale	03/03/20	1.300	0.000	1.300
JV - Neasham Road – Elder Brook Park	15/09/20	8.500	8.500	0.000
Faverdale/Burtree Lane Garden Village	05/10/21 16/07/24 03/03/25	P3	P3	P3
JV – Neasham Road – Hurworth Gardens	03/07/23	6.700	3.570	3.130
JV – Blackwell Grange	09/01/24	8.482	0.000	8.482
Land at Coniscliffe Road	03/03/25	P3	P3	P3
St Modwen Bio-Diversity	04/11/25	P3	P3	P3
STEM Centre	03/03/26	0.180	0.000	0.180
JV – Burtree Garden Village	09/06/26	8.382	0.000	8.382
TOTAL		66.464	26.106	40.358

Note: Those with P3 are Part 3 Cabinet reports.

14. The nine JV schemes approved to date are projected to provide a return on investment of over £9.5m once all houses have been completed and sold. Dividends received to date total £6.612m, including £1.612m from the three schemes that have already completed. These dividends provide income to the MTFP, along with surplus income on loan repayments.
15. The following paragraphs provide an update on the individual schemes committed against the Investment Fund since the last report to Cabinet in September 2025.

Market Asset Management

16. 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.
17. Following the completion of phase 3 of works to improve the market hall, 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

18. 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.
19. £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 £2.036m has been repaid. This scheme is progressing with the construction underway at Elder Brook Park and Hurworth Gardens sites. (see below).

JV West Park

20. The Council entered a Joint Venture Company with our framework partners to build and sell houses at West Park. Funding of £12m was agreed to facilitate this, funding drawn down from this has been fully repaid.
21. This scheme will provide a higher return than the originally anticipated pre-tax profit of £2.1m, once the scheme is completed. To date £3.5m of post-tax dividend has been received.
22. All properties are sold with the site in the post sales completion period.

JV Esh/DBC North East

23. Cabinet approved the establishment of a Joint Venture 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.
24. 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 completed at Gateshead and two have commenced construction at Trimdon and Philadelphia.
25. The site at Bluebell Gardens (Trimdon) is progressing well with 12 of the 17 properties made available in 2026 either sold or reserved.
26. The site at Collier Gardens (Philadelphia) is progressing well with 20 of the 28 properties available in 2026 sold or reserved to date.

Land Acquisition – Land at Faverdale

27. 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.
28. Following discussions with a prospective developer it was identified that a significant part of the site was listed as Open Mosaic and therefore valuable in bio-diversity terms. Cabinet agreed at their November 2025 meeting to allocate one of the three parts of the site for Biodiveristy Net Gain and Nutrient Neutrality Credit. The remaining two parts of the site would continue to seek sale for employment uses (see below).

JV Neasham Road – Elder Brook Park

29. The Council entered into a Joint Venture Company with our framework partners to build and sell houses at Neasham Road and funding of £8.5m was agreed to facilitate this, funding drawn down from this has been fully repaid.
30. 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 £1.5m of post-tax dividend has been received.
31. All properties are sold with the site in the post sales completion period.

Burtree Lane Garden Village

32. 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.

33. 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.
34. Cabinet approved the Council to enter into an Infrastructure Development Agreement with Homes England in March 2025.
35. All upfront funding from the Investment Fund will be repaid through a future capital receipt.
36. Cabinet agreed to the creation of a Joint Venture Company at their June 2026 meeting, for Burtree Garden Village (Cells LMO) which once in operation will provide a capital receipt to repay upfront works (see below).

JV Neasham Road - Hurworth Gardens

37. 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.
38. £5.130m was drawn down against the £6.7m allocation, with £2.0m repaid to date. As repayments have been made and further repayments are expected, no further draw downs from the original allocation are anticipated, hence the balance remaining to be repaid is £3.130m
39. The estimated pre-tax profit share for the Council is £0.694m on completion of the scheme.
40. Sales at the site are progressing very well with 29 of the 31 properties made available in 2026 either sold or reserved.

JV Blackwell Grange

41. 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 £8.482m was agreed to facilitate the works.
42. The estimated pre-tax profit share for the Council is £0.871m on completion of the scheme.
43. Sales at the site are progressing very well with 16 of the 18 properties made available in 2026 either sold or reserved.

Land at Coniscliffe Road

44. 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.

45. 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.
46. Upfront funding from the Investment Fund will be repaid through a future capital receipt.

Land at Faverdale - St Modwen land for Biodiversity net gain and Nutrient Neutrality

47. Cabinet approved at their November 2025 meeting to use part of the former St Modwen land to generate Biodiversity Net Gain (BNG) and Nutrient Neutrality (NN) credits, with the balance of land still to be investigated for disposal for employment land purposes.
48. The use for BNG and NN requires upfront funding from the Investment Fund to make ready for the sale of credits (part 3 of the report), which will be repaid from future income.
49. Work is ongoing to make the land ready for the sale of credits.

STEM Centre

50. Cabinet approved at their March 2026 meeting the use of £0.180m of Investment Fund to enable project plans to be developed to RIBA Stage 2 in preparation for the planning approval process for the construction of a STEM centre on site D of the science park.
51. The STEM centre is funded by a combination of Government Growth Mission Funding (announced by the Chancellor in the November budget) and Pride in Place grant funding. The upfront funding from the Investment Fund will be repaid once the Government grant is confirmed.
52. The final elements of the full business case are in process with the Department for Business and Trade.

JV Burtree Garden

53. 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 and sell housing at Burtree Garden Village in June 2026. Funding of £8.382m was agreed to facilitate the works.
54. The estimated pre-tax profit share for the Council is £0.662m on completion of the scheme.
55. Following Cabinets decision, the JV is in the process of being set up.

Request for additional funding

56. At the time of writing this report Cabinet have allocated £66.464m to the current live projects, with £40.358m remaining invested. There is £9.642m of the current fund unallocated.

57. The Investment Fund has been very successful to date with the JV's providing over £6.6m of dividend returns to the MTFP, which is projected to reach over £9m based on the current agreed JV's, once all houses are completed and sold. In addition, the JV's have provided income to the Council through interest payments the JV makes on the loans made by the Council. These income streams have been key in helping to provide a balanced budget in the MTFP and have reduced the need to reduce other service provision.
58. In addition to direct financial reward the Investment Fund is being used as a catalyst to assist economic growth, for instance the STEM centre upfront investment which provides wider economic benefits.
59. Construction has seen huge inflationary increases nationally since the Investment Fund was increased in November 2018, particularly since the pandemic, which the Council has experienced in our capital programme and our Investment Fund activities. Figures from the Office for National Statistics show that construction output prices have risen for new housing (public and private) by 38.6% between November 2018 and March 2026 and the UK Government figures show the average annual construction material prices for new housing have increased by 43.2% between 2018 and 2025. This means the ability to use the fund for projects has decreased, limiting opportunities for other income generating schemes.
60. There are a number of potential investment opportunities in the near future including additional JV's which may be unaffordable within the current £50m allocation. In order to maximise the income potential of these schemes it is recommended that the Investment Fund be increased from £50m to £60m. The increased fund will operate on the same principles as the current in that all new proposed uses will need to be agreed through a separate Cabinet report and any funding paid back will be recycled into the fund for future projects.
61. The increase in fund will be funded by prudential borrowing so each proposal will be subject to a full financial appraisal which will be included within the report. These reports will allow investment decisions to be made in a timely and commercial manner.

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**CABINET
8 SEPTEMBER 2026**

ACQUISITION OF 18 KING STREET

**Responsible Cabinet Member –
Councillor Mandy Porter, Resources Portfolio
Councillor Chris McEwan, Economy Portfolio**

**Responsible Director -
Trevor Watson, Executive Director Economy and Public Protection**

SUMMARY REPORT

Purpose of the Report

1. To seek approval for the acquisition of 18 King Street.

Summary

2. In line with the Town Centre Regeneration Strategy and as part of the Strategic Sites Development Programme Darlington Town Centre, several properties in the Commercial Street were purchased and demolished in and around 2022 using Indigenous Growth Fund (IGF) to create a comprehensive development site.
3. A block of three properties on King Street were included in the intervention. Two of the three properties were acquired at this time.
4. An opportunity to acquire the remaining property with vacant possession has arisen and terms have been agreed in principle with the current tenants with secure tenancies being compensated to assist with relocation.
5. Acquiring this property completes the Commercial Street development site assembly as included in the development agreement with CityHeart and paves the way for redevelopment at pace.
6. Furthermore, the acquisition allows for the subsequent demolition of the three properties on King Street removing unsightly vacant properties from a public area in the short term, and providing holding cost savings.

Recommendations

7. It is recommended that: -

- (a) Cabinet approves the acquisition of 18 King Street as shown edged red on the plan at **Appendix 1**
- (b) Cabinet delegates the agreement of final terms of the acquisition to the Executive Director Economy and Public Protection which are summarised in the Part III report at **Appendix 2**

Delegations

8. The agreement of final terms of the acquisition to the Executive Director Economy and Public Protection which are summarised in the Part III report at **Appendix 2**

Reasons

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

- (a) To complete the site assembly of the Commercial Street development site and enable redevelopment of the site under the council's development agreement.
- (b) To enable the demolition of the three King Street properties together at a substantial cost saving over demolition of the two already owned in isolation.

Trevor Watson
Executive Director Economy and Public Protection

Background Papers

References to background papers are embedded in the report.

author : Sarah Wayman

Council Plan	The acquisition facilitates the redevelopment of the wider site and is therefore in line with all of the Council Plan objectives.
Addressing inequalities	N/A
Tackling Climate Change	
Efficient and effective use of resources	The purchase of this property will allow the redevelopment of the Commercial Street area. Resources already allocated to the project will be used.
Health and Wellbeing	N/A
S17 Crime and Disorder	The acquisition facilitates the demolition of vacant adjacent properties, and the subsequent redevelopment will improve the area as a whole.
Wards Affected	Park East
Groups Affected	N/A
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	None

MAIN REPORT

Information and Analysis

10. In 2012 the Council agreed to the adoption of a Town Centre Regeneration Strategy for Darlington which focussed on the diversification of the Town Centre with an emphasis on bringing forward both residential and commercial developments. The strategy aimed to achieve several key ambitions which included car parking in the Feethams area to support the cinema and assist in the release of sites.
11. The Strategic Sites Development Programme Darlington Town Centre cabinet report dated 9 January 2019 identified Commercial Street car park as a potential location for mixed-use development.
12. On 9 July 2019, Cabinet approved the release of £10m of funding from the Tees Valley Combined Authority Indigenous Growth Fund (IGF) to carry out a series of interventions aligned to the Town Centre Strategy, including strategic site assembly involving the purchase of land and buildings at several town centre locations including the Commercial Street area.
13. Several properties in the Commercial Street area were subsequently purchased and demolished. A block of three properties on King Street was included in the intervention. Having successfully acquired two of three properties (the former Route 66 and Aruba nightclubs), negotiations to purchase the remaining property (18 King Street) stalled at the time as the owner did not wish to sell.
14. Demolition works at the Commercial Street area then ceased as the estimated costs to demolish two of the three properties are significantly more than the cost to demolish the

block as a whole. The difference in cost estimate is due to party wall works. See the Part III report at **Appendix 2**. Further attempts to reach an agreement with the owner of 18 King Street were made but were ultimately unsuccessful.

15. At the Cabinet meeting on 11 June 2024 the principle of entering into an agreement with a private sector development partner to bring forward development on several Town Centre sites was approved. Commercial Street was identified as one of the three core sites included in the proposal.
16. In July 2025, Cabinet approved the appointment of the CityHeart consortium as its preferred development partner to bring forward the three core town centre sites as well as the STEM site at Central Park and entered into a development agreement with CityHeart in May 2026.
17. Work has since been progressing at pace on all of the sites included within the development agreement including proposals for Commercial Street.
18. The acquisition of 18 King Street will complete the assembly of the Commercial Street site from private ownership.
19. An opportunity to purchase the remaining property has now arisen and terms have been agreed in principle with the seller. See terms in the Part III report at **Appendix 2**.
20. The property is currently subject to two tenancies which expire in two years. Terms have been agreed in principle to acquire the property with vacant possession which includes an allowance to compensate the displaced tenants to assist with their relocation costs.
21. Acquisition of 18 King Street completes the assembly of the Commercial Street site ready for development by the partnership.
22. Following acquisition, steps to progress the demolition of the three properties will immediately commence though planning, tender of costs / procurement exercise and contract award. The site will be left in a neat and tidy condition awaiting redevelopment.

Financial Implications

23. The acquisition cost will be funded by Towns Fund grant. The demolition of the three properties will be funded mainly from IGF funding, along with the remaining Towns Fund budget allocated to this project.

Legal Implications

24. The Council's internal legal department will be instructed to deal with the acquisition of the property.

Estates and Property Advice

25. Comments from Estates and Property are embedded in the report.

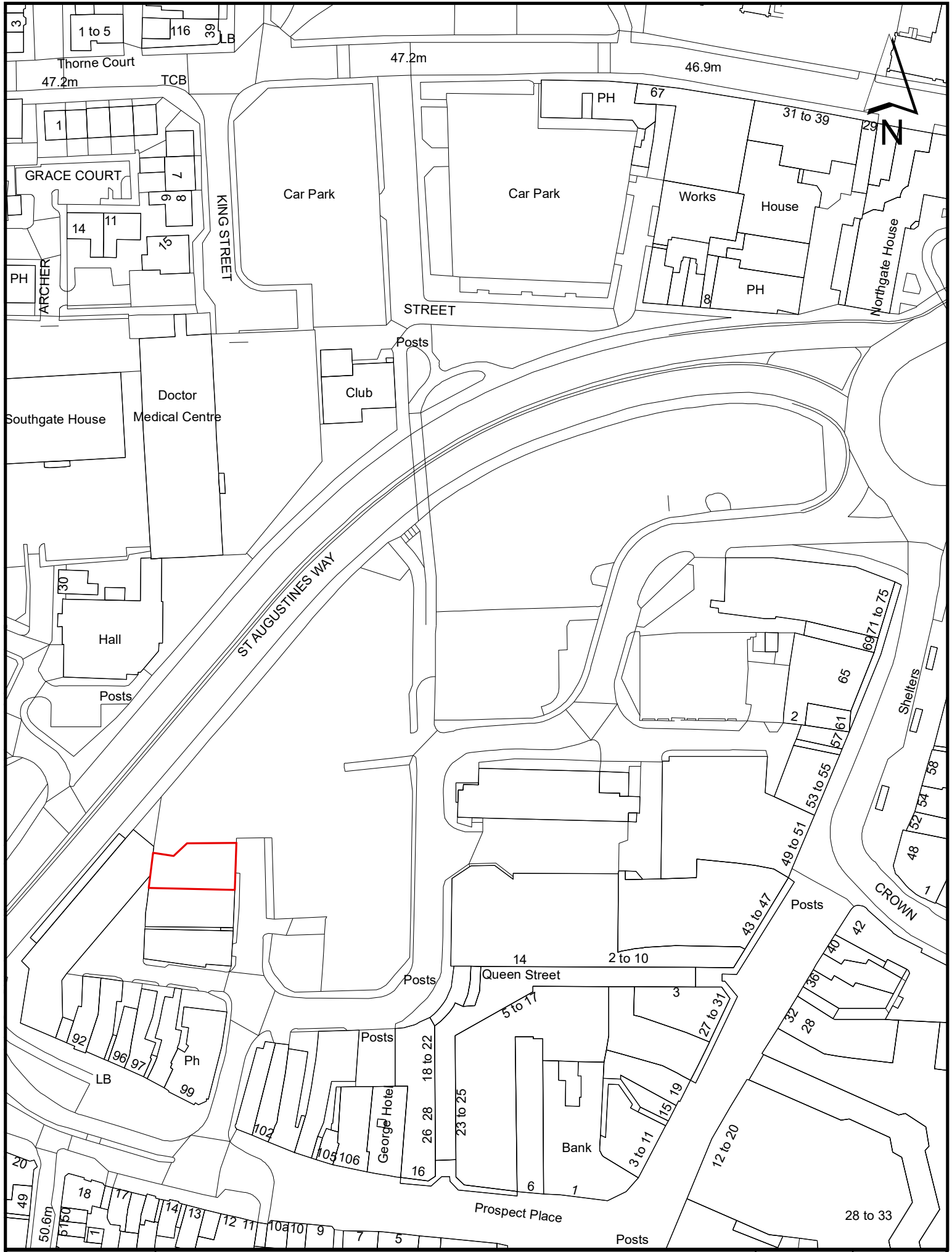
Procurement Advice

26. Not applicable for the acquisition however, a demolition contractor will be procured via the required processes in accordance with the Council's internal procedures and in compliance with the Procurement Act 2023.

Climate Change

27. Demolition will release the embedded carbon in the existing buildings. This can be mitigated to some extent by reusing material wherever possible on site or recycling them for use in other construction or road projects.
28. Any new build will increase the council's carbon emissions. These can be reduced by following sustainable business practices.

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DARLINGTON BOROUGH COUNCIL ECONOMIC GROWTH GROUP ESTATES & PROPERTY, TOWN HALL, FEETHAMS, DARLINGTON, Co. DURHAM, DL1 5QT		Project Title: 18 KING STREET, DARLINGTON, DL3 6JH	Scale: 1 : 1250	Ref: AT A4
Drawing Title: APPENDIX 1			Date: 11/08/26	Area:
			Drawn: RMH	

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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CABINET
8 SEPTEMBER 2026

COMPLAINTS, COMPLIMENTS AND COMMENTS ANNUAL REPORTS 2025/26

Councillor Mandy Porter, Resources Portfolio

Elizabeth Davison, Executive Director Resources and Governance

SUMMARY REPORT

Purpose of the Report

1. To provide Cabinet with the 2025/26 Complaints, Compliments and Comments Annual Reports for:
 - Adult Social Care (**Appendix 2**);
 - Children’s Social Care (**Appendix 3**);
 - Corporate (**Appendix 4**);
 - Housing (**Appendix 5**); and
 - Public Health (**Appendix 6**).

Summary

2. 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 780 complaints during 2025/26, an increase from 747 in 2024/25 and 746 in 2023/24.
4. The Council received a total of 226 compliments in 2025/26, an increase from 219 2024/25, and a decrease from 231 in 2023/24.
5. The Council received a total of 61 comments during 2025/26, an increase from 45 in 2024/25, and 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 Housing Ombudsman's Complaint Handling Code, which became statutory on 1 April 2024. To comply with the Housing Ombudsman's Complaint Handling Code, Cabinet should discuss the Housing Complaints, Compliments and Comments Annual Report as appropriate, particularly in relation to understanding drivers of complaints and acting to resolve concerns.
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 and discusses 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 pre-inspection advice provided in anticipation of an inspection by the Regulator of Social Housing;
- iv. Complying with the Local Government and Social Care Ombudsman's Complaint Handling Code;
- v. Complying with the Council's Complaints, Compliments and Comments Procedures; and
- vi. To improve satisfaction with complaints handling.

Elizabeth Davison
Executive Director Resources and Governance

Background Papers

- 14. 2025/26 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**).
- 15. The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.
- 16. The Children Act 1989 Representation Procedure (England) Regulations 2006.
- 17. The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.
- 18. The Local Government and Social Care Ombudsman Complaint Handling Code.
- 19. 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

20. 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.
21. 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.

22. There was an increase in the number of complaints received compared to 2024/25. There was a decrease in the number of compliments received and an increase in the number of comments received. Full details are attached at Appendix 2.
24. There was a significant increase in the number of complaints received at Stage 1 of the procedure compared to 2024/25. However, there was a decrease in the number of complaints escalated to Stage 2. There was also an increase in the number of complaints progressed to Stage 3. There was an increase in the number of compliments received, while no comments were received. Full details are attached at Appendix 3.
25. There was an increase in the number of complaints received. There was a decrease in the number of compliments received, and an increase in the number of comments received. Full details are attached at Appendix 4.
26. There was a decrease in the number of Stage 1 complaints received. There was also a decrease in the number of Stage 2 complaints received. There was an increase in the number of compliments received and in the number of comments received. Full details are attached at Appendix 5.
27. The number of representations made under the Public Health Complaints, Compliments and Comments Procedure during 2025/26 remained low. The Council did not receive any complaints, compliments or comments a decrease from one complaint and one comment in 2024/25. Full details are attached at Appendix 6.
28. Some examples of organisational learning resulting from complaints have been extracted from the appended reports and are provided below:

Adult Social Care Complaints:

- (a) In response to a complaint the Adult Learning Disability team agreed to improve communication protocols to ensure that long-term absences of social workers are clearly communicated to individuals and carers and alternative points of contact are provided. It was also agreed social workers would provide clear and detailed guidance to families regarding available services, including explanations of what each service offers and how to access them.
- (b) Following a complaint about a care home it was agreed that Adult Services provide further training on strength-based practice and the importance of relationship based social work to support positive outcomes. It was also agreed the Finance Team would arrange refresher training and that social workers would have access to information on financial assessments and other issues including best interest assessments, discharge planning and specialist services provided by partner agencies which they could sign post to. Furthermore, it was agreed the Council would ensure that care providers undertake checks/audits with people on short break stays to ensure they are aware of charging policies.
- (c) Following a complaint, it was agreed that the care home would implement mandatory training on professional conduct and managing challenging behaviours for all staff. It was also agreed that the care home would maintain DoLS documentation at the front of care records and this would be subject to monitoring/audit. The Local Authority

learned lessons in relation to following safeguarding processes in a timely manner, communication and improved documentation to avoid delays in enquiries and feedback to families.

- (d) In response to a complaint about a financial assessment, it was agreed a reminder would be sent to social workers and the Brokerage Team that packages must be added to the system in a timely manner. It was also agreed consideration would be given to the suspension of Direct Payments if the individual is moving into respite or a residential placement, to stop non-residential invoices being raised.

Children's Social Care Complaints:

- (e) Children's Services agreed to share learning from a complaint with Darlington's Safeguarding Partnership and make a specific request of the partnership to review the Multi Agency Safeguarding Hub (MASH) guidance accordingly and to explicitly state that fathers and other relevant care givers must be included in all child safeguarding enquiries where safe to do so.
- (f) Following a complaint for Central Team it was agreed, social workers would support families to fully understand the content of Court Orders and the implications for, and responsibilities of the Local Authority regarding any directions made. It was also agreed that social workers would ensure that when composing minutes the discussion had during a meeting is accurately recorded. Furthermore, social workers were reminded that where there are significant concerns about the nature of the parent's relationship, they should establish with certainty whether there should be split forums. Social Workers were reminded to ensure that minutes from meetings are circulated to parents including child/young persons in need reviews and plans. It was also agreed social workers and team managers would be reminded of the expectations of the Recording Policy and Guidance, in particular providing a three-monthly case file recording giving a succinct summary of the work undertaken, specifically linking progress to the recommendation/outcomes of the plan.
- (g) In response to a complaint for Safeguarding & Looked After Through Care (LATC), Children's Services agreed to ensure clarity of their procedures in relation to effective case recording, and for staff to be reminded that that all relevant communication must be recorded to reflect the child's journey and for transparency.
- (h) As a result of a complaint for LATC, social workers and team managers were advised emails from service users or their network should be acknowledged, timescales should be identified for actions and actions followed through with feedback given in a timely manner.

Corporate Complaints:

- (i) Following several complaints for the Complaints & Information Governance Team about delays in responding to complaints and information requests, the Council increased the resource within the team and are currently working on a project to digitise historic social care records.

- (j) As a result of a complaint about Lifeline, monitoring practices were improved and a monthly report is now created for any clients who have not used or tested their equipment in the previous month. A clear procedure is now in place requiring all 'lost mobile connectivity' alerts generated by the Cloud Management Platform to be logged, reviewed within a defined timescale, and followed by a documented decision (e.g. monitoring, customer contact, or inspection visit). Where alerts relate to equipment that relies solely on 2G connectivity, particularly for elderly or high-risk users, the alert is treated as an elevated risk and escalated accordingly.
- (k) In response to several complaints about School Admissions & Transport it was agreed officers would advise parents without delay when an operator terminates a contract or the Council is waiting for an alternative solution to be sourced, so parents are aware of potential disruption.
- (l) Having considered a complaint for ASB & Civic Enforcement, the Civic Enforcement Operational Manager and officers obtained appropriate signage for their uniforms the use of body worn video Cameras.

Housing Complaints:

- (m) Following a complaint for Building Surveying about mould a reminder was sent regarding what should be booked as an emergency after a call out job was raised incorrectly following a contractor visit. This has resulted in better priority diagnosis by our planning team.
 - (n) In response to complaint for general trades, it was agreed that the process would be reviewed to ensure planners make more than one attempt to book repair jobs in using different methods, such as calls, texts and letters. As a result, further attempts are now being made.
 - (o) As a consequence of a complaint for Internal Planned Maintenance, officers agreed to review the major works process to establish if adaptations will be affected by works carried out (e.g. increase in the number of steps to the property). As a result, surveying officers will arrange for an Occupational Therapist visit where any work may affect current adaptations to ensure the tenants needs remain supported.
 - (p) As a result of a complaint for Tenancy Enforcement consideration was given to introducing a quality assurance process in respect of tenancy breach letters. As a result, increased checking is carried out prior to a breach being issued and will be reviewed accordingly.
29. The further recommendations set out in the Children's, Corporate and Housing Complaints, Compliments and Comments Annual Reports are.

Adult Social Care

- (a) The Complaints & Information Governance Team should work to improve performance against the 3 working day acknowledgment target.
- (b) Adult Social Care should work to improve performance against their 40 working day response target.

- (c) Finance (Adults/Housing) and the Adult Learning Disability Team should work to reduce the number of complaints that exceeded the maximum six-month time limit set in the Regulations.

Children's Social Care Complaints

- (d) Children's Services should seek to address the common causes of complaints i.e. staff attitude/behaviour and communication issues. To that end the Council is relaunching its Relational Practice training during 2026/27.
- (e) Children's Services and the Complaints Manager should work to improve the timeliness and quality of stage one responses. The Complaints Manager ran several in house training sessions for staff required to respond to stage one complaints during 2025/26.
- (f) Children's Services and the Complaints Manager should work to improve performance against stage two response timescale.

Corporate Complaints

- (g) The Complaints & Information Governance Team should continue to work to improve compliance with the new Stage 1 and 2 timescales introduced by the Local Government and Social Care Ombudsman's Complaint Handling Code.

Consultation

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

Total Representations by Year

Type of representation	2025/26	2024/25	2023/24
Corporate			
Stage 1 complaints	476	467	463
Direct to Stage 2 complaints	24	21	14
Direct to Ombudsman	0	0	0
<i>Total complaints</i>	<i>500</i>	<i>488</i>	<i>477</i>
Stage 1 escalated to Stage 2	71	52	70
<i>Total Stage 2 complaints</i>	<i>95</i>	<i>73</i>	<i>84</i>
Adult Social Care	49	39	61
Children's Social Care			
Stage 1 complaints	76	55	65
Direct to Stage 2 complaints	0	1	1
<i>Total complaints</i>	<i>76</i>	<i>56</i>	<i>66</i>
Stage 1 escalated to Stage 2	15	21	14
<i>Total Stage 2 complaints</i>	<i>15</i>	<i>22</i>	<i>15</i>
Stage 3 complaints	5	4	4
Housing			
Stage 1 complaints	155	163	140
Direct to Stage 2 complaints	0	0	0
<i>Total complaints</i>	<i>155</i>	<i>163</i>	<i>140</i>
Stage 1 escalated to Stage 2	21	27	30
<i>Total Stage 2 complaints</i>	<i>21</i>	<i>27</i>	<i>30</i>
Public Health	0	1	2
Total Complaints	780	747	746
Corporate	155	143	130
Adult Social Care	28	42	39
Children's Social Care	9	5	6
Housing	34	29	55
Public Health	0	0	1
Total Compliments	226	219	231
Corporate	59	44	77
Adult Social Care	1	0	0
Children's Social Care	0	0	0
Housing	1	0	0
Public Health	0	1	0
Total Comments	61	45	77

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DARLINGTON

Borough Council

Adult Social Care

Complaints, Compliments and Comment

Annual Report

2025/26

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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 2025/26 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

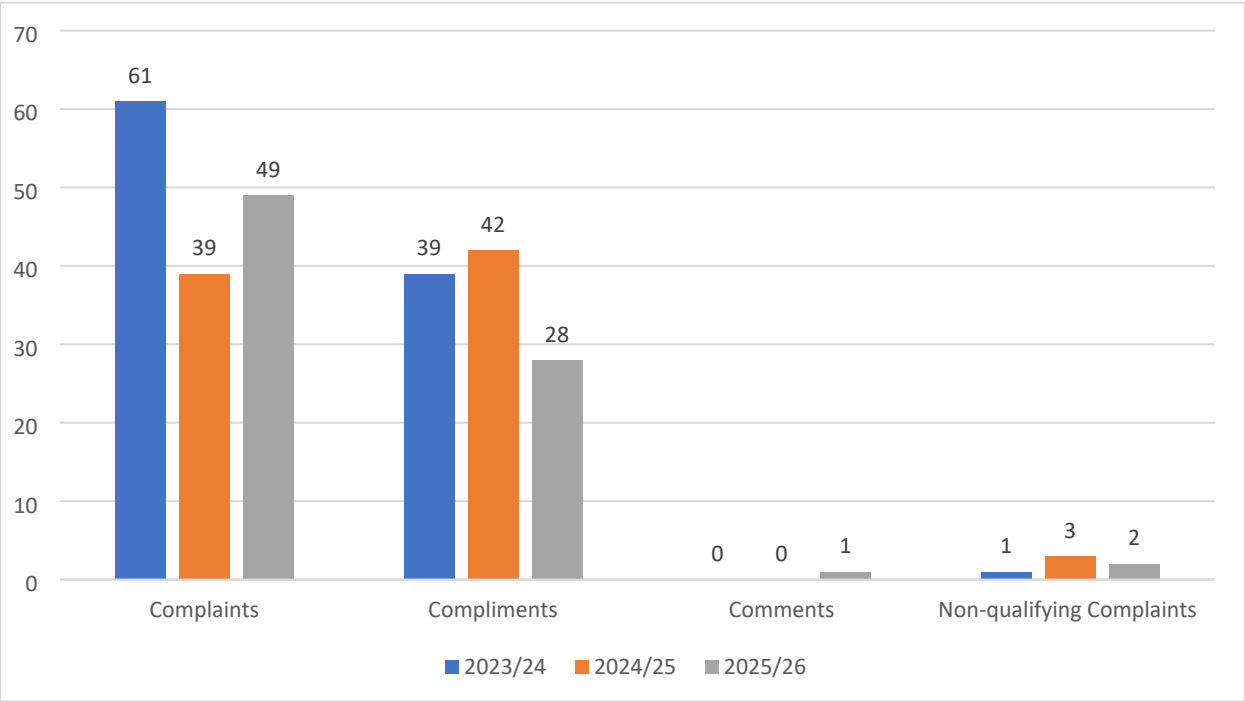
13. There has been a decrease in overall feedback during 2025/26, 80 representations were received compared to 84 in 2024/25 and 101 in 2023/24.
14. The Council received 49 complaints, an increase from 39 in 2024/25, although a significant reduction from 61 in 2023/24, 54 in 2022/23 and 48 in 2021/22.
15. The Council received 28 compliments, a significant reduction from 42 in 2024/25 and 39 in 2023/24.
16. The Council received one comment, an increase from zero in 2024/25 and 2023/24.
17. The Council received two complaints which did not qualify for investigation under the procedure during 2025/26, a decrease from three in 2024/25 and an increase from one in 2023/24.
18. Two adult social care complaints were progressed to the LGSCO during 2025/26, a decrease from six 2024/25 and 10 in 2023/24.
19. The LGSCO reached a decision on three complaints during 2025/26, a decrease from seven in 2024/25 and nine in 2023/24.

Review of the Year

Breakdown of all Representations

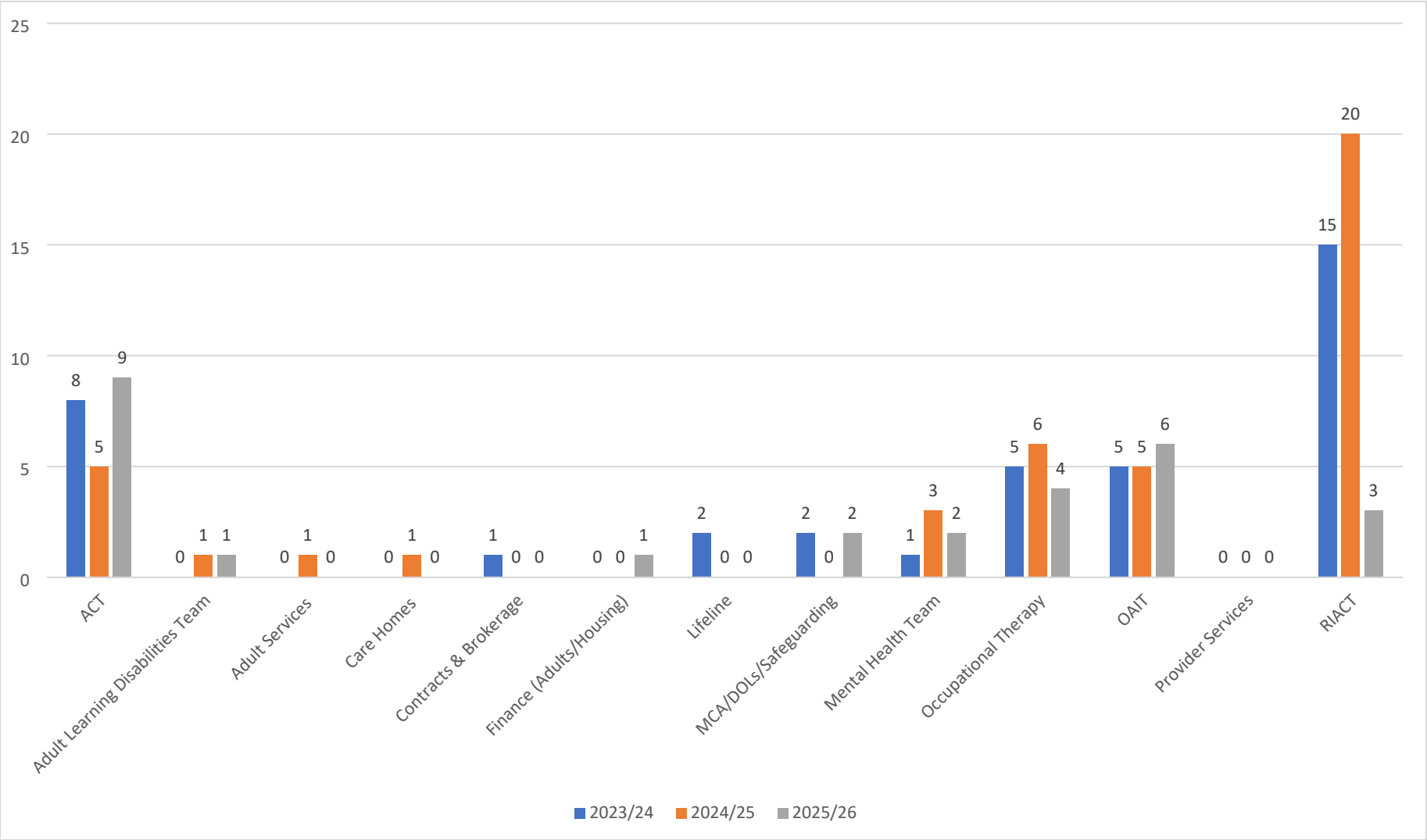
20. A total of 80 representations were handled under the procedure during 2025/26. This does not include those representations responded to directly by social care providers i.e. care homes and home (domiciliary) care providers.

Total Complaints, Compliments and Comments Received



- 21. There was an increase in the number of complaints investigated, 49 compared to 39 in 2024/25 and 61 in 2023/24.
- 22. There was a decrease in the number of compliments received, 28 compared to 42 in 2024/25 and 39 in 2023/24.
- 23. One comment was received in 2024/25, an increase from zero in 2024/25 and 2023/24. The number of comments received has historically remained low.

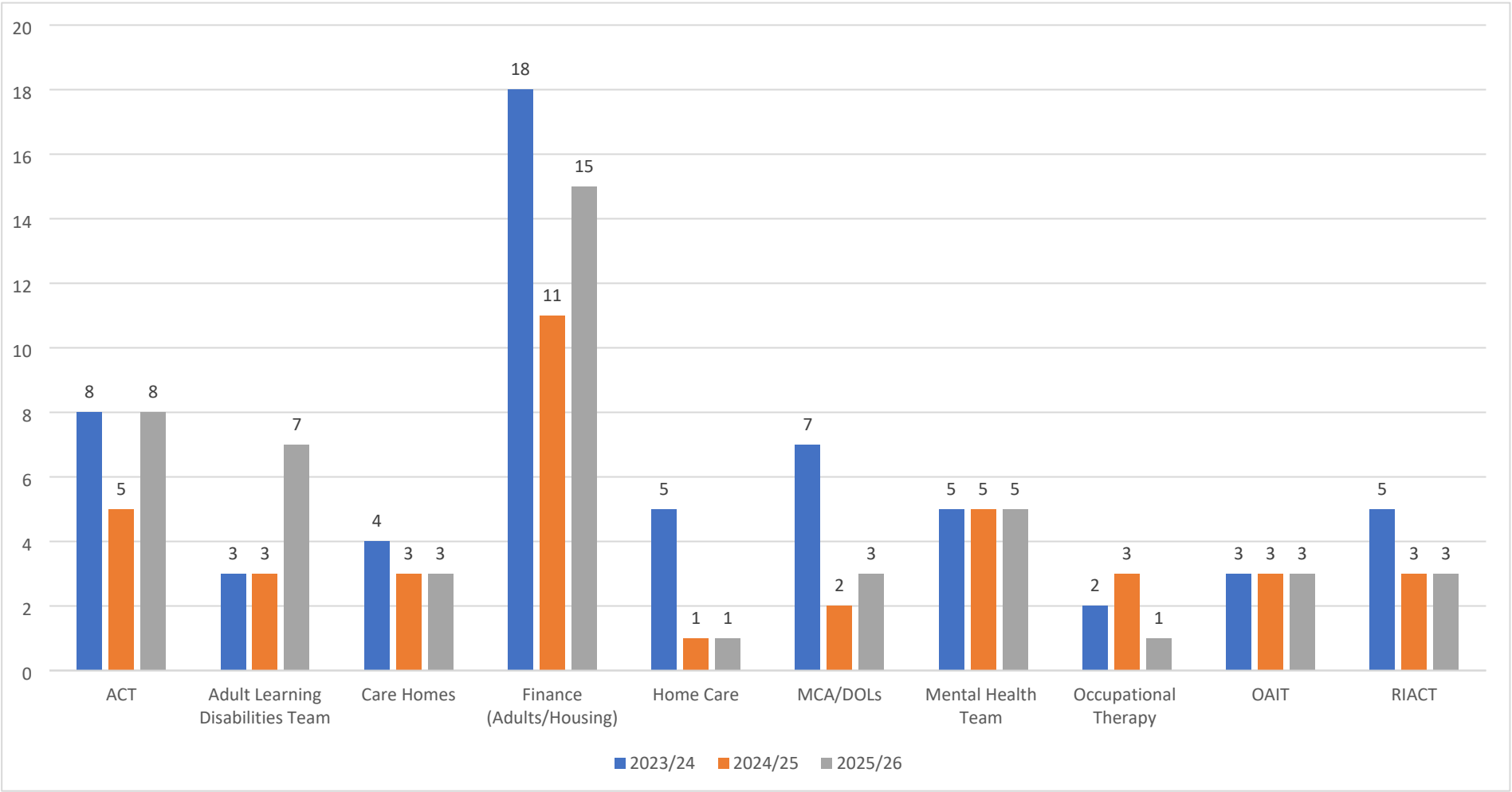
Breakdown of Compliments Received by Service Area/Team



*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.

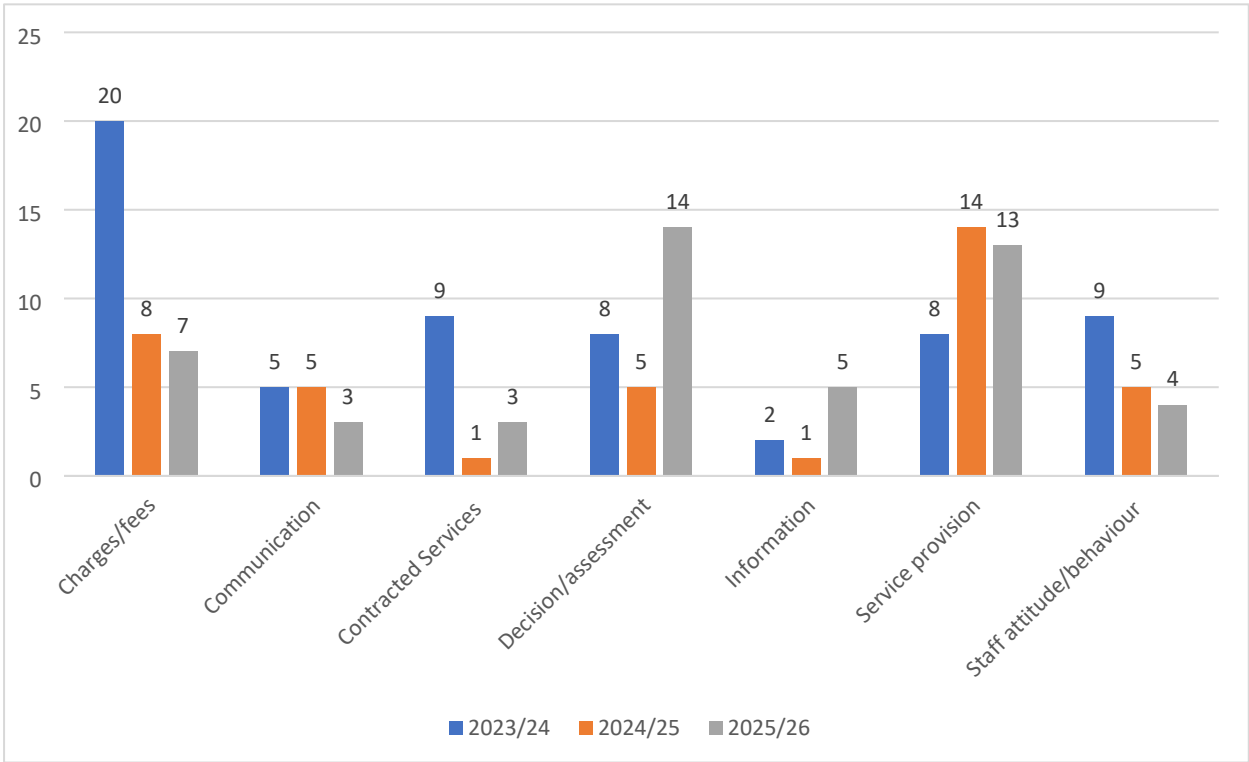
N.B. Those teams that are not listed did not receive any complaints.

