

## OVERVIEW AND SCRUTINY MANAGEMENT BOARD

**Date and Time :-** Wednesday, 1 August 2018 at 11.00 a.m.  
**Venue:-** Town Hall, Moorgate Street, Rotherham.  
**Membership:-** Councillors Brookes, Cowles, Cusworth, Evans, Keenan, Mallinder, Napper, Sansome, Short, Steele (Chair) Walsh and Wyatt.

This meeting will be webcast live and will be available to view [via the Council's website](#). The items which will be discussed are described on the agenda below and there are reports attached which give more details.

Rotherham Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair or Democratic Services Officer of their intentions prior to the meeting.

### AGENDA

**1. Apologies for Absence**

**2. Minutes of the previous meetings held on 25 April, 20 June, 4 and 18 July 2018 (Pages 1 - 55)**

To confirm the minutes of the meetings held on 25 April, 20 June, 4 and 18 July 2018 as true and correct records of the proceedings.

**3. Declarations of Interest**

To receive declarations of interest from Members in respect of items listed on the agenda.

**4. Questions from Members of the Public and the Press**

To receive questions from members of the public or press who are present at the meeting.

**5. Exclusion of the Press and Public**

To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.

### Items for Pre-Decision Scrutiny

In accordance with the outcome of the Governance Review, the following item is submitted for pre-scrutiny ahead of the Cabinet and Commissioners' Decision Making Meeting on 6 August 2018. Members of the Overview and Scrutiny Management Board are invited to comment and make recommendations on the proposals contained within the report.

**6. Developing an Evidence-Based Programme to reunify Young People who are Looked After (Pages 56 - 67)**

Cabinet Portfolio: Children & Young People's Services and Neighbourhood Working

Strategic Directorate: Children and Young People's Services

**7. Future Designation of Selective Licensing Areas (Pages 68 - 95)**

Cabinet Portfolio: Housing

Strategic Directorate: Regeneration and Environment

**8. CCTV Priority Capital Investment and Policy (Pages 96 - 122)**

Cabinet Portfolio: Waste, Roads and Community Safety

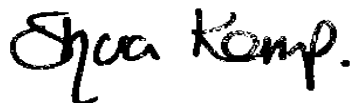
Strategic Directorate: Regeneration and Environment

**9. Urgent Business**

To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.

**10. Date and time of next meeting**

The next meeting of the Overview and Scrutiny Management Board will be held on Wednesday 12 September 2018 at 11.00 a.m. in Rotherham Town Hall.



SHARON KEMP,  
Chief Executive.

**OVERVIEW AND SCRUTINY MANAGEMENT BOARD**  
**Wednesday, 25th April, 2018**

Present:- Councillor Steele (in the Chair); Councillors Clark, Cusworth, Mallinder, Napper, Sheppard, Walsh and Wyatt.

Rotherham Youth Cabinet:- Emilia Ashton, Jonathan Badger, William Brown, Ashcon Chobeh, Molly Crossmore, William Denton, Maks Golus, Hamaad Hussain, Omair Kasim, Edana Munnik, Toni Paxford, Amaan Saqlain and Abigail Smith

Also present:

RMBC Cabinet Members:- Councillors Alam, Beck, Hoddinott, Yasseen and Watson.

RMBC Officers, Partners and Schools:-

John Barber, The work-wise Foundation

Sarah Bellamy, Early Help and Family Engagement

Ewan Cumming, Early Help and Family Engagement

Ian Goodall, Chair Sub-group for Skills and Education, Business Growth Board

Sharon Kemp, Chief Executive

Shokat Lal, Assistant Chief Executive

Kerry McGrath, Voluntary Action Rotherham (VAR)

David Naisbitt, Chair of Rotherham Schools Forum and Headteacher Oakwood High School

Tim O'Connell, Rotherham Investment and Development Office

Paul Silvester, Headteacher Newman Community Special School

Apologies for absence:- Councillors Cowles, Brookes, Evans, Lelliott, Read and Short.

Rotherham Youth Cabinet:- Amaan Anjum, Alex Guest, Sam Jones, Joshua Martin, Joseph Skelly and Adam Ward.

Sandra Gabriel, Jenny Lawless and David McWilliams (RMBC) and Edward Shaw (Don Catchment Rivers Trust)

The webcast of the Council Meeting can be viewed at:-

<https://rotherham.public-i.tv/core/portal/home>

**132. WELCOME FROM COUNCILLOR STEELE, CHAIR OF THE OVERVIEW AND SCRUTINY MANAGEMENT BOARD.**

Councillor Steele welcomed everyone to the special meeting of the OSMB which was once again supporting the Children's Commissioner's Takeover Challenge (CCTOC) by working with Rotherham Youth Cabinet (RYC). Brief introductions were made to assist the young people in directing questions to the most appropriate person.

Toni Paxford (Rotherham Youth Cabinet) assumed the Chair.

### 133. INTRODUCTION AND PRESENTATION FROM ROTHERHAM YOUTH CABINET - WORK EXPERIENCE

Emilia Ashton set the context for the choice of theme and presented the initial recommendations developed by RYC following their research to capture young people's views of work experience in Rotherham. It was recognised that these recommendations might be amended in light of the discussion and information provided during the meeting.

#### **Images of RYC**

Around 20 young people were involved in the Youth Cabinet, working on different issues that matter to children and young people and acting as their voice.

#### **Work experience – why is it important?**

- Top issue for the young people of Rotherham – 1166 votes out of 7000 in Make Your Mark consultation
- It helps young people make life choices
- It helps them become more employable

#### **Our manifesto aim:**

We want to increase opportunities for young people to take part in positive work experience and highlight where they can find existing work experience and volunteering opportunities.

#### **Report recommendations**

- 1) Have a system so that all young people can have work experience.
- 2) Publicise available work experience in schools.
- 3) All schools to deliver work experience.
- 4) Have a quality control for work experience offered.
- 5) Make work experience count.
- 6) Wider sector of jobs included in work experience opportunities.
- 7) Support for young people doing work experience including expenses if needed.
- 8) To provide more support for young people with disabilities.
- 9) Carry out regular research to ensure young people aren't forgotten about.
- 10) To share positive practices among organisations.

In relation to developing the recommendations the following points were emphasised during the presentation:

- All young people having equal access to any opportunities that were out there, including young people with Special Educational Needs and Disability (SEND).
- Although work experience was not offered by all schools, young people did want to partake in it, so it was important to know what was available and where if people wanted to be proactive themselves.
- All schools to give young people at least one chance of taking part.

- Quality control was important as young people's ratings of their work experience revealed quite a lot of 1s (not very good) and not enough 5s (outstanding).
- Meaningful activities not just photocopying and making tea.
- Providing a real insight into the career path so people knew if it would be the right career path or sector for them.
- Research to ensure consistency within a placement over time and high standards across all sectors/industries.
- Sharing good practice between employers and from school to school.

### Contact Us



## 134. QUESTION AND ANSWER SESSION WITH SCHOOLS AND PARTNER AGENCIES.

### 1) Have you had work experience? Was it useful? (Jonathan Badger)

Ian Goodall – Yes, when I was 15 I went on Trident work experience for three weeks at Herringthorpe Leisure Centre and experienced the tasks and jobs that leisure centre attendants did at the time, including supervising the courts, counting children using the slide and making tea. It was very valuable and I think every child should be doing that now more than ever.

John Barber – No and now that I am involved in it I regret not having the opportunity. Although I was lucky enough to know people who had their own businesses and was able to go in and look round for a day. But I've realised now how valuable it is and what a great opportunity it is. I recognise that a lot of young people would not know anyone or have those connections that I had but I agree that every young person should have the opportunity of a good quality work experience.

Tim O'Connell – I did not have formal arranged work experience, but delivered on a milk round when I was still at school. It was not relevant to what I wanted to do but there were useful lessons on timeliness with a 4a.m. start, attitude, work rate and aptitude towards work. It was really practical and useful and put me in good stead for work in the future, even though it was not work experience.

Kerry McGrath – I also did some Trident work experience and think anything like that is valuable to try something and learn new skills. But I think for me, and I'm probably going to be biased, I did some volunteering and found that more useful as that was the sector I wanted to go into. I think the voluntary and community sector (VCS) gets forgotten about a little bit and we are a massive sector, a really massive employer with some really well paid jobs and opportunities. Volunteering is a great way to break into that sector as I think it is very difficult without it.

Emilia Ashton – I have been lucky enough to do two lots. The first was in a primary school and that was quite useful for me because I decided that I did not want to work with small children. The second I did with the Youth Service and that was really interesting because though it was not the career path I knew that I was going to go down, all the hard work and different skills I learned were vital. I am now a university student and I know that I could have taken a completely different degree if it had not been for some of the work experience opportunities I have had. So I am very fortunate but I know other young people who have not been so lucky with their opportunities.

Cllr Yasseen - I went to Oakwood School and went on Trident and as I wanted to become a lawyer in those days I asked for experience in a law office. I remember someone saying they were not sure if that was right for me and we could put you in retail. It took many years to get the experience that I really wanted, so it is about how we build up aspirations as well and respond to that.

**2) Why is work experience so patchy in Rotherham? (Amaan Saqlain)**

John Barber – National policy changed around six years ago, as until then every young person in the country had been entitled to work experience funded through the Government. That was withdrawn and it was really up to each school to decide what value they saw in it, so that was when it started to become patchy. Now from my perspective it seems more a decision for individual schools or academy groups.

Ewan Cumming – I think that this is a timely moment for work experience because one of the things that schools are required to do under the new guidance for schools about careers advice is that every pupil should have a range of experiences with work and this can be through work visits, work shadowing and/or work experience. It does not make it compulsory again but I think it is back for schools to consider that actually this is a valuable experience, as some of the people who have experienced it have said already.

David Naisbitt – There are a couple of things I would say, one as a headteacher and one as Chair of the Schools Forum (group including teachers, headteachers and RMBC officers that discusses budgets and school budgets across the borough). As a headteacher, schools have been reticent about offering work experience because it has been patchy, so if as a child you have some influence or connection or you know somebody, you might get a half decent work experience.

Trident has been mentioned and although I did not have work experience personally, as a teacher I have gone through the experience of trying to organise Trident work experiences. To be frank a lot of children got an awful work experience that they did not value and whether it was for one, two or three weeks we as teachers spent a big chunk of that time trying to get them back in the work experience because it was so poor. So a number of schools have said it is just not fair to make children go into a work experience when it is so poor. If it can be better and if it can be centrally organised I think schools would be interested in that and some of the regulation schools have to consider around the Gatsby benchmarks is going to be interesting.

With a finance hat on, schools have less money than they have ever had; in real terms students are less valuable than they were last year and the year before. Headteachers and others working in schools are making decisions all the time based upon how the money brought in by students should be spent. A choice for headteachers could be as simple as a textbook and a teacher versus a work experience; it is not quite that stark, but sometimes you make those sorts of choices. Most headteachers would say money is tight, sorry but it is going to go into that really high-quality teacher or resources for your science or maths lesson, so it is a difficult one.