24. The Council investigated eight complaints about ACT, an increase from five in 2024/25 and the same number as in 2023/24. There were no identifiable themes arising from these complaints.
25. The Council investigated seven complaints about the Adult Learning Disabilities Team, an increase from three in 2024/25 and 2023/24. Again, there were no identifiable themes arising from these complaints.
26. The Council investigated three complaints about care homes, the same number as in 2023/24 and a decrease from four in 2023/24. These related to three separate homes, and all concerned the quality of care provided.
27. The Council investigated 15 complaints about Finance (Adults/Housing), an increase from 11 in 2024/25, although a decrease from 18 in 2023/24. Complaints concerned people's dissatisfaction delays in undertaking and the outcome of financial assessments.
28. The Council investigated one complaint about home care, the same number as in 2024/25 and a decrease from five in 2023/24.
29. The Council investigated three complaints about MCA/DOLS (Mental Capacity Act/Deprivation of Liberty Safeguards), an increase from two in 2024/25 and a decrease from seven in 2023/24.
30. The Council investigated five complaints about the Mental Health Team, the same number as in 2024/25 and 2023/24. Two complaints concerned the outcome of care and support needs assessments.
31. Occupational Therapy received one complaint, a decrease from three in 2024/25 and two in 2022/23.
32. Ongoing Assessment & Intervention Team (OAIT) received three complaints, the same number as in 2024/25 and 2023/24. There were no identifiable themes arising from these complaints.
33. Responsive Integrated Assessment Care Team (RIACT) received three complaints, the same number as in 2024/25 and a decrease from five in 2023/24. There were no identifiable themes arising from these complaints.

Breakdown of Comments Received by Service Area/Team

34. Adult Services received one comment during 2025/26 for MCA/DOLS an increase from zero in 2024/25 and 2023/24.

Breakdown of Complaints Received by Issue



35. The most common cause of complaint was decision/assessment, overtaking service provision. The Council received 14 complaints about decision/assessment, an increase from five in 2024/25 and eight in 2023/24.
36. The second most common cause of complaint was service provision. The Council received 13 complaints about this issue, a decrease from 14 in 2024/25 and an increase from eight in 2023/24.
37. The third most common cause of complaints was charges/fees. The Council received seven complaints about this issue, a decrease from eight in 2024/25 and a significant decrease from 20 in 2023/24.
38. The fourth most common cause of complaints was information. The Council received five complaints about this issue and increase from one in 2024/25 and two 2023/24.
39. The fifth most common cause of complaints was staff attitude/behaviour. The Council received four complaints about this issue, a decrease from five in 2024/25 and nine in 2023/24.
40. The least complained about issues were communication and contracted services. The Council received three complaints about communication, a decrease from five in 2024/25 and 2023/24. The Council also received three complaints about contracted services, an increase from one in 2024/25, although a decrease from nine in 2023/24.

Complaint Outcomes

41. 40 complaint investigations were concluded during 2025/26. The outcomes of these complaints are detailed in the chart below.

Service Area/Team	Upheld	Partly Upheld	Not Upheld	Inconclusive	Withdrawn	Total
Mental Health Team	1	1	2	0	0	4
Adult Learning Disability Team	2	0	0	0	2	4
Mental Capacity Act/Deprivation of Liberty Safeguards (MCA/DOLS)	0	0	1	0	0	1
Adult Contact Team	1	1	3	0	0	5
Ongoing Assessment & Intervention Team (OAIT)	1	0	1	0	0	2
Occupational Therapy	0	0	0	0	1	1
Responsive Integrated Assessment Care Team (RIACT)	1	0	1	0	1	3
Care Homes	0	2	0	0	2	4
Home Care	0	1	0	0	0	1
Finance (Adults/Housing)	5	2	8	0	0	15
Total	11	7	16	0	6	40

Local Government and Social Care Ombudsman (LGSCO) Complaints Received 2025/26

42. Two adult social care complaints were progressed to the LGSCO during 2025/26, a decrease from six in 2024/25 and 10 in 2023/24.

Local Government and Social Care Ombudsman (LGSCO) Complaint Outcomes 2025/26

43. The LGSCO reached a decision on three complaints during 2025/26, a decrease from seven in 2024/25 and nine in 2023/24.
44. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 8 September 2026 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

Organisational Learning

45. 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 2025/26, some of which are detailed below.

Adult Learning Disability Team

46. In response to a complaint the team agreed to improve communication protocols to ensure that long-term absences of social workers are clearly communicated to individuals and carers and alternative points of contact are provided. It was also agreed social workers would provide clear and detailed guidance to families regarding available services, including explanations of what each service offers and how to access them.
47. In relation to another complaint, it was agreed the team would collaborate closely with our counterparts in Children's Social Care and Education Services to ensure the transition to Adult Social Care is effective.

Care homes (Contracted Services)

48. Following a complaint about a care home it was agreed that Adult Services provide further training on strength-based practice and the importance of relationship based social work to support positive outcomes. It was also agreed the Finance Team would arrange refresher training and that social workers would have access to information on financial assessments and other issues including best interest assessments, discharge planning and specialist services provided by partner agencies which they could sign post to. Furthermore, it was agreed the Council would ensure that care providers undertake checks/audits with people on short break stays to ensure they are aware of charging policies.
49. Following another complaint, it was agreed that the care home would implement mandatory training on professional conduct and managing challenging behaviours for all staff. It was also agreed that the care home would maintain DoLS documentation at the front of care records and this would be subject to monitoring/audit. The Local Authority learned lessons in relation to following safeguarding processes in a timely manner, communication and improved documentation to avoid delays in enquiries and feedback to families.

Finance

50. In response to a complaint, it was agreed a reminder would be sent to social workers and the Brokerage Team that packages must be added to the system in a timely manner. It was also agreed consideration would be given to the suspension of Direct Payments if the individual is moving into respite or a residential placement, to stop non-residential invoices being raised.

51. Following a further complaint, social workers were reminded that the DRE discussions need to be dealt with in a timely manner to reduce unnecessary delays in finalising the financial assessment and inaccurate invoices being sent. It was also agreed the Finance Team would ensure their training and knowledge is maintained through regular updates, learning and training to ensure they have a full understanding of the Welfare benefits system and what should be included within a financial assessment.

Performance against the Procedure

52. The target for acknowledging receipt of complaints under the procedure is 3 working days.
53. 42.31% of complaints received during 2025/26 were acknowledged within the 3 working day timescale, a decrease from 87.80% in 2024/25 and 80% in 2023/24. This was due to a number of vacancies within the Complaints & Information Governance Team.
54. 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.
55. 23.53% of complaints were responded to within 40 working days, an increase from 21.43% respond to within 40 working days in 2024/25.
56. 17.5% of complaints exceeded the maximum six-month time limit set in the procedure, an increase from 14.58% in 2024/25 and 10.7% in 2023/24. These mainly related to Finance (Adults/Housing) and the Adult Learning Disability Team.

Performance Indicator for 2025/26

57. 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 two upheld decisions during 2025/26, a decrease from four in 2024/25 and 2023/24.
58. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 8 September 2026 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

Further recommendations

59. The Complaints & Information Governance Team should work to improve performance against the 3 working day acknowledgment target.
60. Adult Social Care should work to improve performance against their 40 working day response target.

61. Finance (Adults/Housing) and the Adult Learning Disability Team should work to reduce the number of complaints that exceeded the maximum six-month time limit set in the Regulations.

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DARLINGTON

Borough Council

Children's Social Care Complaints, Compliments and Comments Annual Report 2025/26

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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.

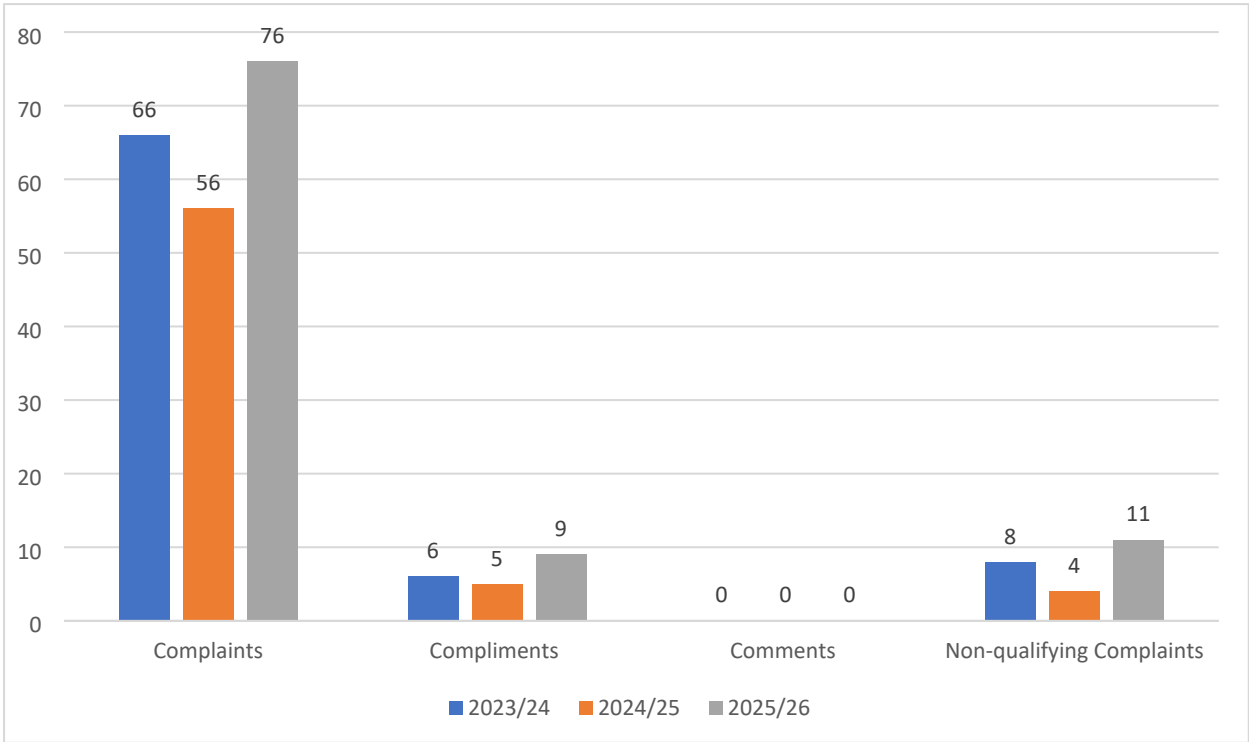
Independent Persons

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

Review Panels

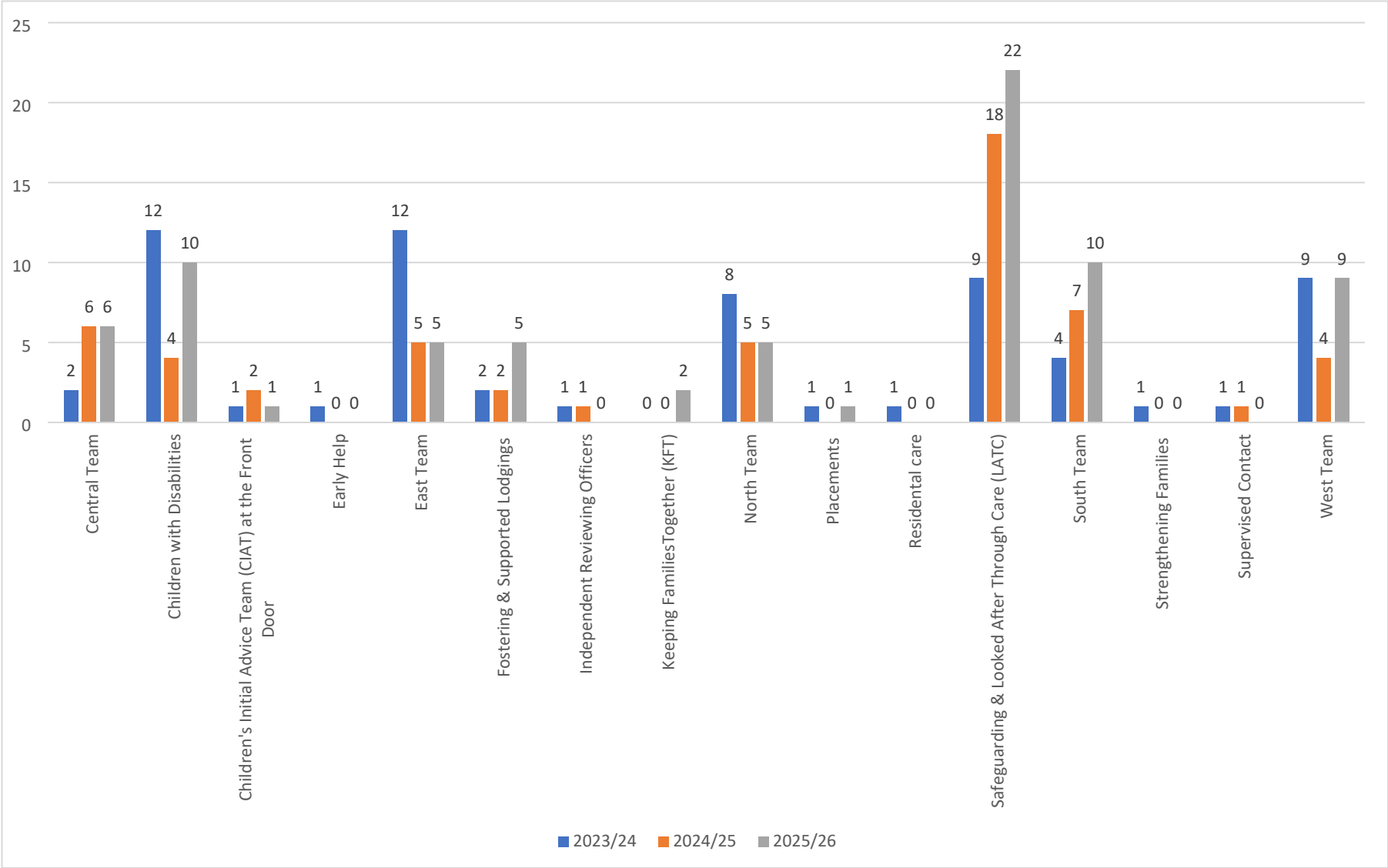
16. The Council has also signed up to a contract for the provision of an independent chair and independent panellist service.

Total Complaints, Compliments and Comments received



- 17. The Council saw an increase in the number of complaints received 76, compared to 56 in 2024/25 and 66 in 2023/24.
- 18. The Council received nine compliments, an increase from five in 2024/25 and six in 2023/24.
- 19. The Council did not receive any comments in 2025/26, 2024/25 or 2023/24.
- 20. The Council received 11 non-qualifying complaints, an increase from four in 2024/25 and eight in 2023/24.

Breakdown of Stage one Complaints by Service Area/Team



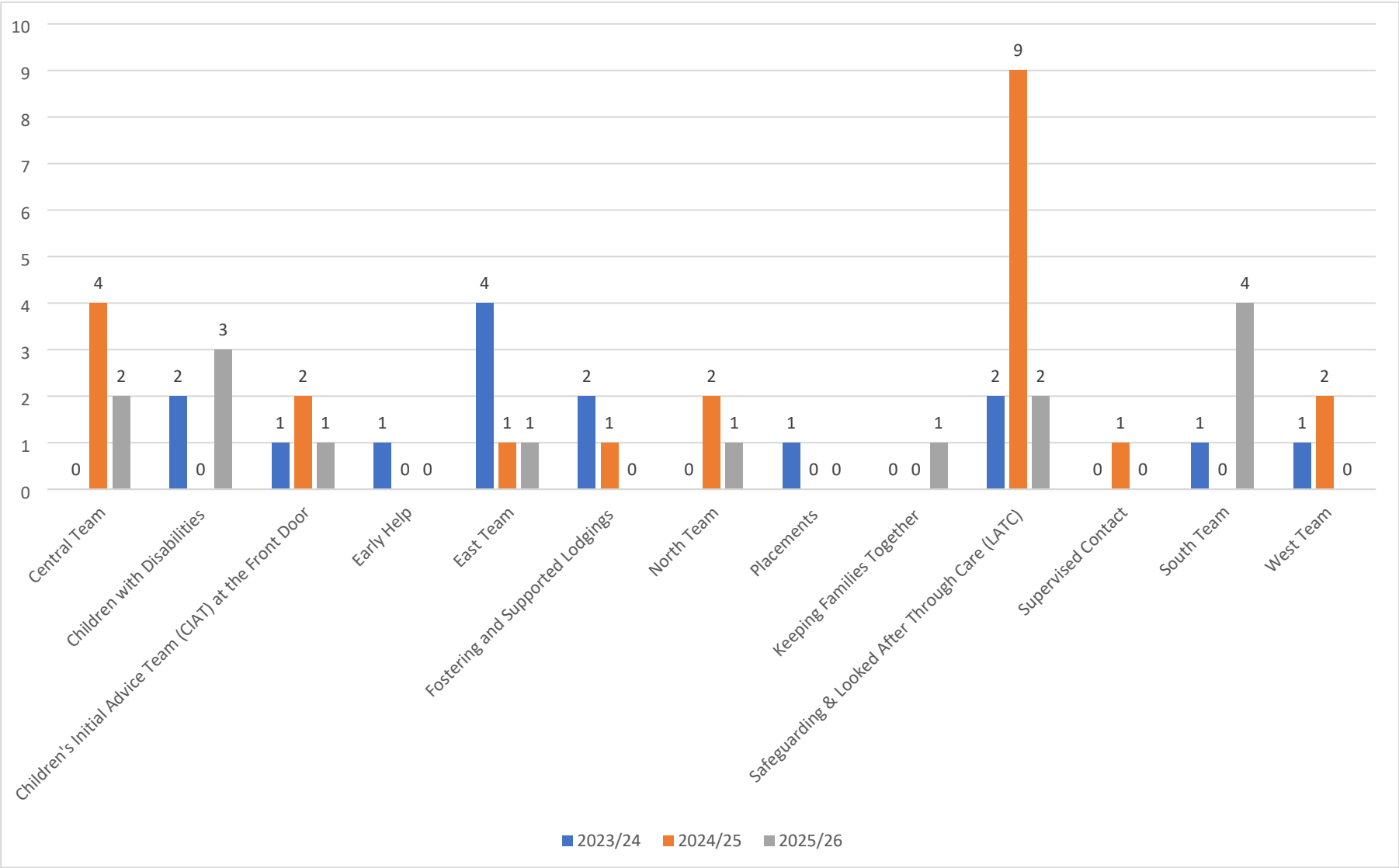
N.B. Those teams that are not listed did not receive any complaints during the period shown.

21. Central Team received six complaints, the same number as in 2024/25, an increase from two in 2023/24. The most common cause of complaint remained people's dissatisfaction with the attitude/behaviour of the Social Worker.
22. Children with Disabilities received 10 complaints, an increase from four in 2024/25, although a decrease from 12 in 2023/24. The most common cause of complaint was the level of support/lack of support available. Other issues include communication and the attitude/behaviour of staff.
23. Children's Initial Advice Team (CIAT) at the Front Door received one complaint, a decrease from two in 2024/25 and the same number as received in 2023/24.
24. Early Help received zero complaints, as was the case in 2024/25, a decrease from one in 2023/24.
25. East Team received five complaints, the same number as in 2024/25, a decrease from 12 received in 2023/24. The only identifiable theme was dissatisfaction with decisions/the outcome of assessments.
26. Fostering and Supported Lodgings received five complaints, an increase from two in 2024/25 and 2023/24. Two complaints concerned dissatisfaction with the Social Worker's handling of the case.
27. Independent Reviewing Officers did not receive any complaints, a decrease from one in 2024/25 and 2023/24.
28. Keeping Families Together relieved two complaints, an increase from zero in 2024/25 and 2023/24.
29. North Team received five complaints, the same number as in 2024/25, although a decrease from eight in 2023/24. Two of the complaints received concerned staff attitude/behaviour.
30. Placements received one complaint, an increase from zero in 2024/25 and the same number as in 2023/24.
31. Residential Care received zero complaints, as was the case in 2024/25, a decrease from one in 2023/24.
32. Safeguarding & Looked After Through Care (LATC) received 22 complaints, an increase from 18 in 2024/25 and nine in 2023/24. The most common cause of complaints was poor communication and dissatisfaction with decisions, another issue frequently complained about was the lack of action in relation to concerns raised.
33. South Team received 10 complaints, an increase from seven in 2024/25 and four in 2023/24. The most common complaints were communication and the attitude/behaviour of social workers.

34. Strengthening Families received zero complaints, as was the case in 2024/25, a decrease from one in 2023/24.
35. Supervised Contact received zero complaints, a decrease from one in 2024/25 and 2023/24.
36. West Team received nine complaints, an increase from four in 2024/25, and the same number as in 2023/24. Issues with communication was the only identifiable trend.

Breakdown of Stage two Complaints by Service Area/Team

37. 15 complaints were investigated at stage two, a decrease from 22 in 2024/25 and the same number as in 2023/24.

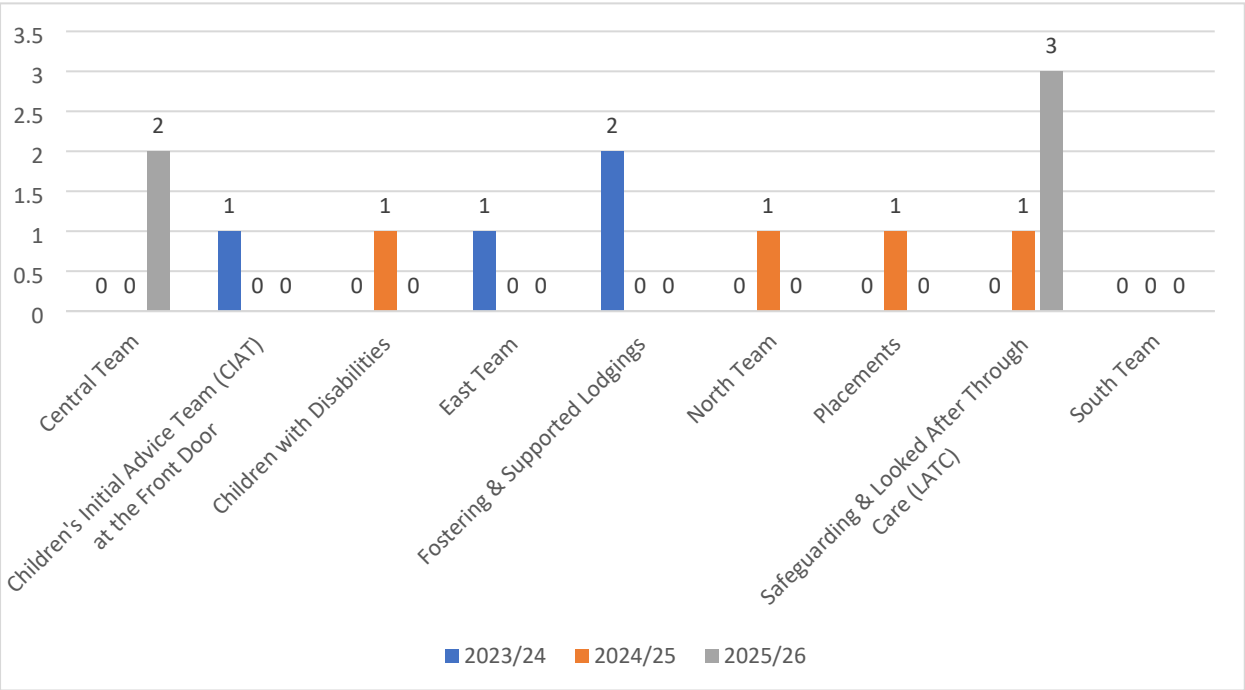


N.B. Those teams that are not listed did not receive any complaints during the period shown.

38. Central Team received two stage two complaints, a decrease from four in 2024/25, although an increase from zero in 2023/24. There were no identifiable themes.
39. Children with Disabilities received three stage two complaints, an increase from zero in 2024/25 and two in 2023/24. There were no identifiable themes.
40. Children's Initial Advice Team (CIAT) at the Front Door received one stage two complaint, a decrease from two in 2024/25 and the same number as in 2023/24.
41. Early Help received zero stage two complaints, the same number as in 2024/25 and a decrease from one in 2023/24.
42. East Team received one stage two complaint, the same number as in 2024/25, although a decrease from four in 2023/24.
43. Fostering and Supported Lodgings received zero stage two complaints, a decrease from one in 2024/25 and two in 2023/24.
44. North Team received one stage two complaint, a decrease from two in 2024/25, although an increase from zero in 2023/24.
45. Placements received zero stage two complaints, the same number as in 2024/25, a decrease from one in 2023/24.
46. Keeping Families Together (KFT) received one stage two complaint, an increase from zero in 2024/25 and 2023/24.
47. Safeguarding & Looked After Through Care (LATC) received two stage two complaints, a decrease from nine in 2024/25 and the same number as in 2023/24.
48. Supervised Contact received zero complaints, a decrease from one in 2024/25 and the same number as in 2023/24.
49. South Team received four stage two complaints, an increase from zero in 2024/25 and one in 2023/24. There were no common themes.
50. West Team received zero stage two complaints, a decrease from two in 2024/25 and one in 2023/24.

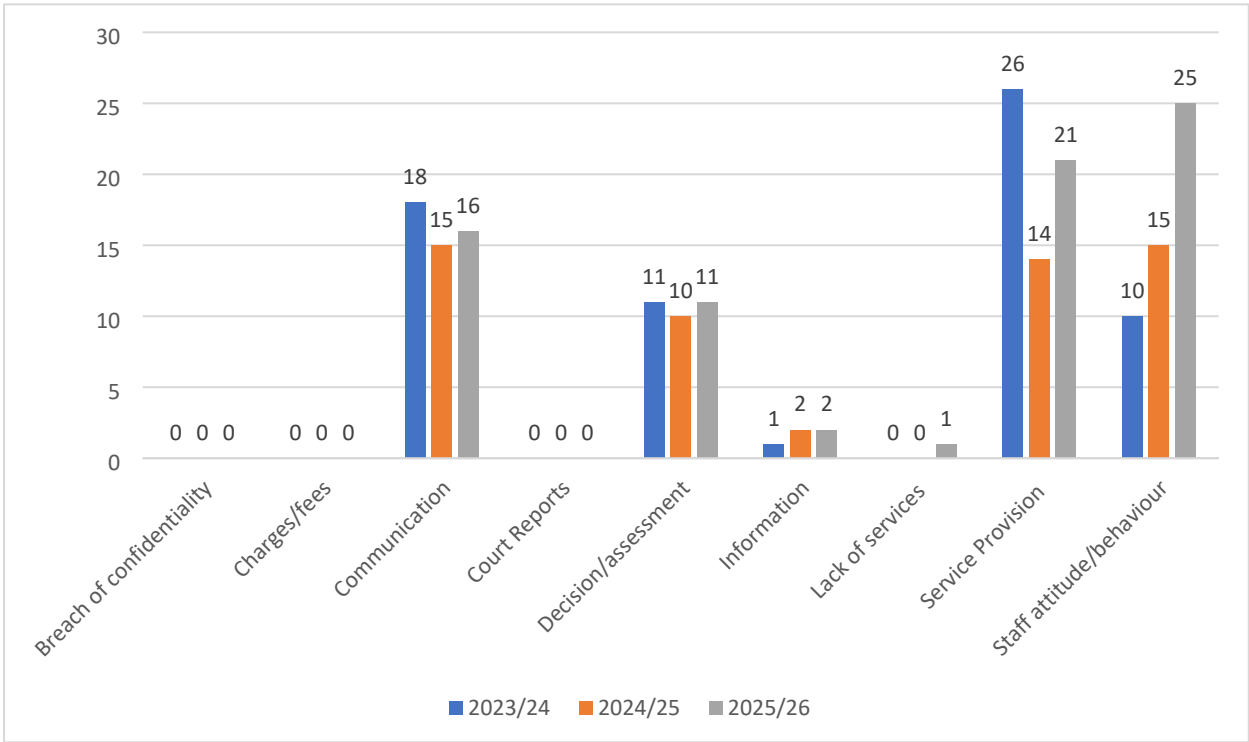
Breakdown of stage three complaints by Service Area/Team

51. Five complaints were escalated to stage three, an increase from four in 2024/25 and 2023/24. Two were subsequently suspended under Regulation 8 due to concurrent Court proceedings. No decision has been made in relation to the two suspended complaints.



N.B. Those teams that are not listed did not receive any complaints during the period shown.

Breakdown of complaints by Issue

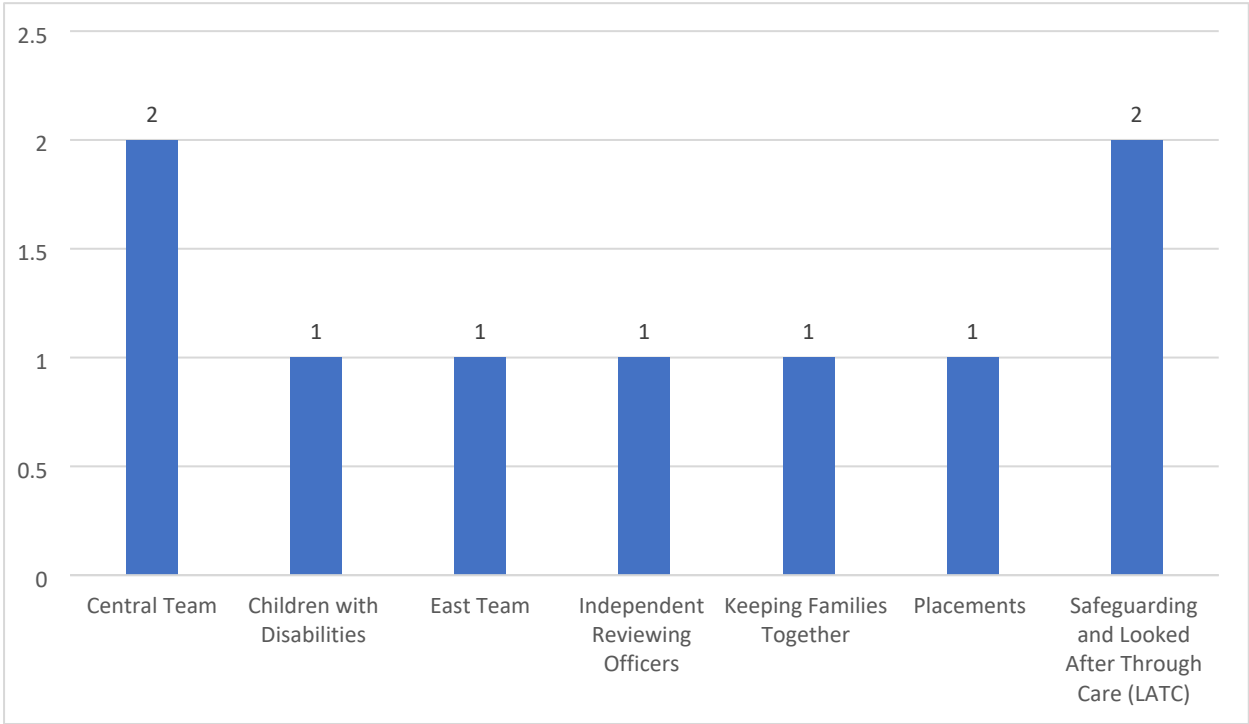


52. Staff attitude/behaviour remained the most commonly complained about issue in 2025/26, with the Council receiving 25 complaints about this issue, an increase from 15 in 2024/25 and 10 in 2023/24.
53. Service/provision remained the second commonly complained about issue in 2025/26. The Council received 21 complaints, an increase from 14 in 2024/25, although a decrease from 26 in 2023/24.
54. Communication was the third most complained about issues in 2025/26. The Council received 16 complaints, an increase from 15 in 2024/25 and a decrease from 18 in 2023/24.
55. Decision/assessment was the fourth most complained about issues in 2025/26. The Council received 11 complaints, compared to 10 in 2024/25 and 11 in 2023/24.
56. The Council received two complaints about information, as was the case in 2024/25, an increase from one in 2023/24.
57. The Council also received one complaint about lack of services, an increase from zero in 2024/25 and 2023/24.

Breakdown of Comments by Service Area/Team

58. The Council did not receive any comments during 2025/26, 2024/25 or 2023/24.

Breakdown of Compliments by Service Area/Team



59. Children’s Services received nine compliments, an increase from five in 2024/25 and six in 2023/24.

Complaint Outcomes

Stage 1 - The below table shows the decisions reached on Stage 1 complaints during 2025/26.

Service Area/Team	Closed With No Response	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Children's Initial Advice Team	0	0	0	0	1	0	1	2
North Team	0	0	0	2	1	1	0	4
East Team	0	0	0	3	0	0	0	3
South Team	1	4	0	1	2	0	1	9
West Team	0	0	2	4	0	0	0	6
Central Team	0	0	0	3	0	0	0	3
Children with Disabilities	0	0	0	4	1	1	0	6
Keeping Families Together	0	0	0	1	0	0	0	1
Safeguarding & LATC	0	0	0	5	2	2	1	10
Fostering & Supported Lodgings	0	0	0	1	0	1	2	4
Totals	1	4	2	24	7	5	5	48

Stage 2 - The below table shows the decisions reached on Stage 2 complaints during 2025/26.

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Team A	0	0	1	0	0	1
Children's Initial Advice Team	0	0	0	1	0	1
East Team	0	0	0	1	0	1
West Team	0	0	1	0	0	1
Central Team	0	0	3	0	1	4
Keeping Families Together	0	0	1	0	0	1
Safeguarding & LATC	0	2	3	0	0	5
Totals	0	2	9	2	1	14

Stage 3 - The below table shows the decisions reached on Stage 3 complaints during 2025/26.

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Central Team	0	0	1	0	0	1
Safeguarding & LATC	0	0	1	0	0	1
Totals	0	0	2	0	0	2

Local Government and Social Care Ombudsman (LGSCO) Complaints

60. Three complaints were referred to the LGSCO during 2025/26, an increase from one in 2024/25 and the same number as in 2023/24.
61. Three complaints were determined by the LGSCO during 2025/26, an increase from one in 2024/25 and the same number as in 2023/24.

Organisational Learning

62. 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 2025/26. Some examples of these are detailed below.

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

63. Children's Services agreed to share learning from a complaint with Darlington's Safeguarding Partnership and make a specific request of the partnership to review the Multi Agency Safeguarding Hub (MASH) guidance accordingly and to explicitly state that fathers and other relevant care givers must be included in all child safeguarding enquiries where safe to do so.

Keeping Families Together

64. In response to a complaint Children's Services agreed to ensure that core group meetings are held within expected timescales.

Central Team

65. Following a complaint it was agreed, social workers would support families to fully understand the content of Court Orders and the implications for, and responsibilities of the Local Authority regarding any directions made. It was also agreed that social workers would ensure that when composing minutes the discussion had during a meeting is accurately recorded. Furthermore, social workers were reminded that where there are significant concerns about the nature of the parent's relationship, they should establish with certainty whether there should be split forums. Social Workers were reminded to ensure that minutes from meetings are circulated to parents including child/young persons in need reviews and plans. It was also agreed social workers and team managers would be reminded of the expectations of the Recording Policy and Guidance, in particular providing a three-monthly case file recording giving a succinct summary of the work undertaken, specifically linking progress to the recommendation/outcomes of the plan.

North Team

66. Following a complaint Children's Services agreed to provide internal training and discuss the importance of involving all parents in assessments at team meetings. Children's Services also agreed that when information cannot be shared due to police advice or

safeguarding concerns, the professional rationale for the decision would be clearly recorded. This was considered multi-agency learning regarding Clare's Law. Children's Services agreed to consider raising the learning from this case with the Safeguarding Partnership in relation to challenges encountered when police advice limits information sharing. It was also agreed where family members who are professionals within social service working in any capacity, attend meetings or visits, case records should clearly document how professional boundaries are maintained. Finally, it was agreed managers should ensure that case records clearly demonstrate whether parents with parental responsibility have been contacted before an assessment is authorised or closed.

Safeguarding & Looked After Through Care (LATC)

67. In response to a complaint Children's Services agreed to ensure clarity of their procedures in relation to effective case recording, and for staff to be reminded that that all relevant communication must be recorded to reflect the child's journey and for transparency
68. As a result of another complaint, social workers and team managers were advised emails from service users or their network should be acknowledged, timescales should be identified for actions and actions followed through with feedback given in a timely manner.

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

70. The below performance measures are in relation to those complaints responded to during 2025/26.

Timescales

Stage 1

71. 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) 36.17% of stage 1 complaint responses were sent within 10 working days. This was a decrease in performance from 38.6% in 2024/25.
- (b) A further 14.89% of stage 1 complaint responses were sent within 20 working days.
- (c) In total 51.06% of stage 1 complaint responses were sent within the maximum 20 working day timescale, a decrease in performance from 66.7% in 2024/25.

Stage 2

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

- (a) 7.14% of stage 2 complaint responses were sent within 25 working days during 2025/26, an increase from 5.3% in 2024/25.
- (b) 7.14% of stage 2 complaint responses were sent within the maximum timescale allowed (65 working days), an increase in performance from 5.3% in 2024/25.
- (c) 92.86% of stage 2 complaint responses were sent after 65 working days, an increase in performance from 94.7% in 2024/25.

Stage 3

73. At stage 3 the Review Panel should be held within 30 working days of the request. 0% of Review Panels were held within 30 working days. One was held within 36 days and one within 38 days, in one case the delay was due to the complainant's limited availability.

74. The Review Panel should write to the Director within 5 working days of the panel. They did so in 100% of cases.

75. 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 2024/25.

Performance against key performance indicators

76. 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 one upheld decision during 2025/26, an increase from zero 2024/25, and a decrease from two in 2023/24.
77. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 8 September 2026 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

Further recommendations

78. Children's Services should seek to address the common causes of complaints i.e. staff attitude/behaviour and communication issues. To that end the Council is relaunching its Relational Practice training during 2026/27.
79. Children's Services and the Complaints Manager should work to improve the timeliness and quality of stage one responses. The Complaints Manager ran several in house training sessions for staff required to respond to stage one complaints during 2025/26.
80. Children's Services and the Complaints Manager should work to improve performance against stage two response timescale.



DARLINGTON

Borough Council

Corporate Complaints, Compliments and Comments Annual Report 2025/26

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Introduction

1. This report provides an analysis of the complaints, compliments and comments received by the Council during 2025/26 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 started considering the Code as part of their processes from April 2026. The Code only applies to complaints where there is no statutory process in place.
4. The Council reviewed its corporate procedure 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

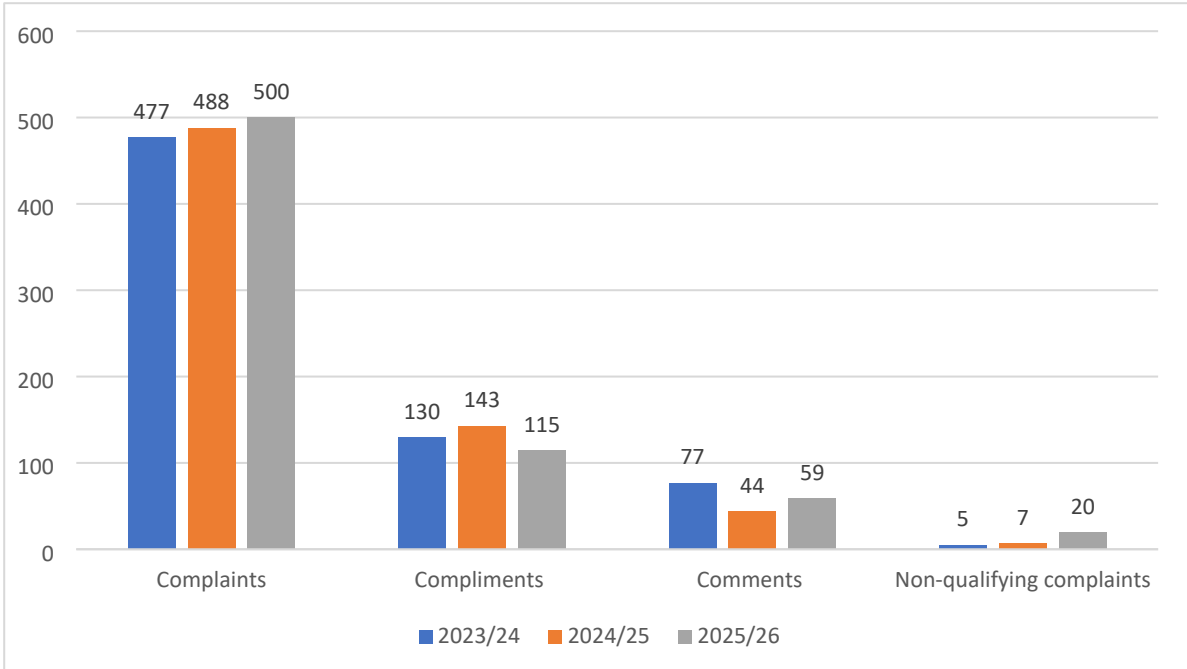
8. We are committed to making sure that everyone has equal access to all our services. To help make sure the Council's complaints procedures are easily accessible, information is available on the Council's website which contains an electronic form people can use to make a complaint, pay someone a compliment 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

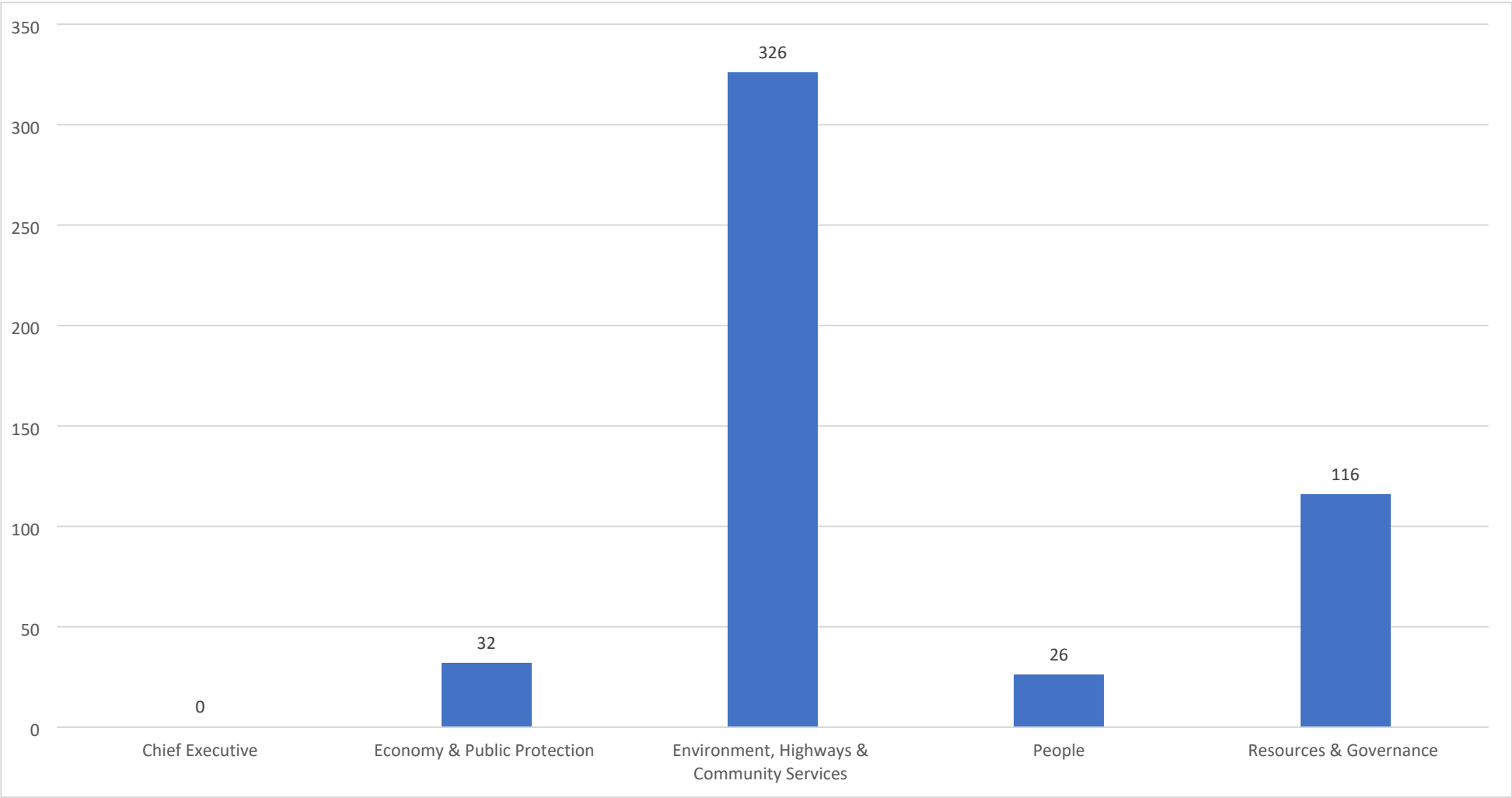
Overview of Corporate Complaints, Compliments and Comments

- 11. Between 1 April 2025 and 31 March 2026 the Council received a total of 694 representations under the corporate procedure, an increase from 682 in 2024/25 and 689 in 2023/24.
- 12. The Council received 500 corporate complaints, an increase from 488 in 2024/25 and an increase from 477 in 2023/24. 476 complaints were initially dealt with at Stage 1 of the corporate procedure, whilst 24 were escalated directly to Stage 2. 71 Stage 1 complaints were escalated to Stage 2 following a Stage 1 investigation. In total 95 complaints were received at Stage 2, an increase from 73 in 2024/25 and 84 in 2023/24.
- 13. The Council received 115 corporate compliments in 2025/26, a decrease from 143 in 2024/25 and 130 in 2023/24.
- 14. The Council received 59 corporate comments during 2025/26, an increase from 44 in 2024/25 and a decrease from 77 in 2023/24.
- 15. The Council also received 20 non-qualifying corporate complaints in 2025/26, an increase from seven in 2024/25 and five in 2023/24.