Cllr Watson – One of the issues was that you had to find a place for every single child in the year group and as time went by, and businesses had less money to look after people on work experience, it got to the stage where we could only find placements for say half the year with the other half still in school. You then had the significant issue of children saying they were not going on work experience because they would miss a lesson at school. The alternative was not having a lesson for the children staying in school who were then offered nothing. It became really problematic once schools could not find placements for every child in the year group.

A rolling programme would be one option but all schools wanted their work experience at the end of the year, resulting in schools looking for placements at the same time and there were not 1000 quality placements available. An example of a poor placement at a garden centre was given which resulted in the young person leaving on day three after the teacher visit. As quality is the issue here, if you cannot find a thousand quality placements then you have a problem and that is why it was so patchy and schools prioritised placements for the courses such as BTEC that require them. These are the real practical problems and one of the reasons why fewer schools are offering them.

Paul Silvester – From a SEND point of view a couple of figures partly address this issue - only 7% of young people and adults with a learning disability go into full time work, which means young people at Newman School have very little chance of going into full time employment, according to the statistics, so therefore work experience and work engagement is essential.

At another special school where I worked before, in 35 years before I joined not one single person had gone from the school into paid employment but when I left in three years, seven people were in full time employment. That was related to work experience, a quality work experience that was fundamentally part of the curriculum and the curriculum had led up to that work experience, not as a bolt on but integrally. We were given the opportunity as we have a different way of doing the curriculum in a special school. But for us in the special needs sector in particular, if we do not have thoroughly good work experience as part of an overall delivery in mainstream as well as in special schools, we will not change that 7% employment offer. As not only will the young people not have the skill-set or the thought processes but the employers out there will not actually understand what needs the young people have and how easy is in a lot of cases to adapt. So work experience for us is a fundamental right and we need mainstream and special schools to have that.

Tim O'Connell - On top of talking about quality work experience and patchy work experience I was going to say quality work experience is a two way process but it is probably a three way process:

- the employer to engage properly, prepare for it and spend time to do that
- the school to engage and prepare pupils before they go to work experience and to speak to them afterwards and make sure they understand what they get out of work experience
- obligation on the young person to really buy into it and turn up



There are negative examples as mentioned but equally other examples where somebody who comes along for work experience fully embraces that and takes things on. So if we are thinking about patchiness, it is not all on the basis of businesses not responding back to work experience opportunities, although I am sure that there are real issues and difficulties that businesses have, but there are equal responsibilities on both schools and young people themselves to make work experience useful.

John Barber – I think there is also a responsibility on the parents as well to support that. There are many well-meaning employers out there but work experience is not their day job and we have employers who say they would like to take someone on work experience but do not know where to start, which is when young people end up filing, making tea or being handed a spade. Small businesses in particular are busy doing the business, so a big part is the preparation of the employer and that is what we do on a small scale with employers through a “Be Prepared” course. The managing director might be behind it but if it is a charge hand on the shop floor that is busy managing a production line who has the young person, there will be times when they cannot look after that person properly. It is about making sure that well-meaning employers, who may end up giving a poor work experience, not because they want to but because they have not been prepared, are prepared, including the person who is actually going to be looking after the young person.

We tell every employer we work with that the first thing to do is talk to the young person on the first morning and find out about them and their interests as you might be putting them on the shop floor but actually find they are really interested in accounts or finance, or they might have a hobby that you can relate to. In addition to experience of a particular job, there is also experience of the world of work which involves getting up every morning and getting to work at the same time and doing menial jobs as well as really exciting jobs.

Expectations of young people from work experience, particularly those working in engineering, is an issue as you cannot put them on the shop floor in a dangerous environment working on a machine. It is not possible from a health and safety or safeguarding point of view, so it may be that they do spend time observing rather than doing. It is important to help the employer put a good plan together for that young person and that is when you get a quality work experience rather than a young person just dumped on an employer for a couple of weeks.

Cllr Yasseen – We need to follow through on the ambitions and aspirations of young people. There is nothing that I have heard that makes me think we cannot remove these difficulties and it is as much about will and commitment on all sides. Responsibilities for making this happen and making it a good experience have been mentioned but it is also about being creative in partnerships. It is not just the business world but you have the voluntary and community sector, public sector, the Council and also initiatives like the Prince's Trust.

I was with a group of young volunteers at Thrybergh Park recently who spent a couple of weeks in the awful snowy weather and laid down an amazing track there. It was a great experience working with the parks and the rangers and went beyond what we would usually count as a worthwhile experience in life.

Cllr Walsh – Work experience happens every year and we hope it is the same employers every time with a few changes here and there, just a different group of young people. An individual employer might work out what they could offer in terms of work experience, implement it one particular year and then that scheme is ready to be re-used year after year. So if we could get some employers onside to do a little bit of internal development in that respect perhaps the offer could become better from year to year as more employers became skilled at providing work experience.

Where I used to work we had science and engineering undergraduates on work experience and even though we were not tremendously organised we aimed to do a good job and they were actually doing industrial Research and Development and deciding whether it was what they wanted to do in addition to doing a useful job for us.

Ian Goodall – There will be no issues in engaging businesses in work experience. Speaking as an employer or owner of a small business, but also as the Chair of a board of people that come from large- and medium-sized businesses, the voluntary sector and the NHS, everybody wants it to happen. If you look at the responsibility falling on three or four people for making it work, that element of it is not going to be a problem. The biggest problem that businesses seem to have now is the work readiness of young people leaving education, whether at comprehensive level, further education or higher education level, and anything that helps towards solving that problem will be supported and helped.

John made a good point about businesses being really willing and happy to help and I would include our business and say we probably do not offer the best of work experiences at times because we are a small business and have to get on with what we are doing. We are happy for people to come in but I think work may be needed to say to us well could they do that, that, and that, because it is limited as to what we can do for young people. You will not struggle to get businesses to offer the places but all at the same time of year possibly is a problem but again these are not big issues that cannot be worked around with a little bit of thought and process.

- 3) **Where are young people meant to access work experience if schools do not offer it? (Omair Kasim)**

John Barber – We recognised four years ago that some schools were not offering work experience so we run a summer academy, a summer camp where we offer work experience to young people. Promotion is through schools but it is done directly with families, although it is quite small scale with 50-60 young people a year. It is something that a lot of people do take up; sometimes young people who have already had one good experience and want another. It is small pockets and there does need to be more. Some schools now say they will offer work experience but expect the student to take a week during term time and a week during their own time, so it might be the last week of term before Easter and the first week of Easter holidays because again that is less time off curriculum and less time out of the classroom. There are creative ways around it but that is down to individual schools and down to young people and it tends to be the young people with the drive to want to do that in their own time. Again it is about getting that message out there to young people.

Sharon Kemp – When I was 19 I worked for a police service and struggled to get more responsibility. I was moaning about this one day when talking to the Chief Executive of Manchester YMCA who suggested I did some voluntary work for them and they would give me pieces of work to do in a supported environment and a reference. So as Kerry was saying, sometimes if it does not necessarily present itself to you there are creative ways, particularly through the VCS where you can get experience. I think for organisations, some of the things that make young people stand out are the fact that they have participated in work experience or worked within the voluntary and community sector. Where you have done something like that you really stand out as a candidate because it shows that passion and ambition and that you have had the opportunity to learn and experience something different.

Emilia Ashton – As a university student I have been bombarded with summer placement opportunities and advised by tutors to take one as employers look for it. If schools cannot offer work experience in term time for financial reasons, why can't they proactively advertise available work experience in summer holiday time to young people?

Ian Goodall – They could if a scheme were put in place that has the backing of employers and schools; there is no reason certainly from a business point of view why that could not operate in school holidays. In terms of where can you find work experience opportunities, there is nothing out there that you are missing out on, they just do not exist hence the reason why we are probably all sitting in this room. What John does is fantastic but as he rightly says it only impacts on a very small number of people. In some ways the only option that young people have is to start approaching businesses yourself and try and generate your own work experience opportunities. We have had people approach us as we work in the video games sector so we are quite attractive for people. We get quite a few young people asking about work experience in the Easter or summer holidays and we always say yes wherever possible, so at the moment it is kind of over to you.

David Naisbitt – I am reticent to talk on behalf of all schools because each school will do it differently and each school will take their responsibilities differently. I want to reassure the young people that schools take very seriously the need to lift aspirations and expectations and that is not just all about work experience but a whole plethora of things that schools do to change how young people in Rotherham think about themselves and their futures. What would drive a school day in and day out is getting the core business right, so that is the educational package, the teaching and learning and giving you the opportunities to be as successful as you can academically. As part of that I think schools accept there is a whole range of other things that we would want to offer that would make the school experience better and different and that might include being involved in some sport or some arts performance. Work experience could play a part in that but I think headteachers and schoolteachers would be apprehensive about pushing things at children that are not as good as they could be. I do accept that if professionals were to work together to develop a programme that children could elect or buy into that might be something useful. I would not want to go down a route where I am saying to 210 children every year you have to do something that perhaps they do not really want to do and it is not as valuable for them as they might otherwise have expected.

What I would say on reflecting and listening to what people were saying, was we used to push children in probably year 9 or 10 into work experience (aged 13-15) and I am wondering whether that is now too early. As many young people are staying in education for much longer I wonder whether we ought to be thinking about more substantial work experience packages over a period of time. So between the ages of 15 and 18 that might be more suited to what a young person needed at a given moment rather than having a quota where we have to push children through in any particular timescale.

I do not think schools in general are particularly against work experience but they would absolutely be against something that was forcing children down a route or into something that they were not particularly keen on. I started by saying about schools wanting to raise aspirations and expectations because you quash aspirations and expectations if you give children or young people a poor experience, for work experience or anything else.

Paul Silvester – This is rather like being an employer as well as a school, as in my school we have 70+ people who support the children at Newman School. Of those 70, if they do not come in we get supply staff, which is a bit different to getting supply teachers. Of those supply staff, we have probably got ten young people who are either in Year 13 at school or students coming back from university between semesters who come in. I think we might need to collect those opportunities together centrally because firstly they get paid and I would say for 99.9% of people it is a very enjoyable experience. It develops things like their communication skills and work readiness and the things that people actually do fit in with the experience of working in schools. We have young people who volunteer.

The other thing I would look at is something called Gig Buddies in London where young people aged 17, 18 or 19 take young people out who have special needs to gigs or concerts, or cinemas etc. That type of relationship, which is generally unpaid, builds up awareness of themselves and what they want and communication skills. So I think if you look at non-work experience opportunities, there are quite a few things where if young people want to do that then we can be part of organising that. Those experiences break down not only the work experience barrier but the barrier between mainstream and special and between young people with special needs and those without.

Cllr Clark – I used to work in a small political office and had a number of work experience students come through. Some came from recommendations from a local secondary school but the majority came by young people actually writing or e-mailing in and asking if there were opportunities, in the holidays if not in school time, or knocking on the door and saying they were looking for something. Although it was unpaid we did pay a lunch allowance and reimbursed all the travel or bought travel passes, as you should try to make it as easy as you can for young people because not everybody has spare cash to get on a bus and it soon adds up if you are doing it for nothing.

What is really important is that on personal statements when applying for university one of the things they look for, and are telling us they look for, is work experience and we should embrace that, but it is down to everybody really to open those doors.