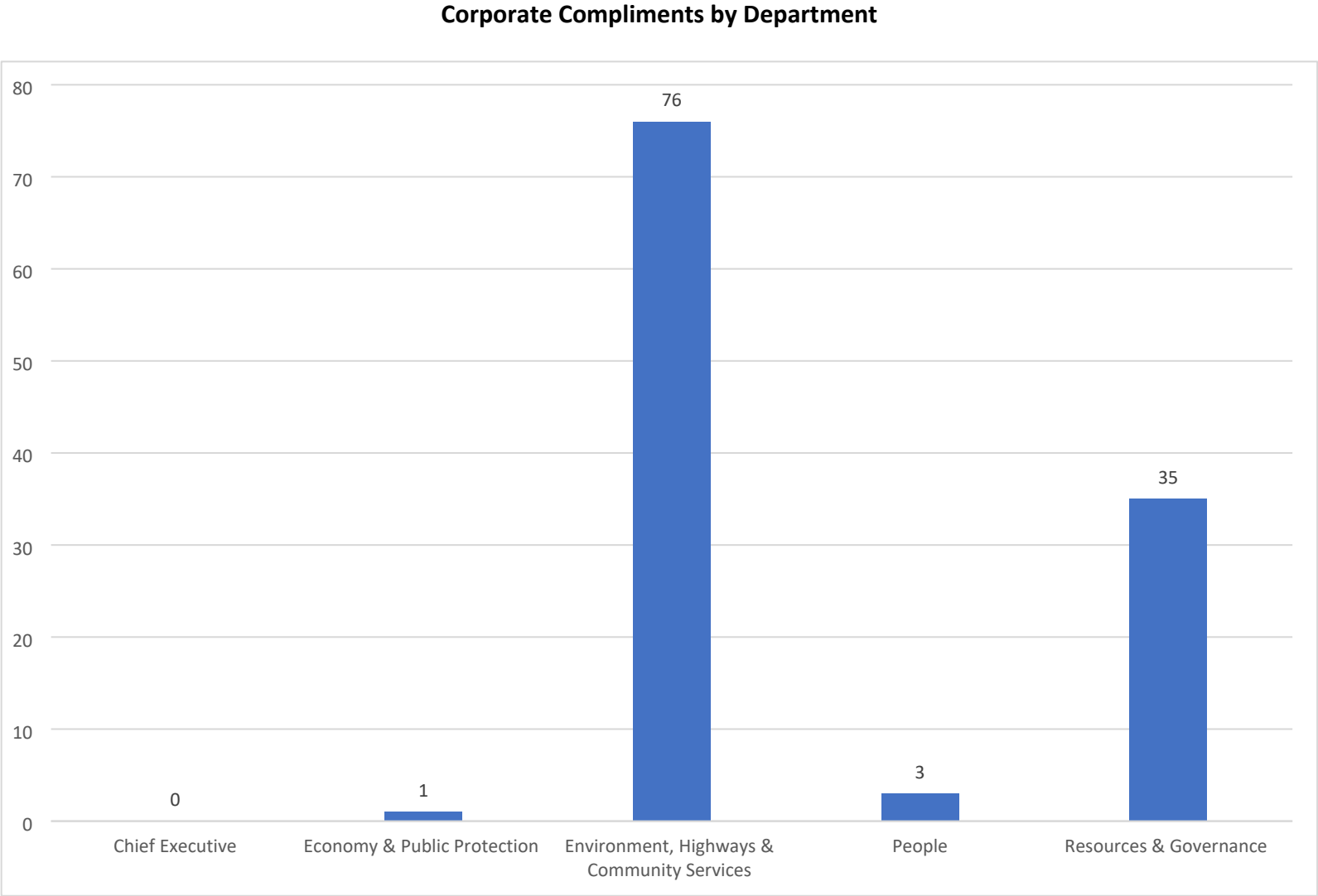
Total Corporate Complaints, Compliments and Comments



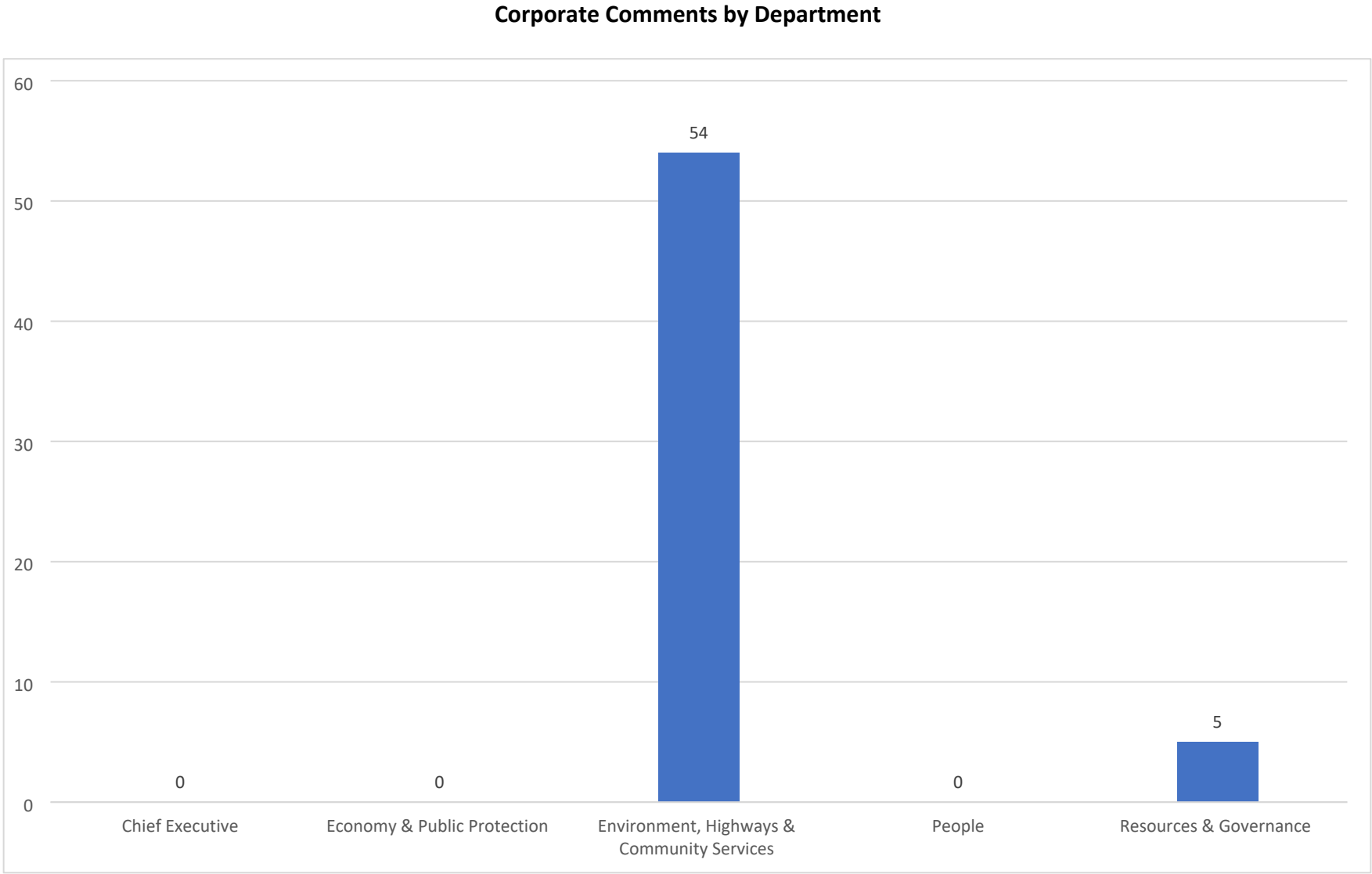
Corporate Complaints by Department



N.B. Direct comparison data at a department level for previous years is not available due to the change in the Council’s organisational structure.



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Complaints, Compliments and Comments by Department

**Chief Executive
Complaints by Service Area/Team**

16. Chief Executive did not receive any complaints during 2025/26.

Compliments by Service Area/Team

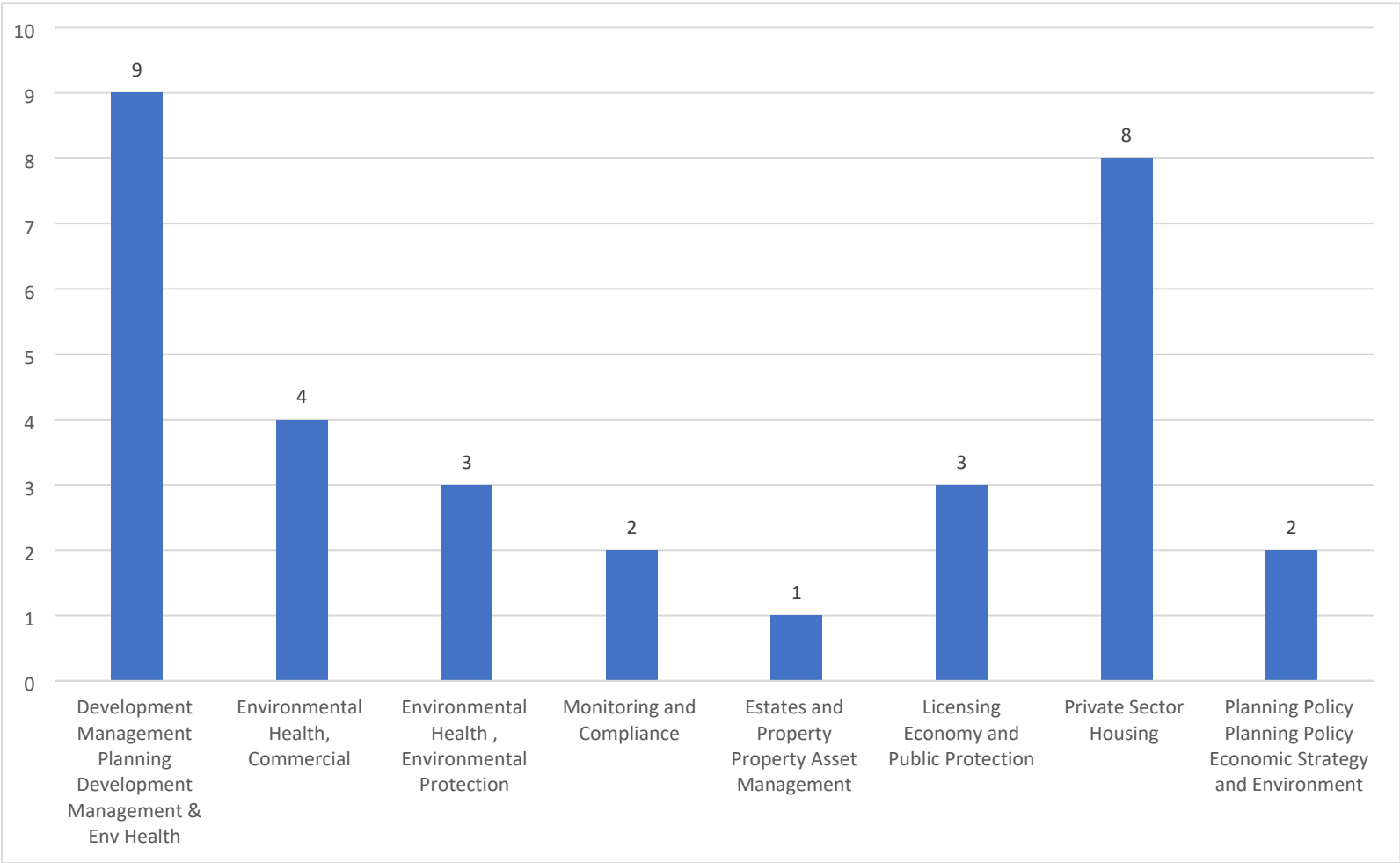
17. Chief Executive did not receive any compliments during 2025/26.

Comments by Service Area/Team

18. Chief Executive did not receive any comments during 2025/26.

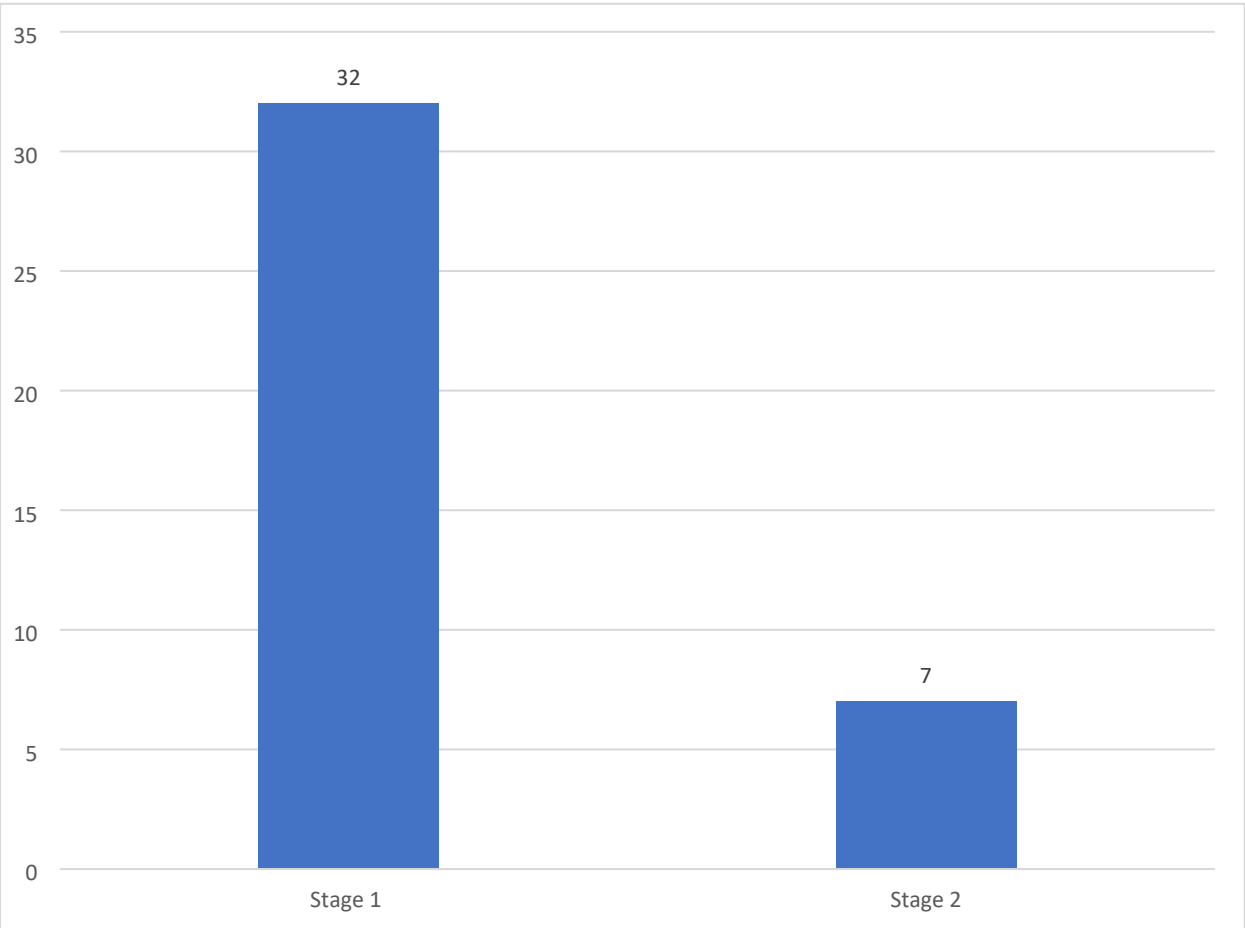
Economy & Public Protection
Complaints by Service Area/Team

19. Economy & Public Protection received 32 complaints during 2025/26.



- 20. Development Management received nine complaints during 2025/26. The most common cause of complaint was people’s dissatisfaction with the response to requests for Planning Enforcement.
- 21. Environmental Health, Commercial received four complaints during 2025/26. Two complaints concerned pest control.
- 22. Environmental Health, Public Protection received three complaints during 2025/26. There were no identifiable themes.
- 23. Licensing received three complaints during 2025/26. Two complaints concerned taxi licensing.
- 24. Private Sector Housing received eight complaints during 2025/26. The most common cause of complaint was communication, two complaints also concerned House of Multiple Occupation (HMO) licensing.

Complaints by Stage



Compliments by Service Area/Team

25. Estates & Property received one compliment during 2025/26.

Comments by Service Area/Team

26. Economy & Public Protection did not receive any comments during 2025/26.

Complaints by Outcome

32. The below tables show the decisions reached on complaints for Economy & Public Protection during 2025/26.

Stage 1 Outcomes

Service Area/Team	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Planning Policy	0	0	1	0	0	0	1
Development Management	1	0	3	0	1	0	5
Commercial	0	1	0	1	0	2	4
Environmental Protection	0	0	1	1	0	0	2
Monitoring and Compliance	0	0	1	0	1	0	2
Estates and Property	0	0	0	0	1	0	1
Private Sector Housing	1	0	2	0	1	0	4
Licensing	0	0	2	0	1	0	3
Totals	2	1	10	2	5	2	22

Stage 2 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Planning Policy	0	1	0	0	0	1
Development Management	0	0	1	0	0	1
Environmental Protection	0	0	1	0	0	1
Monitoring and Compliance	0	0	1	0	0	1
Private Sector Housing	0	0	3	0	0	3
Totals	0	1	6	0	0	7

Organisational learning

32. 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 2025/26.

Environmental Health, Public Protection

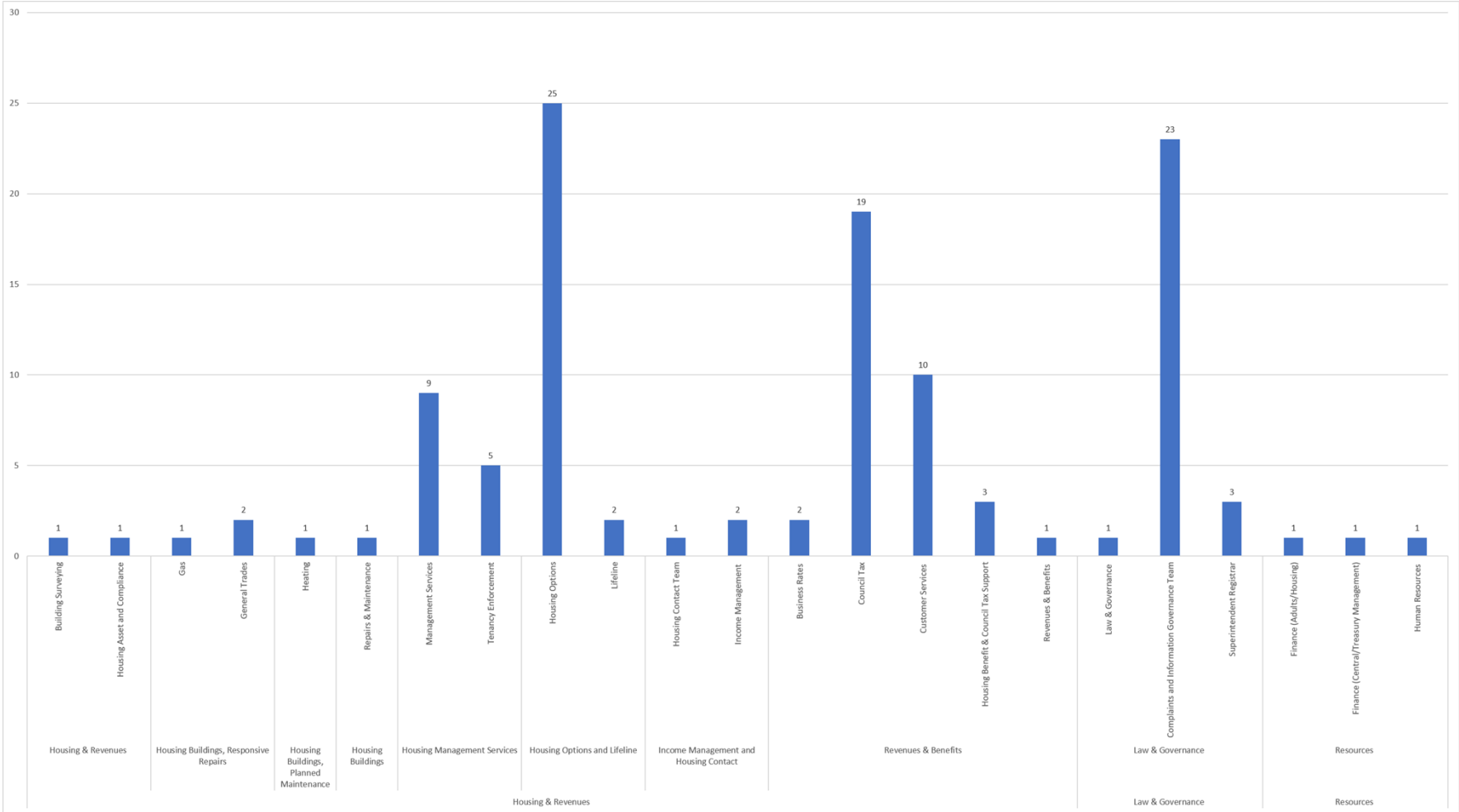
33. In response to a complaint Environmental Health Officers were reminded to be clear in their communications regarding managing expectations for installation of noise monitoring equipment.

Private Sector Housing

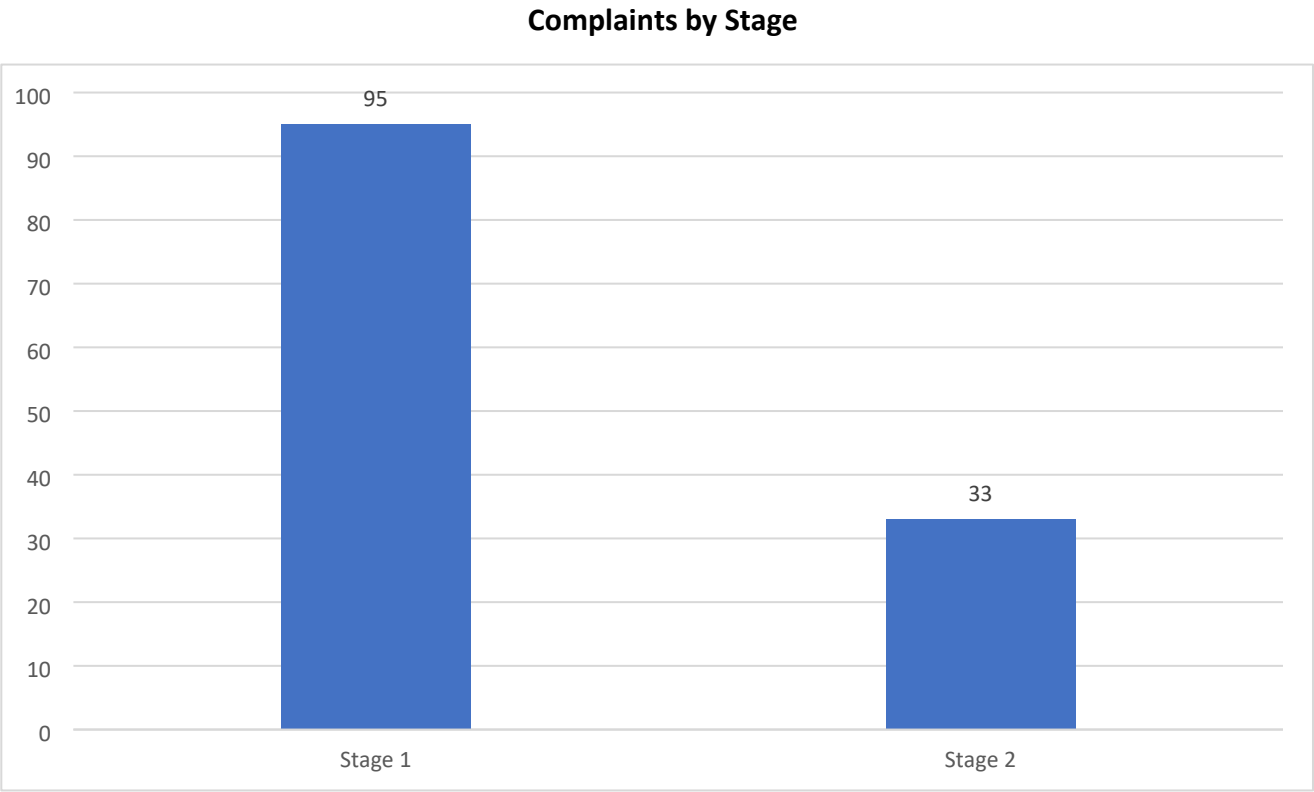
34. As a result of a complaint, two complaints officers were reminded of the service standards outlined in the Council's Customer Charter.

Resources & Governance
Complaints by Service Area/Team

32. Resources & Governance received 116 corporate complaints during 2025/26.



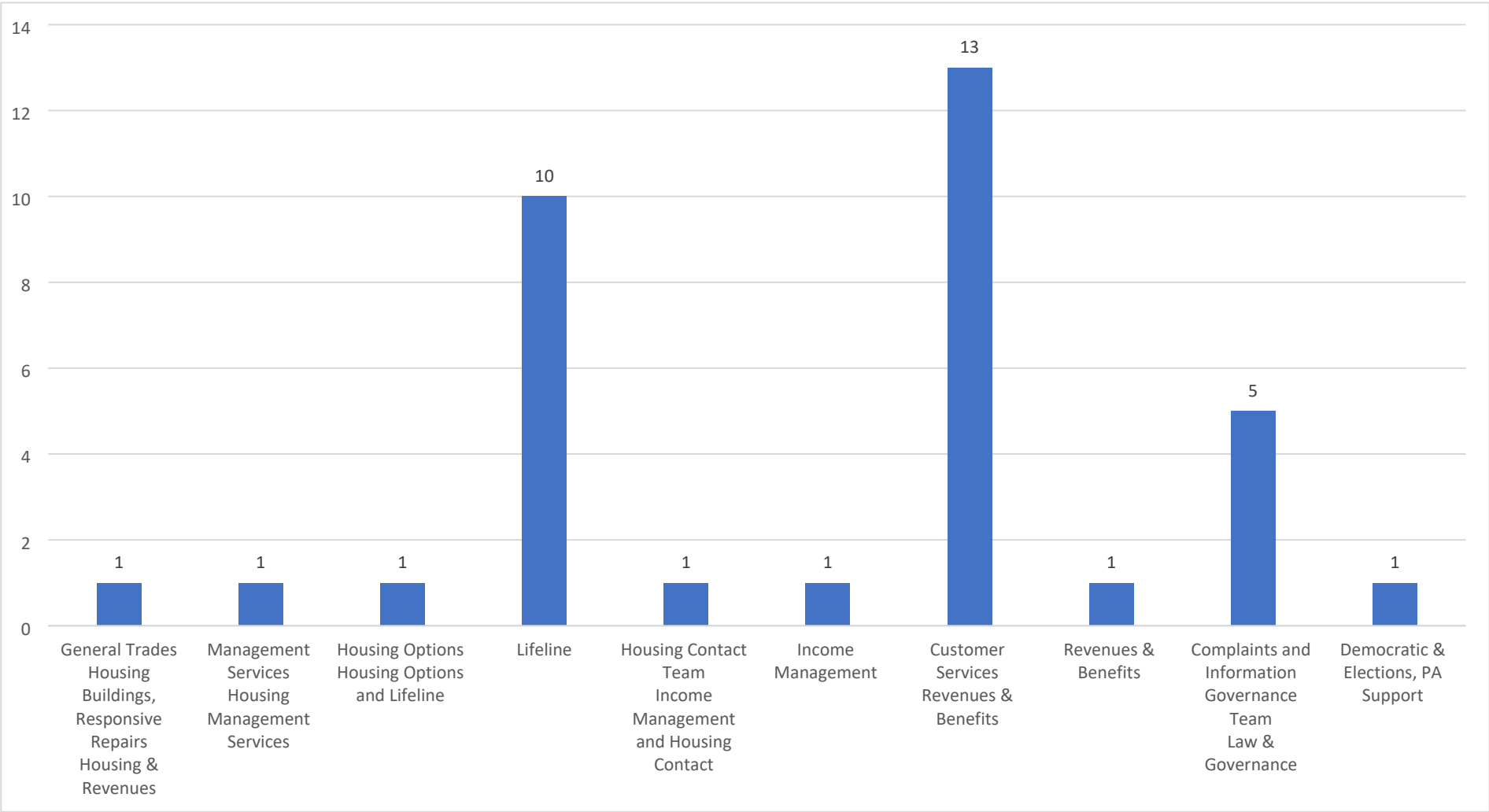
33. Management Services received eight corporate complaints. There were no identifiable themes.
34. Tenancy Enforcement received five corporate complaints, the most common cause of complaint was dissatisfaction with the action taken in relation to the behaviour of neighbours residing in Council properties.
35. Housing Options received 25 complaints. Themes included people's dissatisfaction with the band they were placed in, the types of properties they were eligible to bid on and issues with the bidding process.
36. Council Tax received 19 complaints. The most common cause of complaint was lack of communication.
37. Customer Services received 10 complaints. The most common cause of complaint was blue badge applications and the level of customer service provided by Customer Service Advisors.
38. Complaints & Information Governance Team received 26 complaints. The most common cause of complaint was the delay in responding to Subject Access Requests (SARs).



N.B. 21 complaints were escalated directly to Stage 2

Compliments by Service Area/Team

39. Resources & Governance received 35 corporate compliments during 2025/26.



40. Lifeline received 10 corporate compliments during 2025/26. The main theme was people's satisfaction with the service provided, particularly in relation to staff responding to incidents.
41. Customer Services receive 13 compliments. The most common theme was support in relation to blue badge applications and the level of customer service provided by Customer Service Advisors.
42. Complaints & Information Governance Team received five compliments. The most common cause of compliment was the support provided by Complaints & Information Governance Assistants.

Comments by Service Area/Team

43. Resources & Governance did not receive any comments during 2025/26.

Complaints by Outcome

35. The below tables show the decisions reached on complaints for Resources & Governance during 2025/26.

Stage 1 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Superintendent Registrar	0	1	1	0	1	3
Complaints and Information Governance Team	0	1	3	1	0	5
Human Resources Organisational Development & Projects	0	0	0	1	0	1
Finance (Central/Treasury Management)	0	0	0	0	1	1
Housing Asset and Compliance	1	0	0	0	0	1
Gas	0	1	0	0	0	1
General Trades	0	0	2	0	0	2
Heating	0	1	0	0	0	1
Repairs & Maintenance	1	0	0	0	0	1
Housing Management Services	0	0	0	0	1	1
Management Services	1	2	0	1	2	6
Tenancy Enforcement	0	0	0	2	1	3
Housing Options	0	13	3	0	3	19
Lifeline	0	0	2	0	0	2
Housing Contact Team	0	0	1	0	0	1
Income Management	0	1	0	0	0	1
Revenues and Benefits	0	0	0	0	1	1
Business Rates	0	0	0	2	0	2
Council Tax	0	8	4	1	6	19
Housing Benefit & Council Tax Support	0	1	0	1	1	3
Customer Services	0	6	1	0	3	10
Totals	3	35	17	9	20	84

Stage 2 Outcomes

Service Area/Team	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Law and Governance	1	0	0	0	1
Complaints & Information Governance Team	3	3	11	0	17
General Trades	0	1	0	0	1
Management Services	1	0	0	0	1
Tenancy Enforcement	0	0	2	0	2
Housing Options	1	1	0	0	2
Business Rates	0	0	1	0	1
Council Tax	1	1	0	0	2
Totals	7	6	14	0	27

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 2025/26.

Complaints & Information Governance Team

37. Following several complaints about delays in responding to complaints and information requests, the Council increased the resource within the team and are currently working on a project to digitise historic social care records.

Housing Options

38. In response to a complaint for Housing Options, it was agreed it would be made clearer to applicants that they will be ineligible to be offered a property until their application is verified again following a change of circumstances. The Housing Options Team placed a warning in bold in the Change of Circumstances letter sent to applicants advising that any changes to their housing application can affect existing bids and lead to them being bypassed for a property. This information was also added to the website.

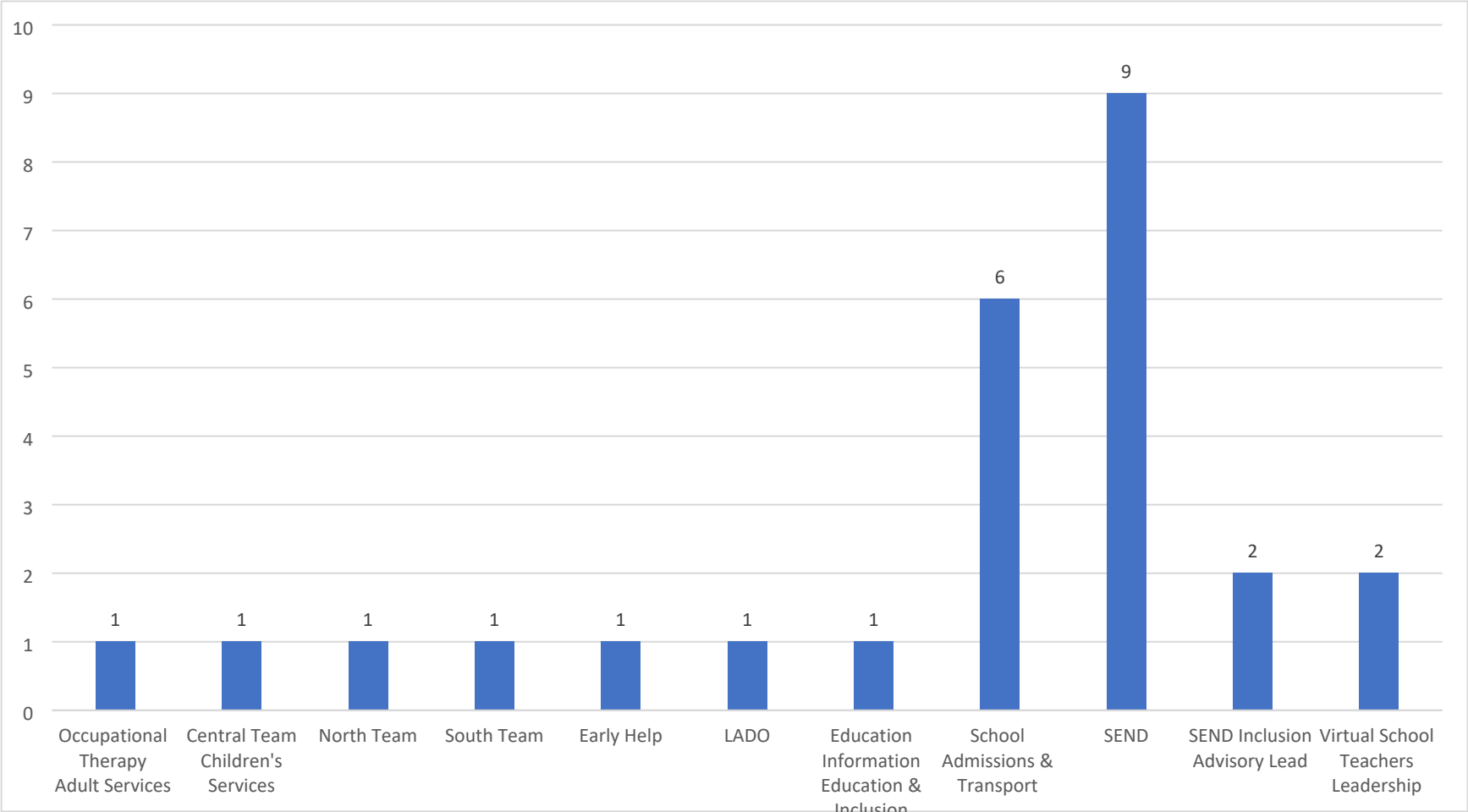
Lifeline

39. As a result of a complaint about Lifeline, monitoring practices were improved and a monthly report is now created for any clients who have not used or tested their equipment in the previous month. A clear procedure is now in place requiring all 'lost mobile connectivity' alerts generated by the Cloud Management Platform to be logged, reviewed within a defined timescale, and followed by a documented decision (e.g. monitoring,

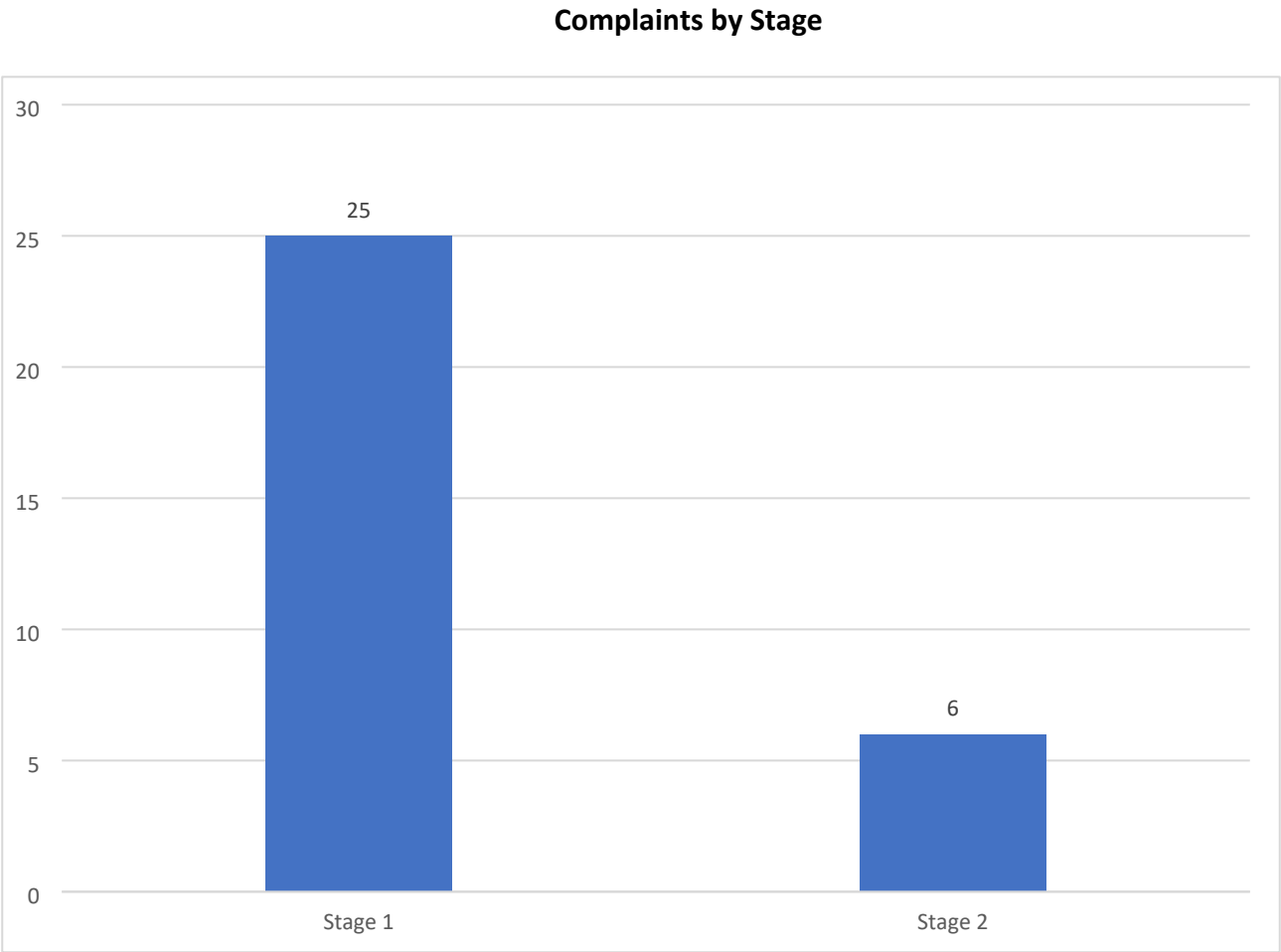
customer contact, or inspection visit). Where alerts relate to equipment that relies solely on 2G connectivity, particularly for elderly or high-risk users, the alert is treated as an elevated risk and escalated accordingly.

People
Complaints by Service Area/Team

40. People Group received 26 corporate complaints during 2025/26.

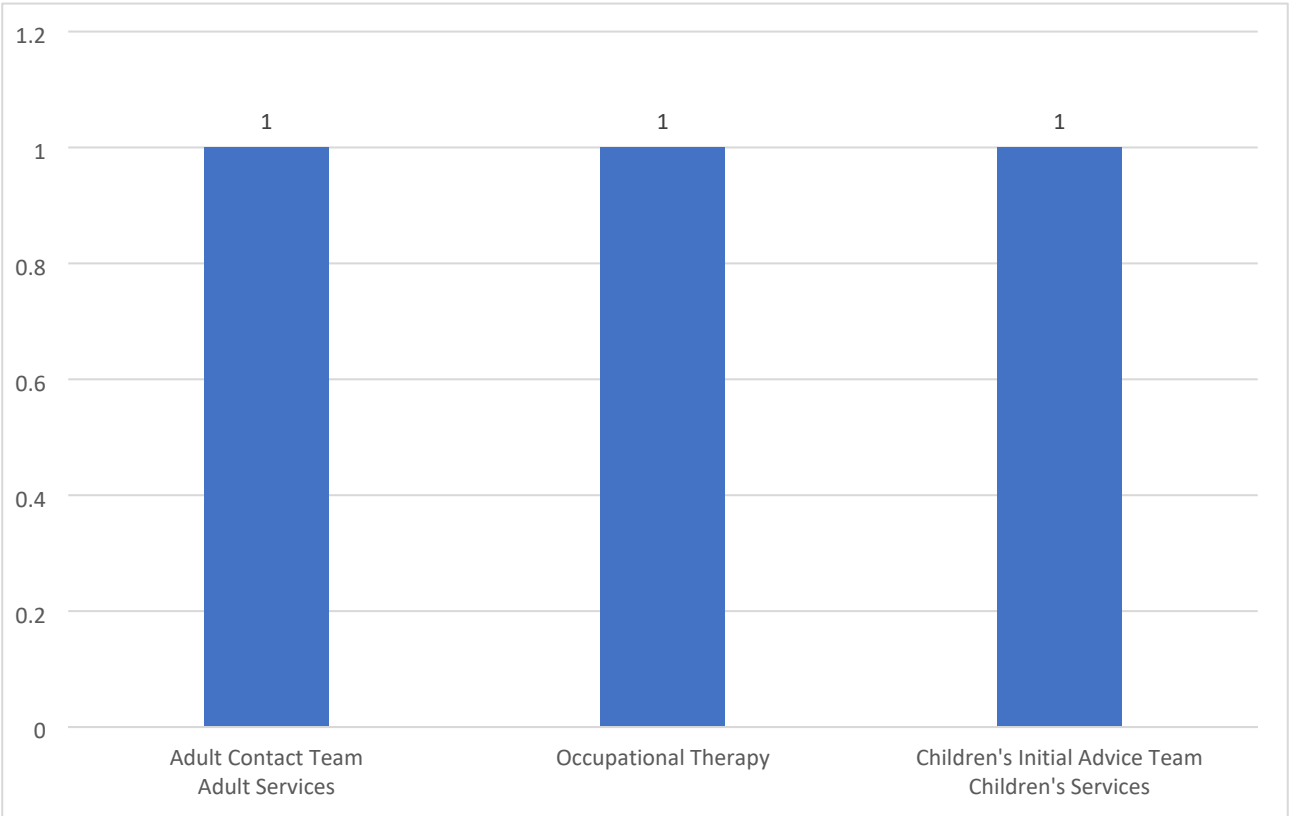


- 32. School Admissions & Transport received six complaints during 2025/26. The most common cause of complaint was dissatisfaction with the school transport service provided.
- 33. Special Educational Needs and Disability (SEND) received nine complaints during 2025/26. Complaints concerned communication, delays in issuing EHCP plans and delays in securing the provision outlined in EHC Plans.



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

Compliments by Service Area/Team



Comments by Service Area/Team

34. People did not receive any comments during 2025/26.

Complaints by Outcome

35. The below tables show the decisions reached on complaints during 2025/26.

Stage 1 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Occupational Therapy	0	0	0	0	1	1
LADO	0	1	0	0	0	1
Early Help	0	0	1	0	0	1
SEND Inclusion Advisory Lead	0	2	0	0	0	2
Education Information	0	0	0	1	0	1
SEND	0	3	3	2	1	9
School Admissions & Transport	0	3	2	0	1	6
Virtual School Teachers Leadership	0	0	1	1	0	2
Totals	0	9	7	4	3	23

Stage 2 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
North Team	0	2	0	0	0	2
SEND	0	0	2	1	0	3
School Admissions & Transport	0	0	2	0	1	3
Virtual School Teachers Leadership	0	0	1	0	0	1
Totals	0	2	5	1	1	9

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 2025/26.

School Admissions & Transport

37. As a result of several complaints for the School Admissions & Transport it was agreed officers would advise parents without delay when an operator terminates a contract or the Council is waiting for an alternative solution to be sourced, so parents are aware of potential disruption. A pre-screening for taxi suitability was also introduced, particularly where a child is known to remove seatbelts. Communication processes were strengthened by implementing timely updates to parents and schools when incidents occur or transport is suspended, and it was recommended to consider implementing a formal review process for cases where repeated suspensions or behavioural incidents occur to ensure that dynamic risk assessments are supported by planned, preventative measures.

Special Education Needs & Disabilities (SEND)

38. Following a complaint for SEND it was agreed the Council would share the findings with the college, from a learning perspective, in order to improve the service provided and ensure provision detailed in EHCP's is implemented in a timely manner.

Inclusion

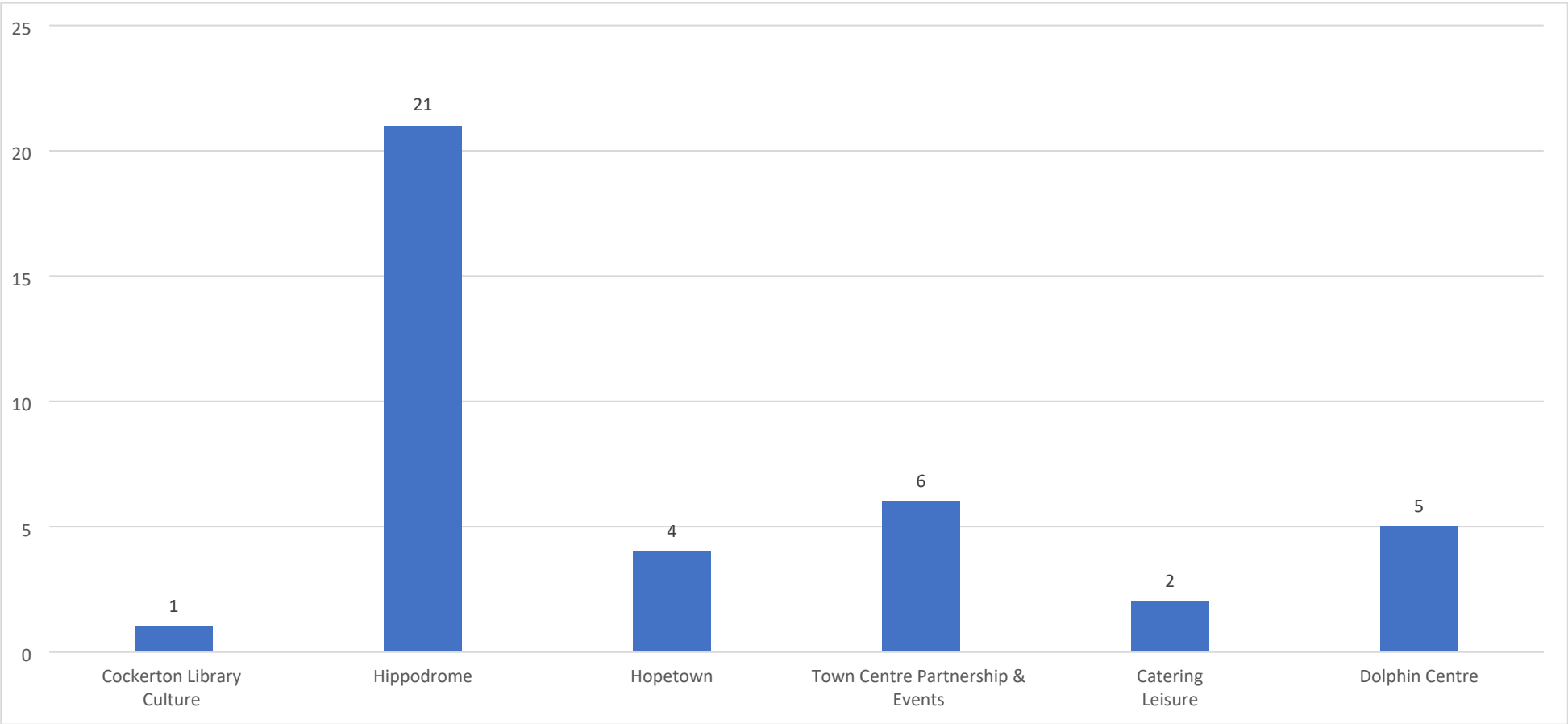
32. Following a complaint about the Council failing to meet its duties under Section 19 of the Education Act 1996 training would be provided to administrative staff who supporting the Vulnerable Pupil Pannel (VPP).

Environment, Highways & Community Services

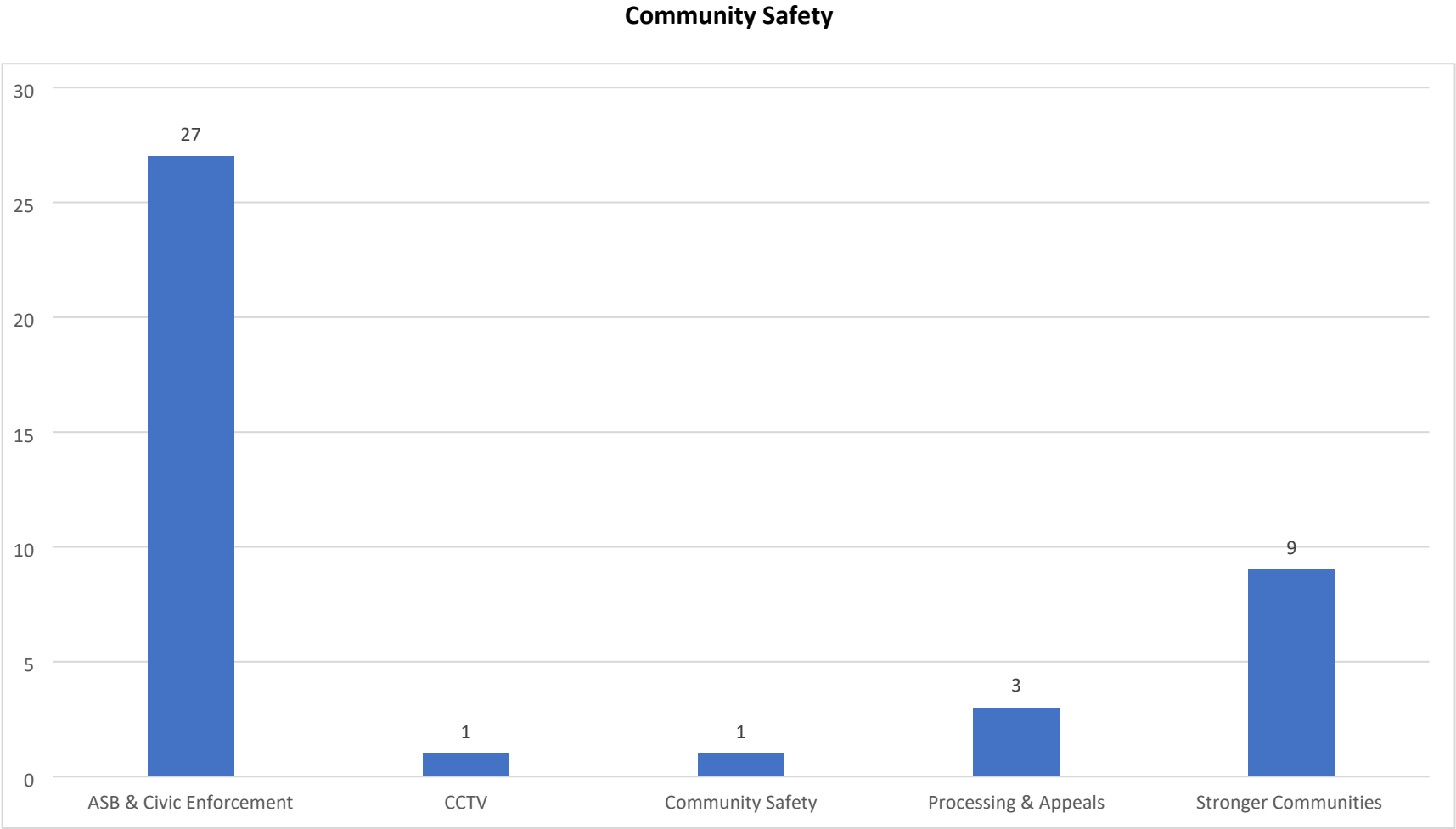
Complaints by Service Area/Team

33. Environment, Highways & Community Services received 327 corporate complaints during 2025/26.

Culture & Leisure

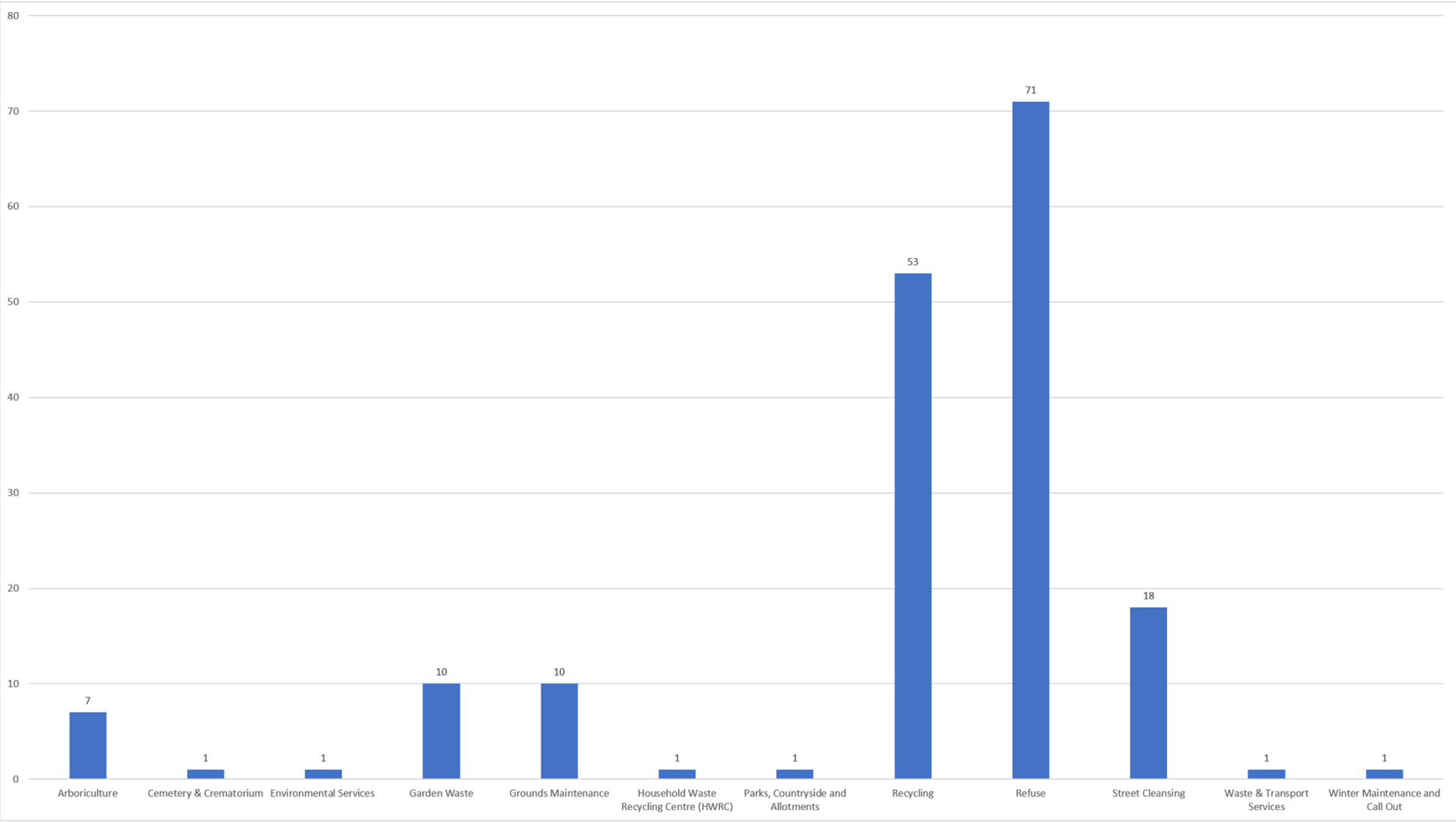


34. Hippodrome received 21 complaints during 2025/26. The main cause of complaints was that staff did not adequately address inappropriate behaviour by other audience members during shows and issues relating to restricted views.
35. Hopetown received four complaints during 2025/26. There were no common themes.
36. Town Centre Partnership & Events received six complaints during 2025/26. The most common cause of complaint was the urban clearway implemented in the streets around Hopetown for the Stockton and Darlington Railway's 200th anniversary celebrations.
37. Dolphin Centre received five complaints during 2025/26. There were no common themes.

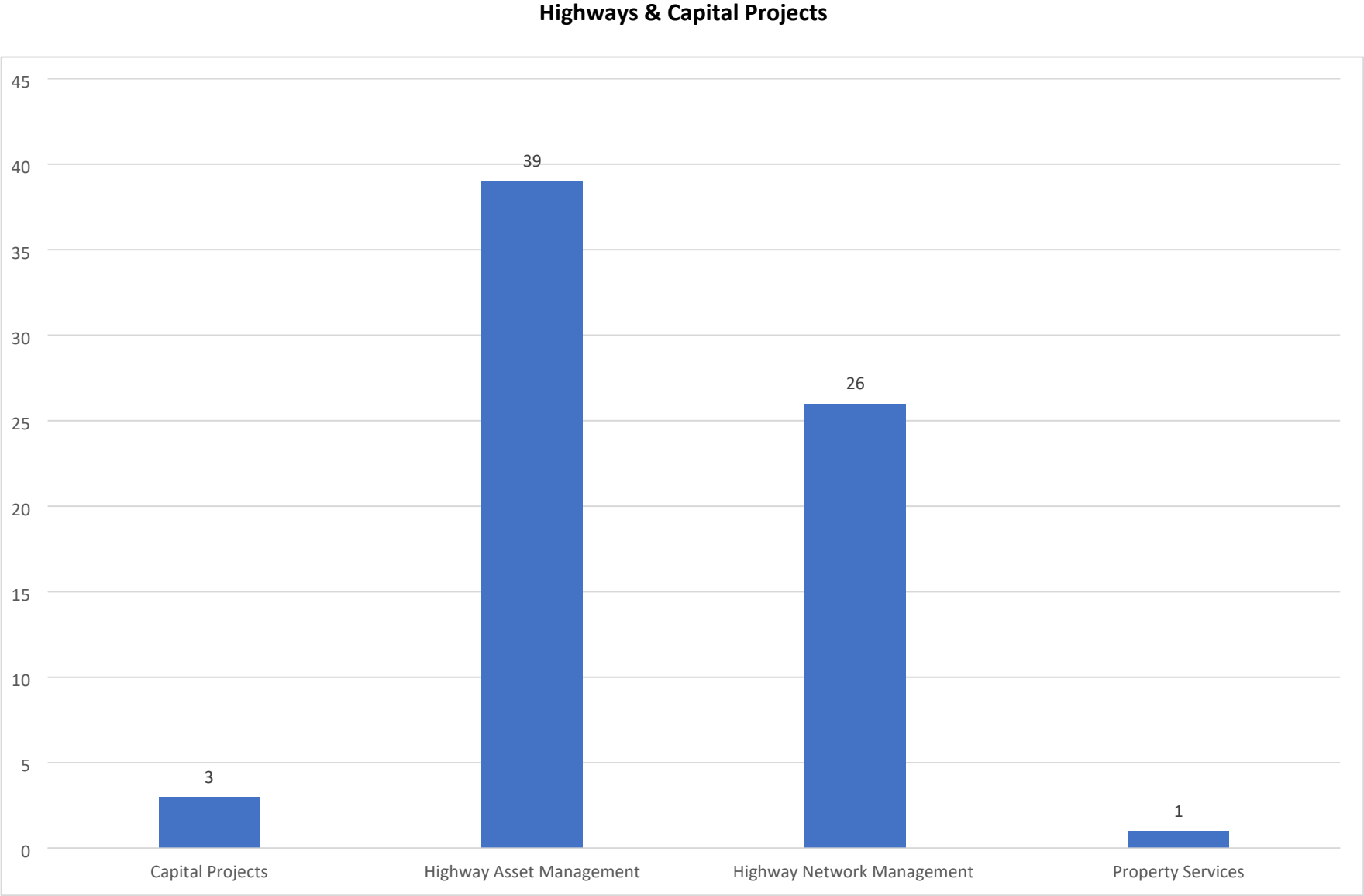


38. ASB & Civic Enforcement received 27 complaints during 2025/26. The most common themes were dissatisfaction with a perceived lack of action in relation to requests for enforcement and dissatisfaction with the attitude and actions of enforcement officers. Three complaints also concerned the removal of vehicles.
39. Processing & Appeals received three complaints during 2025/26. There were no common themes.
40. Stronger Communities received nine complaints during 2025/26. All nine complaints concerned an incident at an International Women's Day event.

Environmental Services

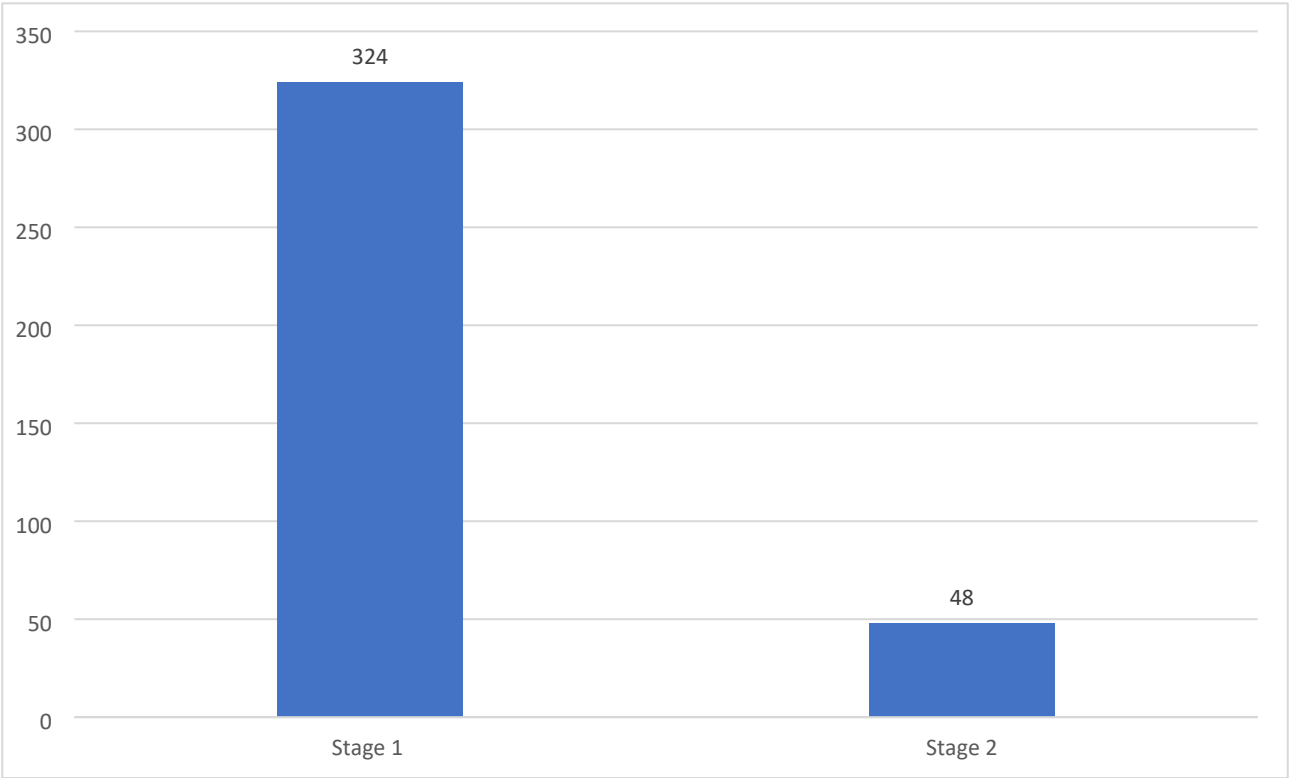


41. Arboriculture received seven complaints during 2025/26. These complaints generally resulted from dissatisfaction with a decision not to undertake works to a tree for the reasons requested.
42. Garden Waste received 10 complaints during 2025/26. Complaints primarily concerned missed collections.
43. Grounds Maintenance received 10 complaints during 2025/26. The lack of maintenance and delays in carrying out maintenance following a request were the most common cause of complaint.
44. Recycling received 53 complaints during 2025/26. The most common cause of complaint was recycling not being collected.
45. Refuse received 71 complaints during 2025/26. The most common cause of complaint was refuse not being collected.
46. Street Cleansing received 18 complaints during 2025/26. Complaints primarily related to the lack of/quality of response to requests for service.



- 47. Capital Projects received three complaints in 2025/26. Two complaints concerned ongoing works to the same property.
- 48. Highway Asset Management received 39 complaints during 2025/26. Themes included the lack of notification prior to undertaking road works and dissatisfaction with the response to requests for service.
- 49. Highway Network Management received 26 complaints during 2025/26. There were no common themes.

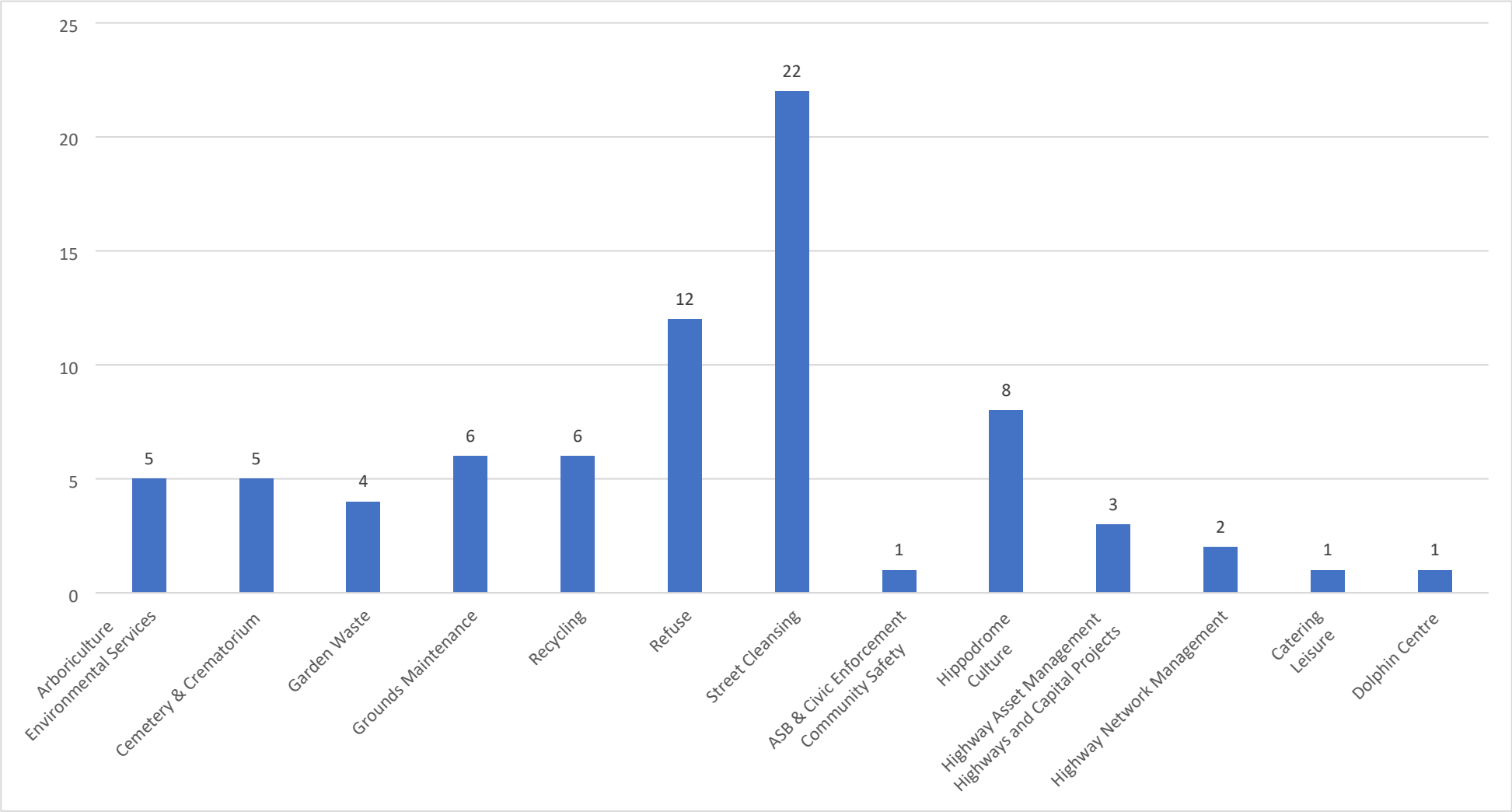
Complaints by Stage



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

Compliments by Service Area/Team

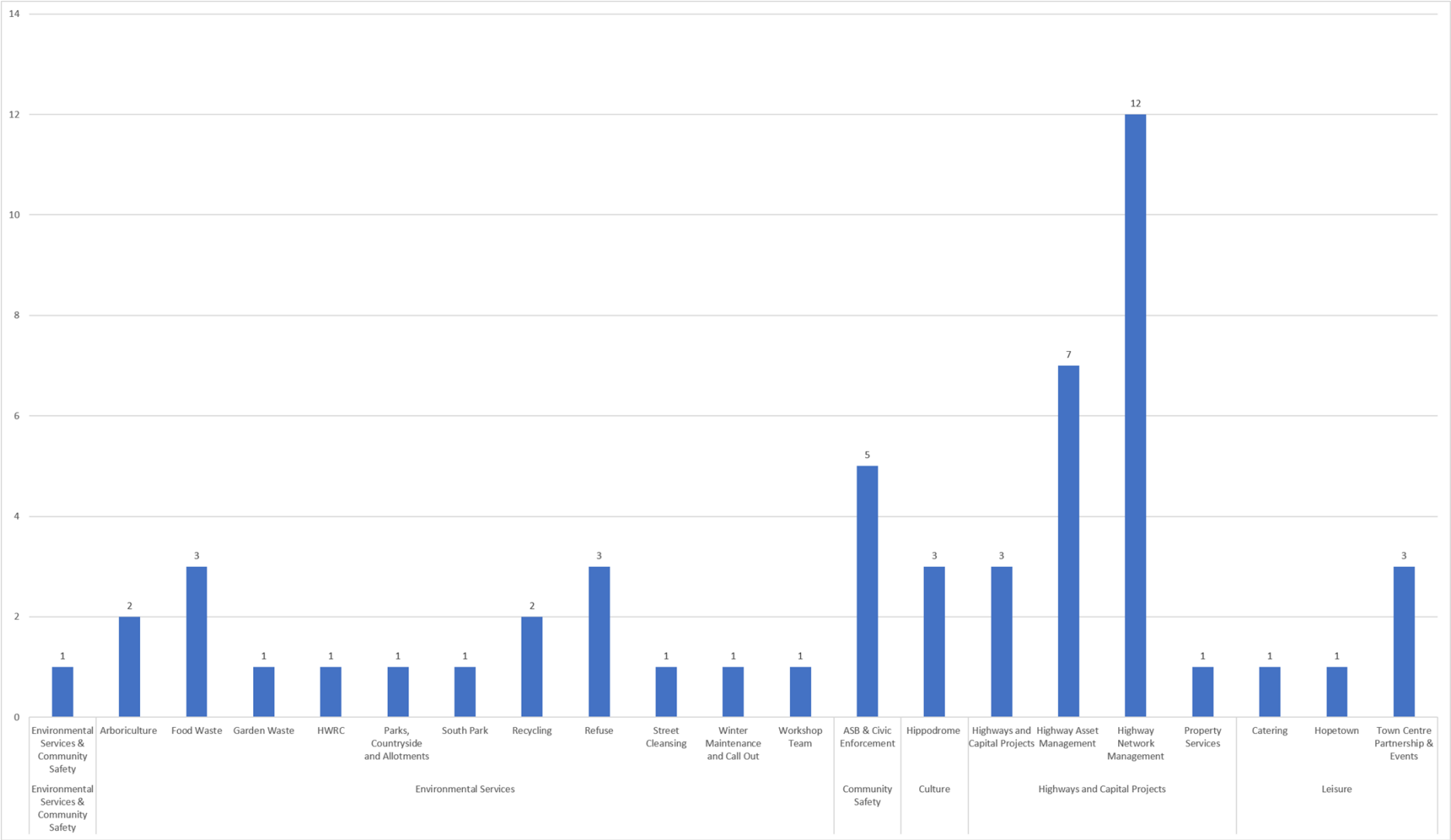
50. Environment, Highways & Community Services received 76 corporate compliments during 2025/26.



51. Arboriculture received five compliments in 2025/26. The most common theme was satisfaction with tree works.
52. Cemetery & Crematorium received five compliments in 2025/26. There were no identifiable themes.
53. Garden Waste received four compliments in 2025/26. There were no identifiable themes.
54. Grounds Maintenance received six compliments in 2025/26. There were no identifiable themes.
55. Recycling received 6 compliments in 2025/26. There were no identifiable themes.
56. Refuse received 12 compliments in 2025/26. There most common compliment was for the friendly and helpful approach of operatives.
57. Street Cleansing received 22 compliments during 2025/26. Themes included general satisfaction with the cleanliness of streets and satisfaction with the team's response to specific requests for service.
58. Hippodrome received eight compliments during 2025/26. There were no identifiable themes.
59. Highway Asset Management received three compliments in 2025/26. There were no identifiable themes.

Comments by Service Area/Team

32. Environment, Highways & Community Services received 54 corporate comments during 2025/26.



33. Food Waste received three comments during 2025/26. There were no identifiable themes.
34. Refuse received three comments during 2025/26. There were no identifiable themes.
35. ASB & Civic Enforcement received five comments during 2025/26. There were no identifiable themes.
36. Hippodrome received three comments during 2025/26. There were no identifiable themes.
37. Highways & Capital Projects received three comments during 2025/26. All three comments related to the decision to remove flags from lampposts.
38. Highway Asset Management received seven comments during 2025/26. There were no identifiable themes.
39. Highway Network Management received 12 comments during 2025/26. There were no identifiable themes.
40. Town Centre Partnership & Events received three comments during 2025/26. There were no identifiable themes

Complaints by Outcome

32. The below tables show the decisions reached on complaints during 2025/26.

Stage 1 Outcomes – Culture & Leisure

Service Area/Team	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Town Centre Partnership & Events	0	1	1	0	2	0	4
Hopetown	0	0	1	2	1	0	4
Hippodrome	0	1	9	2	6	1	19
Cockerton Library	0	0	0	0	1	0	1
Dolphin Centre	0	0	1	0	1	2	4
Catering	0	0	1	0	1	0	2
Totals	0	2	13	4	12	3	34

Stage 1 Outcomes – Community Safety

Service Area/Team	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Community Safety	0	0	1	0	0	0	1
Stronger Communities	0	0	9	0	0	0	9
CCTV	0	0	1	0	0	0	1
ASB & Civic Enforcement	0	1	11	2	3	4	21
Processing & Appeals	0	0	3	0	1	0	4
Totals	0	1	25	2	4	4	36

Stage 1 Outcomes – Environmental Services

Service Area/Team	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Environmental Services	1	0	0	0	0	0	1
Arboriculture	0	0	5	0	2	0	7
Grounds Maintenance	0	0	2	0	4	0	6
Parks, Countryside and Allotments	0	0	0	1	0	0	1
Street Cleansing	1	0	8	1	1	0	11
Waste & Transport Services	0	0	0	1	0	0	1
Garden Waste	0	0	2	0	7	1	10
Recycling	0	1	22	1	25	1	50
Refuse	0	4	20	1	33	0	58
Winter Maintenance and Call Out	0	0	0	0	1	0	1
Cemetery & Crematorium	0	0	0	0	1	0	1
Totals	2	5	59	5	74	2	147

Stage 1 Outcomes – Highways & Capital Projects

Service Area/Team	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Highway Network Management	0	1	13	2	3	0	19
Capital Projects	0	0	0	2	1	0	3
Highway Asset Management	0	0	27	0	6	0	33
Property Services	0	0	1	0	0	0	1
Totals	0	1	41	4	10	0	56

Stage 2 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Environment, Highways & Community Services	0	4	0	1	0	5
Town Centre Partnership & Events	0	2	1	0	0	3
Hippodrome	0	1	0	0	0	1
Community Safety	0	1	0	0	0	1
Stronger Communities	0	4	0	0	0	4
ASB & Civic Enforcement	0	5	1	0	0	6
Processing & Appeals	0	2	1	0	0	3
Arboriculture	0	1	0	0	0	1
Street Cleansing	0	1	0	0	0	1
Waste & Transport Services	0	0	1	0	0	1
Refuse	0	0	1	0	0	1
Highway Network Management	0	1	3	1	0	5
Capital Projects	0	1	2	0	0	3
Highway Asset Management	0	7	0	0	0	7
Dolphin Centre	0	0	2	0	0	2
Totals	0	30	12	2	0	44

Organisational Learning

33. 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 2025/26.

ASB & Civic Enforcement

34. Following a complaint the Civic Enforcement Operational Manager and officers obtained appropriate signage for their uniforms regarding the use of body worn video Cameras.

Dolphin Centre

32. As a result of a complaint for the Dolphin Centre, staff training was provided in relation to allergies.
33. In response to another complaint, refresher training on handling difficult situations was provided. Dolphin Centre staff were also given clear guidance on what action to take if they suspect individuals hold poolside footage on their personal devices.

Highway Network Management

34. In response to a complaint officers were reminded of the importance of adhering to prescribed timescales in the Customer Service Standards and Corporate Complaint Procedure.

Hopetown

32. In response to a complaint the opening times are now displayed on the door and in the leaflet.

Town Centre Partnership & Events

33. As a result of a complaint from a breastfeeding mother, refresher training was provided in relation to Equality and Diversity.
34. Following several complaints about the urban clearway implemented in the streets around Hopetown for the Stockton and Darlington Railway's 200th anniversary celebrations, the Council reviewed its approach, ultimately deciding to go beyond the statutory duty should it have cause to implement an urban clearway in future.

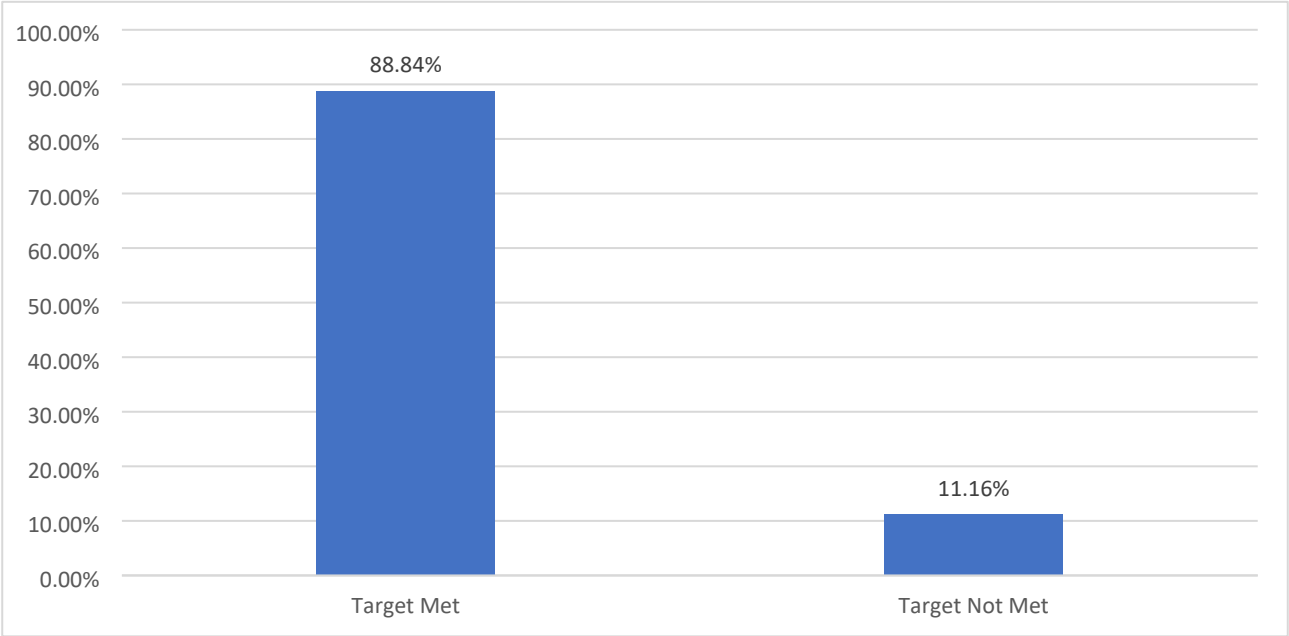
Waste & Transport Services

35. In response to this complaint the importance of checking spellings when taking details over the phone was raised with the Customer Services advisor.