Cllr Hoddinott – Following on from that and I think one of the recommendations from Emelia surrounding expenses, I guess it is that equality aspect which is really important. So I am hearing on one hand that you should go and try and find your own work experience but there is a really important point that we saw in the presentation around equality and the equality of those opportunities. I think we know that in some sectors, like the media, it is based around internships and work experience based on who you know in asking friends or family. I am very conscious that not all young people have those connections to be able to get them into the right places for work experience and there is also the whole issue with people who can afford to take two weeks, then actually taking a job elsewhere. Yes people should go out and take their own initiative but I think there are some really important recommendations that are probably up for discussion about how we equalise the playing field and how you cover things like expenses and access into some of those more difficult sectors like the media as well.

Ewan Cumming – One potential suggestion is that every summer there is a fabulous opportunity for year 11 people to take part in volunteering activities and team building through the National Citizenship Service. Perhaps one of the suggestions that could go up is that some of this money could be separated off into more of an employment strand where there is more of an employer focus, building on what was said by my colleague behind me. There are organisations that could help do this, so maybe there is something there around thinking what we already have and could some of this be diverted, for those that wish it, to have more an employer focus.

- 4) **In the 2018 statutory guidance for governing bodies, school leaders and school staff around careers guidance, benchmark 6 states that by the age of 16 every pupil should have had at least one experience of a workplace additional to any part-time jobs plus another experience by the age of 18. How are schools going to meet these benchmarks?** (William Brown)

David Naisbitt – You have to be careful with what is in the legislation as it is not saying that every young person has to have a work experience, but rather every young person has got to have experience of work and there is a difference. Schools will take responsibility, but as I said earlier, will not be deflected from the core business which is ensuring that children get the very best teaching and learning opportunities. I think with what we have talked about here this evening in the past this was not done particularly well for all children, so to go back to a situation where we just say right every child has to have a work experience is not likely to give all children and young people a positive experience. For me it would be about the strength of an experience that was related to work rather than a work experience per se.

Cllr Cusworth – I think you've got to the crux of it there and I wonder how much of this from a school point of view is about releasing pupils to attend something that is vocational and therefore they may slip back on the academic? Having said that about the academic, people do have different abilities and what I would be conscious of, if it were an issue, was would we then be selecting the people we thought were achieving and meeting expectations to be able to be released? The thing about the summer and doing work experience in the holidays is that children have other responsibilities and whether they are young carers or carers for younger siblings the times that they are at school in term time are not an issue as that is expected by parents and anybody else. It may not be possible for them to go in the school holidays; they may have different responsibilities, so I wonder how willing are schools generally to release pupils from the academic curriculum for a set period of time?

David Naisbitt – It is a really simple question but a really complicated answer. Schools, as many of you will know right now are driven by quite a narrow academic curriculum. Oakwood High School in the past, amongst lots of other secondary schools in Rotherham, offered a broad and balanced curriculum package with a guided options programme where young people were able to do a whole range of activities and a whole range of curriculum opportunities. For example Oakwood had quite a wonderful vocational learning centre on Fitzwilliam Road but we have shut that because the qualifications and the experiences we delivered in that building no longer added value for young people or the skills were not recognised anymore. I could say that those children could still have those opportunities one day a week but when that young person goes out into the workplace they have a qualification deficit. They have not got as many qualifications that are deemed to be acceptable and are then not able to compete toe-to-toe with children from other schools in other areas, so schools have their hands tied.

I get what you are saying about opportunities beyond the school day, or school week or term, but it is very difficult for schools to manage. I think there is a willingness in schools to give young people opportunities but how we do that beyond what we would regard as our core time is actually really quite challenging because as rightly said in comments here, equality of opportunity is really important. What some children might be able to do beyond the school day is very different to what other children might be able to do. The truth is that those children who are able to find opportunities because of their wider experiences or wider contacts are likely to be those who would be able to do something in a holiday because somebody will get them there or will facilitate it. I think what I am hearing is that it is not about schools or employers, adults or young people, but if we want something to move forward then we need to work collectively over a period of time to find the solutions as there are no quick fixes here.

Cllr Beck – I have been thinking since the start of the meeting about why we have got to where we are in terms of work experience, the experience of a workplace. Seven or eight years ago all secondary schools used to receive quite a significant ring fenced grant for enterprise education. Schools right across Rotherham did so much in terms of enterprise and in the classroom with young people, which gave people the opportunity to experience what it would be like to be in a working environment, short of actual work experience. When I was at school we had all this and there was a lot going on that was linked to work experience as well. Now as you know the government withdrew all that funding and so enterprise as a concept in schools became depleted. Fortunately my experience, mainly with Wales High School and in Dinnington, is that a lot of that work was embedded within the curriculum and was not all lost. But my point here is that if we do still have some proper funding directed to enterprise education and business skills being taught in the classroom, all schools would probably be meeting this without having to provide work experience. I think that, coupled with the non-statutory duty for all young people to experience work, has culminated in where we are today, so I think it is a shame people in the education system now have not had the same opportunities I did.

Emilia Ashton – The benchmark says an experience of work could be an employer coming in and talking to a hall of 300 people, which to me is not very useful. I came out with qualifications, 14 GCSE's which were all A\*-C, but was told by my current employer the reason I was not hired until a year after I turned 16 was because I had no experience; they did not care that I had got all these amazing qualifications. Actually the CV I got employed on did not include my qualifications. They want the real practical work skills, so this might not be sending somebody on work experience, but maybe schools could utilise this to have job interviews or skills that employers are looking for, rather than utilising this benchmark six just for work experience.

Ian Goodall – Earlier I mentioned that I am an Enterprise Adviser and the Enterprise Advisers are trying to fulfil the role you are talking about and thereby helping to provide some kind of enterprise education within schools. We meet as a group as we have one in each school in Rotherham, special schools and comprehensives. In terms of Councillor Cusworth's question, overall very reluctant and that is not directed at Oakwood or any school in particular but I sit in a room with 10 or 12 different Enterprise Advisers working with different schools. The major concern most of us have is that when we go into a school we give up time, we try and give some experience and try and help them to connect with businesses but the school is not prepared to designate any time apart from 20 minutes here or there to employers even coming in to talk to the students. Bringing it back to Emilia's point, that is a very good one, but even that for me is difficult at times, so Trident work experience in three weeks is a complete world away from what is possible at the moment. I appreciate it has to be good and it has got to be right and that maybe schools want something back they feel is correct but at the minute



it does seem to be a straight choice between academic experience or enterprise experience and I think the bit that schools tend to miss is that an engaged student will achieve more academically. If you can inspire a student to think “wow I want to do what that person does” or who has listened to a person who works as a computer programmer or as an analyst or in finance and found out they need A levels or degrees to do those jobs, for me that student becomes engaged and the battle to teach them perhaps becomes a little bit easier. It is a tough problem to solve.

Tim O’Connell – Work experience and experience with employers needs to be positioned as part of somebody's education, not perceived as something that is vocational, because really it does matter if you are going to go to university not looking to go into work. Actually having work experience is really important for that, so it very much picks up on the point Emelia was saying. I really do think we need to do that and other people here know far more about our education policy but it seems to me that at a national level from my side of economic strategy it is not well linked to skills nationally nor is the skills stuff really well linked to education. As a result, when money comes down to local level it is all quite disjointed. I think this is quite a big issue, probably more than Rotherham can tackle on its own, about perceptions of the importance of work experience in somebody's education. It is part of somebody's education not something different to academic stuff, it is vital.

Omair Kasim – Maybe in some cases it should be the young people's responsibility or they should be encouraged to do so, because some people may not make the effort to do work experience. Others might want to work in a certain sector and the school cannot provide that so they should not be complaining about it they should actually try to do so themselves.

Kerry McGrath – I am listening to some of the challenges around offering work placements and good quality work placements and at the risk of plugging our own service, in effect VAR has taken the job on of providing that brokerage. We have a menu of opportunities people can look at, so it is not a case of having to go out and try to locate opportunities. They are all in one place, which hopefully also levels that playing field mentioned earlier, so we have a lot of choice for people to choose something that is right for them. I think the key difference is that we worked with our organisations to make sure they have identified what that voluntary role looks like before someone is placed in that role. So hopefully that does mean it is a bit more meaningful because the key tasks have already been identified within that role, they know what they need somebody to come in and do to help that organisation as that preparative work has already been done. So I think yes it could be more meaningful, the opportunities are there, people can come in and see us or apply online so it is accessible. I think we have got work to do still with some of our organisations to increase that menu and also to make sure there are plenty of opportunities for under 16s as well, but opportunities are there.

Cllr Watson – Coming back to Cllr Cusworth's question about how keen schools are to let students go out. Headteachers are only one bad Ofsted away from losing their job, so at the beginning of the year David will have a meeting with all heads of department and say he needs this many ABCs from each department. As head of science I would then say to my young teachers: "That class you've got there I need 10 As, 7 Bs and 3Cs or there's going to be a problem" and that problem for them could be not progressing up the pay spine next year. Then somebody comes in from outside and says: "Can I have three weeks of your teaching time?" which for a science teacher is 15 lessons. "You want 10 As but you want three weeks out of that curriculum time?" So as willing as David might be to set this up, the people on the chalk face as we used to call it, are actually the resistant ones here because we would get the flak if we did not get the results. We know in our heart of hearts that work experience is what gets you the job, but our job is dependent on getting the results.

Cllr Mallinder - I think we all agree that work experience is the ticket here but it is how we implement it. Kerry made a good point about students having the right things and I wonder if we need to develop a pro forma – "What do I want from that job? And what does that employer want from me?" The other thing I have an issue about is affording it and bus fares can be prohibitive for some students, so perhaps partners could look at funding a small common pot to support students.

John Barber - I am a governor at a disadvantaged school in Sheffield and at the recent Ofsted inspection six months ago the Chair of Governors asked the Ofsted inspector: "If I told you that 60% of our young people left here and went straight into a job would you be interested in that statistic?" and the answer was no as only interested in the qualifications, so until there is a national policy change we cannot change that. I absolutely agree you need the qualifications to get in front of an employer but that employer is not then going to choose the person with the best qualifications. They are going to choose the person who fits their job role/person specification and that might be the most confident, the most outgoing, it might be the most dedicated, it can be many different things, but just to get the qualifications alone is for an employer not the right answer, it has to be that all round person. The young people are to be commended for what you are doing and that puts you near the front of the queue for any future job because you are doing something over and above your academic qualifications. An employer would say: "Wow that person has taken control and done something to help themselves", so that is equally as important. Yes the qualifications to get you through the door but then it is about the person because employers go people by people not qualifications alone.

Ewan Cumming – My first point is that there is a lot of onus on schools. Just to make schools aware, Rotherham along with Sheffield and Barnsley and other interested authorities, is trying to bid in for some central government money to support schools in trying to meet these benchmarks. Because we do appreciate that schools have a very difficult time and they have been given a series of instructions but no additional money to do this. We are attempting to support schools to deliver these benchmarks, particularly benchmark 6. I do have some information around that bid and although it is not strictly work experience it is about meaningful engagement with employers. We are doing slightly better than the UK average on measure 6 in that we have nearly 40% of schools managing to achieve this benchmark across South Yorkshire so we are not starting from the worst position ever and sadly there are places in a worse position than us.