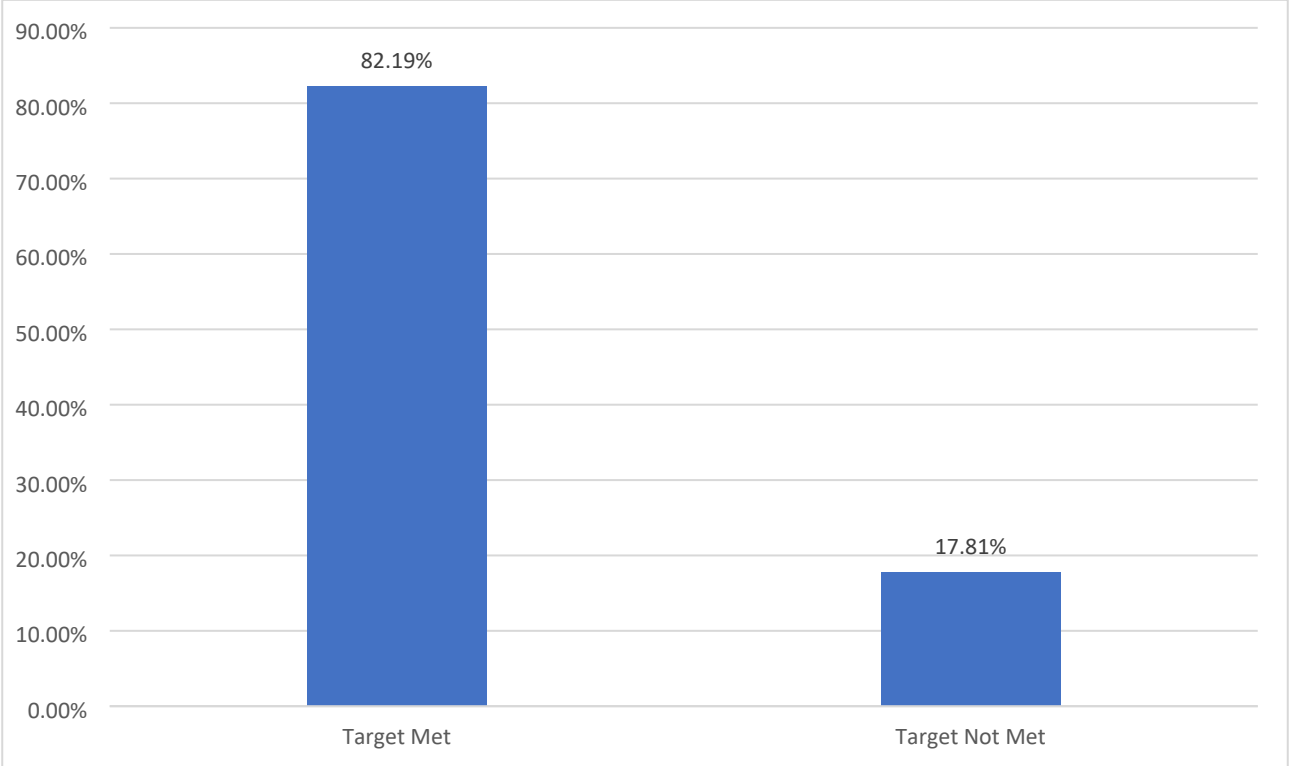
Overall Council Performance against the
Corporate Complaints, Compliments and Comments Procedure

Stage 1

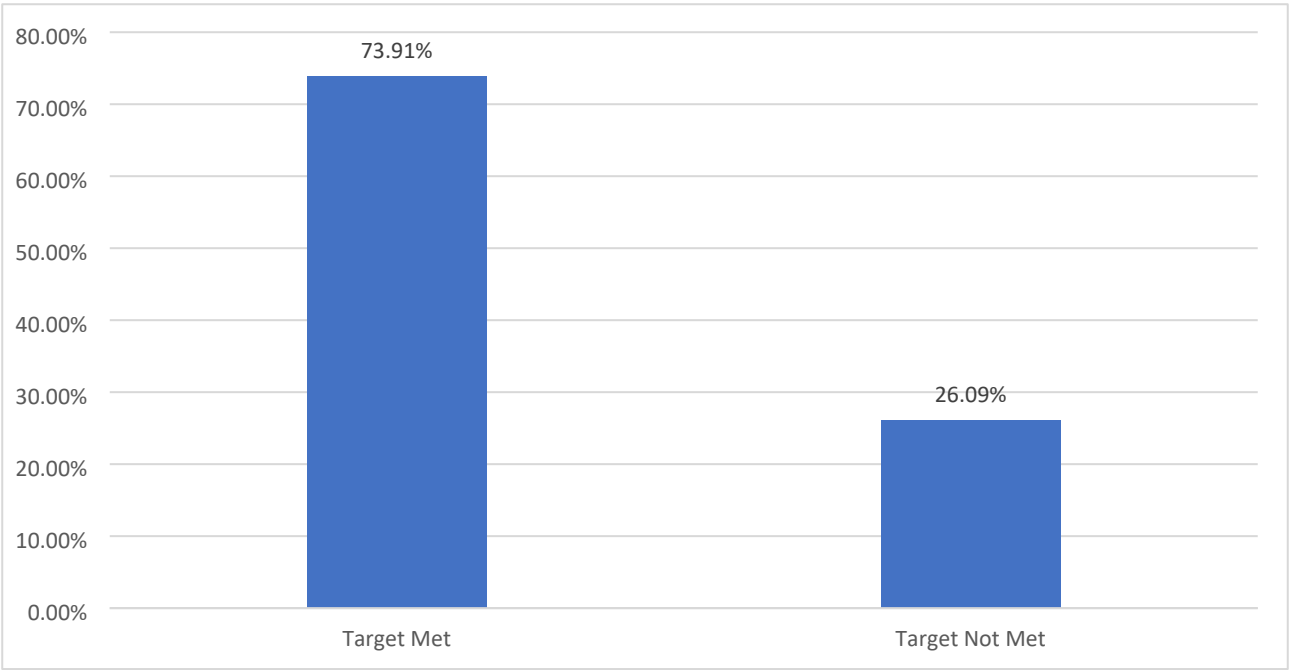
Performance against Stage 1 complaint acknowledgement target (5 working days)



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

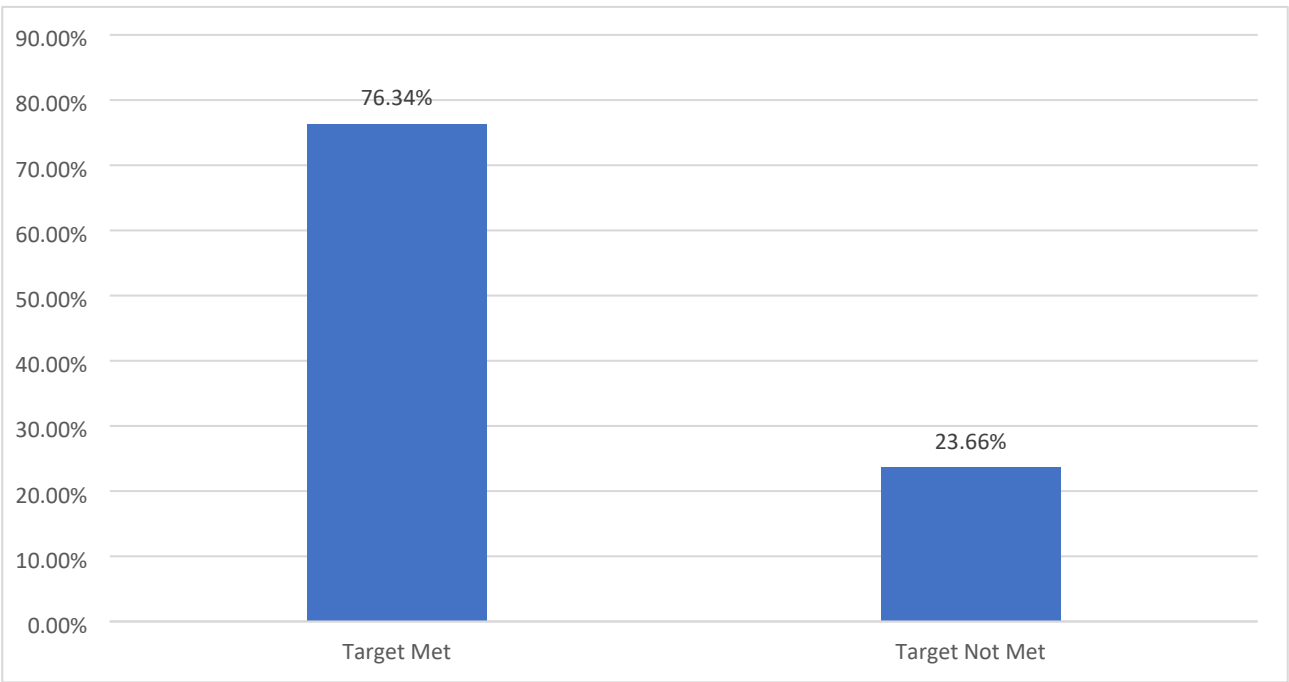


Performance against Stage 1 extended complaint response target (20 working days)

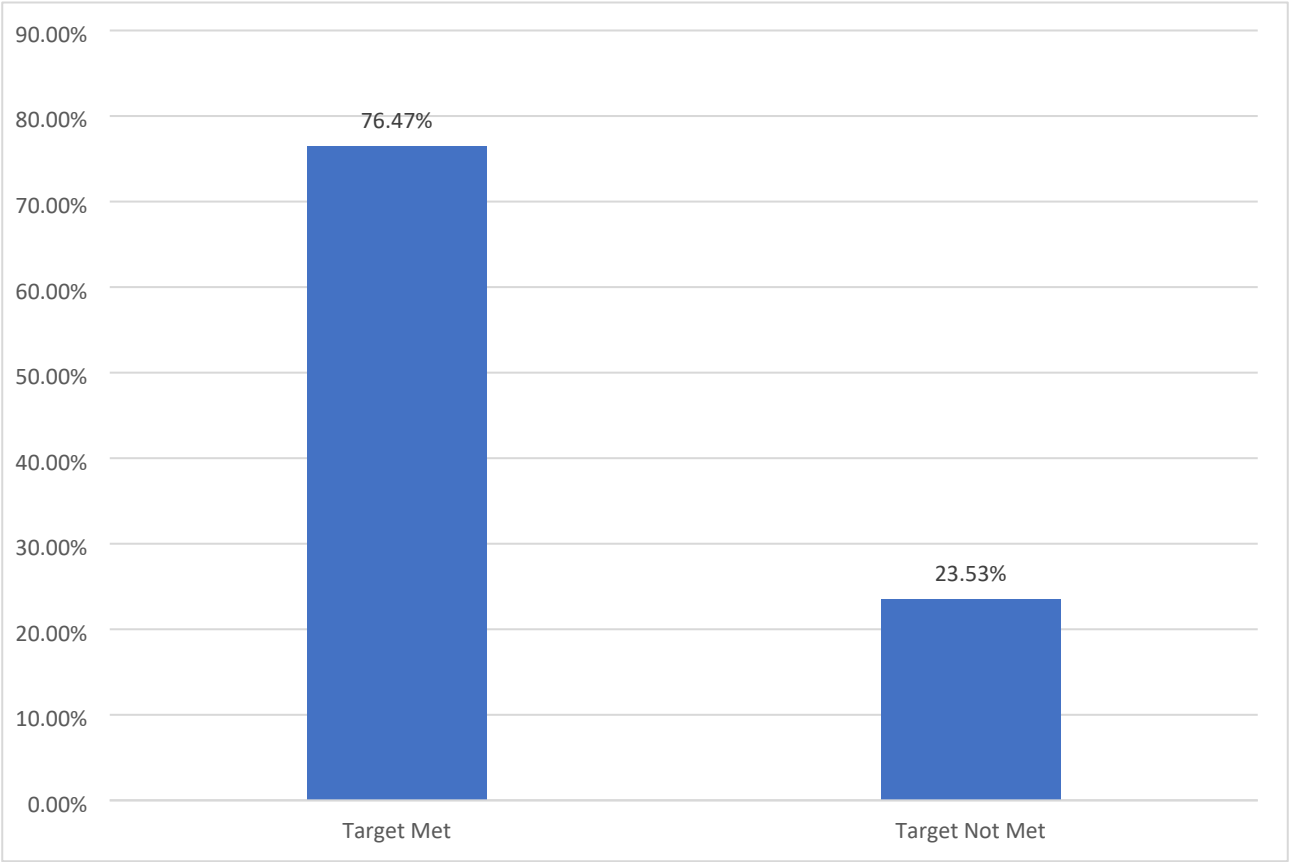


Stage 2

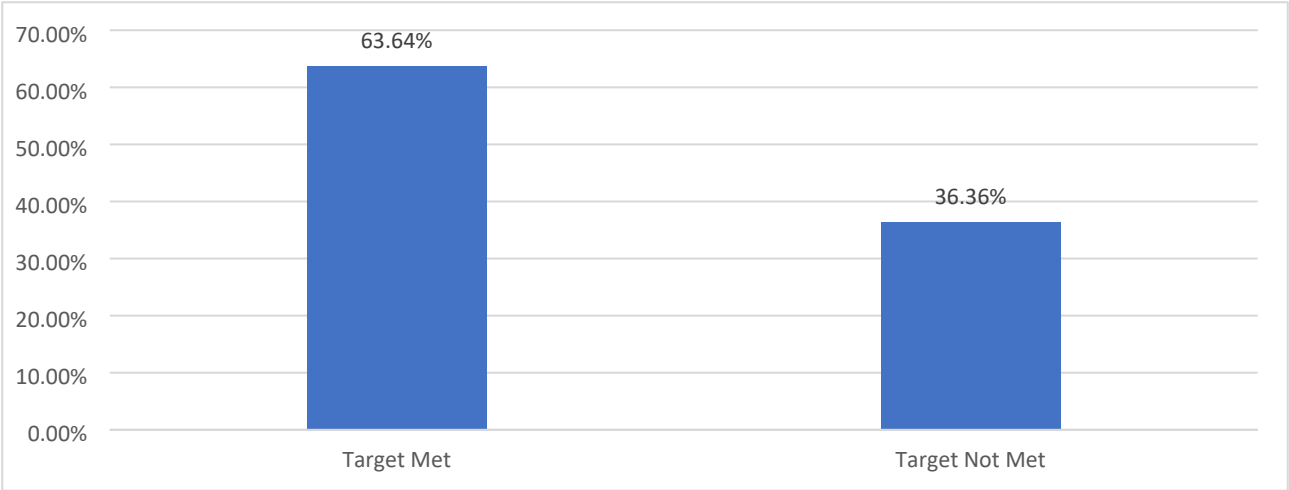
Performance against Stage 2 complaint acknowledgement target (5 working days)



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



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



Further Recommendations

36. The Complaints & Information Governance Team should continue to work to improve compliance with the new Stage 1 and 2 timescales introduced by the Local Government and Social Care Ombudsman's Complaint Handling Code.

Performance against Local Performance Indicators

37. 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 five upheld decisions during 2025/26.
38. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 8 September 2026 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

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DARLINGTON

Borough Council

Housing Complaints, Compliments and Comments Annual Report 2025/26

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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 2025/26 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 Cabinet Member, Portfolio Holder for Health and Housing 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').

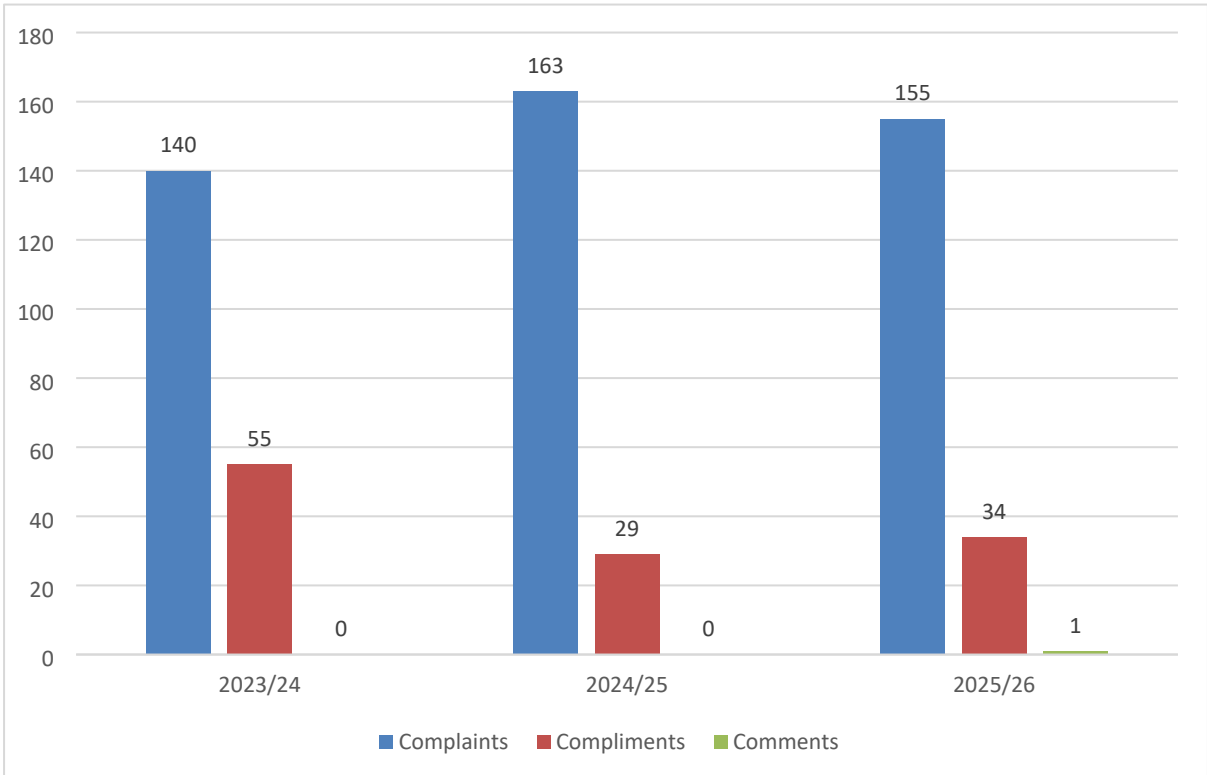
Public Information and Accessibility

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.

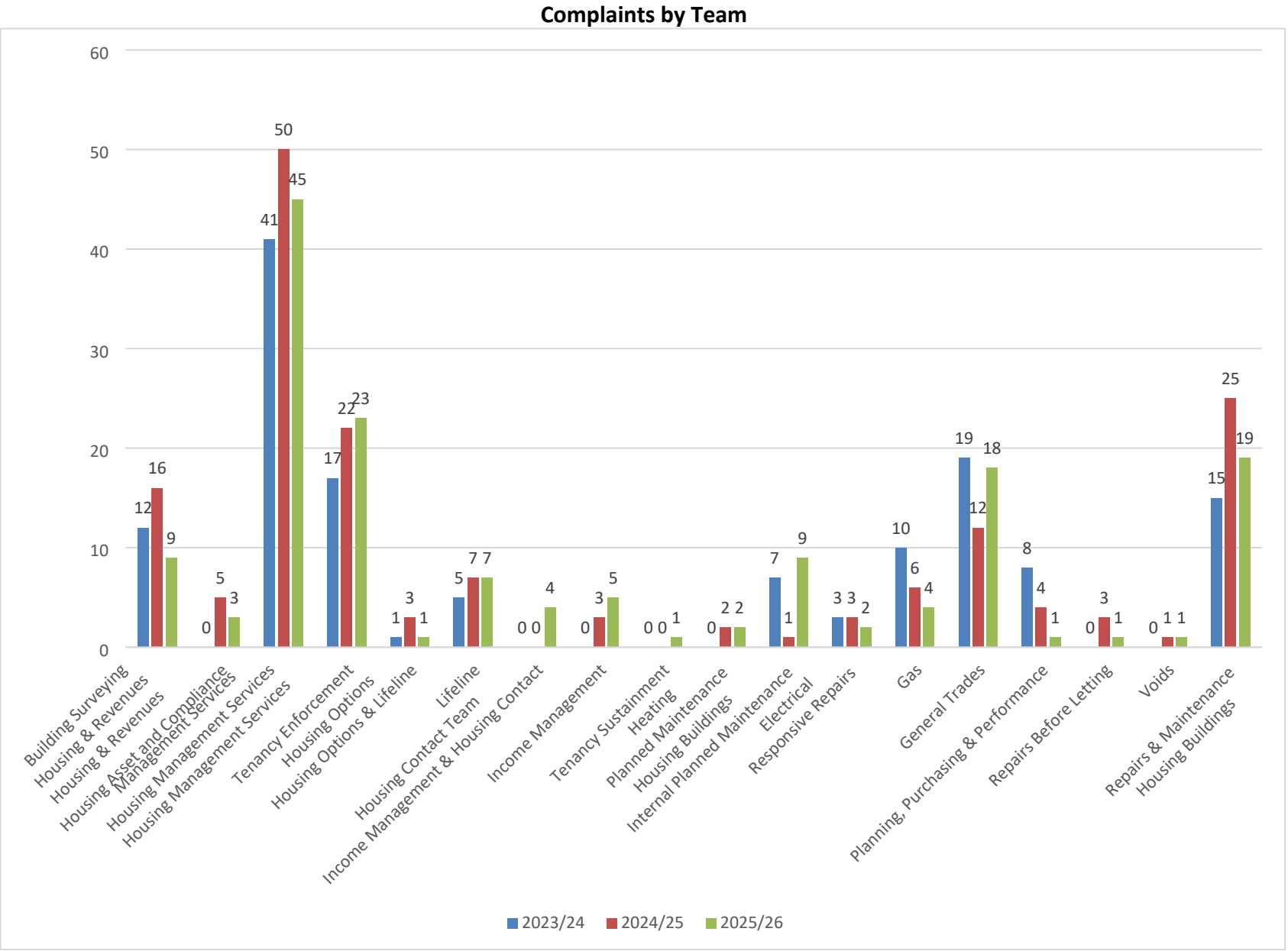
Complaints Information and Organisational Learning

Overview of Complaints, Compliments and Comments

Total Complaints, Compliments and Comments



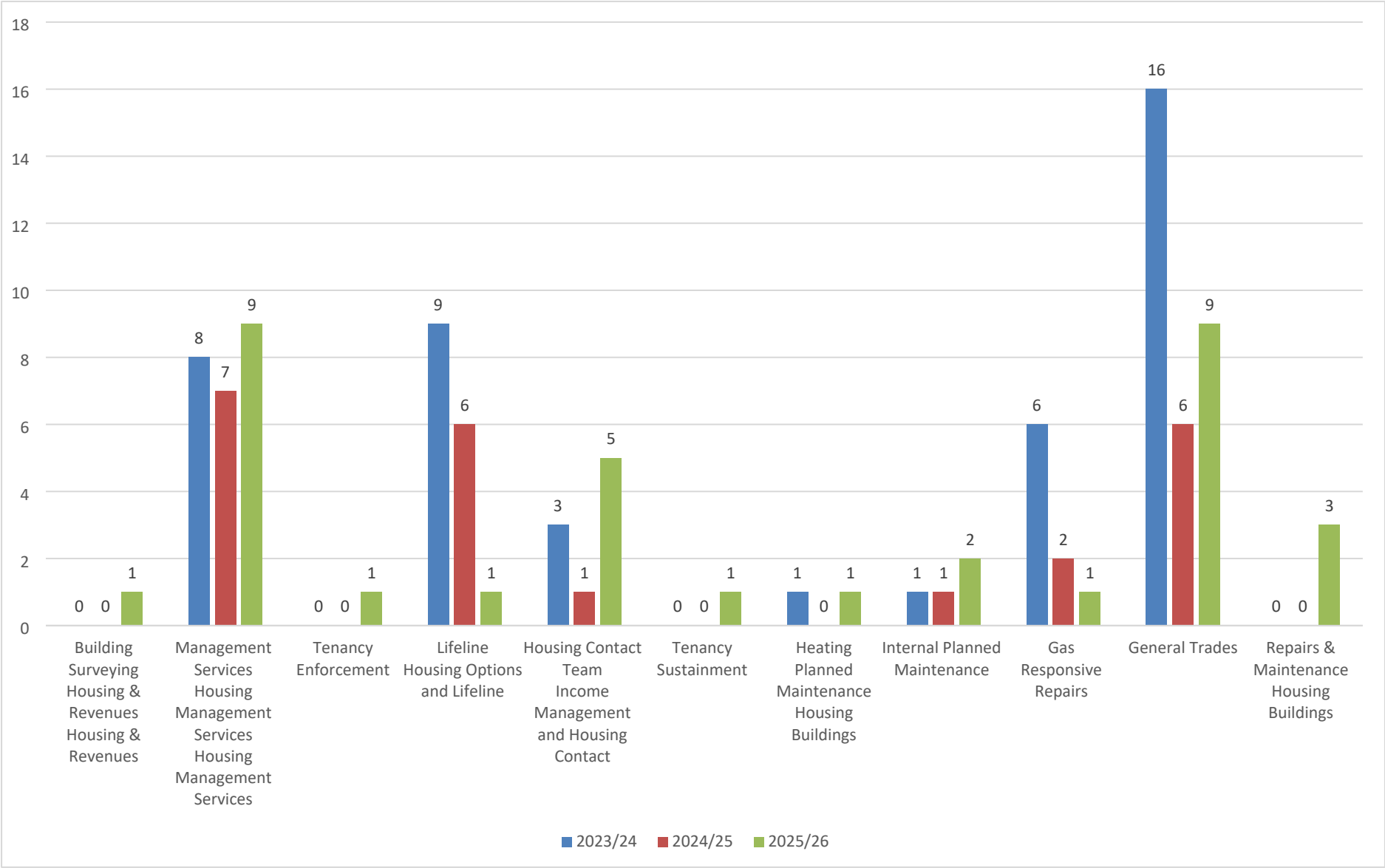
- 12. In 2025/26 the Council received 155 complaints under the procedure, a decrease from 163 in 2024/25, although an increase from 140 in 2023/24.
- 13. A total of 21 complaints were considered at Stage 2, a decrease from 27 in 2024/25 and 30 in 2023/24.
- 14. The Council received 34 compliments, an increase from 29 in 2024/25, although a decrease from 55 in 2023/24.
- 15. The Council received one comment under the procedure, an increase from zero in 2024/25 and 2023/24.
- 16. The Council did not receive any non-qualifying complaints during 2025/26.



17. Building Surveying received nine complaints, a decrease from 16 in 2024/25 and twelve in 2023/24. The identifiable themes were dissatisfaction with delays in completing repairs and poor communication.
18. Housing Asset and Compliance received three complaints, a decrease from five in 2024/25 and an increase from 0 in 2023/24. Two complaints concerned the lack of mesh/netting around solar panels to deter pigeons.
19. Management Services received 45 complaints, a reduction from 50 in 2024/25 and an increase from 41 in 2023/24. Complaints concerned dissatisfaction with communication, support from and behaviour of Housing Management Officers and a variety of other housing matters including the timeliness and quality of repairs and issues with renewal of tenancies.
20. Tenancy Enforcement received 23 complaints, an increase from 22 in 2024/25 and 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.
21. Housing Options received one complaint, a decrease from three in 2024/25 and the same number as in 2023/24.
22. Lifeline received seven complaints, the same number as in 2024/25 and an increase from five in 2023/24. There were no identifiable themes.
23. Housing Contact Team received four complaints, an increase from zero in 2024/25 and 2023/24. There were no identifiable themes.
24. Income Management received five complaints, an increase from three in 2024/24 and zero in 2023/24. There were no identifiable themes.
25. Tenancy Sustainment received one complaint, an increase from zero in 2024/24 and 2023/24.
26. Heating received two complaints, the same number as in 2024/25 and an increase from zero in 2023/24.
27. Internal Planned Maintenance received nine complaints, an increase from one in 2024/25 and seven in 2022/23. Complaints concerned alleged damage by contractors and the timeliness and quality of workmanship.
28. Electrical received two complaints, a decrease from three in 2024/24 and 2023/24.
29. Gas received four complaints, a decrease from six in 2024/25 and 10 in 2023/24. Two complaints concerned alleged damage to property.

30. General Trades received eighteen complaints, an increase from twelve in 2024/25 and a decrease from nineteen complaints in 2023/24. Again, the most common causes of complaint was people's dissatisfaction with the timeliness and quality of repairs.
31. Planning, Purchasing and Performance received one complaint, a decrease from four in 2024/25 and eight in 2023/24.
32. Repairs before letting received one complaint, a reduction from three in 2024/25 and an increase from one in 2023/24.
33. Voids received one complaint, the same as in 2024/25 and an increase from 0 in 2023/24.
34. Repairs & Maintenance received 19 complaints, a reduction from 25 in 2024/25 and an increase from 15 in 2023/24. Complaints primarily related to people's dissatisfaction with the quality of repairs.

Compliments by Team

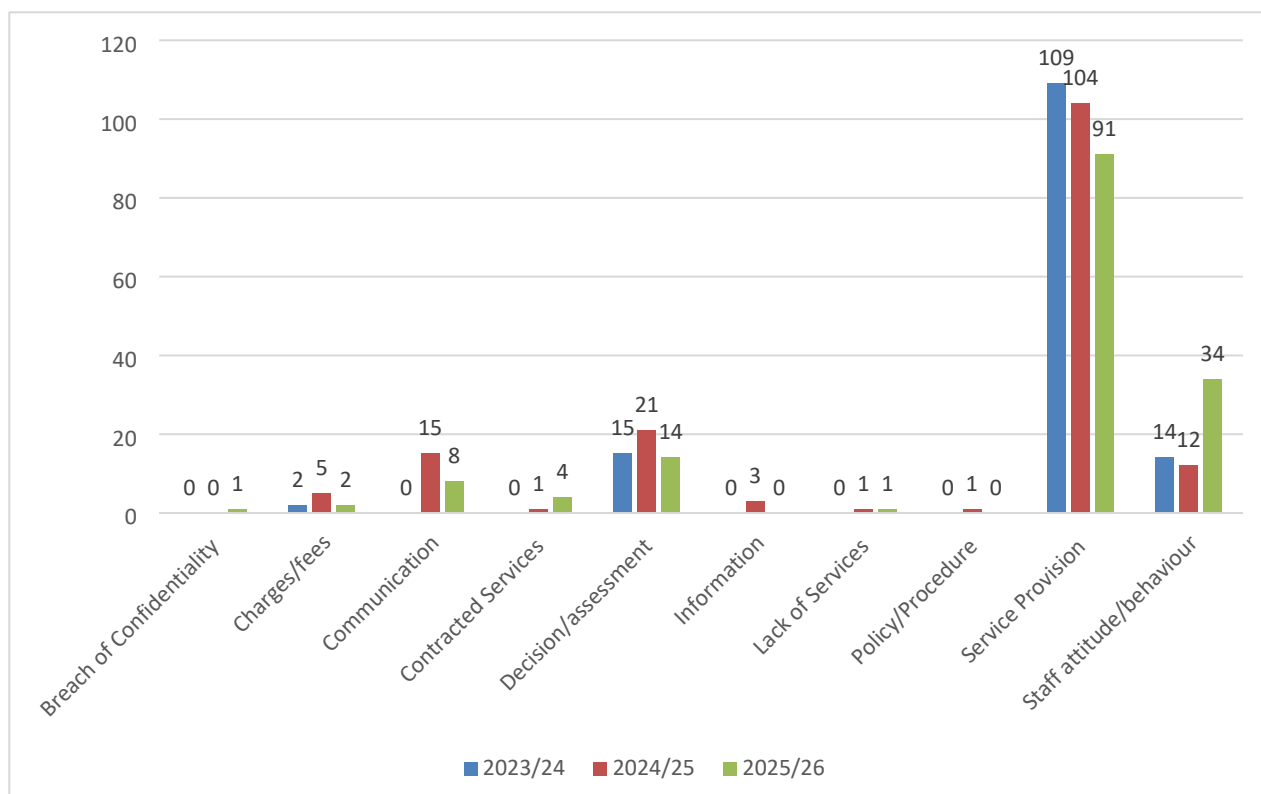


35. Building Surveying received one compliment, an increase from zero in 2024/25 and 2023/24.
36. Management Services received nine compliments, an increase from seven in 2024/25 and eight in 2023/24. Compliments primarily concerned the supportive approach of housing services staff in dealing with a variety of issues.
37. Tenancy Enforcement received one compliment, an increase from zero in 2024/25 and 2023/24.
38. Lifeline received one compliment, a decrease from six in 2024/25 and nine in 2023/24.
39. Housing Contact Team received five compliments, an increase from one in 2024/25 and three in 2023/24. There were no identifiable themes.
40. Tenancy Sustainment received one compliment, an increase from zero in 2024/25 and 2023/24.
41. Heating received one compliment, an increase from zero in 2024/25 and the same number as in 2023/24.
42. Internal Planned Maintenance received two compliments, an increase from one in 2024/25 and 2023/24.
43. Gas received one compliment, a decrease from two in 2024/25 and six in 2023/24.
44. General Trades received nine compliments, an increase from 6 in 2024/25, although a decrease from 16 in 2023/24. Compliments primarily concerned people's satisfaction with repairs and the staff members themselves.
45. Repairs & Maintenance received three compliments, an increase from zero in 2024/25 and 2023/24. There were no identifiable themes.

Comments by Team

46. The Council received one comment during 2025/26, an increase from zero during 2024/25 and 2023/24.

Complaints by Issue

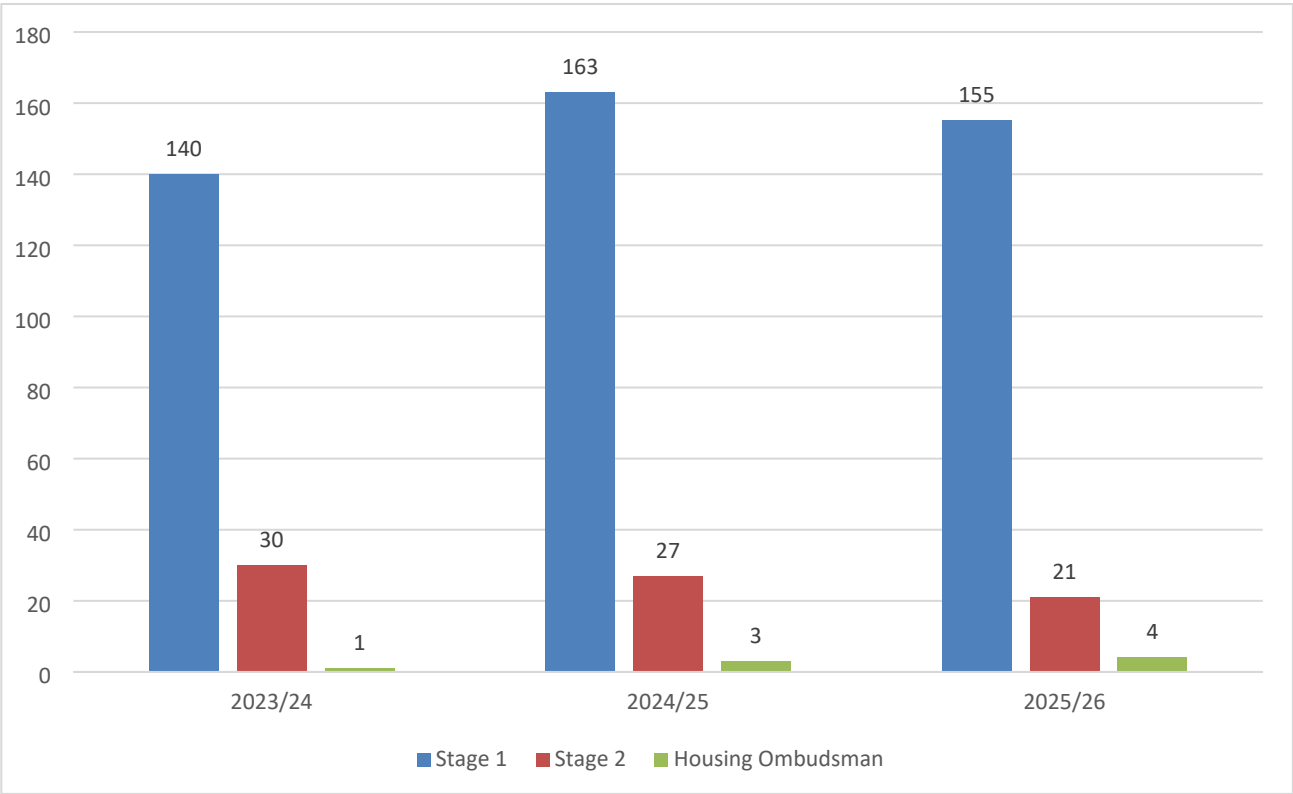


47. One complaint related to a breach of confidentiality, an increase from zero in 2024/25 and 2023/24.
48. Two complaints related to charges/fees, a decrease from five in 2024/25 and the same number as in 2023/24.
49. Eight complaints related to communication, a decrease from 15 in 2024/25, although an increase from zero in 2023/24.
50. Four complaints related to Contracted Services, an increase from one in 2024/25 and zero in 2023/24.
51. 14 complaints related to dissatisfaction with a decision/assessment, making it the third most complained about issue. This was a decrease from 21 in 2024/25 and 15 in 2023/24.
52. There were no complaints concerning information, a decrease from 3 in 2024/25 and the same number as in 2023/24.
53. One complaint related to lack of services, the same as in 2024/25, an increase from zero in 2023/24.
54. There were no complaints regarding policy/procedure, a decrease from one in 2024/25 and the same number as in 2023/24.

- 55. There were 91 complaints about service provision, which remained the most commonly complained about issue. This was a decrease from 104 in 2024/25 and 109 in 2023/24.
- 56. Staff attitude/behaviour overtook dissatisfaction with decision/assessment becoming the second most complained about issue. There were 34 complaints about staff attitude/behaviour, a significant increase from 12 in 2024/25 and 14 in 2023/24.

Complaints by Stage

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



- 58. The Council received 155 Stage 1 complaints in 2025/26, a decrease from 163 in 2024/25, although an increase from the 140 received in 2023/24.
- 59. 21 were investigated at Stage 2, a decrease from 27 in 2024/25 and 30 in 2023/24.
- 60. Four complaints were escalated to the Housing Ombudsman in 2025/26, an increase from 3 in 2024/25 and one in 2023/24.

Complaints Outcomes

61. The below tables show the decisions reached on complaints received during 2025/26.

Stage 1

Service Area/Team	Close with No Response	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Building Surveying	0	0	0	3	3	1	1	8
Housing Asset and Compliance	0	0	0	3	0	0	0	3
Gas	0	0	0	1	1	0	1	3
General Trades	0	0	0	4	2	5	1	12
Electrical	0	0	0	1	0	0	0	1
Voids	0	0	0	1	0	0	0	1
Repairs Before Lettings	0	0	0	0	0	1	0	1
Planning, Purchasing &	0	0	0	1	0	0	0	1
Internal Planned Maintenance	0	0	0	0	1	1	2	4
Heating	0	0	0	1	0	1	0	2
Repairs & Maintenance	0	0	0	5	3	1	1	10
Management Services	1	2	0	16	5	2	12	38
Tenancy Enforcement	0	0	0	12	2	0	4	18
Housing Options	0	0	0	0	1	0	0	1
Lifeline	0	0	0	2	2	0	2	6
Housing Contact Team	1	0	0	1	0	0	2	4
Income Management	0	0	0	1	1	0	2	4
Tenancy Sustainment	0	0	0	0	0	0	1	1
Totals	2	2	0	52	21	12	29	118

N.B. 37 stage 1 complaints remained open as of 1 April 2026.

Stage 2

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Building Surveying	0	1	1	0	0	2
General Trades	0	1	0	2	0	3
Repairs & Maintenance	0	0	1	0	0	1
Management Services	1	2	4	0	0	7
Tenancy Enforcement	0	2	1	0	0	3
Totals	1	6	7	2	0	16

N.B. 5 stage 2 complaints remained open as of 1 April 2026.

Housing Ombudsman

62. The Housing Ombudsman commenced four investigations during 2025/26.
63. The Housing Ombudsman made a decision in relation to one of those complaint investigations it commenced during 2025/26.
64. Full details of any complaints determined by the Housing Ombudsman are included in the Cabinet reports of 8 September 2026 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

Organisational Learning

65. 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 2025/26, some of which are detailed below:

Building Surveying

66. Following a complaint about mould a reminder was sent regarding what should be booked as an emergency after a call out job was raised incorrectly following a contractor visit. This has resulted in better priority diagnosis by our planning team.
67. In response to a complaint where follow on works were not picked up from an external survey, it was agreed the process for attending external surveys would be reviewed. We now provide confirmation to the tenant where a follow up appointment is required in those cases where we have been unable to fully survey the external area.

General Trades

68. It was agreed staff would reflect on how feedback is shared with tenants following an inspection or survey visit on their property. This will ensure all repairs discussed have an agreed outcome and that tenants remain fully informed on the plan. This includes our housing teams reviewing their recording and monitoring systems to ensure improved co-ordinated approaches when dealing with tenant's concerns/complaints.
69. Following a complaint, it was agreed staff would visit complainants to ensure we have detailed information on their vulnerabilities recorded, so it could be shared with housing staff and trades people. We agreed to keep this information under review.
70. In response to a complaint, it was agreed that in relation to garden inspections, officers would revisit the process to look at a way to capture those gardens where work is on hold so this can be progressed in a timely manner.
71. Staff were reminded of the need to consider tenants disabilities and vulnerabilities when making decisions.
72. As a result of a complaint, it was agreed that the process would be reviewed to ensure planners make more than one attempt to book repair jobs in using different methods, such as calls, texts and letters. As a result, further attempts are now being made.
73. Having considered a complaint about a new build, it was agreed the staff member to whom an issue is reported should remind the tenant of the usual process for reporting repairs, but in any effect should ensure they also forward details to the correct point of contact.

74. To ensure that when any issues or defects are reported that they are classified correctly and that the person reporting them is given clear timescales for when these matters will be addressed.

Heating

75. In response to a complaint about the installation of a new heater and associated plastering work, staff were reminded of the need to leave sufficient time between jobs to enable them to be completed.

Internal planned maintenance

76. Officers agreed to review the major works process to establish if adaptations will be affected by works carried out (e.g. increase in the number of steps to the property). As a result, surveying officers will arrange for an Occupational Therapist visit where any work may affect current adaptations to ensure the tenants needs remain supported.

Management Services

77. Staff were reminded they must update notes and home visit forms in a timely manner. It was also agreed that in similar cases officers would be required to complete a checklist of actions to ensure tenants receive all the help and support they are entitled to.
78. In response to a complaint, inspection surveyors were reminded to leave calling cards and take clear photographs for evidence when they have attended an external job where the tenant was not present. This ensures the tenant remains informed of the progress of their request.
79. As a result of a further complaint it was agreed staff should work to establish early on the accuracy of any reported Anti-Social Behaviour (ASB) incidents to ensure they do not continue and escalate.
80. It was recommended there be a clearer identification of communal assets within repair systems, full testing of locks from both sides before repairs are completed, and that complaints are acknowledged and responded to within expected timescales.
81. In response to a complaint staff were reminded of the service standard of responding to enquiries or service requests is within 7 working days.
82. Where there are multiple damp inspections, surveyors were advised to check previous work identified and ensure it has been completed before more work is ordered.

Repairs & Maintenance

83. Following a complaint the Surveying Team considered introducing a tenant sign off form with the contractor, depending on the scale of works required.

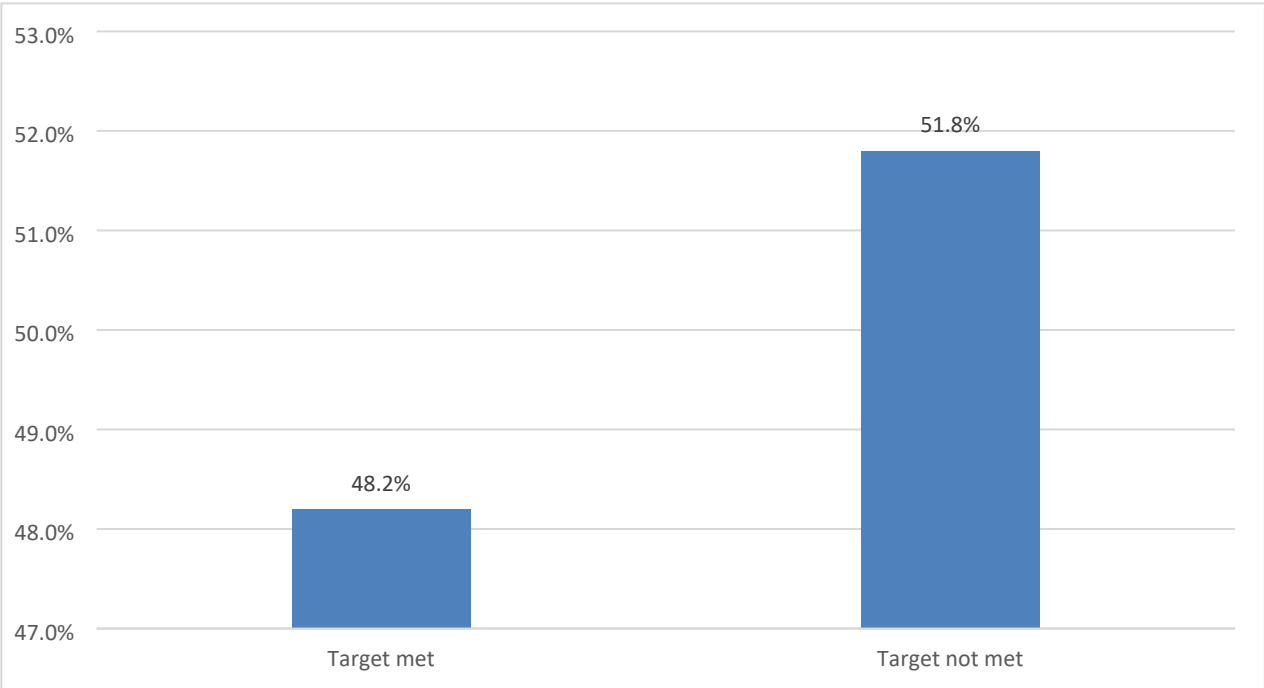
Tenancy Enforcement

84. In response to a complaint consideration was given to introducing a quality assurance process in respect of tenancy breach letters. As a result increased checking is carried out prior to a breach being issued and will be reviewed accordingly.