The second point is just to feed back on something said earlier; I think the Ofsted inspector John spoke of might soon be saying something different because Ofsted released new guidance in March around what schools should do and they say they will be looking at how well schools prepare pupils and students for their next step, with a focus on the impact and quality of what they do around careers.

- 5) **Have there been any previous attempts to have consistent work experience across all Rotherham Secondary Schools?**  
(Maks Golus)

Ian Goodall – Just Trident work experience as far as I know that was a uniform policy for all Rotherham secondaries or felt like it was at the time and it sounds like it had mixed results. For me personally I think it was a positive experience in that it showed me that I did not want to do that job but something more challenging, so it helped me to think I probably needed to work quite hard and get some qualifications.

- 6) **Do you agree work experience should be a valuable opportunity? How should we manage this?** (Hamaad Hussain)

Ian Goodall – As an employer I do feel slightly concerned by the issue of quality. I think that is something that will need a lot of thought and discussion - what quality is, what the expectation is of students, parents, teachers or schools. We have nothing in place at the moment that says when we do get the opportunity to take someone, whether pre-16 or 16+, nobody really tells us what we are supposed to deliver in terms of work experience, so I think that is the issue for me. I think it is very valuable but there needs to be some work put into that quality aspect and to make sure everyone's expectations are the same. To be honest if the expectations are way high then many employers will quite rightly be put off because they will not be able to deliver, so there needs to be some balance in there.

Paul Silvester – From experience in the context of special education I would look at other things as well as work experience because when I said we got seven young people over three years into full-time work, when actually in 35 years nobody had got in there, we had to look at those seven young people and what was it that actually got them into that employment opportunity. They had no academic qualifications and in fact the employer changed the rules and said we no longer need entry level maths and English, we will accept the work experience that those young people undertook as validation for what they did.

So they actually changed the way they worked because the experience in that work had been done but when we looked back at what made those young people ready it was two things really. One was that the school had a really strong Duke of Edinburgh award (DoE) which we took to a different level but it provided those skills and confidence and being able to communicate and these are young people who generally often had words spoken for them or were not put in a position to do that. The DoE, which is similar to the mainstream experience of going off and doing overnights and camping and all the other bits and pieces, had actually given those young people something they could talk about, some confidence in the skills that they could do things and new experiences and they took that skill set into the work environment. Then when we look at work experience you have also got to talk about the preparedness for that experience for work. There are different ways to do that and I would definitely say things like this, as already mentioned in terms of DoE, and other things that are out there are really valuable as well. So whilst the focus is on work experience do not forget the other bits that improve the quality of the communication skills of people.

Emilia Ashton – Referring back to something Kerry mentioned earlier, obviously VAR have a programme in place where the employer says what they are looking for in a volunteer but also the volunteer says what is interesting for them as well. Maybe that could work in a consistent way, not necessarily writing it down but maybe in a previous interview, so the young person knows what they are letting themselves in for and then the employer says we are offering you this, so there is a sort of match made. Is that something that they would be interested in?

Sharon Kemp – I think you are exposing some of the different drivers from a national policy context that are creating difference or strains within the system for what you want to achieve. We talked about the schools and how the schools are driven and how that happens. We talked around the fact that national funding has changed. One of the things I would say to you is the work you have done really exposes that actually there is not a joined up approach that is helping local partners to do the things that we know are important. One of the things that you might want to consider from your work is being able to write to the appropriate Minister to explain to them how actual government policy at this time is not always helping partners to come together to deliver the best possible things we can for children and young people and I think that would be extremely valuable.

Ian Goodall – It would be interesting to add details about that vote that you took as work experience came out as number one on the list.

Emilia Ashton – Make Your Mark is delivered by the UK Youth Parliament which is an organisation of elected young people who work on national campaigns across the country. The way their campaigns are decided is they hold a ballot and that has ten issues that come down to what members of Youth Parliament stood upon and that gets communicated to young people every year in summertime where they get a choice of ten to vote on. Unfortunately work experience did make the top five nationally but did not get selected in the House of Commons to become a national campaign but it was highlighted in Rotherham as the priority issue from the 7000 young people who took part.

Toni Paxford - Just to reinforce that it is the largest youth consultation in the whole of Europe with just shy of a million people who took part in that vote nationally and the Young MPs who are here as well will get to vote in the House of Commons on their top two issues, so it is kind of a big deal.

7) **Without work experience how are young people meant to implement their academic skills into the workplace?** (Edana Munnik)

John Barber – It is a challenge and I mean for us and the employers we work with, we believe that every single lesson should be related to the world of work. So whether it is a maths lesson or a history lesson, whatever it is it should end with "... and this is how you will use this learning when you get out there and in the world of work". That is a challenge in itself as again it involves employers working with schools and translating that it is really important to get your head around the maths you have just learned if you want to do this sort of engineering or work in this industry. It is about making the learning in the classroom relevant to the world of work and how you can use it in the future. I am biased but I think you know I believe every young person should have that experience of the world of work, not necessarily work experience.

We had a big event at Magna in Rotherham last week with 2,500 young people focused around STEM (Science, Technology, Engineering and Manufacturing) and it would be interesting to know how many people knew about it. We had everybody there from McLaren to traditional industry in the region to show young people what the opportunities are, broadening people's horizons. About 150 were there I think from Oakwood so that was the school grasping the mettle and saying you know this is really important and these young people need to see this and the jobs out there.

Ian Goodall - How many Rotherham schools attended?

John Barber - Seven Rotherham schools, well six schools and the college, so we had 51 schools there including schools from Leicester, I think two from Barnsley and most schools from Sheffield. There are different priorities in schools but for me that was disappointing. I'm sure it was about communication but you have got some schools who have taken up the opportunity and the young people get that experience. People there at the show had previously been themselves and got jobs as a result of it. I think that it is down to communication for us all to get that message out, not just to schools but to parents and to the wider community.

Kerry McGrath – It strikes me that there is a step missing before we are placing people into these work placements. I think there is a bit of work to do first and I know that our VCS partners do that, so people would apply like they would do for a job and would be taken through an application process and actually having that conversation with them before you even set them off doing something. Maybe we are approaching this wrongly, maybe we need to be looking at what both sides can bring to this equation rather than as looking at it like OK we've got a work placement for two to three weeks for people and this is what we want them to do. So let's turn it round and have a conversation about what both sides can offer and I think some of the organisations or companies might find that actually they can do a more meaningful role then but it means a bit of work to do beforehand which is going to be investment later on.

Cllr Cusworth – To fully endorse what Kerry just said, the point I was making earlier was that if schools are too nervous to release pupils to attend any work experience then it does not matter how good the offer of the work experience is unless you are starting from what you both can agree on and take it from there.

Emilia Ashton – I think we are saying here that clearly work experience is not available to everybody and obviously VAR has some amazing opportunities that are more flexible and over a longer period of time. Perhaps the suggestion should be as possibly a short term fix that VAR works alongside schools to say these are the volunteer opportunities out here and these can work similarly.

Kerry McGrath - We do have work to do around that as there are some challenges we need to address and a lot of our opportunities are 16+, not all of them do cater for under 16s, I think there is some work for us to do with our VCS partners about what their offer is and make that flexible for people who are in school and still studying as well, but I would love to be able to get to work more with schools on that.

Emilia Ashton – Young people have to stay in education until 18 in either an apprenticeship, school or college, so even as a first step you could work with sixth form and colleges because I know universities look in your personal statement and they want you to prove that that career is the right choice for you, so something like volunteer opportunities would work.

Ian Goodall – In terms of what can we do, do not rely on work experience or this system being created solely for yourselves because I suspect it is a little way off judging by the number of barriers we might have to cross to get there. It sounds like VAR have something which is great for that sector but broadening that out on a huge scale will be challenging and might take a little bit of time. But you can get a job, paid employment when you are old enough to do that and I am not suggesting that you get up at 4am like Tim did, although it did not do him any harm. I got a job at McDonald's when I was 16/17 and looking back on that now I realise that it set me on a path that showed me what hard work was. So there are many opportunities to get out into the world of work and if that means having a think about where you want to go and what you want to do then knock on some doors and send off letters and e-mails to people working in that sector, whether it is the legal profession or whether it is the health service and go find it yourself and do it that way.

David Naisbitt – Just to reflect on some of the things that have been said and maybe find a way forward. To a degree I think listening to us all this evening we have got a bit fixated on what work experience is and what I am hearing is that young people do not necessarily want to go out to a work place. For some it might be the right thing, for some it might not be. Schools are not necessarily able to offer that; employers may or may not be able to facilitate that; but there is lots of work that goes on in schools preparing young people for life beyond their school that is related to work readiness, to enterprise. A number of Oakwood pupils are here and we have just gone through a process of appointing a head boy, head girl, house captains and prefects. There is a written application process which is exactly the same format as if you are applying to come and work at the school, shortlisting and an interview process. We do not flag that up as work related activity but goodness me it is. I think maybe schools have got more they can do to share with the young people more obviously the sorts of things they are writing into their daily activities that might prepare young people for the world of work but are not necessarily going out to work.

Emilia Ashton – This probably links into the next question but those work readiness processes like house captain and head boy or girl tend to go from what I see to the more academic students, so not necessarily the students maybe with SEND needs. How can you make sure that that work readiness is open and available to all and those that might really need it get those work readiness opportunities?

David Naisbitt – That's your experience, not necessarily the experience of young people at Oakwood as anybody can apply to be a house captain or prefect, head boy or head girl and who gets it is a different issue. I was using that as an illustrative example of a whole range of things that schools do that may be similar to that, which gives children the opportunity to have a go at practising what it might be like in the real world. We do not make it as clear as maybe we should do that such experience will prepare you for life, so engage in it.

8) **What is in place to ensure that young people with SEND requirements have work experience that is accessible for them?** (Molly Crossmore)

Paul Silvester – I can say that question is really important and I just want to repeat the figure that only 7% of young people with a learning disability are in paid employment. I think if you reflect on that, that is an astonishingly poor figure and behind that there are all sorts of reasons. The things I am going to say are for the special needs sector and you linked in special needs pupils in mainstream and I will do that. The joy of working in a special school is that I do not have Ofsted come and say "what are your exam results and how have you done that?". I left the mainstream sector because of those things, but we have had Ofsted and we have data and progress but we do not have that almost grindingly difficult question to answer about the exam statistics. What we have to do with special needs is actually embed it and what we have embedded in our curriculum is all the things you would like to see everywhere else and it is a fantastic thing. So we start off with Ulley Country Park and if anybody wants to come down on the Monday they are welcome, you will see our students serving cups of tea and things like that and they do that not for the work really but for the communication skills and confidence skills. We actually have a link with Whiston Grange, which is the old people's home and it is great because our young people talk to the residents there and get feedback, it is a good experience and both sides get something out of it which is the crucial part. I have mentioned DoE and we have got work experience.

When everybody did Trident young people with special needs did not find it easy to get a work placement because all the work placements were taken up by the mainstream schools. Although I think that is a good thing, but since that stopped for young people with special needs there is now quite a lot available, so it is a small silver lining, it is our silver lining and we are proud of it.