Performance against the Housing Complaints, Compliments and Comments Procedure

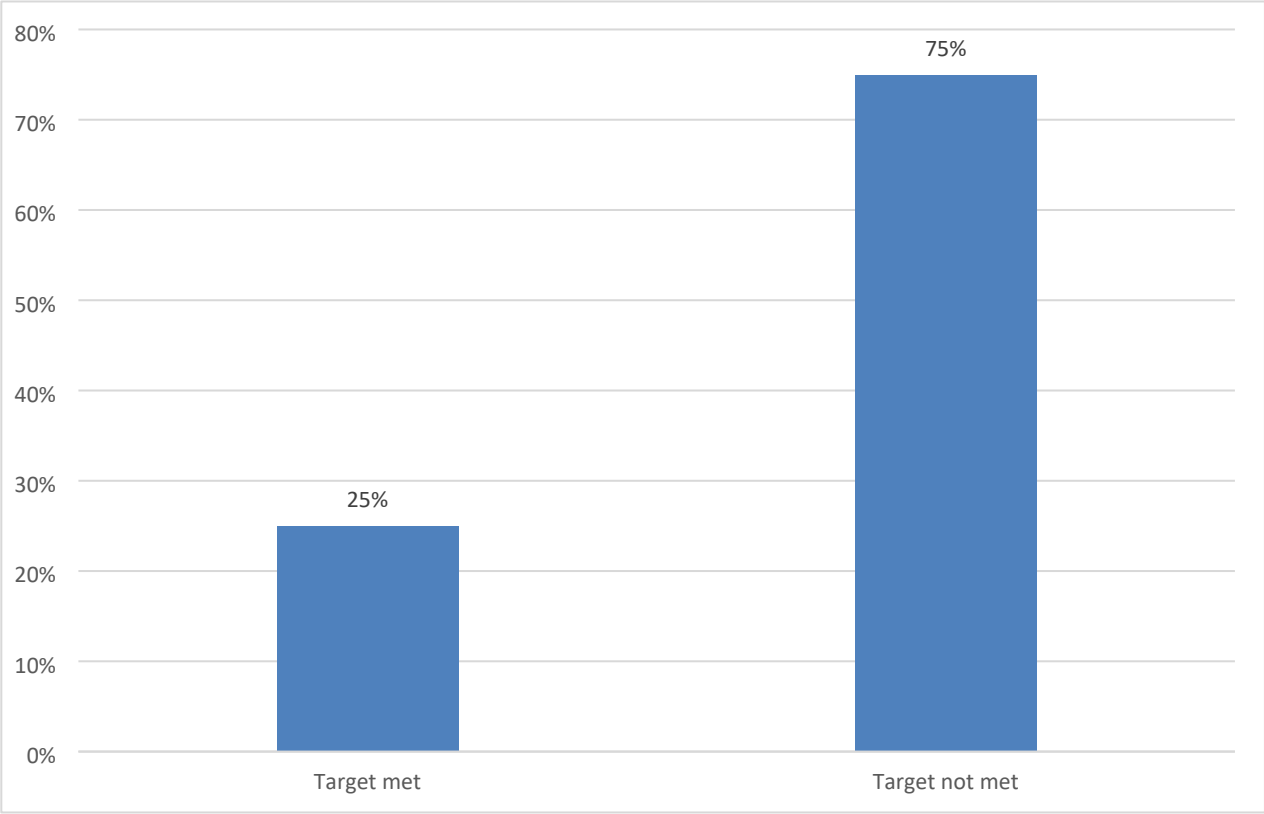
Stage 1

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



85. 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.
86. 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 2024/25 and responded to in 2025/26 are excluded from the calculation. As are any complaints received in 2025/26 that remained open after the 31 March 2026.
87. To address the performance issues identified during 2025/26, the Council has put additional resource in place to improve performance against the timescales set out in the Housing Ombudsman’s Complaint Handling Code.
88. In relation to stage one complaints the Council has established a complaints action plan for 2026/2027, which has been discussed and agreed with the tenant's panel. This plan includes actions to review the resources within the team to improve capacity to

understand the learning from complaints. Involving tenants panel to review complaints responses, to scrutinise and improve the tenant's complaint handling journey through to outcome. Seeking ways to improve feedback from complainants with a view to improving satisfaction levels with benchmarking across other housing providers.

89. In relation to stage two complaints the Council put a contract in place with an external investigation agency to clear the backlog of complaints and extended its Complaint Investigator post to full time. Complaints are now being responded to in line with the stage two timescales set out in the Housing Ombudsman's Complaint Handling Code.

Housing Ombudsman Code Self-Assessment 2025/26

90. 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.
91. 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.
92. Landlords are required to complete the self-assessment in full and support all statements with evidence, with additional commentary as necessary.
93. 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 the landlord's complaints policy.	Yes	Darlington BC - Housing complaints	The Council has adopted the definition in Section 3 which does not require a resident to use the complaint. Nor did our previous definition. This is covered in our training.
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 difference between service requests and complaints is defined in section 3. The Council has separate and robust processes in place to consider service requests 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,	Yes		Details of how to complain are included in our Satisfaction Surveys.

	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.			
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Section 2: Exclusions

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
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	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:	Yes	Darlington BC - Housing complaints	See Section 7

	• 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.			
2.3	Landlords must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of 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.		Darlington BC - Housing complaints	See Section 7
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	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.

	has been fairly applied, the Ombudsman may tell the landlord to take on the complaint.			
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 of residents who may need to access the complaints process.	Yes	Darlington BC - Housing complaints Darlington BC - Complaints compliments and comments	
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 5
3.6	Landlords must give residents the opportunity to have a representative deal with their complaint on their behalf, and to be represented or accompanied at any meeting with the landlord.	Yes	Darlington BC - Housing complaints	See Section 8
3.7	Landlords must provide residents with	Yes	Darlington BC - Housing complaints	See Section 12. This is also

	information on their right to access the Ombudsman service and how the individual can engage with the Ombudsman about their complaint.			included response and extension letters
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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 Economy & Resources 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 in relation to not being treated differently as a result of making a complaint.
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	Yes	Darlington BC - Housing complaints	

	circumstances as this will make the complaint process unduly long and delay access to the Ombudsman.			
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 6.6
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 6.6
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 11.1 (b) & 11.2 (b)
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: 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; c. take measures to address any actual or perceived conflict of interest; and d. consider all relevant information and evidence carefully.	Yes	Darlington BC - Housing complaints	All complaint handlers are appropriately trained to ensure complaints are handled in this manner.
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	Yes	Darlington BC - Housing complaints	See Section 10

	must be kept under active review.			
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	Yes	Darlington BC - Housing complaints	See Section 13

	without the need for escalation.			
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	Yes	Darlington BC - Housing complaints	See Section 11

	promptly, and an explanation, apology or resolution provided to the resident			
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>	No	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.	No	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) must be clearly explained to the resident.	Yes	Darlington BC - Housing complaints Darlington BC - Annual reports	
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	Yes	Darlington BC - Housing complaints	Response are issued when the answer to the complaint is known. All actions are allocated to a

	actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.			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	Landlords must confirm the following in writing to the resident at the completion of stage 1 in clear, plain language: a. the complaint stage; b. the complaint definition; c. the decision on the complaint;	Yes	Darlington BC - Housing complaints	We have template response letters and investigation reports which ensure this information is provided in the response.

	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.			
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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.	No	Darlington BC - Housing complaints Darlington BC - Annual reports	
6.12	Residents must not be required to explain their reasons for requesting a stage 2 consideration. Landlords are expected to make reasonable efforts to understand why a resident remains unhappy as part of its stage 2 response.	Yes	Darlington BC - Housing complaints	See Section 11

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.	No	Darlington BC - Housing complaints Darlington BC - Annual reports	
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 Darlington BC - Annual reports	
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. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.	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 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 members needed to issue such a response.	Yes	Darlington BC - Housing complaints	All officers involved are consulted and the Assistant Director are 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: • 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	Yes	Darlington BC - Housing complaints	See Section 13 of the complaints procedure. All remedy actions are allocated to a responsible officer

	proposed must be followed through to completion.			and tracked via the Council's complaint 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 8 September 2026	
8.2	The annual complaints performance and service improvement report must be reported to the		Darlington BC - Annual reports	The annual report is also considered by Council Officers at the Extended

	landlord's governing body (or equivalent) and published on the on the section of its website relating to complaints. The governing body's response to the report must be published alongside this.		Agenda for Cabinet 8 September 2026	Leadership Team (ELT).
8.3	Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.	Yes	See this document	
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	Yes	Darlington BC - Annual reports Agenda for Cabinet 8 September 2026	See Section 13 of the complaints procedure. Regular reports to the MRC and the annual report enable the

	learning from the complaint.			Council to ensure this happens.
9.2	A positive complaint handling culture is integral 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.	Yes	Darlington BC - Annual reports Agenda for Cabinet 8 September 2026	See Section 13 of the complaints 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 Cabinet 8 September 2026	See Section 14 of the complaints procedure. The report is also considered by the Extended Leadership Team (ELT) 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 Cabinet Member, Portfolio Holder for Health and Housing. The Council's Constitution has been updated accordingly Agenda for Constitution on

				Friday, 12th October, 2018 Darlington Borough Council Part 2 - Responsibility for Functions Schedule 2.pdf
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 Cabinet 8 September 2026	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 Cabinet 8 September 2026	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	Yes	Darlington BC - Housing complaints	

	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 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 2025/26

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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

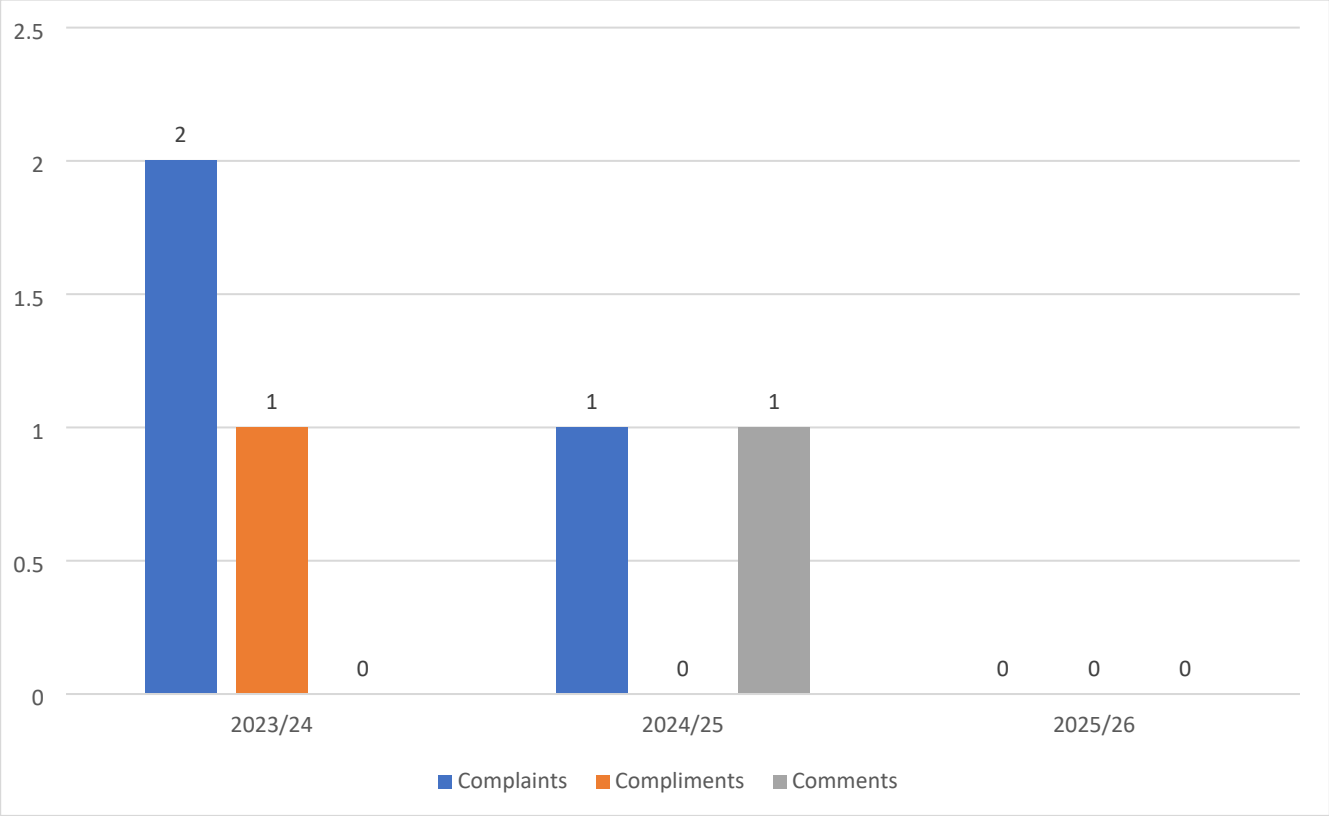
11. The Council did not receive any complaints about Public Health services in 2025/26, a decrease from one in 2024/25 and two in 2023/24.
12. The Council did not receive any compliments about Public Health services in 2025/26 or 2024/25, a decrease from one in 2023/24.
13. The Council did not receive any comments about Public Health services in 2025/26, a decrease from one in 2024/25 and the same number as in 2023/24.

Review of the Year

Breakdown of all Representations

14. A total of zero representations were handled under the procedure during 2025/26.

Total Complaints, Compliments and Comments Received



Complaint Outcomes

15. Zero complaints were determined during 2025/26.

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

16. Zero Public Health complaints were progressed to the LGSCO during 2025/26, as was the case in 2024/25 and 2023/24.

Local Government Ombudsman Complaint Outcomes (LGSCO) 2024/25

17. Zero Public Health complaints were determined by the LGSCO during 2025/26, as was the case in 2024/25 and 2023/24.

Organisational Learning

18. There was no organisational learning identified during 2025/26.

Further recommendations

19. There are no further recommendations.

Performance against the Procedure

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

Performance Indicator for 2024/25

21. 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.
22. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 8 September 2026 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

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**CABINET
8 SEPTEMBER 2026**

**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 of Resources and Governance**

SUMMARY REPORT

Purpose of the Report

1. To provide Members with an update of the outcome of cases which have been determined by the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman Service (HOS) since the preparation of the previous report to Cabinet on 09 September 2025.
2. To provide Members with the Annual Review Letter of the LGSCO (**Appendix 1**).

Summary

3. This report sets out in abbreviated form the decisions reached by the LGSCO and the HOS between 1 April 2025 and 31 March 2026 and outlines actions taken as a result. It seeks to identify trends and any further organisational learning to improve services provision.
4. This report also provides Members with a copy of the Annual Letter of the LGSCO, which contains information on the Council's performance in relation to complaints.

Recommendation

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

Reasons

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

**Elizabeth Davison
Executive Director Resources and Governance**

Background Papers

Annual Review Letter of the LGSCO

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

7. 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.
8. 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.

Information and Analysis

9. Between 1 April 2025 and 31 March 2026, the LGSCO notified the Council it had determined 26 complaints.
10. Between 1 April 2025 and 31 March 2026, the HOS notified the Council it had determined three complaints.
11. The outcome of cases on which the LGSCO reached a decision is shown in the table below.

LGSCO Findings	No. of cases 2025/26	No. of cases 2024/25	No. of cases 2023/24
Closed after initial enquiries: no further action	9	7	11
Closed after initial enquiries: out of jurisdiction	10	4	5
Not upheld: no fault	0	0	0
Not upheld: No further action	1	0	1
Premature	1	0	1
Upheld: fault and injustice	3	3	3
Upheld: Maladministration, No Injustice	0	0	0
Upheld: fault and injustice – no further action, organisation already remedied	2	0	2
Upheld: no further action, organisation already remedied	0	3	3

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

HOS Findings	No. of cases 2025/26	No. of cases 2024/25	No. of cases 2023/24
Maladministration	2	0	2
No Maladministration	0	0	0
Service Failure	0	1	0
Withdrawn	1	0	0

13. 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

14. The LGSCO found the Council at fault for failing to consider its Section 19 duties when Mrs X reported that her son, Y was unable to attend school due to ill health. The delay in securing suitable alternative provision caused Y to miss out on suitable education for 5 months. The Council agreed to apologise and make a symbolic payment of £2,250 to remedy this injustice. The Council also reminded relevant staff of the Council's Section 19 duties and the procedures they need to follow when a child is unable to access education due to ill health.

15. Miss Y complained the Council's Mental Health Team failed to take a full assessment of Mr X's needs which led to it wrongly deciding he did not have any eligible care and support needs. She also complained the Council closed Mr X's file without notice and without any consideration on how it would impact on Mr X's wellbeing. The LGSCO found the Council was at fault for failing to consider Mr X's communication needs before it closed his file. It was also at fault for failing to properly engage Miss Y in the assessment process. These faults caused Mr X upset and shock. The Council has agreed to the LGSCO's recommendation to apologise to Mr X.

16. Mrs X complained about the Council's investigation into safeguarding concerns raised about her as a foster carer. The Council investigated Mrs X's complaints under the statutory children's complaints procedure without fault. However, it failed to provide an appropriate remedy to recognise the injustice the faults caused. It also delayed providing Mrs X with copies of documents which it agreed to do following the conclusion of the complaints process. The Council agreed to make a symbolic payment of £150 to Mrs X to recognise the distress and uncertainty caused. The Council also agreed to ensure it has procedures in place to keep oversight of actions and recommendations in place following the conclusion of the statutory complaints procedure to prevent any delays or drift in completing those actions.

Upheld: fault and injustice – no further action, organisation already remedied

17. Mrs X complained the Council was at fault in the way it dealt with Mrs Y's financial assessments for contributions to her non-residential care causing distress and financial loss. The LGSCO found no evidence of fault by the Council when carrying out the financial assessments. However, they found fault by the Council as it delayed in responding to Mrs

X's complaint about the matter. The Council accepted it delayed in responding and had already apologised to Mrs X which the LGSCO agreed was a suitable action for it to take.

18. The LGSCO found there was no fault in the Council's decision not to provide alternative education when Ms M withdrew her son B from school and that in any event, Ms M had a right of appeal to the Tribunal. The LGSCO found the Council had taken too long to amend B's EHC Plan, but the Council had already offered a suitable remedy for the impact of the delay.

Housing Ombudsman Services (HOS)

Maladministration

19. The resident complained about damp, condensation and cracked brickwork. The HOS found there was maladministration in the landlord's complaint handling. The Council was ordered to apologise, pay the resident £200 to recognise the time and trouble caused by the delays in responding to his complaint, review of the case and provide the outcome of the review to the HOS. Having recognised the increased pressure on the Council's Complaints Team to comply with the statutory timescales set out in the HOS Complaint Handling Code the Council was actively reviewing the resourcing of its complaints function at the point it received the Housing Ombudsman's Order in relation to this case. The Council completed its review and as detailed in the Housing Complaints, Compliments and Comments Annual Report 2025/25, to address the performance issues identified during 2025/26, the Council put additional resource in place to improve performance against the timescales.
20. The resident complained about the landlord's handling of reports of noise nuisance from a neighbouring property. The HOS also considered the complaint handling. The HOS found maladministration in the landlord's handling of reports of noise nuisance from a neighbouring property. The Council was ordered to apologise and pay the resident £200 for the distress and inconvenience caused by its handling of reports of noise nuisance from a neighbouring property. Although the HOS made no specific orders or recommendations in relation to this complaint, it was noted that communication between the Council and the resident should have been better. The Council has used this case as a learning tool within team meetings and individual sessions with officers to ensure communication is embedded into everyday practice. Supervisory oversight of ongoing cases has also been improved to ensure that policies and procedures are adhered to and to ensure appropriate steps are taken in resolving anti-social behaviour cases

Analysis

21. In relation to LGSCO decisions, the Council received three Upheld: Fault and Injustice decisions, the same number as in 2024/25 and 2023/24. The Council also received two Upheld: fault and injustice – no further action, organisation already remedied, an increase from zero in 2024/25 and the same number as in 2023/24.
22. In relation to HOS decisions, the Council received two maladministration decisions, an increase from zero in 2024/25 and the same number as in 2023/24.

23. 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.
24. As detailed in their Annual Review Letter (**Appendix 1**), the LGSCO made 4.4 upheld decisions per 100,000 residents. The average for authorities of this type is 5.6 upheld decisions per 100,000 residents.
25. The LGSCO were satisfied the Council had successfully implemented 100% of their recommendations.
26. The LGSCO also found the Council had provided a satisfactory remedy in more upheld cases (40%) than similar organisations (13%), before the complaint reached the Ombudsman.

Outcome of Consultation

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

20 May 2026

By email

Ms Rouse
Chief Executive
Darlington Borough Council

Dear Ms Rouse

Annual Review letter 2025-26

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 2026.

We recognise that local authorities continue to face significant pressures in delivering services to their communities. We hope the data and insight we share with you each year remains a useful tool for reflection and continuous improvement. Please consider it as part of your corporate governance processes.

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

In addition, you can find the detail of the decisions we have made about your Council, read 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.

We will write to organisations in July where there is exceptional practice or where we have concerns about 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 15 July 2026.

Supporting complaint and service improvement

We remain committed to supporting the sector to embed effective systems of redress. Where authorities are navigating reorganisation and devolution, we are ready to help ensure that robust complaint handling is built into new arrangements from the outset. Please do get in touch if your organisation would benefit from our advice and guidance.

Our [Complaint Handling Code](#), in force since April 2025, is now applied in our casework and offers structure and support to your local complaint system. Our training programme provides a flexible, expert-led route to building complaints capability across your teams, with courses open for individual delegates to book. Contact training@lgo.org.uk for more information.

Our Annual Review of Local Government Complaints will be published in July 2026, setting out the national picture of complaints, trends across service areas, and emerging systemic issues. We encourage you to read it alongside your own organisation's data.

Yours sincerely,



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

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CABINET
8 SEPTEMBER 2026

HOUSING SERVICES RENT SETTING POLICY 2026-2031

Responsible Cabinet Member - Councillor Matthew Roche,
Health and Housing Portfolio

Responsible Director – Elizabeth Davison,
Executive Director of Resources and Governance

SUMMARY REPORT

Purpose of the Report

1. To approve the Housing Services Rent Setting Policy 2026-2031.

Summary

2. The Housing Services Rent Setting Policy 2026-2031 at **Appendix 1** sets out how rent levels and services charges for our Council homes are set within the regulatory guidelines, which:
 - (a) Are affordable and meet the needs and expectations of our tenants.
 - (b) Ensure we can meet financial and business plan commitments and objectives, thereby ensuring the financial viability of our Housing Services.
 - (c) Provide cost effective and high-quality services to our tenants.
 - (d) Are in accordance with the terms and conditions of the Tenancy Agreement, licence or lease.
3. The Regulator of Social Housing's (RSH) Rent Standard sets out the framework for rent policy and applies to all registered providers of social housing, including local authorities. All registered providers of social housing must comply with the requirements and expectations of the Rent Standard and the government's rent policy statement.
4. Our Tenants Panel has been consulted on the draft policy, and they have given their full support. An equality impact assessment screening form at **Appendix 2** has been completed on the draft policy, but no adverse impacts have been identified.
5. This policy was considered by Health and Housing Scrutiny Committee on 19 August 2026, who agreed its onward submission for approval by Cabinet.

Recommendation

6. It is recommended that Cabinet:-
- (a) Consider the contents of this report, and
 - (b) Approve the Housing Services Rent Setting Policy 2026-2031 at Appendix 1.

Reasons

7. The recommendations are supported by the following reasons:
- (a) The RSH, in its Rent Standard, sets out that all registered providers of social housing must comply with the requirements and expectations of the Rent Standard and the government's rent policy statement. This policy will ensure the Council meets the requirements of the Rent Standard.

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

Background Papers

- (i) The RSH Rent Standard 2026

Anthony Sandys: Extension 6926

Council Plan	This report supports the Council Plan's HOMES priority to provide affordable and secure homes that meet the current and future needs of residents
Addressing inequalities	An equality impact assessment screening form has been completed on the draft policy, but no adverse impacts have been identified
Tackling Climate Change	The setting of rents enables the Council to fund a range of energy efficiency measures, which will support our Housing Services Climate Change Strategy
Efficient and effective use of resources	This policy will ensure we adhere to the RSH Rent Standard and that we can provide cost effective and high-quality services to our tenants
Health and Wellbeing	Setting rents which are affordable and meet the needs and expectations of our tenants will support their health and wellbeing
S17 Crime and Disorder	There are no issues which this report needs to address
Wards Affected	All wards with Council housing
Groups Affected	All Council tenants
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework
Key Decision	This report does not represent a key decision
Urgent Decision	This report does not represent an urgent decision
Impact on Looked After Children and Care Leavers	There are no issues which this report needs to address

MAIN REPORT

Information and Analysis

8. The Housing Services Rent Setting Policy 2026-2031 sets out how rent levels and services charges for our Council homes are set within the regulatory guidelines, which:
 - (a) Are affordable and meet the needs and expectations of our tenants.
 - (b) Ensure we can meet financial and business plan commitments and objectives, thereby ensuring the financial viability of our Housing Services.
 - (c) Provide cost effective and high-quality services to our tenants.
 - (d) Are in accordance with the terms and conditions of the Tenancy Agreement, licence or lease.

RSH Rent Standard 2026

9. The RSH Rent Standard sets out the framework for rent policy and applies to all registered providers of social housing, including local authorities. All registered providers of social housing must comply with the requirements and expectations of the Rent Standard and the government's rent policy statement. The government has directed the RSH to set a Rent Standard that reflects the government's 10-year rent settlement.
10. The Rent Standard 2026 sets out the following:
 - (a) Social landlords will generally be allowed to increase rents for social rent and affordable rent homes by up to the Consumer Price Index (CPI) +1% each year.
 - (b) Landlords will be able to further increase the weekly rent on social rent homes that are currently below 'formula rent'. As well as the CPI +1% increase, rents for these homes can increase by up to £1 more each week from 1 April 2027. From 1 April 2028, these rents can increase by up to £2 per week, until formula rent is reached. This is known as rent convergence.
11. The Housing Services Rent Setting Policy 2026-2031 sets out how rent levels and services charges for our Council homes are set and increased within the regulatory guidelines and covers the following areas:
 - (a) The types of rent we set for our Council homes.
 - (b) How rents and service charges are set for our Council homes.
 - (c) How rent and service charge increases are decided each year.
 - (d) Rent convergence.
 - (e) Appeals and complaints.

Outcome of Consultation

12. Our Tenants Panel has been consulted on the draft policy, and they have given their full support.

Equalities considerations

13. An equality impact assessment screening form at Appendix 2 has been completed on the draft policy, but no adverse impacts have been identified.



DARLINGTON
Borough Council

Housing Services

Rent Setting Policy

2026-2031



Name of Policy	Housing Services Rent Setting Policy 2026-2031
Version Number	1.0
Author	Head of Housing
Date Approved by Tenants Panel	28/05/2026
Date approved by Scrutiny Committee	
Date approved by Cabinet	
Original issue date	
Next Review date	2031/2032

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Introduction

Darlington Borough Council aims to set Council home rents, which are affordable and meet the needs and expectations of our tenants.

Our policy is to set rents at levels within the regulatory guidelines, which:

- Are affordable and meet the needs and expectations of our tenants.
- Ensure we can meet financial and business plan commitments and objectives, thereby ensuring the financial viability of Housing Services.
- Provide cost effective and high-quality services to our tenants.
- Are in accordance with the terms and conditions of the Tenancy Agreement, licence or lease.

Council home rent is the main source of revenue for the Housing Revenue Account (HRA), paying for the management, maintenance, and modernisation of our existing homes. It is also the primary source of funds for repaying the loans that enable us to build or acquire new Council homes.

The quality of our assets and how they perform also directly impacts on our tenants and the communities they are part of. Good quality and well-maintained homes can significantly impact upon the health, wellbeing and quality of life of our residents.

Aims of this policy

This policy explains how Darlington Borough Council calculates and increases rents and service charges (where these are applicable) for homes that sit within the HRA.

The HRA is a landlord account that records the expenditure and income arising from the provision of Council owned homes for social and affordable rent. The main source of income for the HRA is the rent and service charges paid by tenants. It is a ring-fenced account, which means that the income received can only be spent on services to homes within the HRA.

These services include repairs and maintenance, collecting rent, letting properties to new tenants, dealing with anti-social behaviour and providing tenancy management for our tenants. The income received also helps fund the provision of new Council homes and upgrades of our existing homes.

This policy will also help ensure that the Council adheres to legal and regulatory requirements when calculating and increasing rents and service charges, particularly in relation to the Regulator of Social Housing's (RSH) Rent Standard and the government's Policy Statement on rents for social housing.



Policy Scope

This policy applies to all secure, flexible, non-secure and introductory tenants within the HRA. It will also apply to those tenants who have been provided with accommodation through the HRA. It applies to both social and affordable rents. The policy also sets out how rents will be increased for rent to buy properties.

There are some homes where there are different arrangements for calculating and setting rents and service charges where this policy does not apply.

This includes:

- Leasehold properties.
- Specialised supported accommodation.
- Some temporary social housing.

For these, the arrangements for calculating and setting rents and service charges may be set out in the lease, licence or tenancy agreement to occupy the property.

Relevant legislation, strategies, plans and policies

This policy supports our 30-year Business Plan for the HRA; due consideration has been given to the following Council plans, strategies, policies and customer standards:

- Council Plan 2024-2027.
- Homes Strategy (draft at time of writing) 2025-2030.
- Workforce Strategy.
- Housing Services Housing Management Policy 2026-2031 (draft at time of writing).
- Housing Services Asset Management Strategy 2024-2029.
- Housing Services Preventing Homelessness and Rough Sleeping Strategy 2025-2030.
- Housing Services Rent Account Standard.
- Housing Services Tenancy Agreement.
- Housing Services Climate Change Strategy.
- Housing Services Vulnerability Policy 2024-2029.
- Housing Services Tenant Involvement Strategy 2024-2029.
- Housing Services Allocation Policy 2023-2028.
- Welfare Reform and Work Act 2016.
- Housing Act 1985, 1988.
- Social Housing Rents Regulations 2016.
- RSH Rent Standard 2026.



Rent Setting Background

Since 2000, rents for properties at a social rent (which are many of our homes) have been based on a formula set by the government. This created a formula rent for each property, based on the relative value of the property as of 1999, relative local income levels, average rents and the size of the property.

In 2011, the government introduced “affordable rents”, which permitted rents (including service charges) to be set at up to 80 % of market rent. The resulting higher rents made it possible to build more new social housing.

Affordable rents could only be charged for new and existing homes if certain conditions are met. However, from April 2026, the restrictions on affordable rents has been eased following the RSH’s Rent Standard, meaning that affordable rents can be applied to any new properties brought into the HRA that have not been subject to a social rent without approval from any government body.

Annual rent increases and decreases

From 2012, rents were allowed to increase annually by the retail price index (RPI) + 0.5% + £2.00 each week.

The government introduced a new 10-year rent setting policy from 2015-16 that allowed rents to increase by the consumer price index (CPI) + 1%. In 2016, restrictions were placed on the annual rent increases that could be applied to both social and affordable rents. The Welfare Reform and Work Act 2016 required social landlords to reduce rents by 1% each year for four years up to 2019-20 to reduce benefit spending.

From April 2020, the government allowed social landlords to increase rents by CPI in September of the previous year + 1%. Because of high levels of inflation in 2023-24, rent increases were capped at 7% but reverted to CPI + 1% until 2025-26.

From 2026-2027, the government re-introduced a further 10-year rent setting policy, which included a rent convergence element, allowing social housing providers to increase their rent costs by a set figure on top of CPI + 1%.

Rent convergence

Rent convergence is a term which relates to the government policy of increasing social housing rents to bring them in line with similar properties. It was first introduced in 2002 but halted in 2015 by the government until 2026-2027.

Rent convergence helps to ensure that similar social housing homes in the same areas have similar, consistent rent levels, regardless of whether they are owned by the Council or a Housing Association. For example, if a home’s formula rent is £120 each week and the current rent is £115 each week, the landlord may apply a standard annual increase (for example, CPI + 1%) plus a £2 per week “convergence increase”, until the rent reaches the £120 target.

Regulatory requirements

We are required to comply with the RSH’s Rent Standard ([Rent Standard 2026 - GOV.UK](#)). This sets out how we should set and increase rents in line with the government’s policy statement on rents for social housing ([Policy Statement on rents for social housing](#)).



Types of rent

Social rent

Most tenants living in a Council home are charged a social rent based on the government formula, as set out below. The initial formula rent was set in 2000 and has been increased by inflation each year.

Rent increases for existing tenants are set in line with the government’s Policy Statement on rents and are applied in April each year. Rents may be currently increased by a maximum of CPI + 1% in line with the government’s rent policy.

Tenants will receive at least 4 weeks’ notice of any increase or change to their rent in writing; this is a notice of variation. Where a tenant’s rent is less than formula rent, from April 2027 we may increase rents by a maximum additional £1 each week above CPI + 1%, rising to £2 each week above CPI + 1%, from April 2028.

Any properties that are re-let during the year will be let at the rent charge that is held on the rent accounting system against each property,

Formula rent

Formula rents are subject to a rent cap based on the number of bedrooms in a property and exist to avoid excessive charges.

The rent cap is increased currently by 1.5% each year. If the formula rent is higher than the rent cap, then the rent is set at the cap. Where a formula rent is also higher than the rent cap at reletting, then the rent cap will be applied.

Example of rent cap for 2026-2027

Number of bedrooms	Rent Cap
1 and studio flats	£204.35
2	£216.35
3	£228.36
4	£240.37
5	£252.39
6 or more	£264.41

The rent cap does not include service charges.

From 2027-28, rent caps will continue to increase by CPI (as at September of the previous year) plus 1.5%, each year.

The government's policy on rents provides flexibility to allow social landlords to set rents up to 5% above formula rents (10% for supported housing, including sheltered housing) for individual properties. In deciding whether to apply this flexibility, we can consider local factors and concerns such as the cost of investment in improving or refurbishing properties.

We do not currently apply this flexibility and any decision by Members to do so would be in consultation with tenants.

Affordable rent

Affordable rent properties are currently only those which Homes England, or the Secretary of State, has agreed can be let at an affordable rent, however from 2026, we can set other properties at affordable rent without the Secretary of State or Homes England agreement. Affordable rents are inclusive of service charges, such as those charges for communal cleaning and gardening.

Affordable rents are set at up to 80% of the gross market rent for a property. This is the rent that the property might reasonably be expected to be charged in the private rented sector. Property size, location type and service provision must be considered when determining what gross market rent a property might achieve if let in the private rented sector. For example, if a private house rents for £1,000 each month, an affordable rent, would cost £800 each month or less.

Affordable rents cannot be lower than the formula rent for social rent. We do not charge affordable rents that are above the Local Housing Allowance (LHA). LHA is a flat-rate allowance, usually paid through Housing Benefit or Universal Credit, and is based on the area a person lives in and the size of their household (number of bedrooms), rather than the actual rent charged. More information can be found about LHA at [Local Housing Allowance - GOV.UK](#)

Valuations for initial rent setting must be made in accordance with a method recognised by the Royal Institute of Chartered Surveyors. When reletting a property on an affordable rent, we must review the amount to be charged to ensure that it is no more than 80% of the gross market rent. We will seek

comparable rents to reset the affordable rent using a desktop valuation review of recent transactions. If comparable rents are not available, the Council will commission a full market valuation.

Rent increases for existing tenants are set in line with the government's Policy Statement on rents and are applied in April each year. Rents are currently increased by a maximum of CPI + 1% and tenants will receive at least 4 weeks' notice of any increase.

Garage rents

We set rent charges for Council owned garages annually and this is based on costs to repair and maintain these. The cost to Council tenants does not include VAT.

Garage rents are set by the Council as part of the annual rent setting process and garage rent charges form part of the rent consultations carried out with tenants each year.

Changes to garage rents require 7 days' notice, however we endeavour to give 4 weeks' notice in March each year. Rents increase or decrease in April each year.

New Council Homes Rent

For new Council homes that are to be let at a social rent, we will obtain a 1999 valuation of the property to calculate a formula rent from an external Valuation Officer.

The use of 1999 property valuations for social rent setting in England is a foundational element of the government's Rent Standard and is designed to ensure consistency, fairness, and affordability across the social housing sector. It allows us to calculate a formula rent based on the relative value of a property at a fixed point in time, rather than constantly changing market values and assists us in ensuring consistency, fairness and long-term stability in setting formula rents.

The valuation will be in accordance with a method recognised by the Royal Institute of Chartered Surveyors. We may not carry out valuations for each individual property but instead rely on a more generic valuation for types and sizes of properties in different locations.

Whilst we are not permitted to regularly revalue properties, we can revalue a formula rent for an

existing social rent home, where major works have been carried out that materially affect its value. This does not include repairs or updating a property, for example, fitting a new kitchen or bathroom, but does include major structural alterations, such as extensions. If we revalue a property, the new formula rent will not be applied to the existing tenant but will be applied when the property is relet.

Depending on the funding we receive for new Council homes, they may be set as a social rent or affordable rent. This will be explained in any offer letters, viewings and affordability discussions with new tenants.

Service charges

Rent paid by tenants covers the provision of general housing services, such as repairs and improvements to properties, lettings, estate management, rent collection, anti-social behaviour and helping tenants sustain their tenancies.

We also incur costs for providing additional services over and above what is normally included in the rent paid by tenants. These include communal cleaning and gardening, grounds maintenance, communal electricity, heating and bulk refuse removal. Service charges are calculated to recover reasonable costs of providing these additional services. For those tenants who pay an affordable rent, any service charges are included in this total cost.

We will always consult with residents before we introduce any new services that will result in a charge being paid, or where we introduce a new charge for an existing service. Our charges will be reasonable and transparent and are included in the annual rent increase letter we send to all tenants.

Service charges are part of the rent paid by tenants, but we will identify these separately when letting properties to new tenants and when applying rent and service charge increases.

Service charges are calculated to recover reasonable costs. We may increase or decrease the charges by providing at least 4 weeks' notice in writing. This will be done while we increase or change rents, but we may also do it at any other time and more than once a year, if we introduce a new charge or charge for the services that we already provide. Service charges are not increased in the same way as rents, but we endeavour to keep charges affordable.

Normally, changes to charges will be based on what has been spent in previous years, but we may

also consider how inflation and other costs such as prices from contractors, and how many tenants are receiving the service, which may affect the charge. This means that some increases may be above inflation, but we will ensure we clearly explain this as part of our rent consultation and our reports to Members. Examples of above inflation costs in recent years have included building insurance price increases and utility costs.

Sometimes we may have to estimate a charge where new services are being introduced, but we will review this annually. We may also decide to phase in new charges, where appropriate.

If we spend more on providing services to tenants than we have collected from them, then we may make up the difference. We may not ask tenants to pay this but the service charge for the next year may be adjusted accordingly to take account of any increase.

If we spend less than we have collected, then any money left over may not be refunded but the service charge for the next year may be adjusted accordingly.

We use fixed service charges for our tenants. This means that each year the charge will be set, and it will not change until the next year unless we introduce a new service, change a service or discontinue a service. This also allows the cost of some services to be spread throughout the year, for example, heating where tenants will pay the same amount during the summer as they do in the winter.

Fixed service charges are cheaper and easier for us to administer. They also mean that tenants do not receive an additional bill during the year, if we have not collected enough to cover our costs. Fixed

charges mean that tenants cannot ask the First-Tier Tribunal (Property Chamber) to determine any issue relating to how much is payable. However, in complying with the Policy Statement on rents for social housing, we are expected to set reasonable and transparent service charges. We will also seek to keep increases in service charges in line with rent increases, to keep charges affordable.

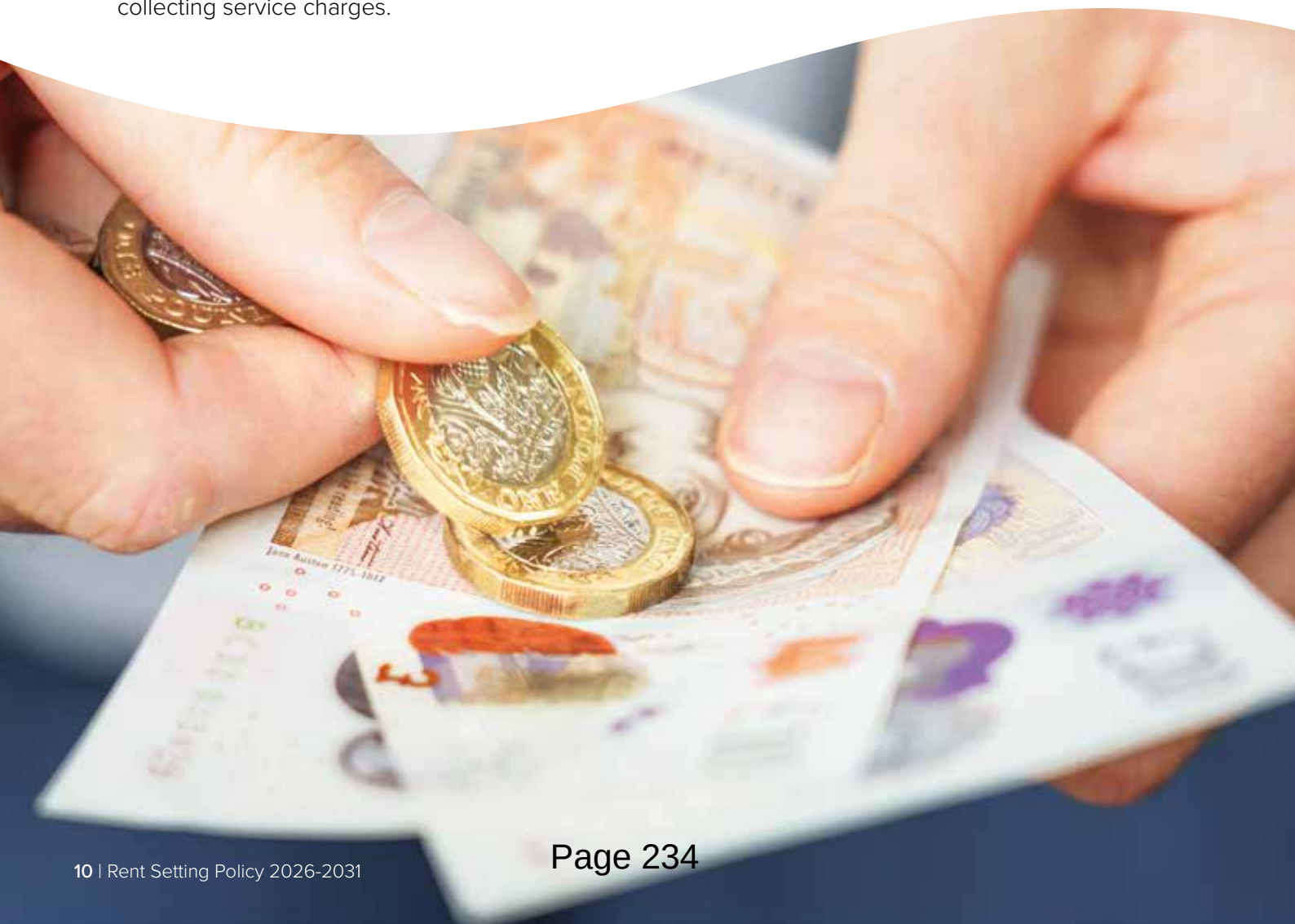
Some service charges are eligible for Housing Benefit or Universal Credit, such as (not exhaustive), window cleaning for first floor properties, ground maintenance, lifts and door entry systems. Other service charges such as (not exhaustive), individual heating costs, lighting and communal furniture are not eligible and therefore full costs are payable.