Then there is working with employers. I mentioned work earlier and the employer was NEXT in their warehouse who changed their rules across the company and said their supported internship is actually a year-long work experience but if somebody had gone through that they did not have to have that set of qualifications.



The other thing we have got especially is parents and expectations because a lot of parents have been in a situation when the child was one or two years old with a doctor or other people saying “your child will never ...” or “your child will ...” and those things live for many years in the lives of their parents. What it does mean is that they over protect their young people, therefore the idea of going to that employment when they do not necessarily have to is a problem. So this area is so much easier for me in a special school but we have to work with schools and clubs in the mainstream to make sure that we link in with special needs factors. There was a lot going on but much of the issue was trying to change that 7% figure and getting everybody else into employment. There is no point scoping work experience and doing all those things that are positive if we turn up with what we think is a really broad and balanced option and then the young person goes to an employer who does not understand e.g. autism. So we have got some work to do with regard to special needs and it is not just about ramps. It is about the way of working but I do think the doors have been opened for that so it is quite positive.

Ian Goodall – How does this 7% compare with other countries?

Paul Silvester – I have been on two trips abroad last year to Sweden and to Lithuania. In Sweden they have a completely different process; all the special schools for instance are attached to mainstream schools but also to their employers, and when we explain enterprise they burst out laughing saying you always talk of enterprise. Each employer has a duty to take people on work experience in the local area and so they have integrated even the special needs sector. In the classrooms I went into, the local firms had given the products that they would actually work with and then they visited. Anybody who wanted a job was given one but it is a managed job, and in the bit I saw it was 100%. Not everybody wanted a job but for anyone who did they wanted to ensure the skills were done. So that is Sweden but it is a different system with the employers government-funded to do that and it was a really good system but we can do things differently.

Emilia Ashton - So from all the work experience you have done with employers, do you think they are now more understanding of people's needs and more likely to take on these young people in full-time employment?

Paul Silvester - You have to spend some time with employers, it does not happen overnight but I will go back to Next with whom we had a three-year relationship. It was not just the seven young people; there were 20 people with significant learning difficulties employed, including from a severe learning difficulty school and a college. A woman came up to me at the end last time and thanked me saying we had changed the culture of work and the young people had added value to the workplace. So the thing is you can change things and I only ever liked situations where our young people do not get things just because; but rather they give and they get and that is a natural combination. Next had an 85% target and our young people never achieved more than 60% but they appreciated what they gave was slightly different. They changed the rules with the unions and with everybody else joining in, because there was an acceptance of this and that they also had the skills for the jobs that they went for. One was to look for errors along huge things and for anybody with autism who could walk down a long stretch, spot something and enjoy every single day was positive. Their attendance was fantastic, their work rate was brilliant and that shows the culture but you do have spent some time with them to start off.

John Barber – In a practical example we had a young man aged 14 with autism who came to us and went on work experience and I went see the employer after two days in trepidation because he had taken a risk. He said he wanted to employ him and when could he start and I said you cannot he is only 14! He carried on going in every holiday and is now half way through his first year of apprenticeship with that company. The employer said if he had known the focus and dedication he would get, then half the workforce would be recruited from people with autism.

Mollie Crossmore – Can I ask about other schools as well not just Newman School?

Paul Silvester – You are looking at a very mixed picture but in terms of special there is the changing nature and opportunities we have got. Talking about schools where the focus is perhaps making sure that young people can communicate effectively to be independent but I do think the idea now of Ofsted and other such things is driving us to make sure we have got valid data. But the reason why only 7% of young people with learning difficulties are in employment is because the system has failed those young people across the board for many years. It is not just school itself generally and it is not just employers but it is the funding and the other issue that have led to this situation.

Cllr Yasseen – I worked for the DWP and as an ambassador for their programme that checked accessibility for employing disabled people. I think it has already been mentioned about policy and policy is really important because with policy comes resources and on that particular programme we worked with a plethora of businesses from all different sectors across the UK. One of the big things we found was about the cultural shift and it takes time and money for cultural shifts to happen. A lot of employers are not used to working with or employing disabled people or understanding the social model of disability. So the investment from that particular programme in terms of accessibility allowed us to look at what people can do for you; it looked at different jobs working with the employer to break those jobs down and see how they could be reorganised so that somebody with a particular adaptation or requirement could actually do that job. The job still got done but it was performed in a different way and that is a very different way of looking at employment. Now whether or not the government would ever invest that money when it comes to work experience is not known but on a wider issue about accessibility it is also things like independent living and being able to use public transport because that is also part of the world of work, about having to get somewhere on time or having to access other things. So I think it is wider than just the employers, it is about how we organise ourselves in our society structurally and about what we think is important in terms of inequalities and fairness.

- 9) **How do you ensure that no young person is put off work experience for external factors e.g. financial implications?**  
(Ashcon Chobeh)

Ian Goodall – Financial resources is a tough one to start with as there is a need to put cash in from somewhere as I think we are all well aware that cash was removed, the ring fence was taken away or whatever you want to call it. It is just not there at the moment to probably even fund bus fare to make sure every young person can get to work experience, so I am not sure the financial one is easy to solve.

In terms of how you can make sure people do not have a bad experience, I think that again is a communication issue, it is about making sure that employers know what is expected of them, making sure that students and schools have got an expectation of what is possible from different employers and then follow up after to make sure that it is done right at that whole system level. Clearly Trident was tried and it is probably looking at what was good and bad with that and coming up with something better.

Emilia Ashton – You have the book of contacts and obviously we understand that the money is not always there because of the cut backs or squeezes, then there is inflation etc. Maybe if I was based in Sheffield but you are a firm in Rotherham and I cannot afford that commute you might know a similar firm in Sheffield closer to me which offers something similar. Perhaps it is that connection between the business world saying: “I've had someone interested in this, could you offer them ...?”

Abigail Smith – Moving on from the financial to make different point, about children with mental health issues in mainstream schools, as we talked about being in a hall and someone coming in and talking to them but for children with anxiety who were in mainstream schools they wouldn't be able to go into the hall.

John Barber – We have had some young people in that situation and it is about the support you put around them to make them feel comfortable, picking the right employer to put them with. It is about the young person pushing themselves as well but trying to find the right sort of support in the right placement and spending more time with that young person. Again that is an issue because that time is not there.

Just picking up on the financial point as well, there are some employers who will pay bus fares for young people; we get donations from some employers as we are a charity; or we can put in a bursary for them to go on that work experience, but it is limited. There really needs to be a bigger pot and that sort of support needs to be there because no young person should be disadvantaged by their background to get this opportunity.

Cllr Watson – The only way you can do that is by making it in the school day so that people with other responsibilities at home are not put off. You have to make sure the funding is still there like it used to be so that you do not get situations like those when I taught at Maltby and we had work experience. I would ask my tutor group where they wanted to go and people said somewhere they could walk to; someone wanted to be a graphic designer but would do retail at Tesco because graphic designers were in Sheffield. So it has got to be a blanket if you are not going to exclude anybody because as soon as you make it like David said earlier about whom you know or who your parents know or what you can find out yourself, you will exclude somebody. As Cllr Hoddinott said if you are going to make it any way an equality thing, you have to fund it and that means probably nationally and you have got to make it in the school day and it has to be everybody that has got to do it.

Sharon Kemp – A really practical point I think is actually an expectation around what young people will wear and I know that it can create big anxieties for young people around how they are perceived. Certainly I would have found it very difficult to go into the world of work as my mum made my clothes when I was their age. I think the expectation is that the uniform is the uniform and actually it is thinking through some of the things we might not think about now that are inhibitors to how people might feel walking into a workplace and the situation they might be in. So I think there is something around doing more work with young people because there might be many things we would not necessarily think about that could be really off-putting for a young person when actually within that environment.

Emilia – Communication.

Following the Question and Answer session the Scrutiny Officer highlighted some key themes that had emerged, namely:

- Quality of experience, whether that was a traditional work placement or another opportunity
- Need for partnership and a collective approach across sectors
- Awareness that there were some competing forces at play on policy
- Young people's expectations and aspirations
- Preparation from all sides to ensure placements were successful
- An asset-based approach - what young people could bring, which linked to points raised regarding opportunities for children and young people with Special Educational Needs and Disability

Next steps would be to collate and type up all the information and produce a draft report. The Scrutiny Team would liaise with Sarah Bellamy once this was done and meet with RYC again to tweak the recommendations that would go forward to partners for a response. This would probably be towards the end of June once examinations had finished, with a view to having the final report in July. A response would be expected about September time, which would correspond with the new academic year.

Toni thanked everyone for their attendance and thanked Cllr Steele and the other Elected Members present.

## **135. CLOSURE OF THE MEETING**

Councillor Steele thanked the partners for their contributions in answering the Youth Cabinet's questions and thanked the Youth Cabinet for their questions and input and doing an excellent job. Toni Paxford was also commended for doing an excellent job as Chair.

**OVERVIEW AND SCRUTINY MANAGEMENT BOARD**  
**Wednesday, 20th June, 2018**

Present:- Councillor Steele (in the Chair); Councillors Brookes, Cowles, Cusworth, Evans, Keenan, Mallinder, Napper, Sansome, Short, Walsh and Wyatt.

The webcast of the Council Meeting can be viewed at:-

<https://rotherham.public-i.tv/core/portal/home>

**9. DECLARATIONS OF INTEREST**

There were no declarations of interest by Members or officers.

**10. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS**

There were no questions from members of the public or press.

**11. TO CONSIDER WHETHER THE PRESS AND PUBLIC SHOULD BE EXCLUDED FROM THE MEETING DURING CONSIDERATION OF ANY PART OF THE AGENDA.**

The Chair confirmed that there were no items on the agenda which would require the exclusion of the press or public from the meeting.

**12. BUDGET SETTING PROCESS 2019/20 AND MEDIUM TERM FINANCIAL CHALLENGE**

Consideration was given to a briefing paper which the Board had requested to inform its approach to scrutinising emerging budget proposals for the 2019-20 financial year. The paper outlined the Council's budget setting process for 2019/20 and the anticipated scale of the financial challenge in the medium term.

It was reported that the outline timetable for the budget setting process for 2019/20 required identified budget options to meet the estimated budget gaps for 2019/20 and 2020/21 by September 2018 in order to agree options for public consultation, supported by narrative on budget principles and approach by late September/early October. Within the timeline, consultation with Overview and Scrutiny Management Board on budget options was planned to commence on 3 October 2018, which would be followed by a detailed process of review of those budget options by Overview and Scrutiny Management Board and Cabinet Budget Working Group throughout October and November 2018.

Members noted that the finalisation of the budget proposals for 2019/20 was planned for the end of December 2018, following receipt of the Provisional Local Government Finance Settlement for 2019/20, which was expected to be issued by the Government in early December. The Budget and Council Tax 2019/20 report, incorporating the Medium Term Financial Strategy was proposed to be reported to Overview and Scrutiny Management Board on 13 February 2019, the Cabinet on 18 February 2019 and the Budget Council meeting on 27 February 2019.

It was further reported that the Cabinet had established the following Service Design Criteria, which were guiding the development of budget options:-

- Enable more people to help themselves and each other, through customer insight, early help, early intervention, prevention and a strengths based approach to delivery.
- Rationalise the Council's estate, reducing the number of face to face delivery locations and ensuring that any delivery sites are co-located alongside other public services.
- Share/integrate Council services with other public services where it makes sense to do so.
- Move more transactions with residents online, with face-to-face delivery the exception rather than the rule.
- Seek income generation opportunities that leverage the Council's assets and resources and consider commercial opportunities.
- Define, but continuously review, the Council's core offer and stop delivering non-core services and/or seek income from residents/businesses to fund non-core services. Consider around statutory and non-statutory service provision.
- Consider withdrawal from the delivery or provision of services where there is a functioning local market and facilitate market growth aiming to keep value local.
- Use incentives and sanctions in more creative ways to influence the behaviour of residents that better helps themselves and reduces cost to the Council.
- Create the conditions for economic growth, employment and inward investment.
- Test the 6 by 6 model for tiers of management/spans of control and benchmark against standard approaches.
- Invest in the Council's enabling functions, to drive efficiency, productivity and performance of council services, benchmarking with others.
- Consider where there are invest to save opportunities to speed up service change.
- Consider the needs of Neighbourhoods to inform service redesign.

Members reflected on the financial challenges faced by the Council, noting the specific challenges within adult and children's social care services, and queried what proposals would be brought forward and whether re-engineering of business processes was happening. In response, the Chief Executive indicated that the recent Ofsted report could provide reassurance to Members around the quality of practice in Children and Young People's Services, but acknowledged that further work was required to look at unit costs in both adult and children's social care. Discussions also focused on the approaches that would need to be examined to assist in reducing unit costs associated with children's social care and the need to move away from building based services. It was acknowledged that there would not necessarily be a eureka moment where solutions were identified and it would require ongoing work from Members and officers alike.

In response to a question around the state of the Council's finances and the lessons from Northamptonshire County Council's financial crisis, the Strategic Director of Finance and Customer Services confirmed that the authority was not in the same position as Northamptonshire. However, the need to address the budget challenges identified was amplified by the outcomes of the best value inspection at Northamptonshire.

Members echoed the comments that they had reported following the previous two years of budget scrutiny in respect of the timely submission of proposals for scrutiny and consultation with the public. The Leader of the Council acknowledged the frustrations of Members and provided further assurances that the Cabinet was meeting regularly to analyse early budget options so that they could be submitted for scrutiny at an earlier point. Further reflections on the impact of government intervention were also used to explain the difficulties in developing longer-term financial plans, however Members were advised that the longer term view was part of the Cabinet's considerations. An important area of work was revisiting previously agreed savings to ensure that those targets had been met and budget savings delivered.

**Resolved:-**

1. That the report be noted.
2. That the Chair of the Overview and Scrutiny Management Board, Leader of the Council and the Cabinet Member for Corporate Services and Finance meet to discuss the development of the budget in more detail to inform the scrutiny process for the 2019-20 budget.



**13. COUNCIL PLAN QUARTER 4 PERFORMANCE MONITORING REPORT**

Consideration was given to the report which confirmed how the Council Plan represented the core document that underpinned the Council's overall vision, setting out headline priorities, indicators and measures that would demonstrate its delivery. Alongside it sat the Council's Performance Management Framework which explained to all Council staff how robust performance monitoring and management arrangements were required to ensure effective implementation.

To ensure that the delivery of actions and their impact was assessed, formal quarterly performance reports were required to be submitted to the public Cabinet and Commissioners' Decision-Making meeting, with an opportunity for pre-decision scrutiny consideration in line with new governance arrangements. This report was the fourth and final report in the 2017/18 reporting cycle covering quarter 4 (1st January 2018 to 31st March 2018).

The Performance Report and Performance Dashboard/Scorecard (Appendices A and B) provided an analysis of the Council's current performance against 14 key delivery outcomes and 72 measures. This report was based on the current position of available data, along with an overview of progress on key projects and activities which also contributed towards the delivery of the Council Plan.

At the end of the fourth and final quarter (January to March 2018) 25 measures had either met or had exceeded the target set in the Council Plan. This represented 43.9% of the total number of indicators where data was available or where targets have been set. The direction of travel was positive for 32 (49.2%) of the indicators measured in this quarter. The Priority area with the highest proportion of targets met was Priority 4 (Extending Opportunity and Prosperity).

Members expressed disappointment at the failure to hit targets against priority measures relating to Children and Young People's Services and sought assurances that a 'Plan B' existed to improve performance. In response, the Cabinet Member took an alternative view on the data supplied and considered that social workers were better supporting children and young people and outcomes were improving as a result. Reference was also made to the need for smarter working to help reduce costs and refine processes to work with families to keep children at home rather than entering care. Assurances were provided by officers in respect of the tests applied before children entered the care system.

Reference was made to the challenging target in respect of smoking reduction in Public Health and Members asked for information on the approaches being used to tackle the issue. In response, it was advised that it was an aspirational target that had proved challenging to meet. The new 'Get Healthy Rotherham' service had been launched in April 2018

and was expected to help make inroads to improve performance. Members reiterated the need to focus on preventing children and young people from smoking, which would further assist in improving health and meet the target in the longer term.

Clarification was sought of performance levels for information, advice and guidance in adult social care. In response, Members were reminded that it was a challenging year for the service which necessitated the need for an improvement plan to take positive action. It was noted that additional staff from mental health, occupational therapists and people from the voluntary sector were brought together to empower and provide good quality advice and information at the first point of contact. Improving satisfaction with these service was a key area of work for the directorate during 2018-19 and would also form part of the Medium Term Financial Strategy.

Members made reference to the steady year on year increase in the direct payment system in adult social care and sought to understand what further measures would be required to better meet the target and address any examples of unwillingness to move over to the system. In response, Members were advised that it was the choice of an individual, but further development of strength based assessments and encouraging individuals to find the solutions would be key, along with improvements in customer experience and communication.

Reference was made to performance in respect of the maintenance of unclassified roads and what the likely impact would be. In response, the Assistant Director of Community Safety and Street Scene confirmed that it was an issue facing all highways authorities, however Rotherham had benefited from the 2020 Roads Programme which had seen an extra £10m invested in the road network to arrest problems on unclassified roads, as well as improve the state of major routes maintained by the Council. Reference was made to the impact of the bad winter on the road network and it was confirmed that some additional funds had been received from central government to deal with the issues presented by the inclement weather.

Separate to the report under consideration, reference was made to the general dissatisfaction with the South Yorkshire Police Connect system and the frustrations of residents across the borough in reporting and receiving responses from the police. The Leader of the Council reported that the Cabinet Member for Waste, Roads and Community Safety had raised the Council's concerns in writing to the Police and Crime Commissioner for South Yorkshire and the Chief Constable of South Yorkshire Police.

Discussions also focused on performance in respect of spend on agency, interim and consultancy staff and the percentage of employee performance and development reviews undertaken across the authority. Members reflected that it was disappointing to see the latter indicator not being on target.

Assurances were sought in respect of the way in which Cabinet Members held Strategic Directors and other officers to account for performance indicators across their portfolios. The Leader of the Council confirmed that performance was regularly kept under review by all Cabinet Members and that robust arrangements were in place. Members reiterated that the role of Overview and Scrutiny Management Board was to hold the executive to account and it would continue to do so throughout the year with the receipt of the Council Plan Performance Monitoring updates.

**Resolved:-**

1. That the report be noted.
2. That the specific issues in respect of Connect and South Yorkshire Police be raised when the Safer Rotherham Partnership present their Annual Report on 18 July 2018.
3. That Cabinet Members continue to monitor performance, hold officers to account and alert relevant scrutiny Members to issues at the earliest opportunity.

**14. EQUALITY AND DIVERSITY PEER REVIEW FINDINGS AND PROGRESS UPDATE**

Consideration was given to a report detailing the outcomes of the a peer review of the Equality and Diversity function undertaken by Barnsley and Doncaster councils in October 2017 and the progress made in implementing actions arising from the review's recommendations.

The purpose of the peer review was to offer an external assessment of the Council's self-evaluation against the Equality Framework for Local Government (EFLG). The EFLG comprises five performance areas:

- knowing your communities;
- leadership, partnership and organisational commitment;
- involving your communities;
- responsive services and customer care;
- and a skilled and committed workforce.

It was reported that the peer review focussed predominately on the first two performance areas – 'knowing your communities' and 'leadership, partnership and organisational commitment.' However, relevant observations around the other performance areas were also noted by the peer review team.

The Peer Review Team agreed with the Council's self-assessment that it was performing at the 'developing' level, which meant that the Council currently 'understands the importance of equality.' A number of strengths were also identified by the Peer Review Team, including examples where the Council was working above the 'developing level'. The Peer Review team found that:

- The Equality for All Strategy was forming a strong foundation in building robust Equality and Diversity infrastructure.
- There were examples of excellent practice amongst frontline staff (such as the Neighbourhoods Teams).
- Core pieces of data were in place (such as JSNA, borough/ward profiles etc.)
- Data sharing systems were in place, including through the Rotherham Together Partnership.
- There were examples of services using data to develop more responsive services (for example, Sight and Sound, Safer Neighbourhoods).
- Some services were using engagement activity to inform service planning and decision-making (for example, Different but Equal, Views from Rotherham, Early Help).
- There was evidence of strong political and executive leadership and commitment to the Equalities agenda at a senior level.

From the review's recommendations, the Council identified five key areas to focus on:-

- The Council needs to embed standards around equalities and diversity across the organisation, by determining what information Directorates should collect, how they should do this and how this information will inform decisions about services. This should include embedding equalities within Service Plans as well as influencing the design and commissioning of services.
- There also needs to be a more comprehensive and consistent approach to Equality Impact Assessments.
- A comprehensive evaluation of the current policy and action plan should take place, with the completion of an annual report with more outward facing objectives. This will ensure that the Council can be more responsive and proactive in identifying emerging equalities and diversity priorities.
- A Community Engagement Strategy and Toolkit should be developed so that the Council has a clear, consistent and joined up approach to community engagement, which gives appropriate consideration to equality and diversity.
- Officers and members should be supported to build the knowledge and expertise to embed equalities protocols and practice, and representation from all protected groups in the workforce should be increased.

Members raised concerns in respect of the accuracy of the report which cited seven protected characteristic groups, when there were nine protected characteristic groups enshrined in law. Further concerns were aired in respect of the findings in respect of young people and disabled people.

Reference was made to the finding that there was a gap in deeper understanding of intersectional issues, such as BME older people or LGBT travellers, assurances were sought in the actions taken to address those issues. In response, it was confirmed that work was being done to build such considerations in the community engagement framework, and specific work had taken place within Adult Social Care to address issues around BME older people. It was acknowledged that work was required with the gypsy and traveller community.

Members expressed frustration with the report and the Chair recommended that a meeting organised separately to address the concerns with the Cabinet Member and Assistant Chief Executive.

**Resolved:-**

1. That the findings and recommendations of the Equalities and Diversity Peer Review be noted.
2. That the progress made to date on implementing the recommendations of the Equalities and Diversity Peer Review be noted.
3. That a meeting be held between the Cabinet Member for Corporate Services and Finance, the Assistant Chief Executive, the Chair of Overview and Scrutiny Management Board and Councillor Brookes to address the board's concerns regarding equalities.