Service Charge Value for Money

We are committed to delivering high-quality and affordable services to our tenants that deliver good value for money. We aim to achieve this by:

- Complying with legislation and regulatory requirements for setting, presenting and collecting service charges.

- Ensuring service charges represent good value for money through effective procurement, monitoring of service quality and management of contractors and directly provided services.
- Undertaking detailed checks on budget costs and assumptions.
- Consulting tenants and Council Members when introducing or making significant changes to services.
- Listening to tenant feedback views through the annual Rent and Service charge consultation survey, tenant involvement activities and complaints.
- Where possible, ensuring that our service charges are eligible for Housing Benefit/ Universal Credit.



Affordability for new and existing tenants

New Tenants

Council homes are allocated in accordance with our Housing Services Allocation Policy. As part of this policy, we complete affordability checks with prospective tenants at the point of offer, to ensure they can meet the financial requirements of running and managing the property. If prospective tenants do not meet the financial requirements, we will work with them to see if we can assist them to increase their income via welfare benefits or other sources, before considering retracting the offer.

Some allocations have an additional local lettings policy, which may state that affordability checks will be completed prior to an offer being made.

Existing tenants

We provide support for current tenants through our Tenancy Sustainment team.

This team offers specialist support to tenants around affordability, welfare benefits and signposts and refers tenants to relevant specialist agencies for additional advice and support. They work closely with the agencies such as Citizens Advice, Step Change and Money Advice Service. Details can be found at [Darlington BC - Help with your tenancy](#)

Rent Setting Roles

Housing Services are accountable for ensuring that the correct rent and service charges are charged to tenants and that all legal and regulatory requirements are met.

We are also responsible for completing annual consultation with tenants, the collection of rent and arrears and taking enforcement action to recover rent and service charges owed to the Council, as necessary.

Responsibility for determining the policy is through our governance structure of formal Scrutiny Committee and Cabinet.

Annual rent charges require full Council approval each year.

The Tenants Panel are responsible for considering and reviewing this policy through effective scrutiny and for providing their views on annual rent charges each year.

The following table provides brief details of who is involved in the decision-making process for annual rents, with a basic timeline of the rent setting process.

Timescale	Who is Involved	Role
October to November	Finance Officers, in consultation with Senior Housing Officers, and the Cabinet Member for Health and Housing	To prepare a draft Medium Term Financial Plan (MTFP) and proposals for rent, for the following financial year, based on CPI+1% in September
November to December	Cabinet	To consider proposals for the MTFP and rent, for the following financial year, as a basis for consultation with Council tenants
December	Council tenants and the Tenants Panel	To provide views on the proposals for the MTFP and rent, for the following financial year.
January	Health and Housing Scrutiny Committee	To consider proposals for the MTFP and rent, for the following financial year, and the outcome of consultation, and to make any recommendations to Cabinet
February	Cabinet	To consider proposals for the MTFP and rent, for the following financial year, the outcome of consultation and any recommendations from Health and Housing Scrutiny Committee, and to make recommendations to Council
February	Council	To approve the MTFP and rent for the following financial year
February to March	Housing Services Officers	To update ICT systems with the agreed rent and service charge costs for the following year. To produce and send out letters to all tenants notifying the new charges



Consultation with tenants

We recognise and are committed to listening to the views of our tenants and we carry out extensive consultation each year with our tenants and the Tenants Panel in relation to rent and service charges.

Feedback from consultation events and surveys is included in all reports to Scrutiny, Cabinet and full Council. Tenants can provide their feedback in several ways, including through face-to-face events, online surveys and by telephone.

We communicate events and surveys face-to-face, through email, text and social media ensuring that we meet the diverse needs of our tenants and making consultation as accessible as possible.

Staff Training

Suitable training on this policy will be given to members of staff whose job either directly or indirectly is affected by this policy. Training may be provided internally or externally to ensure a consistent approach to rent setting and collection.

Training on this policy will also be given to staff or when the policy is reviewed or changed.

Appeals and Complaints

We recommend that tenants contact us to discuss any issues or complaints in relation to rent setting in the first instance.

Our complaints policy is available to any resident who is dissatisfied with the quality of work or service they receive from us, and if tenants remain unsatisfied, they can also bring complaints to the Housing Ombudsman for investigation.

Council tenants in England can challenge or appeal a rent increase, although the process differs from private renting.

If tenants believe the rent increase itself is unreasonable or that the council has not followed legal guidelines (for example, in setting rents above the allowed inflation cap + 1%), tenants may be able to challenge it through a court process known as a judicial review. As this is a complicated, long process that can incur costs, we recommend that legal advice is taken by any tenant considering this action.

It is important to seek advice from organizations like Citizens Advice or Shelter, as tenants should not stop paying current rent while disputing an increase, or they may risk falling into arrears.

Monitoring and Policy Review

Effective audits are essential to minimise risks, ensure fair charges, and prepare for increased scrutiny from regulators regarding rent policies. We have robust internal processes in place for rent setting, consultation and annual implementation of rent charges, but it is also important to regularly check these processes for accuracy and efficiency.

To ensure our rent setting complies with regulatory frameworks, policies and accurate calculation are completed, we carry out bi-annual internal audits of a sample of rent accounts. The findings of these audits are communicated to Members and tenants through our annual report.

This policy is reviewed every 5 years or when a change to the Rent Standard or other relevant legislation is made. This ensures the policy reflects current legislation and regulatory standards.





Housing Services contact details



01325 405333



housing@darlington.gov.uk



www.darlington.gov.uk/housing



[darlingtonbc](https://twitter.com/darlingtonbc)



facebook.com/DBCHousing



Initial equality impact assessment screening form

This form is an equality screening process to determine the relevance of equality to an activity, and a decision whether or not a full EIA would be appropriate or proportionate.

Directorate:	Resources & Governance
Service Area:	Housing Services
Activity being screened:	Rent Setting Policy 2026-2031
Officer(s) carrying out the screening:	Claire Gardner-Queen
What are you proposing to do?	Implement a rent setting policy across Housing Services.
Why are you proposing this? What are the desired outcomes?	This policy explains how Darlington Borough Council calculates and increases rents and service charges (where these are applicable) for homes that sit within the HRA. The main source of income for the HRA is the rent and service charges paid by tenants. It is a ring-fenced account, which means that the income received can only be spent on services to homes within the HRA. These services include repairs and maintenance, collecting rent, letting properties to new tenants, dealing with anti-social behaviour and providing tenancy management for our tenants. The income received also helps fund the provision of new Council homes and upgrades of our existing homes. The policy will ensure that the Council adheres to legal and regulatory requirements when calculating and increasing rents and service charges, particularly in relation to the Regulator of Social Housing's (RSH) Rent Standard and the government's Policy Statement on Rents for Social Housing. It sets out how we set the recharges, through service charges, for other services provided such as grounds maintenance and communal heating. The use of this policy is covered by Housing legislation and government guidance. It is considered a regulatory requirement along with good practice to have a rent setting policy.
Does the activity involve a significant commitment or removal of resources? Please give details	No

Is there likely to be an adverse impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or any other socially excluded groups?

As part of this assessment, please consider the following questions:

- To what extent is this service used by particular groups of people with protected characteristics?
- Does the activity relate to functions that previous consultation has identified as important?
- Do different groups have different needs or experiences in the area the activity relates to?

If for any characteristic it is considered that there is likely to be a significant adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate.

Protected characteristic	Yes	No	Don't know/ Info not available
Age		x	
Disability		x	
Sex (gender)		x	
Race		x	
Sexual Orientation		x	
Religion or belief		x	
Gender reassignment		x	
Pregnancy or maternity		x	
Marriage or civil partnership		x	
Other			
Carer (unpaid family or friend)		x	
Low Income		x	
Rural Location		x	
Does the activity relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	Housing Services provide accommodation to over 5000 tenants and garage tenants, some of are vulnerable and have disabilities. Some Council tenants are on a low income and could be reliant upon welfare benefits as the main source of household income. All tenants have the propensity to have some protected characteristics, however, are not adversely impacted by the policy. The policy simplifies current legislation and government guidance and explains how this is put into practice by Housing Services.		
Will the activity have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No		

Decision (Please tick one option)	EIA not relevant or proportionate:	x	Continue to full EIA:	
Reason for Decision		The introduction of this rent setting policy will assist Housing Services in continuing to set rent and service charges in line with legislation and government guidance. It assists us in meeting regulatory requirements from the Rent Standard and Transparency, Influence and Accountability Standard too. It will ensure that Members, tenants and prospective tenants are assured that Council house rent and service charges are set in line with guidance. The policy will be reviewed every 5 years, or when a legislative or regulatory standard change is made.		
Signed (Assistant Director)				
Date		09/06/2026		

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CABINET
8 SEPTEMBER 2026

LAND AT MORTON PALMS BUSINESS PARK - PROPOSED DISPOSAL OF PLOT

Responsible Cabinet Member -
Councillor Mandy Porter, Resources Portfolio

Responsible Director -
Trevor Watson, Executive Director Economy and Public Protection

SUMMARY REPORT

Purpose of the Report

1. To seek approval to dispose of the plot of land at Morton Palms Business Park as shown on the attached plan (**Appendix 1**), subject to planning permission being obtained.

Summary

2. The plot of land extends to 1.61ha (4.00 acres) or thereabouts, and it is intended that the land be developed to provide a food retail store, drive thru coffee facility and EV charging hub, with ancillary parking to serve the development, all subject to planning permission.
3. The proposed purchaser is a well-established developer with a good track record for delivery.
4. The parcel of land identified occupies the corner plot of the business park with frontage overlooking the A66, and despite having been available over the years, little interest in the site has materialised.
5. An opportunity now exists to see this plot of land come forward for development which it is felt will serve and complement the nearby existing businesses and the wider Borough.
6. In principle discussions with the purchaser have taken place and the proposed terms are set out

in the Part III report attached (**Appendix 2**).

Recommendations

7. It is recommended that:

- (a) Approval be granted to dispose of the plot of land at Morton Palms Business Park as indicated on plan Appendix 1.
- (b) The Director of Economy & Public Protection be authorised in consultation with the Cabinet Member for Resources Portfolio, to agree the terms in line with those set out in the Part III report, see Appendix 2.
- (c) The Assistant Director Law & Governance Monitoring Officer, be authorised to document the disposal accordingly.

Reasons

8. The recommendations are supported by the following reasons:

- (a) To bring development forward and provide more job opportunities in Darlington, and
- (b) To achieve a Capital Receipt and Business Rates for the Council.

Trevor Watson
Executive Director Economy and Public Protection

Background Papers

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

Council Plan	This proposed disposal is in accordance with the objectives and deliverables in the Council Plan.
Addressing inequalities	There are no diversity or inequality issues affected.
Tackling Climate Change	There are no sustainability issues.
Efficient and effective use of resources	A capital receipt from the purchase and the resulting Business Rates from the development will help the Council's budget.
Health and Wellbeing	There are no Health & Wellbeing issues.
S17 Crime and Disorder	This report has no implications for Crime and Disorder.
Wards Affected	Sadberge & Middleton St George.
Groups Affected	There are no groups adversely affected.
Budget and Policy Framework	This report does not present a change to the 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

9. The plot of land at the Morton Palms Business Park extends to 1.61ha (4.00 acres) or thereabouts.
10. The proposed purchaser intends to develop the site to provide a food retail store, drive thru coffee facility and EV charging hub, with ancillary parking to serve the development, all subject to planning permission.
11. A Pre-App application has been submitted by the proposed purchaser at their risk and we understand this has not identified any issues which would prevent a detailed planning application being submitted at the appropriate time.
12. The proposed purchaser is a well-established developer with a good track record for delivery.
13. The parcel of land identified, occupies the corner plot of the business park with frontage overlooking the A66, and despite having been available over the years, little interest in the site has materialised.
14. An opportunity now exists to see this plot of land come forward for development which it is felt will serve and complement the nearby existing businesses and the wider borough.
15. In principle discussions with the purchaser have taken place and the proposed terms are set out in the Part III report, Appendix 2.
16. Even with the disposal of the plot there is sufficient land retained by the Council to be of interest to other potential developers.

Financial Implications

17. The proposed disposal of the plot, will achieve both a capital receipt and Business Rates for the Council.

Legal Implications

18. The Council has the authority to dispose of land pursuant to S123 Local Government Act 1972, and the proposed disposal complies with the requirements of that act.
19. The Assistant Director of Law and Governance, Monitoring Officer, will be required to document the disposal, and deal with any issues arising from the legal process.

Estates and Property Advice

20. This proposed development provides an opportunity to raise the presence and profile of Morton Palms Business Park for those travelling along the A66 and into Darlington.

Procurement Advice

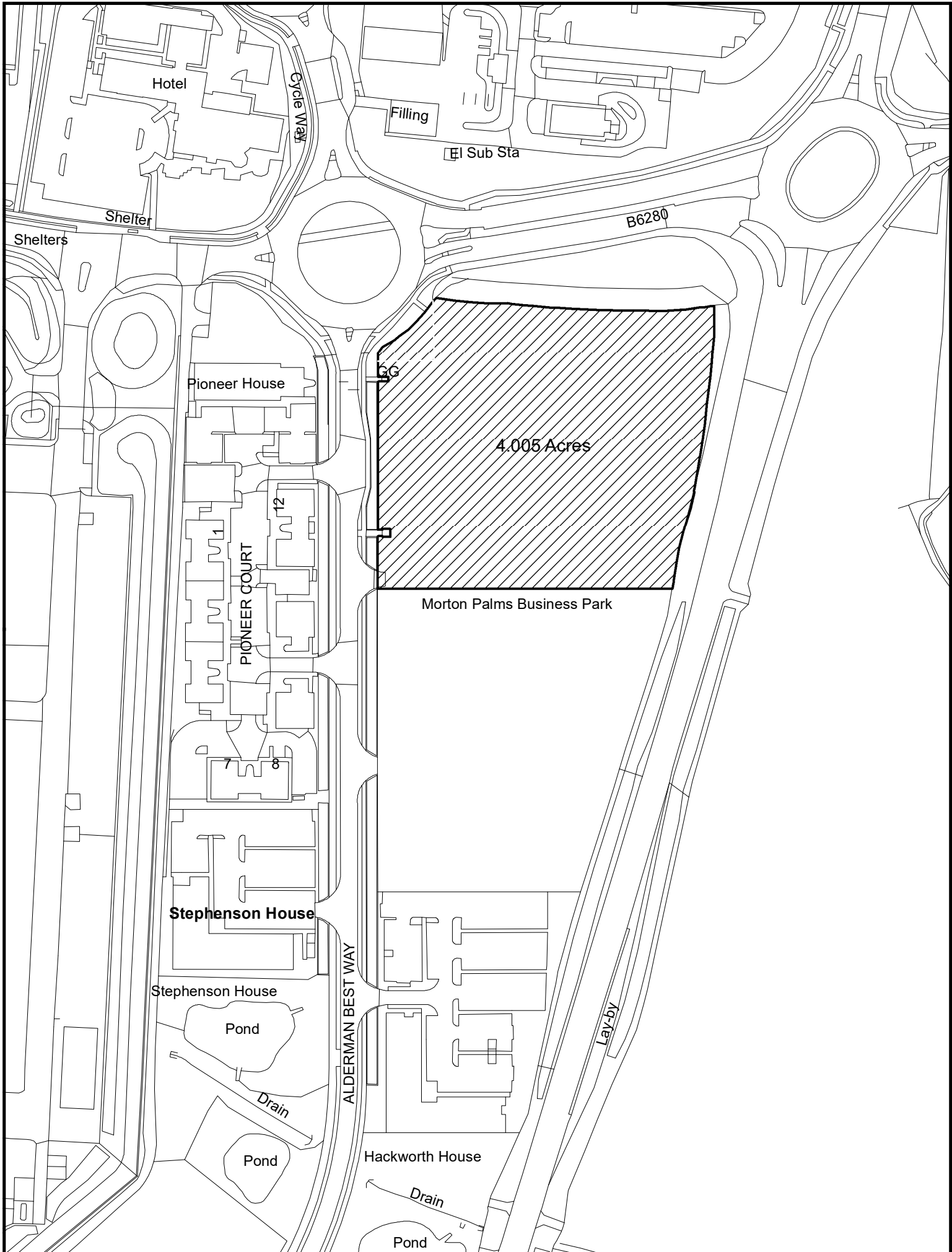
21. This is a straightforward disposal of Council land and Procurement Advice will be sought as considered necessary.

Carbon Impact and Climate Change

22. It is expected that the proposed development will respect the Council's commitment to Carbon and Climate change and this will be addressed through the planning application process.

Consultation

23. External consultation will take place as part of the normal planning process.
24. Internal consultation has raised no objections to the proposed disposal.



DARLINGTON BOROUGH COUNCIL ECONOMIC GROWTH GROUP ESTATES & PROPERTY, TOWN HALL, FEETHAMS, DARLINGTON, Co. DURHAM, DL1 5QT	Project Title:	DBC OWNED LAND - ALDERMAN BEST WAY	Scale:	1 :2000	Ref:	AT A4
	Drawing Title:	LAND AT MORTON PALMS BUSINESS PARK	Date:	06/08/26	Area:	
			Drawn:	RMH	4.00 Acres	

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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CABINET
8 September 2026

LEASE OF PREMISES FOR AN EMPLOYABILITY HUB – ENTERPRISE HOUSE

Responsible Cabinet Member –
Councillor Mandy Porter, Resources Portfolio

Responsible Director -
Trevor Watson, Executive Director Economy and Public Protection

SUMMARY REPORT

Purpose of the Report

1. To seek approval to take a lease of Unit 3C & 3D Enterprise House, Darlington for the purpose of providing a location for the Darlington Employment Hub and Council employability programmes.

Summary

2. It is proposed that Enterprise House will be the location for the Darlington Employment Hub and DBC employability programmes to enable all services to operate from a single, central, accessible location as shown on the plan at **Appendix 1**.
3. As part of the delivery of the Get Britain Working White Paper, the Department for Work and Pensions funds the employability programmes and has pressed for the establishment of an Employability Hub in Darlington.
4. The current premises at Bennet House basement is inadequate.
5. Existing vacant council owned premises were assessed as potential locations and were found to be unsuitable due to either accessibility issues, capital costs and/or timescales for making premises suitable for the intended use.
6. The landlord of Enterprise House has committed to carrying out the fit out works at their own cost to enable immediate occupation of the premises and therefore timely delivery of the services.

7. It is proposed that the Council takes a 6 year lease with a tenant break option at year 3 at Enterprise House and otherwise on terms which are assessed to be in line with the market and referenced at **Part III** of this report at **Appendix 2**.
8. The rent will be paid from employability programmes funding.

Recommendations

9. It is recommended that:-
 - (a) Cabinet agrees to enter into a lease of Units 3C & 3D Enterprise House.
 - (b) Cabinet agrees to delegate the approval of final lease terms to the Executive Director Economy and Public Protection which are summarised at Part III, Appendix 2.

Delegations

It is recommended that Cabinet agrees to delegate the approval of final lease terms to the Executive Director Economy and Public Protection which are summarised at Part III, Appendix 2.

Reasons

10. The recommendations are supported by the following reasons :-
 - (a) To enable the provision of the Darlington Employment Hub and delivery of employability programmes from a suitable and centralised location.
 - (b) To meet Government objectives as set out in the Get Britain Working White Paper
 - (c) To provide a fit for purpose, timely and cost effective solution to delivery of employability services
 - (d) The lease terms and rent are in line with the market and offer value for money

Trevor Watson
Executive Director Economy and Public Protection

Background Papers

No background papers were used in the preparation of this report

author : Sarah Wayman

Council Plan	
Addressing inequalities	Enterprise House provides enables customers with physical and mental disabilities easy access to services.

Tackling Climate Change	The new premises is being refitted with low voltage LED lighting, a new heating system and double glazed windows.
Efficient and effective use of resources	Unit 3C & 3D Enterprise House were identified as being fit for purpose, with no initial capital costs for the Council and an inclusive rent offering value for money and which is capable of being funded by the programmes
Health and Wellbeing	The Enterprise House accommodation offers better working conditions for Council staff currently located in the basement of Bennet House
S17 Crime and Disorder	
Wards Affected	All wards in Darlington will benefit from this hub.
Groups Affected	Unemployed, 16-18, disabled, those with MH issues, veterans, long term health conditions, carers, homeless, drug and alcohol addictions, refugees, asylum seekers, care leavers, survivors of domestic abuse, young people involved in, or at risk of serious violence and victims of modern day slavery
Budget and Policy Framework	This report does not request a change to the Budget & Policy Framework.
Key Decision	NO
Urgent Decision	NO
Impact on Looked After Children and Care Leavers	The hub and associated programmes have fast track eligibility for care leavers

MAIN REPORT

Information and Analysis

11. Lead by the Darlington Employment Initiative, the requirement to take a lease for a new centralised Employability Hub has arisen from three main drivers;
 - (a) a DWP objective for each Local Authority to provide an Employability Hub in support of the Get Britain Working White Paper
 - (b) the increasing unsuitability of the current premises at Bennet House
 - (c) no available suitable existing Council owned premises.
12. DWP are the main funders of the council employability programmes Connect to Work (CTW), Work Well (WW) and Youth Guarantee (YG). Further funding has been made available from DWP for Employability Hub staff.
13. Darlington is the only local authority in Tees Valley without an Employment Hub and DWP were urging for one to be established in Darlington to fit in with the Get Britain Working White Paper and future funding for employability programmes
14. DWP will provide a work coach to be housed in the hub to make the joined up working easier. The space will not only be used for staffing but have secure 1:1 rooms and training facilities. External agencies will be invited along to offer sessions to unemployed people all under one roof - these will range from careers advice, debt, health and wellbeing. Employers will also attend the hub on a regular basis to interview candidates we put forward for roles.
15. The Connect to Work (CTW), Work Well (WW) and Youth Guarantee (YG) programmes currently operate from the basement of Bennet House. Bennet House is no longer viable for the following reasons:
 - (a) The team has now grown from 2 to 12 and a larger premises is required.
 - (b) Sensitivities arising from the diversity of customer groups accessing the services are incompatible with other services provided from the building.
 - (c) There is no disabled access to the basement. CTW and WW both work with people with mental and physical disabilities resulting in many customers requiring fully accessible premises.
 - (d) The premises does not offer enough space to provide the required five 1:1 meeting rooms to facilitate service provision to the current volume of customers.
 - (e) Some rooms are inadequate with no sockets, heating, damp problems or lacking privacy.
16. Prior to exploring the Employability Hub location at Enterprise House the Council's own vacant property portfolio was inspected, costed and assessed for suitability. None of the available options were suitable due to either accessibility issues, capital costs and/or timescales for making premises suitable for the intended use.
17. Unit 3C & 3D Enterprise House were identified as being fit for purpose, with no initial capital costs for the Council and an inclusive rent offering value for money and which is capable of being funded by the programmes.

18. Due to the pressures outlined in paragraph 6 and the inability to operate an Employability Hub from Bennet House, Darlington Employment Initiative has taken an initial 6 month lease of the premises at Enterprise House under delegated powers pending a Cabinet decision on the longer term lease.

Financial Implications

19. The rent will be paid from the Connect to Work, Work Well and Youth Guarantee programme funding. The funding is issued by central government / NHS and administered via TVCA. The Employability Hub receives further funding from DWP for staffing and this will assist to offset the rent.

Legal Implications

20. The Council's internal legal department will be instructed to deal with the granting of the lease to DBC.

Estates and Property Advice

21. Estates and Property Advice is embedded within this report.

Carbon Impact and Climate Change

22. Energy use from this building will be included within our reported carbon emissions.

Equalities considerations

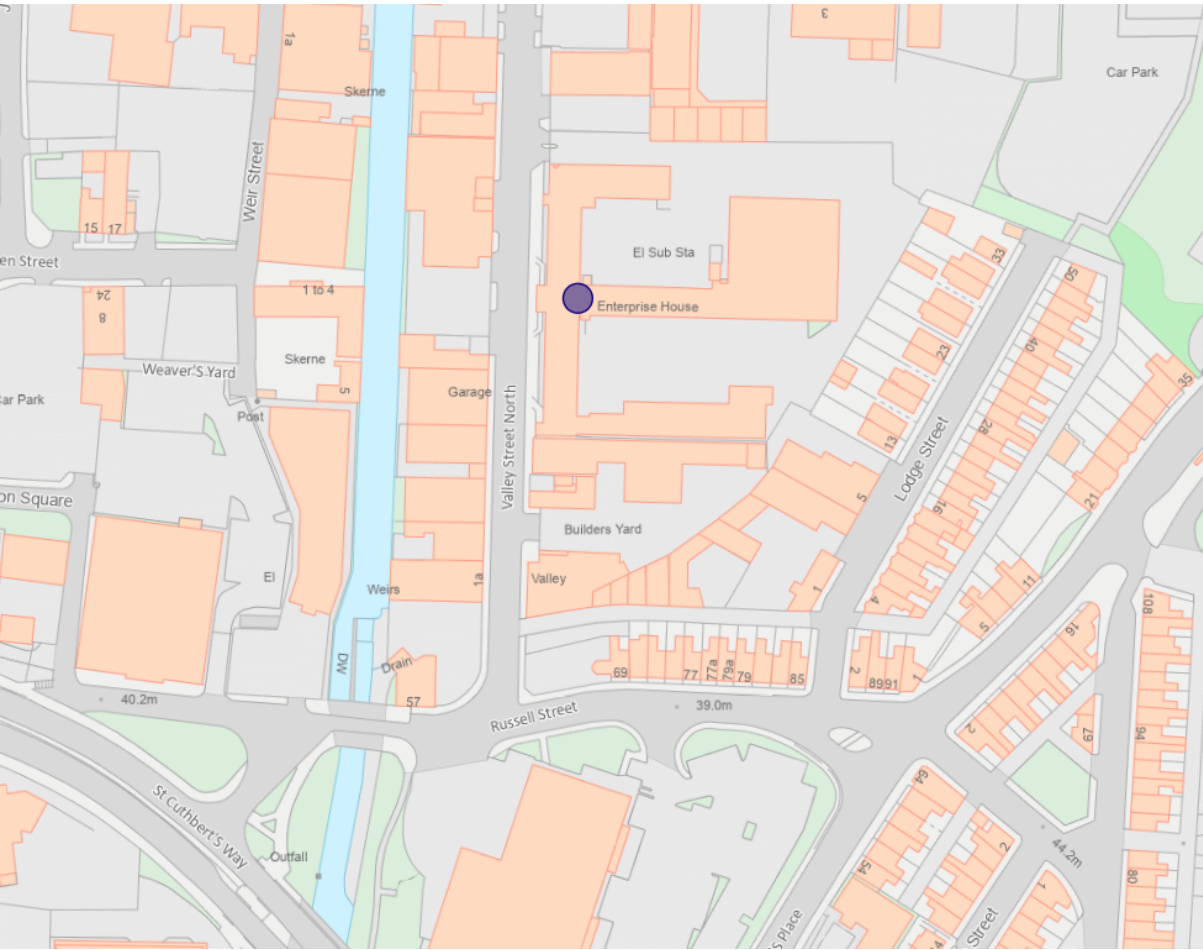
23. Enterprise House provides enables customers with physical and mental disabilities easy access to services.

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CABINET
8 September 2026

LEASE OF PREMISES FOR AN EMPLOYABILITY HUB – ENTERPRISE HOUSE

Appendix 1 – Location Plan



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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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CABINET
08 SEPTEMBER 2026

PROJECT POSITION STATEMENT & CAPITAL PROGRAMME MONITORING
QUARTER 1 2026/27

Responsible Cabinet Member -
Councillor Mandy Porter, Resources Portfolio

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

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 £350.627m against an approved programme of £351.673m. 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, opportunities for sustainable travel, improvements to leisure facilities and economic growth projects have been achieved and are detailed within the report.
4. The Council has a substantial annual construction programme of work. The current project position statement (PPS) shows there are 17 live projects currently being managed by the Council with an overall projected outturn value of £133.749m. 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 23.

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 and Governance

Background Papers

- (i) Capital Medium Term Financial Plan 2026/27 – 2029/30
- (ii) Project Position Statement and Capital Monitoring Outturn 2025/26

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

2026/27 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 2026-27 schemes previously released by Cabinet, is £138.646m.

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 2026, 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	6	50,596,482	51,388,202	1.6	791,720
Resources & Governance	4	52,989,444	52,555,538	(0.8)	(433,906)
Economy & Public Protection	7	31,151,358	29,805,035	(4.3)	(1,346,323)
TOTAL	17	134,737,284	133,748,775		(988,509)

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	2	1	3	6
Resources & Governance	0	0	0	1	2	1	4
Economy & Public Protection	0	0	0	1	4	2	7
TOTAL	0	0	0	4	7	6	17

- (a) **Control Point 1 (CP1) – Start Up:** is used to define the position of a project at its conception stage.
- (b) **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.
- (c) **Control Point 3 (CP3) – Design:** the point that the project is progressed to RIBA Stage F, i.e. detailed design.
- (d) **Control Point 4 (CP4) – Delivery:** is the stage at which work begins on the project, i.e. for a construction project on site through to build completion.
- (e) **Control Point 5 (CP5) – Review:** 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	1	5	0
Resources & Governance	1	2	1
Economy & Public Protection	0	4	3
TOTAL	2	11	4

- (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
Hopetown Darlington	This project is flagged as red for budget. The position remains unchanged from that reported previously. The PPS is showing the worst-case scenario which represents an overspend of 2%.	We are seeking advice on the areas of dispute and continuing to engage with Network Rail on costs. This has the potential to be a protracted process, which could result in the position remaining unchanged for a period of time.
Skinnergate Re-development Housing	The project is flagged as red for programme due to a number of delays that have occurred on this project and have been reported previously.	The remaining phase of demolition is now nearing completion.

18. In line with the Council's Financial Procedure rules any scheme with an outturn value of in excess of a £1m has to be reported to Cabinet. In accordance with the agreed procedure the Haughton Road/Tornado Way Roundabout Improvements scheme has been reviewed (CP5) and the result and final outturn are shown in Appendix 4.
19. If approved this scheme will be removed from the live PPS listing in Appendix 2.

Reconciliation of Project Position Statement to Capital Programme

20. 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	133.749
Schemes closed or on hold within CP but awaiting PPS post project review.	2.517
Annualised Schemes excluded from PPS - Housing Repairs & Maintenance	25.795
Annualised Schemes excluded from PPS - Highways Maintenance	19.916
Annualised Schemes excluded from PPS – Children’s Services School Maintenance	0.656
Non construction excluded from PPS	15.154
Capital Investment fund excluded from PPS	41.403
Projects under 75k excluded from PPS	1.866
Capital Schemes not yet integrated into PPS reporting	80.849
Included in PPS & CMR	0.000
Funding not yet allocated	28.722
Capital Programme	350.627

21. The table below shows the split of the approved capital programme of £351.673m, 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 £1.046m 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	53.389	24.286	0.000	0.077	2.597	0.000	23.746	104.095
Economic Growth	61.888	0.000	0.000	0.138	8.388	41.403	2.842	114.659
Highways/Transport	74.273	19.888	1.055	1.227	2.250	0.000	2.134	100.828
Leisure & Culture	22.743	1.537	0.000	0.206	0.000	0.000	0.000	24.486
Education	3.708	0.656	1.061	0.145	0.079	0.000	0.000	5.649
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	1.885	0.000	0.000	1.885
Total	216.001	46.367	2.116	1.793	15.270	41.403	28.722	351.673

Capital Programme

22. Paragraph 23 shows the movements in the Capital Programme since the approval of the 2026/27 Capital MTFP, some of which have not yet been approved by Members.

23. Adjustment to resources requested by departments:

Adjustments needing approval release

Department	Scheme	Value £	Reason for adjustment	Resource type adjusted
People Group	Red Hall and Harrowgate Hill Primary's, Federation Nurseries and Rise Carr	£32,365	Release of 2026/27's DFE Devolved Formula Capital Grant allocation	Devolved Formula Capital Funding
TOTAL		£32,365		

Outcome of Consultation

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

Walking/Cycling Rooftop 60 Yarm Road Mill Lane	CP3 Design
Warm Homes Decommissioned Funnel Pipe 3 DBC	CP4 Delivery
Warm Homes Private Sector	CP4 Delivery
Woodland Road LOMR Phase 2	CP3 Design
Yarnton Phase 2	CP4 Delivery
Total	

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2026/27 Capital Resources Summary

Row Ref.		Approved Commitments £M	Virement of Resources £M	Variance £M	Total £M
1	Capital Commitments				
2	Brought forward from 2025/26*	111.307			
3	2026/27 Capital Programme (released by Cabinet)	27.339			138.646
4	Projected (Under)/Over Spend				
5	Total Commitments	138.646	0.000	0.000	138.646
	To Be Funded By:				
	External and Departmental Resources				
6	External Funding and Departmental Supported Borrowing	28.362	-	-	28.362
7	Departmental Unsupported Borrowing	0.000	-	-	0.000
8	Capital Grants	57.105	-	-	57.105
9	Capital Contributions	0.000	-	-	0.000
10	Revenue Contributions	29.023	-	-	29.023
11	Capital Receipts - HRA	0.300	-	-	0.300
	Total	114.790	0.000	0.000	114.790
	Corporate Resources				
12	Capital Receipts (General Fund)/ Prudential Borrowing	23.856	-	-	23.856
	Total	23.856	0.000	0.000	23.856
13	Total Resources	138.646	0.000	0.000	138.646

* after closed schemes

Corporate Resources Analysis

		£M
14	Required Resources to fund 2026/27 expenditure (see above)	23.856
15	Total Planned Use of Corporate Resources	23.856
16	Less: Total Projected net Capital Receipts 26/27 (as per Appendix 3)	(8.805)
17	Add: projects already released and included in the capital commitments above	4.418
18	Corporate Resources required to fund capital programme	19.469

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Capital Receipts Utilisation - latest projection

	2026/27	2027/28	2028/29
	£m	£m	£m
Projected Opening Balance as at 1 April	3.588	4.705	9.921
Projected net Capital Receipts	5.217	6.400	6.710
Total projected Capital Receipts	8.805	11.105	16.631
<u>Less (as per approved capital programme)</u>			
Capitalisation utilisation as per MTFP	(1.400)	0.000	0.000
Council funded schemes	(0.750)	(0.750)	(0.650)
Economic Growth Investment Fund	0.000	0.000	0.000
Earmarked receipts	(0.182)	0.000	0.000
Slippage from previous years	(1.768)	(0.434)	0.000
Projected available Capital Receipts as at 31 March	4.705	9.921	15.981

Note

Above figures for 2027/28 and 2028/29 include the budget proposals in the MTFP for 2026/27 to 2029/30.

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CABINET
08 SEPTEMBER 2026

**FINAL OUTTURN REPORT FOR HAUGHTON ROAD/TORNADO WAY ROUNDABOUT
IMPROVEMENT**

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

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

SUMMARY REPORT

Purpose of the Report

1. To report the lessons learned from the project and the final outturn in accordance with the Financial Procedure Rules.

Summary

2. The former Haughton Road 'Throughabout' was converted into a conventional roundabout as part of a package of schemes that included McMullen Road roundabout improvement and Lingfield Way traffic signal-controlled junction.
3. The schemes came forward as the result of a successful National Productivity Investment Fund (NPIF) bid to Government. In total we received a grant £3.374m from the fund, with a local contribution of £1.477m, in line with the requirements of the bidding process. The local contribution was a mixture of TVCA Transforming Cities Fund (TCF) and Local Transport Plan (LTP) funding.
4. The scheme was designed, project managed and built by Council staff with all three schemes being managed separately but overseen by a delivery board.
5. Para 43 of the Financial Procedure Rules requires that the final outturn of all schemes with a value in excess of £1 million be reported to Cabinet.
6. The report reviews the actual cost, timeliness and quality including lessons learned; to ensure a continuous review of capital planning, management and reporting, with regard to best practice, experience and opportunities for improving the Council's capital and asset management processes.

Recommendations

- (a) It is recommended that Members note the final outturn of the Project.

Reasons

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

- (a) To comply with the Council's Financial Procedure Rules.
- (b) To ensure a continuous review of capital planning, management and reporting, with regard to best practice, experience and opportunities for improving the Council's capital and asset management processes.

Dave Winstanley

Executive Director – Environment, Highways & Community Services

Background Papers

No background papers were used in the preparation of this report

AC : Extension 6701

LC

MAIN REPORT

Information and Analysis

8. The government announced a new investment fund, NPIF, early in 2017. The fund was set up to support the delivery of infrastructure that reduced congestion and helped unlock economic growth or the delivery of vital new housing developments.
9. The road system on the eastern side of Darlington suffered from congestion at peak times leading to extensive queuing on the local road network and impacts on the A66. The area had a number of employment and housing development sites that could create in excess of 4,000 jobs and 2,600 houses at Central Park, Symmetry Park (Amazon and wider area), Lingfield Point and Ingenium Park.
10. A package of improvements was identified to both resolve the existing queuing and to accommodate future traffic growth. The package included:
 - NPIF Schemes
 - (a) Haughton Road/Tornado Way Roundabout Improvement.
 - (b) McMullen Road Roundabout Improvement
 - (c) Lingfield Way Traffic Signal Controlled Junction
 - National Highways (formerly Highways Agency) Schemes
 - (d) A66 Morton Palms Roundabout Improvement – third lane approach on Yarm Road eastbound and extended two lane approach westbound funded from Pinch Point funding.
 - (e) A66 Little Burdon Roundabout Improvement – Northbound third lane approach and slip road funded from Pinch Point funding.
 - Amazon funded scheme
 - (f) Morton Park Way extension and traffic signal-controlled junction on Tornado Way.
11. In total we received a grant of £3.374m from NPIF, with a local contribution of £1.477m, in line with the requirements of the bidding process. The match funding was a mixture of TVCA Transforming Cities Fund (TCF) and Local Transport Plan (LTP) funding. The overall investment including Amazon and National Highway funded schemes totalled around £10million.
12. The bid for NPIF funding was submitted in June 2017 and we received confirmation of our successful bid in December 2017 with the funding window running for two financial years from April 2018 until March 2020. The local contribution element was not time restricted.
13. The former Haughton Road 'Throughabout' was converted into a conventional roundabout as part of the package of schemes. This involved the removal of the existing section of road through the centre of junction, removal of the traffic signal equipment and changes to the approach lanes. There was also a complementary landscaping scheme that recognised and celebrated the position of the junction on the former Stockton to Darlington rail line.
14. Haughton Road roundabout was programmed towards the end of the two year NPIF delivery window as it was the least developed scheme of the three at the time of the funding confirmation. The original planned completion date was the end of March 2020 to coincide with the end of the NPIF funding window but this was reprogrammed to

September 2020 as a result of a potential £1.6m+ electricity main diversion. The scheme was redesigned to avoid the cable which caused a three-month delay. The scheme was significantly delayed during the construction phase due to the Covid outbreak and associated lockdown, which led to the landscaping element of the scheme being delayed until Spring/Summer 2021.

15. The original outline budget for the roundabout was set at £1.539 million though this was adjusted to £1.578 million at the detailed design stage when a full bill of quantities was produced.
16. The scheme was designed, project managed and constructed by Council staff using our schedule of rates and mirroring a contractual approach with early warnings for compensation events. The risk pot was set using a quantified risk assessment. The overall programme was managed by the former Regeneration Board.

Financial Implications

17. The table below summarises the project budget and final outturn.

Original Project Budget (CP1)	Original Approved Project Budget	Revisions to Approved Project budget	Approved Project Budget	Final Out Turn Cost	Variance (%)	Variance (Value)
£1,539,433	1,539,433	38,887	1,578,320	1,578,320	-	-

18. The scheme budget increased slightly when the detailed design was completed and the bill of quantities was produced. The scheme was delivered on budget with a small underspend on the main contract. The underspend was used to part fund the rail gauge signs in the centre of the roundabout and a small number of dropped kerbs on Haughton Road that had been requested by Darlington Association for Disability.
19. The scheme costs were in accordance with grant conditions set out by Government in our notification of funding and subsequent grant funding agreement.

Quality

20. The scheme operates well and has reduced journey times despite an increase in traffic levels in the area.

Time

21. The table below summarises the project timeline.

Original Planned Project Completion Date (CP1)	Revised Approved Project Completion Date	Actual Completion Date	Schedule Variation (days)
31/03/2020	30/09/2020	31/07/2021	+304 days

22. The scheme was late to site due to the identification of significant electricity distribution infrastructure in the carriageway/footway on Haughton Road, which required a moderate redesign of the scheme. The construction phase straddled the Covid-19 lockdown periods in 2020 and the scheme was delayed due to these initial non-working and then restricted working periods. This meant that the landscaping window in late summer/early autumn 2020 was missed and consequently was pushed back to spring/summer 2021. The government extended the funding window for NPIF in recognition of the impact on delivery times caused by Covid-19.

Lessons Learned

23. The Asset Management and Capital Programme Review Board (AM&CPRB or AMG) has specific roles defined in the Council's Constitution. The Board shall maintain a continuous review of capital planning, management and reporting, with regard to best practice, experience and opportunities for improving the Council's capital and asset management.
24. The key findings and lessons learned from this project are summarised below:
- (a) The time from receipt of funding to delivery on site afforded by government was very tight, but was helped by the fact the Council were the main contractor for the scheme and a tender period was not therefore required. This saved around four months.
 - (b) The two year delivery window had a similar constraining effect, though government allowed for delayed delivery due to the effect of Covid-19. We adopted an approach of maximising grant funding expenditure first with the local contributions being used last to maximise grant income.
 - (c) The scheme was delayed due to the proximity of a very high voltage cable in the highway. We had early involvement with the statutory undertakers but the statutory undertaker's equipment in question was not identified by Northern Power Grid. Later in the design process they did make us aware of the high voltage equipment and provided contact details for the team responsible for that equipment. As a lesson learnt we now have this contact on our list of statutory undertakers and consult them on all of our schemes.