**15. OVERVIEW AND SCRUTINY ANNUAL REPORT 2017-18**

Consideration was given to the final draft of the Overview and Scrutiny Annual Report for 2017-18, which was submitted for recommendation to the Council meeting on 25 July 2018.

It was reported that the Overview and Scrutiny Annual Report provided a retrospective summary of the work undertaken by the Overview and Scrutiny Management Board (OSMB) and the three Select Commissions during the last year. The report also offered a look ahead for 2018-19 in terms of future priorities through a headline work programme. Members noted that the scrutiny work programme, as outlined in the annual report, helped to achieve corporate priorities by addressing key policy and performance agendas and the outcomes would focus on adding value to the work of the Council.

It was reported that pre-decision scrutiny had added another dimension to the scrutiny function with over 90% of recommendations made by Scrutiny accepted by Cabinet and Commissioners on a range of policy decisions during 2017-18. In addition to pre-decision scrutiny, the report set out all aspects of Scrutiny work including holding to account, performance management, raising concerns and policy development.

**Resolved:-**

1. That the Annual Report 2017-18 be recommended for approval to Council on 25 July 2018, subject to any changes agreed at the meeting.
2. That any committee membership details for 2018-19 that change following the Council meeting on 25 July 2017 be reflected in the final published version of the report.

**16. OVERVIEW AND SCRUTINY PROCEDURE RULES**

Consideration was given to the recently revised Overview and Scrutiny Procedure Rules, which were adopted by the Council at its meeting on 23 May 2018, following a review by the Association of Democratic Services Officers (ADSO).

The key change made to the procedure rules were to remove reference to Commissioners in the context of the return of the majority of powers to local democratic control and to ensure consistency with the amendments made to the Executive Procedure Rules and Access to Information Procedure Rules.

**Resolved:-**

That the new Overview and Scrutiny Procedure Rules be noted.

**17. FORWARD PLAN OF KEY DECISIONS - JUNE TO AUGUST 2018**

Consideration was given to the Forward Plan of Key Decisions for the period from 1 June to 31 August 2018, which was submitted to enable Members to identify future Cabinet reports for pre-decision scrutiny activity during that period.

**Resolved:-**

1. That the Forward Plan of Key Decisions be noted.
2. That Members notify the Chair of any reports to be considered for pre-decision scrutiny in July and August 2018.

**18. YOUTH CABINET/YOUNG PEOPLE'S ISSUES**

The Chair reported that Janet Spurling was due to meet with the Youth Cabinet to refine the report and recommendations arising from the Children's Commissioner Takeover Challenge meeting held on 25 April 2018. From there, it was intended that the report of the Youth Cabinet would be presented to the Overview and Scrutiny Management Board on 18 July 2018.

**Resolved:-**

That the update be noted.

**19. WORK IN PROGRESS**

The Chairs of the Select Commissions provided the following updates on work undertaken and planned activities:-

***Health Select Commission***

Councillor Evans reported that the Commission had met in the previous week and had received the annual report of the Director of Public Health and learned more about the 'Make Every Contact Count' initiative. The Commission had also received the evaluation report on the Health Village roll out. He further reported that the Joint Health Overview and Scrutiny Committee had met and it was noted that proposed changes to hyper acute stroke services had been deferred pending a judicial review in respect of the proposals.

***Improving Lives Select Commission***

Councillor Cusworth reported on the most recent meeting of the Improving Lives Select Commission which had taken place on 5 June 2018. At that meeting updates had been provided on the Barnardo's Reach Out Service, CSE Post Abuse Services and Edge of Care Provision.

It was reported that the Commission had established a sub-group to monitor performance issues in Children and Young People's Services. Furthermore a performance dashboard for Members detailing various data had been established to better reflect performance.

It was further reported that the July meeting of the Commission would receive reports on Domestic Abuse, the Performance Outturn for 2017/18 and an update on the Early Help consultation.

***Improving Places Select Commission***

Councillor Mallinder reported on a meeting where the Commission had considered the issue of Young Tenants Involvement and it had been interesting to receive three young tenants who had set out what was working and what was not working from their perspective. A sub-group of Members had been established to work with Housing and RotherFed to examine how furniture can be provided to those in need.

It was further reported that the Commission would meet with the Chief Executive of Gullivers to hear more about the ambition for the site next to Rother Valley Country Park. It was also reported that the next meeting would involve representatives of Dignity to discuss bereavement services.

**Resolved:-**

That the update be noted.

**20. CALL-IN ISSUES - TO CONSIDER ANY ISSUES REFERRED FOR CALL-IN**

The Chair reported that there had been no Cabinet decisions had been called in for review by Overview and Scrutiny Management Board.

**21. TO DETERMINE ANY ITEM WHICH THE CHAIRMAN IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY.**

The Chair reported that there were no items of business requiring urgent consideration by the Board.

**22. DATE AND TIME OF NEXT MEETING****Resolved:-**

That the next meeting of the Overview and Scrutiny Management Board be held on Wednesday 4 July 2018, commencing at 11.00 a.m. in Rotherham Town Hall.



**OVERVIEW AND SCRUTINY MANAGEMENT BOARD**  
**Wednesday, 4th July, 2018**

Present:- Councillor Steele (in the Chair); Councillors Brookes, Cowles, Cusworth, Evans, Keenan, Mallinder, Napper, Sansome, Short, Walsh and Wyatt.

The webcast of the Council Meeting can be viewed at:-

<https://rotherham.public-i.tv/core/portal/home>

**23. DECLARATIONS OF INTEREST**

Councillor Walsh declared a personal interest in agenda item 6 (Community Energy Switching Scheme) on the basis that he was a corporate member of the Energy Institute.

Councillor Napper declared a personal interest in agenda item 8 (Allotments Self-Management) on the basis that he held an allotment with a parish council within the borough.

Councillor Steele declared a person interest in agenda item 8 (Allotments Self-Management) on the basis that he held an allotment with a parish council within the borough.

**24. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS**

A question was asked by a member of the public concerning her view that there has been a lack of progress in resolving issues for a number of adult survivors of child sexual exploitation and how decisions were made. In response, the Chair indicated that he was aware of the various responses provided by the Leader of the Council on this subject and would follow up these concerns with the Leader outside of the meeting.

A question was asked by a member of the public in respect of decision making by the Overview and Scrutiny Management Board in respect of requests to review petitions. In response, the Chair referred to the Constitution and its various appendices as being the guiding rules on how decision making worked within the Council. Furthermore, it was explained at the beginning of the meeting on 31 January 2018 that Members would go into closed session to deliberate the merits of the request received and the decision had been taken subsequent to that deliberation.

**25. MODERN METHODS OF CONSTRUCTION PILOT TO BUILD AFFORDABLE HOMES**

Consideration was given to a report due to be determined at the Cabinet and Commissioners' Decision Making Meeting on 9 July 2018 which sought approval to deliver 12 bungalows for older people through a pilot to test alternative modern construction methods.

It was reported that funding for the pilot would come from the Housing Revenue Account (HRA) and subject to confirmation, grant funding from the Sheffield City Region's Housing Fund. It was explained that 'Modern methods of construction' (MMC) was a generic term used to cover several different types of homes manufactured in a factory environment and either fully or partially assembled in the factory, or the component parts assembled on site. MMC could provide an efficient alternative to traditional construction methods for the following reasons:-

- Increased pace of delivery
- Quality and energy efficiency can be higher
- Some providers claim the costs are lower than traditional construction

Members noted that the MMC project was intended to achieve the following outcomes:

- 12 new Council bungalows for older people to rent
- Making the best use of HRA small sites to deliver new Council homes

The proposals received a broad level of support from Members. A number of questions were asked and assurances were provided in respect of the number of bedrooms, the implications of the 'Bedroom Tax' and the quality of buildings through modern methods of construction.

Members were supportive of the need to learn through this approach and sought to understand how flexible the buildings could be in respect of future technologies that may become available. It was confirmed that an element of future proofing would be required, along with a degree of flexibility to take on board new technologies as they developed.

Assurances were provided that there would be further reports as the proposals developed and Members would be provided with the detail of the sites concerned.

**Resolved:-**

1. That the Cabinet be advised that the recommendations be supported.
2. That the Cabinet consider aligning this project with the work of the Scrutiny Task and Finish Group on housing to avoid duplication.
3. That future proposals detail how the Council will market and promote the benefits of modern methods of construction for affordable homes.

**26. COMMUNITY ENERGY SWITCHING SCHEME**

Consideration was given to a report due to be determined at the Cabinet and Commissioners' Decision Making Meeting on 9 July 2018 in respect of undertaking a feasibility study for the development of a community energy switching scheme in Rotherham to reduce the number of people in Rotherham paying high tariffs for gas and electricity.

The overarching feedback from Members was that the proposal was a step in the right direction that would have the benefit of assisting the poorest with energy bills. Whilst it recognised that the proposed Cabinet decision related solely to the conduct of a feasibility study, Members were keen to see this delivered swiftly so that residents across the borough could benefit at the earliest opportunity from potential savings on energy bills.

**Resolved:-**

1. That Cabinet be advised that the recommendations be supported.
2. That Cabinet encourage officers to deliver this project swiftly.
3. That, subject to the outcome of the study, consideration be given to the marketing and promotion of the scheme

**27. ALLOTMENTS SELF-MANAGEMENT**

Consideration was given to a report due to be determined at the Cabinet and Commissioners' Decision Making Meeting on 9 July 2018 in respect of the introduction of a self-management arrangement for allotments owned by the Council.

It was reported that the Council and Rotherham and District Allotments Association had worked together to review the current allotments service and explored possible alternative service models to drive long-term improvement. This had recognised the pressure the service had been under since 2011 arising from reduced public spending. The review gathered evidence to support the assessment of options, including a survey of existing plot-holders, an audit of Council-owned allotment sites, and information about management models in place elsewhere in Britain. Consequently, the Review concluded that the adoption of a self-management model offered the best prospects for service improvement and involving allotment users.

Members were very supportive of the proposal and sought assurances in respect of the future work that was proposed to be undertaken to widen the demographics of people with allotments on council owned sites. Further assurances were sought in respect of roles and responsibilities in the context of the statutory function of the Council and it was confirmed that the proposals were designed to pass operational decisions to the proposed alliance.

In response to a question from Members, it was confirmed that public liability insurance will be covered by the Council under the proposed alliance arrangements.

**Resolved:-**

1. That Cabinet be advised that the recommendations be supported.
2. That Improving Places Select Commission receive an update on the implementation of this project, at a time to be agreed by the Chair and Vice-Chair of the Select Commission.

**28. TO DETERMINE ANY ITEM WHICH THE CHAIRMAN IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY.**

The Chair reported that there were no items of business requiring urgent consideration.

**29. DATE AND TIME OF NEXT MEETING**

**Resolved:-**

That the next meeting of the Overview and Scrutiny Management Board be held on Wednesday 18 July 2018 at 11.00 a.m. in Rotherham Town Hall.