Procurement Advice

25. The main design and construction work was carried out by Council staff with specialist services procured through existing frameworks.

Contact Management

26. The scheme was designed, project managed and constructed by Council staff using our schedule of rates and mirroring a contractual approach with early warnings for compensation events. The risk pot was set using a quantified risk assessment. The overall programme was managed by the former Regeneration Board.

Health and Safety

27. The scheme construction phase was carried out during the Covid-19 epidemic and the in house contractor worked with the health and safety team to develop new safe methods of working for staff whilst on site and when travelling to site. This corresponded with Government guidance at the time.

Risk Log

28. The risk log for the scheme was regularly reviewed throughout the design and construction phase. A quantified risk assessment was used to establish a risk amount for the project.

Communications

29. A communications plan was developed for the scheme which culminated in a press release involving the Council Leader on completion of the scheme.

CABINET
8 SEPTEMBER 2026

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 2026. 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 8 September 2025.
9. To confirm, there have been no amendments made to the policy since it was last reviewed by Cabinet.

Investigatory Powers Commissioner

10. The Investigatory Powers Commissioner's Office (IPCO) has recently highlighted concerns on the use of AI in their Spring 2026 Quarterly Update:

'Artificial Intelligence remains a significant priority. AI is now being considered in the majority of our inspections, and we will be broadening our engagement with public authorities over the coming months to develop a clearer picture of how AI is being used and governed. Effective oversight must be capable of adapting as technology develops. We're also considering how IPCO can itself harness AI to improve effectiveness without in any way compromising on the integrity of our oversight'.

11. In the event of a RIPA application being made by the Council, we would require the applying officers to outline if AI has been used and to what extent in their applications. Legal Services will also make such enquiries as part of their due diligence. This double confirmation will act to ensure that any applications submitted, along with any subsequent reviews, reflect a clear commitment to operating within the bounds of legislation and the Codes of Practice. This method should enable the Council to continue to demonstrate a high standard of compliance in their use of covert investigatory powers.

Training and awareness raising – Update

12. Training sessions will be held in Autumn 2026 for Council Officers in service areas that use or may need to consider using RIPA. This training will be delivered by the Principal Lawyer (Litigation).
13. 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.
14. 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.
15. 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 2026.

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

Directed Surveillance Authorisations

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

Communications Data Authorisations

17. 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 8 September 2026

REGULATION OF INVESTIGATORY POWERS

<u>CONTENT</u>	<u>PAGE</u>
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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
08 SEPTEMBER 2026

REVENUE BUDGET MONITORING 2026/27 – 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 2026/27 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 2026/27. The latest projections show an overall decline of £2.726m on the 2026-30 Medium Term Financial Plan (MTFP). This is due to £3.079m of departmental pressures, a decline in corporate resources of £0.219m, offset by £0.572m of additional balances following the 2025/26 final outturn.

Recommendation

3. It is recommended that: -
 - (a) The forecast revenue outturn for 2026/27 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

5. This is the first revenue budget management report to Cabinet for 2026/27 and provides an early forecast of the revenue budget position as part of the Council's continuous financial management process.
6. 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 2027 is £3.357m, which is £2.726m less than the planned balances in the 2026-30 MTFP. This change relates to £3.079m of departmental pressures, a decline in corporate resources of £0.219m, offset by £0.572m of additional balances following the 2025/26 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 £2.654m at the end of the financial year. The main variances are detailed below:
 - (a) **Children's Services** are projecting an overspend of £2.835m at the year end, the main changes from the MTFP are;
 - (i) The Adoption and Placements budget is projected to be overspent by £2.715m.
 - a) There have been fifteen new external residential placements since the budget was set, four since April. The cost of external placements continues to rise with the complexity of need and supply of places (e.g. one of the new packages is projected to cost £0.730m). Growth was built into the budget which has covered three of the new placements, leaving a projected net cost for the new placements of £2.948m. Two children were expected to move to DBC's Blossom children's home however due fire safety requirement this move has been delayed, requiring existing placements to be extended costing an additional £0.483m. One placement cost has doubled since budget setting (to circa £1.104m), creating an additional pressure of £0.592m. These increases have been offset by seven children leaving reducing spend by £0.480m and by children moving into step down supported accommodation arrangements and other placement moves reducing net projected spend by £0.830m.
 - b) Overall, all the other placement budget variances broadly offset each other, the main areas of note are that we have had four new Independent Foster Care placements costing £0.115m and four new Child Arrangement Orders £0.045m, these have been offset by additional grant income.
 - (ii) The Children's staffing budgets are projected to be overspent by £0.117m overall, which is a combination of additional staffing, agency cover costs and changes in grant funding, offset by savings in running costs across the service.

- (b) **Education**, the Transport Unit is projected to be overspent by £0.273m an ongoing pressure from 2025/26 due to,
 - (i) Contracted routes £0.148m, due to an additional route and price increases.
 - (ii) Pupil transport costs are projected to be overspent by £0.052m.
 - (iii) Staffing costs for drivers and personal assistants are projected to be overspent by £0.073m to cover routes.
 - (c) **Adult Social Care & Health** is projected to be underspent by £0.454m, the main changes from the MTFP are:
 - (i) External Packages of Care budgets are projected to underspend by £0.493m. There have been net increases of £0.371m in residential and nursing placements and increase in non-residential packages of £0.092m due to activity changes. This has been offset by additional health funding of £0.780m and respite activity has reduced by £0.176m.
 - (ii) Older People Long Term Condition budgets are projected to be overspent by £0.118m in the main due to pressures in Advocacy of £0.100m.
 - (iii) Services Development and Integration is projected to be underspent by £0.080m due to staff vacancies.
10. **Environment, Highways and Community Services** budgets are projecting an overspend of £0.355m, the main changes are detailed below:
- (a) **Highways & Capital Projects** is projected to break even overall.
 - (i) Following final agreement between Tees Valley Combined Authority (TVCA) and bus operators on the English National Concessionary Travel Scheme (ENCTS) for 2026/27, Concessionary Fares is expected to underspend by £0.129m.
 - (ii) Due to continued demand for responsive repairs within Highways Maintenance there is an expected overspend, this will partially be offset by increased fee generation, giving a net pressure of £0.091m.
 - (iii) Slippage on several capital schemes is expected to see turnover reduce for the Highways DLO service which will impact on achievable profit targets by £0.038m.
 - (b) **Community Services** is projected to overspend by £0.250m in Waste Management. Changes to the mix of recycling materials within kerbside collections has added an increased level of complexity to the processing of the materials and therefore an increased cost.

- (c) **Leisure and Cultural** is expected to overspend by £0.131m.
 - (i) Visitor numbers to Hopetown Darlington for the first quarter have been at anticipated levels and Wagon Woods and the catering offer have performed strongly. Car parking, The Experiment and retail sales have not performed as strongly and overall, there is an anticipated shortfall of £0.066m against budget for the year. A review of the business plan has been undertaken and an action plan is in place to build growth.
 - (ii) Following the introduction of Martyn's Law, security at Hippodrome has been reviewed in line with national guidelines and is now expected to cost the service an additional £0.065m for 2026/27.
 - (d) **Corporate Landlord** is expected to break even at the year end. There is a projected overspend of £0.140m associated with utilities, which is in part due to the ongoing conflict in the middle east driving up energy cost globally. This overspend will be offset in the current year by a one-off rebate for electricity received from NEPO which relates to historical overpayments made under the energy contract in 2024/25.
11. **Resources and Governance** budgets are projecting a year end budget overspend of £0.270m, the changes from MTFP are detailed below:
- (a) **Law & Governance** is projecting an overspend of £0.141m. The main variance is the Coroner's Service with a £0.099m deficit due to the increased costs of running the service from additional coroner capacity, resulting in a higher recharge from Durham County Council.
 - (b) **ICT** is projected to be overspent by £0.100m following a rapid global expansion of Artificial Intelligence increasing demand for processors, storage and memory components creating a shortage and inflationary price increases.
12. **Economy and Public Protection** budgets are projected to underspend by £0.200m. Development Management is expected to exceed its income target by £0.200m due to a buoyant market driven by new housing and solar farm applications. Projections based on potential applications if submitted in 2026/27 may see this further improve, but current projections are tempered to take account of possible slippage on some applications into future years. Applications will be reviewed throughout the year and projections updated as certainty strengthens.
13. The school balances and allocations are shown in **Appendix 2(f)**.
14. **Council Wide and Corporately Managed Resources**
- (a) The Council Wide budget is projected to underspend by £0.031m from the increased pay award and reduced pension contributions. At the time of writing, the employers have offered a pay award of 3.3%, which is not currently agreed with Trade Unions. In the MTFP, an estimated pay award of 3% was included in the budget, the offered

additional 0.3% is estimated to cost £0.193m. In the budget the Council's contributions to the pension scheme were set at 14.5%, however after the final actuary report these were revised to 14.1% which provides an estimated saving of £0.224m.

- (b) Financing costs are projected to be overspent by £0.250m which is made up from £0.070m lower net interest receipts from loans to joint ventures which have slipped from the estimated start dates included in the MTFP, along with additional borrowing costs as interest rates have not fallen as predicted due to global economic factors meaning the cost of borrowing remains high and are now not predicted to fall until the second half of 2027/28.

15. Housing Revenue Account (HRA)

- (a) HRA projections are shown in **Appendix 3** with an overall projected balanced budget. The additional contribution from balances is £0.819m, which is primarily due to:
 - (i) Rents are lower than forecasted by £0.462m. Of this, £0.350m is due to the current number of void properties, a works programme is in place to reduce the length of time a property is void and it is anticipated that this will result in an overall improvement in rent levels over the latter part of the financial year. Slippages on new builds being completed has also impacted on the forecasted rent levels.
 - (ii) Based on current lower than budgeted debt levels the bad debt provision has improved by £0.183m.
 - (iii) Operational costs are projected to underspend by £0.158m due to staff vacancies and staff recharges to externally funded capital programmes.
 - (iv) Additional costs associated with Lifeline Services, including utilities, equipment repairs and waste disposal have seen the cost to the service increase by £0.098m which are non-recoverable in current year.
 - (v) The repairs and maintenance budgets are anticipated to overspend by £0.593m due to remedial repairs identified across housing properties from stock condition surveys and additional works carried out above budget allocations on mould remedial works.

Conclusion

- 16. The Council's projected revenue reserves at the end of 2026/27 are £3.357m, £2.726m lower than the initial 2026-30 MTFP position. This position relates to £3.079m of departmental pressures, a decline in corporate resources of £0.219m, offset by £0.572m of additional balances following the 2025/26 outturn.
- 17. The Council continues to face significant pressures from the increase in complexity of need and the lack of suitable provision for children in our care. This is a national issue which has caused significant pressures for all Council's with social care responsibilities. We continue to invest in our own provision and develop placement sufficiency to look after the children

in our care which has provided positive returns. The Government has invested in prevention funding through its Family First programme which will aim to reduce the number of children coming into care in future years.

18. 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

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

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REVENUE BUDGET MANAGEMENT 2026/27**Projected General Fund Reserve at 31st March 2027**

	2026-30
	MTFP
	(Feb 2026)
Medium Term Financial Plan (MTFP) :-	£000
MTFP Planned Opening Balance 01/04/2026	9,787
Approved net contribution from balances	(3,704)
Planned Closing Balance 31/03/2026	6,083
Increase in opening balance from 2025-26 results	572
Projected corporate underspends / (overspends) :-	
Council Wide - Pay Award Pressure	31
Financing Costs	(250)
Joint Venture - Investment Return	0
Contingencies Budget	0
 Projected General Fund Reserve (excluding Departmental)	 at 6,436
31st March 2027	
 Planned Balance at 31st March 2027	 6,083
Improvement	353

Departmental projected year-end balances

	Improvement / (decline)
	compared with 2026-30 MTFP
	£000
People Group	(2,654)
Environment, Highways & Community Services Group	(355)
Resources and Governance Group	(270)
Chief Executive & Economy	200
 TOTAL	 (3,079)

Summary Comparison with :-

	2026-30
	MTFP
	£000
Corporate Resources - increase in opening balance from 25/26 results	572
Corporate Resources - additional in-year Improvement/(Decline)	(219)
Quarter 1 Budget Rebase	0
Departmental - Improvement / (Decline)	(3,079)
 Improvement / (Decline) compared with MTFP	 (2,726)
 Projected General Fund Reserve at 31st March 2026	 3,357

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GENERAL FUND REVENUE BUDGET MANAGEMENT 2026/27

	Budget			Expenditure	
	Original 2026/27	Approved Adjustments	Amended Approved Budget	Projected Outturn	Variance
	£000	£000	£000	£000	£000
Departmental Resources					
People Services	98,621	0	98,621	101,275	2,654
Environment, Highways & Community Services	28,077	12	28,089	28,444	355
Resources and Governance	16,493	0	16,493	16,763	270
Chief Executive	331	0	331	331	0
Economy & Public Protection	2,108	(12)	2,096	1,896	(200)
Total Departmental Resources	145,630	0	145,630	148,709	3,079
Corporate Resources					
Council Wide - Pay Award Pressure	731	0	731	700	(31)
Financing Costs	4,507	0	4,507	4,757	250
Joint Venture - Investment Return	(2,188)	0	(2,188)	(2,188)	0
Contingencies Budget					
Apprentice Levy	278	0	278	278	0
Total Corporate Resources	3,328	0	3,328	3,547	219
Net Expenditure	148,958	0	148,958	152,256	3,298
Contributions To / (From) Reserves					
Planned Contribution to General Fund Reserves (MTFP)	(5,404)	0	(5,404)	(5,404)	0
General Fund Total	143,554	0	143,554	146,852	3,298

Note: Appendix 1 shows an increase in reserves of £0.572m brought forward from 2025/26

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REVENUE BUDGET MANAGEMENT UPDATE 2026/27

	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)	38	(88)	(50)	0
Pay Award	781	0	781	0	750	750	(31)
In Year Over/(Under) Spend	731	0	731	38	662	700	(31)

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REVENUE BUDGET MANAGEMENT UPDATE 2026/27

	<i>Budget</i>			<i>Expenditure</i>			(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	199	0	199	55	144	199	0
<u>Adults & Children Services</u>							
Performance & Transformation	817	0	817	210	607	817	0
Business Support	1,701	0	1,701	410	1,291	1,701	0
	2,518	0	2,518	620	1,898	2,518	0
<u>Children's Services</u>							
Children's Services Management & Other Services	684	0	684	187	405	592	(92)
Assessment & Care Planning	4,392	0	4,392	892	3,709	4,601	209
First Response & Early Help	3,581	0	3,581	965	2,616	3,581	0
Youth Offending	312	0	312	114	198	312	0
Adoption & Placements	25,175	0	25,175	6,777	21,113	27,890	2,715
Disabled Children	1,511	0	1,511	381	1,130	1,511	0
Quality Assurance & Practice Improvement	101	0	101	(72)	176	104	3
	35,756	0	35,756	9,244	29,347	38,591	2,835
<u>Development & Commissioning</u>							
Commissioning	2,344	0	2,344	1,432	912	2,344	0
Voluntary Sector	298	0	298	167	131	298	0
	2,642	0	2,642	1,599	1,043	2,642	0
<u>Education</u>							
Education	943	0	943	11,658	(10,715)	943	0
Schools	0	0	0	1,144	(1,144)	0	0
Transport Unit	3,383	0	3,383	767	2,889	3,656	273
	4,326	0	4,326	13,569	(8,970)	4,599	273
<u>Public Health</u>							
Public Health	0	0	0	0	0	0	0
	0	0	0	0	0	0	0
<u>Adult Social Care & Health</u>							
External Purchase of Care	45,176	0	45,176	4,215	40,468	44,683	(493)
Intake & Enablement	720	5	725	677	48	725	0
Older People Long Term Condition	2,098	(36)	2,062	682	1,498	2,180	118
Physical Disability Long Term Condition	6	0	6	(3)	9	6	0
Learning Disability Long Term Condition	2,362	0	2,362	557	1,802	2,359	(3)
Mental Health Long Term Condition	1,248	41	1,289	429	869	1,298	9
Service Development & Integration	1,050	(10)	1,040	118	842	960	(80)
Workforce Development	520	0	520	98	417	515	(5)
	53,180	0	53,180	6,773	45,953	52,726	(454)
In Year Over/(Under) Spend	98,621	0	98,621	31,860	69,415	101,275	2,654

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REVENUE BUDGET MANAGEMENT UPDATE 2026/27

	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>							
Executive Director - Environment, Highways & Community Services	189	0	189	46	143	189	0
<u>Highways & Capital Projects</u>							
AD - Highways & Capital Projects	115	0	115	35	80	115	0
Building Design Services	(32)	(2)	(34)	67	(101)	(34)	0
Capital Projects	396	(2)	394	101	293	394	0
Car Parking R&M	597	20	617	544	73	617	0
Concessionary Fares	2,914	0	2,914	687	2,098	2,785	(129)
Flood & Water Act	91	0	91	(188)	279	91	0
Highways	4,139	9	4,148	(196)	4,435	4,239	91
Highways - DLO	(468)	0	(468)	2,454	(2,884)	(430)	38
Investment & Funding	103	0	103	30	73	103	0
Sustainable Transport	99	0	99	(327)	426	99	0
	7,954	25	7,979	3,207	4,772	7,979	0
<u>Community Services</u>							
AD - Environmental Services & Community Safety	143	0	143	40	103	143	0
Allotments	18	0	18	(3)	21	18	0
Building Cleaning - DLO	0	0	0	260	(260)	0	0
Cemeteries & Crematorium	(754)	(18)	(772)	(115)	(657)	(772)	0
Street Scene	8,135	(8)	8,127	691	7,436	8,127	0
Transport Unit - Fleet Management	0	(12)	(12)	147	(159)	(12)	0
Transport Unit - Fleet Management							
MOT & Private	(37)	0	(37)	(11)	(26)	(37)	0
Waste Management	4,572	0	4,572	907	3,915	4,822	250
Winter Maintenance	682	0	682	137	545	682	0
	12,759	(38)	12,721	2,053	10,918	12,971	250
<u>Community Safety</u>							
CCTV	296	0	296	(243)	539	296	0
Community Safety	790	0	790	175	615	790	0
Parking	(2,604)	(6)	(2,610)	(557)	(2,053)	(2,610)	0
Parking Enforcement	25	0	25	(87)	112	25	0
	(1,493)	(6)	(1,499)	(712)	(787)	(1,499)	0

REVENUE BUDGET MANAGEMENT UPDATE 2026/27

	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>							
<u>Leisure and Culture</u>							
Dolphin Centre	921	(21)	900	513	387	900	0
Eastbourne Complex	78	(1)	77	114	(37)	77	0
Hippodrome	40	5	45	(1,392)	1,502	110	65
Hopetown Darlington	1,238	(3)	1,235	396	905	1,301	66
Stockton & Darlington Railway	0	0	0	416	(416)	0	0
Indoor Bowling Centre	17	0	17	4	13	17	0
Libraries	1,074	(5)	1,069	268	801	1,069	0
Move More	0	0	0	(57)	57	0	0
Outdoor Events	447	0	447	84	363	447	0
Community Catering - DLO	0	0	0	49	(49)	0	0
Culture and Heritage Fund	125	0	125	24	101	125	0
	3,940	(25)	3,915	419	3,627	4,046	131
<u>Building Services</u>							
Construction & Minor Works - DLO	(306)	15	(291)	(6,293)	6,002	(291)	0
	(306)	15	(291)	(6,293)	6,002	(291)	0
<u>Corporate Landlord</u>							
Corporate Landlord	4,820	41	4,861	618	4,243	4,861	0
<u>General Support Services</u>							
Works Property & Other	79	0	79	0	54	54	(25)
<u>Joint Levies & Boards</u>							
Environment Agency Levy	135	0	135	133	1	134	(1)
In Year Over/(Under) Spend	28,077	12	28,089	(529)	28,973	28,444	355

REVENUE BUDGET MANAGEMENT UPDATE 2026/27

	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	141	0	141	47	94	141	0
<u>Resources</u>							
AD Resources	131	0	131	34	97	131	0
Financial Services	1,637	0	1,637	657	976	1,633	(4)
Financial Assessments & Protection	378	0	378	91	269	360	(18)
Xentrall (D&S Partnership)	2,231	0	2,231	144	2,087	2,231	0
Human Resources	702	0	702	251	451	702	0
Health & Safety	201	0	201	83	140	223	22
	5,280	0	5,280	1,260	4,020	5,280	0
<u>Head of Strategy Performance & Communications</u>							
Communications & Engagement	1,058	0	1,058	283	775	1,058	0
Systems	1,304	0	1,304	579	725	1,304	0
	2,362	0	2,362	862	1,500	2,362	0
<u>Law & Governance</u>							
AD Law & Governance	124	0	124	30	94	124	0
Complaints & FOI	323	0	323	75	276	351	28
Democratic Services	1,657	0	1,657	369	1,315	1,684	27
Registrars	(52)	0	(52)	(109)	57	(52)	0
Administration	424	0	424	162	241	403	(21)
Legal Services	1,937	0	1,937	604	1,333	1,937	0
Procurement	267	0	267	65	210	275	8
Coroners	394	0	394	(452)	945	493	99
	5,074	0	5,074	744	4,471	5,215	141
<u>Xentrall Shared Services</u>							
ICT	1,097	0	1,097	(18)	1,215	1,197	100
	1,097	0	1,097	(18)	1,215	1,197	100
<u>Building Services</u>							
Maintenance - DLO	(798)	0	(798)	3,381	(4,179)	(798)	0
	(798)	0	(798)	3,381	(4,179)	(798)	0
<u>Housing & Revenues</u>							
Local Taxation	590	0	590	287	293	580	(10)
Rent Rebates / Rent Allowances / Council Tax	1,199	(10)	1,189	3,045	(1,856)	1,189	0
Housing Benefits Administration	648	11	659	263	410	673	14
Customer Services	262	(1)	261	95	181	276	15
Homelessness	482	0	482	(839)	1,321	482	0
Service, Strategy & Regulation and General	156	0	156	(1,427)	1,593	166	10
	3,337	0	3,337	1,424	1,942	3,366	29
In Year Over/(Under) Spend	16,493	0	16,493	7,700	9,063	16,763	270

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REVENUE BUDGET MANAGEMENT UPDATE 2026/27

	Budget			Expenditure			
	Original Budget £000	Approved Adjustments £000	Amended Approved Budget £000	Expenditure to June £000	Projected Spend £000	Total Projection £000	(Under)/ Over Spend £000
<u>Chief Executive & Economy</u>							
<u>Chief Executive</u>							
Chief Executive	227	0	227	56	171	227	0
Darlington Partnership	104	0	104	(571)	675	104	0
	331	0	331	(515)	846	331	0
<u>Economy and Public Protection</u>							
Executive Director Economy & Public Protection	194	0	194	46	148	194	0
Emergency Planning	99	0	99	0	99	99	0
Building Control	168	0	168	(23)	191	168	0
Development Management	64	0	64	(181)	45	(136)	(200)
Economy	338	0	338	72	266	338	0
Environmental Health	368	0	368	91	243	334	(34)
Planning Policy, Economic Strategy & Environment	596	0	596	8	588	596	0
Property Management and Estates	(276)	(12)	(288)	(443)	155	(288)	0
Head of Public Protection	81	0	81	18	57	75	(6)
Private Sector Housing	135	0	135	(290)	441	151	16
General Licensing	35	0	35	28	7	35	0
Taxi Licensing	30	0	30	0	48	48	18
Trading Standards	276	0	276	69	213	282	6
	2,108	(12)	2,096	(605)	2,501	1,896	(200)
In Year Over/(Under) Spend	2,439	(12)	2,427	(1,120)	3,347	2,227	(200)

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BUDGET MANAGEMENT 2026/27

SCHOOLS PROJECTED BALANCES 2026/27					
School Name	Opening Balance at 1st April 2026	Formula Budget Allocation*	Total Available	Closing Balance at 31st March 2027	Projected Closing Balance as proportion of Formula Budget Allocation
Primary	£000	£000	£000	£000	%
Federation of Darlington Nursery Schools	163	1,423	1,586	134	9%
Harrowgate Hill Primary	175	2,368	2,543	6	0%
Red Hall Primary	(18)	1,243	1,225	(207)	(17%)
Rise Carr College, Clifton House & Eldon House	(224)	2,384	2,160	(344)	(14%)
Primary Total	96	7,418	7,514	(411)	

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

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HOUSING REVENUE ACCOUNT 2026/27

	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)	(25,584)	0	(25,584)	(25,122)	462
Sundry Rents (Including Garages & Shops)	(500)	0	(500)	(524)	(24)
Charges For Services & Facilities	(3,722)	0	(3,722)	(3,717)	5
Contribution towards expenditure	(1,649)	0	(1,649)	(1,600)	49
Interest Receivable	(531)	0	(531)	(554)	(23)
Total Income	(31,986)	0	(31,986)	(31,517)	469
<u>Expenditure</u>					
Operational	7,115	0	7,115	6,957	(158)
Service Charges	3,722	0	3,722	3,820	98
Capital Financing Costs	4,833	0	4,833	4,833	0
Increase in Bad Debt Provision	263	0	263	80	(183)
Maintenance	7,455	0	7,455	8,048	593
Revenue Contribution to Capital Outlay	12,261	0	12,261	12,261	0
In year contribution to/(from) balances	(3,663)	0	(3,663)	(4,482)	(819)
Total Expenditure	31,986	0	31,986	31,517	(469)
(Surplus)/Deficit	0	0	0	0	0

HRA Balances	£000
Opening balance 01/04/2026	18,730
Contribution to/(from) balances	(4,482)
Closing balance	14,248

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CABINET
8 SEPTEMBER 2026

TREASURY MANAGEMENT ANNUAL REPORT AND OUTTURN
PRUDENTIAL INDICATORS 2025/26

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 2025/26. The report also seeks approval of the Prudential Indicators results for 2025/26 in accordance with the Prudential Code.

Summary

2. The financial year 2025/26 was again an unprecedented year with regards to treasury management. With the Ukraine conflict continuing, events in the Middle East escalating, cost of living increases and inflation recovery slower than anticipated, 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 was 4% at the start of the year and cuts have been cautious primarily because inflation concerns remained elevated. The bank rate as at 31st March 2026 was 3.75%. The market now expects the bank rate to remain fairly static throughout 2026/27, due to uncertainty with the global economy and the impact this could have on inflation. There could also be the possibility of increases should inflation start to rise. The returns for cash investments have remained favourable due to interest rates not falling as quickly, but they remain below the cost of borrowing and these do decline at a much faster rate than the cost of borrowing.
3. During 2025/26, the Council complied with its legislative and regulatory requirements. The borrowing need (**Table 1**) was only increased for capital purposes.
4. At 31 March 2026, the Council's external debt was £167.597m which is £5.141m less than the previous year. This decrease relates to the repayment of a loan and not taking out any new borrowing due to slippage in capital schemes. The average interest rate for borrowing decreased from 3.37% in 2024/25 to 3.34% in 2025/26. Investments totalled

£25.055m at 31 March 2026 (£35.408m at 31 March 2025) earning interest of 4.10% on short term cash investments and 1.63% on Property Fund units net of costs.

5. Financing costs overspent on budget by £0.834m due to a decrease in property fund dividends following the ending of one of the Council's investments and the reprofiling of Minimum Revenue Provision (MRP) charges and repayments for Feethams House following the 2024/25 budget outturn.

Recommendations

6. It is recommended that:
 - (a) The outturn 2025/26 Prudential Indicators within this report and those in **Appendix 1** be noted.
 - (b) The Treasury Management Annual Report for 2025/26 be noted.
 - (c) This report to be forwarded to Council, in order for the 2025/26 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 Resources and Governance

Background Papers

- (i) Accounting Records
- (ii) Annual Investment Strategy 2025/26
- (iii) Prudential Indicators and Treasury Management Strategy Report 2025/26

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 2025/26
 - (b) The Council's overall borrowing need
 - (c) Treasury position at 31 March 2026
 - (d) Prudential indicators and compliance issues
 - (e) The economic background for 2025/26
 - (f) A summary of the Treasury Management Strategy agreed for 2025/26
 - (g) Treasury Management activity during 2025/26
 - (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 2025/26

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 £17.603m less than planned, mostly down to slippage in the HRA, and 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 £8.603m.

Table 1 – Capital Expenditure and Financing

	2024/25	2025/26		
	Outturn	Revised Estimate	Outturn	Variance
	£m	£m	£m	£m
General Fund Capital Expenditure	24.086	27.834	23.876	(3.958)
HRA Capital Expenditure	21.998	33.520	23.375	(10.145)
Loans to Joint Ventures etc	6.590	4.590	1.090	(3.500)
Right of Use Assets			1.138	1.138
Total Capital Expenditure	52.664	65.944	49.479	(17.603)
Resourced by:				
Capital Receipts GF	3.145	4.758	1.522	(3.236)
Capital receipts Housing	2.663	0.000	1.506	1.506
JV Loans Repaid	3.820	1.000	1.500	0.500
Capital Grants	12.179	23.573	20.394	(3.179)
Capital Contributions	0.437	0.000	0.264	0.264
Revenue Contributions - GF	1.403	0.067	0.304	0.237
Revenue Contributions - HRA	13.455	18.760	13.668	(5.092)
Total Resources	37.102	48.158	39.158	(9.000)
Borrowing needed to finance expenditure	15.562	17.786	10.321	(8.603)

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 2025/26 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 2025/26 is £249.881m which is £13.259m lower than approved mid-year, mainly due to a decrease in estimated JV borrowing of £7.647m and Housing borrowing of £6.785m. These were due to slippage in schemes.

Table 2 - Capital Financing Requirement

	2024/25	2025/26		
	Outturn	Revised Estimate	Outturn	Variance
	£m	£m	£m	£m
Opening Balance	233.973	246.762	246.762	0.000
Add Capital Expenditure financed by borrowing	19.384	23.514	10.684	(12.830)
Right of Use Assets	4.040	1.138	1.138	0.000
Less repayment of JV loans	(3.820)	(1.000)	(1.500)	(0.500)
Less MRP/VRP GF	(5.290)	(5.674)	(5.603)	0.071
Less MRP/VRP Housing	(0.426)	(0.505)	(0.505)	0.000
Less MRP/VRP PFI	(1.099)	(1.095)	(1.095)	0.000
Closing balance	246.762	263.140	249.881	(13.259)

Treasury Position at 31 March 2026

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 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 2026 was £167.597m. In addition to this, a liability of £8.494m relating to the PFI scheme and Right of Use Assets brings the

total to £176.091m. The Council's revised CFR position was estimated to be £263.140m, however, the actual out turn position was £249.881m. When comparing this to borrowing of £176.091m this meant that the Council was "under borrowed" by £73.790m. 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 2026, including investments compared with the previous year is shown in table 3 below.

Table 3 – Summary of Borrowing and Investments

Treasury Position	31 March 2025		31 March 2026	
	Principal	Average Rate	Principal	Net Annualised Average Rate
	£m	%	£m	%
General Debt - Fixed Rate Debt, Market and Public Works Loan Board (PWLb)	172.738	3.41%	167.597	3.58%
Total Debt	172.738	3.41%	167.597	3.58%
Cashflow Investments up to 6 months	10.090	4.94%	8.775	4.10%
Capital Investments over 6 months	0.000	0.00%	0.000	0.00%
Property Fund Investment - gross	25.318	3.74%	16.280	4.12%
Total Investments	35.408		25.055	
Net borrowing position	137.330		142.542	

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 (2024/25) plus the estimates of any additional capital financing requirement for the current (2025/26) 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 2025/26. 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

	2024/25 Outturn	2025/26 Revised Indicator	2025/26 Outturn
	£m	£m	£m
Gross Borrowing Position	172.738	173.268	167.597
PFI and Right of Use Asset	9.932	9.188	8.494
Total	182.670	182.456	176.091
CFR	247.613	263.140	249.881
(Under)/over funding of CFR	(64.943)	(80.684)	(73.790)

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

	2024/25 Actual	2025/26 Original Approved Limits	2025/26 Revised Approved Limits	2025/26 Actual
	£m	£m	£m	£m
Approved Indicator – Authorised Limit	259.994	266.783	263.140	262.375
Approved Indicator – Operational Boundary	182.670	213.463	182.456	176.091
Financing costs as a percentage of net revenue expenditure	3.91%	4.15%	4.15%	4.51%

27. At 31 March 2026 the total liabilities were £167.597m 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 2025/26

29. A summary of the general economic conditions that have prevailed through 2025/26 provided by MUFG, the Council's treasury management advisors is attached at **Appendix 2**.

Summary of the Treasury Management Strategy agreed for 2025/26

30. The revised Prudential Indicators anticipated that during 2025/26 the Council would need to borrow £17.786m to finance part of its capital programme, whereas the actual outturn figure was £10.321m. The main reason for this change is slippage on housing schemes and the Towns Fund which will now be progressed into 2026/27.
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 2024/25 and £50m for 2025/26. No other investments of over one year duration have been made during 2025/26.

Treasury Management Activity during 2025/26

Borrowing Strategy

33. During 2025/26, 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	2 weeks	7.00%	
	5.000	1 year	4.75%	
	5.000	6 months	4.60%	
	5.000	1 year	4.15%	
	5.000	1 year	4.80%	
	5.000	1 year	4.38%	
	5.000	9 months	4.40%	
	10.000	1 year	3.93%	
	5.000	1 year	3.89%	
Total New Loans				50.000
Loans Repaid				
	(5.000)	11 months	5.30%	
	(5.000)	11 months	5.30%	
	(3.000)	17 yrs	3.94%	
	(5.000)	7 months	5.70%	
	(2.000)	9 months	4.80%	
	(5.000)	9 months	4.85%	
	(5.000)	10 months	4.95%	
	(10.000)	1 year	4.90%	
	(10.000)	1 year	4.47%	
	(5.000)	1 year	4.41%	
Total Loans Repaid				(55.000)
Total Reduction in Borrowing				(5.000)

37. **Summary of Debt Transactions** –The consolidated rate of interest decreased from 3.37% to 3.34% due to a slight decrease in interest rates in the market.

Investment Position

38. **Investment Policy** – the Council's investment policy for 2025/26 is governed by the MHCLG Guidance which has been implemented in the annual investment strategy for 2025/26 approved by Special Council on 20 February 2025. 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 2025/26 with the bank rate being slow to reduce throughout the year. The headline rate has reduced from 4.00% at the start of the year to 3.75% in March 2026.
41. In 2025/26 returns of around 4-4.45% for 1–12-month deposits were achievable, but this decreased to around the 3.5-3.75% 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 earn interest of £0.872m on an average balance of £21.255m which equated to an annual average interest rate of 4.10%.
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 Lothbury Fund has now officially been wound up and we received the final payment from the balance on the fund in May. As per previous receipts this was re-invested in UBS.
47. As reported in the Council's 2025/26 Mid Year Prudential Indicators and Treasury Management Monitoring Report Hermes Federated merged with a larger fund and under the terms of the merger only pension funds were eligible to transfer into the merged fund. The Council therefore received a cash distribution of £8.896m as its share of the fund. This funding has been used to repay debt that was maturing in the short term to save on interest costs whilst options for longer term investments are investigated.

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

	2025/26 Original Budget	2025/26 Actual
Daily average level of Investments	£24.766m	£16.280m
Dividends earned (gross)	£0.927m	£0.671m
Average Rate of Return on Investment Interest earned (gross)	3.74%	4.12%
Average Rate of Return on Investment (net of costs)	0.01%	1.63%

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 no fluctuation in the historic levels of default over the year and we are still well below the benchmark. This is due to investments made in short term Money Market Funds which have 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 2025/26	Actual June 2025	Actual October 2025	Actual December 2025	Actual March 2026
Year 1	0.077%	0.000%	0.000%	0.000%	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 2025	Actual October 2025	Actual December 2025	Actual March 2026
Weighted Average life	146 days to 1 year	0 days	0 days	0 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 2025/26 the Council held its surplus cash in Money Market Funds as the rates for these were on par with other short term investments, and we could call the money back instantly if needed. Given the cashflow fluctuations this was the best solution for investment opportunities. There is therefore no weighted life average for 2025/26.
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 MUFG, 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 - Treasury Management Budget Outturn 2025/26

	£m	£m
Original Treasury Management Budget		4.028
Investments		
Movements in property fund dividend	0.256	
Other		
MRP changes	0.235	
Adjustment to budget for debt repayment Feethams House	0.263	
Movement in SSR's	0.042	
Other Movements	0.038	
Outturn Treasury Management Budget 2025/26		4.862

63. The decrease in property fund dividend is due to the termination of the Hermes Property Fund.
64. Other variances were due to the reprofiling of Minimum Revenue Provision (MRP) changes and repayments for Feethams House following the 2024/25 budget outturn.

Conclusion

65. The Council's treasury management activity during 2025/26 has been carried out in accordance with Council Policy and within legal limits. The financial year has remained uncertain with interest rates not falling as quickly as expected and any real interest rates cuts not expected until the latter part of the financial year. The Council continue to manage treasury activity effectively despite these uncertain times.

Outcome of Consultation

66. No formal consultation has been undertaken regarding this report.

Appendix 1

Additional Prudential Indicators not reported in the body of the report.

		2024/25 Actual	2025/26 Approved Indicator	2025/26 Outturn
1	limits on fixed interest rates	70%	100%	100%
2	limits on variable interest rates	30%	40%	40%
3	Maturity structure of fixed interest rate borrowing (upper Limit)			
	Under 12 months	30%	50%	30%
	12 months to 2 years	30%	60%	35%
	2 years to 5 years	39%	70%	39%
	5 years to 10 years	40%	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.

As with 2024/25, UK inflation has proved somewhat stubborn throughout 2025/26. Having started the financial year at 3.5% y/y (April), the CPI measure of inflation peaked at 3.8% from July to September, before dipping to 3% in January and February. Core inflation picked up to 3.2% in February, from 3.1%, and the recent upward pressure on energy costs could see CPI inflation breach 4.5% later this year.

Against this backdrop, the continued lack of progress in ending the Russian invasion of Ukraine, and the potentially negative implications for global growth as a consequence of the implementation of US tariff policies, Bank Rate reductions look limited for the remainder of 2026 (as they do in the euro-zone). Bank Rate currently stands at 3.75%.

Moreover, borrowing has becoming more expensive in 2025/26. Gilt yields have risen materially in March 2026, more than reversing the falls earlier in the financial year. Additionally, the public finances have remained under pressure. The higher-than-expected public net sector borrowing of £14.3bn in February was £2.2bn above last February's outturn. But that borrowing overshoot was mainly due to timing effects relating to the £13.0bn government debt interest payment. That came in as the highest payment since June 2025, causing a 12.3% y/y jump in spending. On the flip side, sitting at £8.1bn, tax revenues were also higher than last February, largely on the back of solid growth in self-employment incomes in 2024/25, boosting self-assessment income tax receipts and stronger capital gains tax receipts.

However, the combination of some energy price support and pressures from higher inflation amid the ongoing energy price shock, higher interest rates and a weaker economy will ultimately put borrowing on an upward trend. With the rise in energy prices possibly pushing the Retail Prices Index inflation up to a peak of 5.7%, debt interest repayments will increase by about £10bn. A weaker growth profile, higher inflation, higher interest rates and gilt yields could erode about £11bn of the Chancellor's £23.6bn headroom.

The loosening in the labour market continues to bear down on wage growth. The 3myy growth rate of average earnings including bonuses slowed from 4.2% in December to 3.9% in January. Meanwhile, excluding bonuses, private earnings growth continued to fall from 3.4% to 3.3%.

The table below provides a snapshot of the conundrum facing central banks: inflation pressures remain, labour markets are still relatively tight by historical comparisons, and central banks are also having to react to a fundamental re-ordering of economic and defence policies driven largely by the US administration.

	UK	Eurozone	US
Bank Rate	3.75%	2.0%	3.5%-3.75%
GDP	0.1%q/q Q4 (1.0%y/y)	+0.2%q/q Q4 (1.2%y/y)	0.7% Q4 Annualised
Inflation	3.0%y/y (Feb)	1.9%y/y (Feb)	2.4%y/y (Feb)
Unemployment Rate	5.2% (Jan)	6.2% (Jan)	4.4% (Feb)

The Bank of England sprung no surprises in their March meeting, leaving Bank Rate unchanged at 3.75% by a vote of 9-0, but suggesting rates may need to rise if inflation picks up markedly. The vote could best be described as moderately hawkish. The MPC stated it “stands ready to act as necessary” and “is alert to the increased risk of domestic inflationary pressures through second-round effects in wage and price-setting”. Even so, we suspect the committee is likely to put equal weight on higher inflation and weaker growth, particularly the poor macroeconomic backdrop prior to the energy shock, keeping interest rates at 3.75% this year.

10-year Gilt yields have been exceptionally volatile in the final weeks of 2025/26, troughing at around 4.23% in late February before shooting up to 5.00% (and well through that on an intraday basis). That spike was driven by the outbreak of war in the Middle East, which prompted a dramatic reassessment of investors’ Bank of England policy rate expectations. Having been pricing in rate cuts in late-February, as many as four rate *hikes* were discounted by late-March. The 10-year yield ended the quarter at 4.92% with around 65bp of rate hikes priced in over the coming year. In addition to more hawkish monetary policy expectations, part of this increase in yields probably reflected an increase in term premia amid concerns that the government may react by loosening the fiscal purse strings.

As for equity markets, the FTSE 100 experienced another volatile quarter, surging to an all-time high of around 10,900 in late February, leaving it up 10% from the start of 2026, before giving back most of those gains in March after the outbreak of the Middle East conflict. That pullback leaves the index at around 10,176 at the end of the quarter. For context it was at 8,582 at the start of April. The £ has stayed relatively resilient also at \$1.33, strengthening from \$1.29 back in April.

USA. Economy

Despite a weak finish to 2025, the US economy has generally been the strongest among the developed economies, but with uncertainties growing surrounding President Trump’s central economic tenet of being able to apply tariffs on an ad-hoc basis, and bend the FOMC Fed Funds rate decision-making to his will, there is something of a stalemate in place at present over when, and if, rates will be cut further in 2026.

Inflation is currently stuck at around 2.5%, unemployment is only a little above 4%, and tax refunds are in the process of being facilitated for many households. But will those refunds be – at least partially – offset by higher gasoline prices?

The S&P500 started April 2025 at 5,633 and finished March 2026 at 6,528 having peaked at just over 7,000. The 10-year Treasury yield finished March at 4.30% having been 4.17% back at the start of April, and during the year has been both above 4.50% and below 4.00%.

EU. Economy

The Eurozone economy has run pretty much in parallel with that of the UK. A slightly stronger finish to 2025 (GDP of 0.2% q/q) than that of the UK cannot hide the fact that the economy has been negatively impacted by German economic stagnation until late in 2025. France has also struggled against a difficult political backdrop, but managed to post GDP growth of 0.3% q/q for October to December.

With Eurozone headline inflation close to 2%, the ECB has been able to reduce its Deposit Rate to 2%. Whether it rises from that low point will very much be driven by how energy prices trend over the coming months. The Euro has appreciated against the dollar from 1.08 at the start of April 2025 to 1.16 at the end of March.

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.