**30. EXCLUSION OF THE PRESS AND PUBLIC**

**Resolved:-**

That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following item on the grounds that it involves the likely disclosure of exempt information as defined in under paragraph 3 of Part I of Schedule 12A of the Local Government Act.

**31. STRATEGIC PROPERTY - RIVERSIDE HOUSE LEASE**

Consideration was given to a report to be determined at the Cabinet and Commissioners' Decision Making Meeting on 9 July 2018 which proposed the restructure of the lease for Riverside House. It was reported that approval was sought to delegate the final details and future lease arrangements for Riverside House to the Strategic Director – Regeneration and Environment, in consultation with the Strategic Director – Finance and Customer Services and the Assistant Director - Legal Services.

The principles of the proposed lease were detailed within the report and Members discussed financial issues associated with the recommended approach and the need to become more efficient in the use of assets owned by the Council.

**Resolved:-**

1. That Cabinet be advised that the proposal to restructure the lease arrangement for Riverside House be supported.
2. That Cabinet be recommended to take an “in principle” decision to approve the restructure of the lease arrangement for Riverside House and delegate authority as outlined in the published officer recommendations.
3. That efforts to co-locate more public services within Riverside House be supported.
4. That Overview and Scrutiny Management Board monitor the impact of the proposed change through the budget reporting process.

**OVERVIEW AND SCRUTINY MANAGEMENT BOARD**  
**Wednesday, 18th July, 2018**

Present:- Councillor Steele (in the Chair); Councillors Cowles, Cusworth, Evans, Keenan, Mallinder, Napper, Sansome, Short, Walsh and Wyatt.

Apologies for absence:- Councillors Brookes.

The webcast of the Council Meeting can be viewed at:-

<https://rotherham.public-i.tv/core/portal/home>

**32. MINUTES OF PREVIOUS MEETINGS**

**Resolved:-**

That the minutes of the meetings held on 10 and 31 January, 14 and 21 February, 7 and 21 March, 11 April, 16 May and 6 June 2018 be approved as true and correct records of the proceedings.

**33. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**34. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS**

There were no questions from members of the public or press.

**35. EXCLUSION OF THE PRESS AND PUBLIC**

The Chair reported that there were no items of business requiring the exclusion of the press or public from the meeting.

**36. YOUTH CABINET/YOUNG PEOPLE'S ISSUES**

Consideration was given to a report which outlined the findings and recommendations from a spotlight review undertaken by Rotherham Youth Cabinet in respect of improving access to work experience opportunities for all young people in Rotherham.

Members paid tribute to the approach work of the Youth Cabinet and young people at the Children's Commissioner Takeover Challenge meeting in April. Furthermore, the Board indicated that Members fully supported the report and recommendations made by the Youth Cabinet.

**Resolved:-**

1. That the review report be received and the conclusions and recommendations of the Youth Cabinet, as outlined in sections 5 and 6 of the report, be noted.

2. That the report be forwarded to Cabinet and Commissioners and partners for consideration and to Council for information.
3. That a detailed response to the recommendations be presented to Overview and Scrutiny Management Board in the autumn of 2018.

### **37. COMMUNICATIONS AND MARKETING UPDATE**

Consideration was given to a report and presentation in respect of the progress being made with the new Communications and Marketing Strategy. Members received an update on and an overview of some of the major milestones that had been achieved to date.

Members noted that the service wanted to:-

- Be open and transparent
- Keep people well informed, leading to residents having more confidence in the council and pride in their area
- Explain and reiterate the council's aims and objectives (priorities) through all communications
- Ensure the council's voice is heard in media stories
- Consider opportunities to involve and engage

Members welcomed the presentation and acknowledged that there had been improvements in the Council's communications since the turn of the year, with specific reference to the fortnightly Member Briefing issued to all councillors. Turning to the broader issue of communication, Members referred to the mixed quality of information supplied from services regarding notification of works, events or disruption to service provision in wards. In response, the Assistant Chief Executive advised that this was an area in need of development that linked in to neighbourhood working. It was acknowledged that a consistent dashboard of information for councillors which covered the borough, with links to individual wards. The development of such a dashboard with services would be a priority for the incoming Head of Neighbourhoods.

Clarification was sought as to whether responsibility for consultations would sit with the Communications service or if individual services in directorates would be responsible. It was confirmed that work to develop a consultation and engagement framework was planned, but directorate would be responsible for delivering consultation with corporate oversight being provided by the Performance, Intelligence and Improvement service with support from Communications and Marketing to publicise and make consultation documents accessible.

#### **Resolved:-**

1. That the report and presentation be noted.

2. That the establishment of a dashboard for Members sharing ward intelligence and information be supported, to link services, neighbourhood working and civic and community leadership through Members.

### **38. FINANCIAL OUTTURN 2017-18**

Consideration was given to a report which outlined the final revenue and capital outturn position for the 2017/18 financial year.

It was noted that the Revenue Budget 2017/18 was approved by Council on 8 March 2017. A budget of £221.560m (including Public Health) was set for General Fund services; this excludes schools budgets and Housing Revenue Account (HRA). The final outturn position was a £3.237m underspend. The original budget proposed a planned use of reserves of £10.467m, therefore only £7.230m will be utilised leaving £3.237m which will be available to support the budget in later years. A summary of the outturn position for each Directorate is shown in the table in Section 3.1 below. The Council continues to face demand pressures, in particular, in respect of social care. The total overspends on Social Care were £7.737m on Children's and £4.059m on Adults. The Council's General Fund minimum balance reserve remains at £11.269m. The reserve is held to protect the Council against unforeseen events and realisation of contingent liabilities. The Housing Revenue Account (HRA) had an underspend of £2.353m. The schools outturn position which is funded by the ring-fenced Dedicated Schools Grant had an underspend of £0.097m. The Capital Outturn shows an underspend of £13.359m against the estimated spend for 2017/18 included within the Capital Programme.

Members expressed concerns that the outturn position hid the significant overspends in social care services for children and adults and sought assurances in respect of the work being undertaken to analyse and reduce spending in these areas and associated spending in Legal Services.

A specific query was raised in respect of the Thermal Improvement Scheme funded through the Housing Revenue Account and whether the final report on the works undertaken had been completed and outcomes shared. As the service was not present at the meeting, it was agreed that a response would be sought and provided in writing to Members.

Assurances were offered to Members that the Workforce Management Board, a committee of senior officers from across the authority, were robustly challenging appointments to vacant posts and contributing to the reduction in spend in respect of agency, interims and consultancy staff. It was further explained that analysis was taking place of the way in which Legal Services provided support to Children and Young People's Services for court proceedings relating to bringing children into care to ensure that the approach adopted was still necessary and providing best value.



Further concerns were expressed in respect of the financial position for social care services for children and adults and assurances were sought that previously agreed savings had been delivered. It was explained that discussions were ongoing and the review of the budget was being led by the Leader of the Council and Chief Executive. Specific reviews that had been previously committed to were reported to be delivering required savings and the aim would continue to be to balance the budget. It was also confirmed that services analyse information from comparable authorities to benchmark and review practices to reduce costs where possible. The significant increase in demand for social care services for children arising from the complex abuse inquiry was cited as the principle cause of overspending in Children and Young People's Services by the Cabinet Member for Corporate Services and Finance. He further indicated that the Council could not let children and young people down and that there were also legacy issues that had led to increase spend. Despite line-by-line analysis of each budget, the increase in demand was the main cause of pressure and that would continue to be the case until demand reduced.

Members concluded that the financial position was of concern and the next report on the agenda providing the first budget update of the 2018-19 financial year was a source of further concern.

**Resolved:-**

That the Financial Outturn 2017-18 be noted.

**39. MAY 2018-19 FINANCIAL MONITORING REPORT**

Consideration was given to a report which set out the financial position at the end of May 2018 and was based on actual costs and income for the first two months of 2018/19 and forecast for the remainder of the financial year. Members noted that financial performance was a key element within the assessment of the Council's overall performance framework, and was essential to achievement of the objectives within the Council's policy agenda. To that end, the May Financial Monitoring Report was the first in a series of monitoring reports for the new financial year which would continue to be brought forward to Members on a regular basis.

It was reported that, as at May 2018, the Council had a forecast year-end overspend of £5.8m on the General Fund, after taking account of the £10m budget contingency approved within the 2018/19 budget and the actions underway to address budget pressures, particularly in Children's and Adult's social care. Members noted that the Children's and Young People's Services Directorate continued to overspend against budget in 2018/19. Due to demand for services outstripping budget capacity the number of children in care had increased in the financial year, up 23.3% (from 509 to 628) since May 2017. This had been exacerbated by the number of high cost placements that had arisen from a combination of complex child protection cases and Operation Stovewood. This increase

in the number of Looked after Children also placed significant pressure on Legal Services within the Finance and Customer Services Directorate. The current forecast overspend for Legal Services was £1.010m before mitigating actions.

It was further reported that Adult Care Services were forecasting an overall overspend of £6.221m. Residential and Nursing Care budgets across all client groups were under pressure due to a combination of increased client numbers, the rising cost of care packages, and delays in delivery of savings plans. A recovery plan had been developed to address previously undelivered savings and project plans were being finalised with the expectation that further savings would be identified from that activity.

The Regeneration and Environment Directorate had forecasted a balanced budget, although it was facing challenges from a combination of declining business from the School Meals service, losses on PFI contracts, and challenges with delivery of budget savings. Management activity was underway to identify areas of overspend and put mitigating measures in place, whilst maintaining service delivery.

Members were advised that the overall budget position would continue to be closely monitored with provision of regular updates. Within the 2018/19 budget, new savings of £15.2m were required to achieve a balanced budget. This was in addition to £6.5m of savings that were approved in prior years for delivery in 2018/19, making a total savings requirement of £21.7m. Progress in delivery of these savings was reflected in the forecast overspends and supporting narratives of the Directorates. Members noted that all savings were either on track or mitigating actions in place with the exception of savings in Adult Social Care and a small amount in Children & Young People's Directorate. These positions were reflected in the financial monitoring forecast outturns and the Directorate narratives.

Following on from the debate on the previous agenda item, Members expressed frustration at the apparent lack of progress being made in resolving the challenges that leading to predicted overspends in social care services for children and adults. The Chair reflected on the work that the Board had undertaken in monitoring and challenging in respect of the budget in the previous two municipal years and was concerned that agreed plans were not being delivered. He reiterated the need for a deliverable financial plan and the importance of robust contingency arrangements. In response, it was confirmed that budget options for the next financial year, which would deal with the overspends and plans for savings in future years, were being considered presently and would be presented for scrutiny in October 2018

Members sought clarification in respect of potential budget pressures arising if Better Care funding ceased after 2020 and what contingencies had been planned for. In response it was confirmed that there would be an increase in Better Care Fund monies in 2019/20, however the Government had not confirmed its intentions beyond that time. As a follow up, Members queried the timescale for the recovery strategy for adult social care and when they could expect to see it relieving some of the budgetary pressures facing the service. In response, it was explained that plans were currently being put in place and the impact of this would be reported in the monthly financial update to Cabinet.

Noting that time was of the essence and the overspend position seemed to be drifting and accepting the increase in the number of Looked After Children and the pressure that had created, Members sought information in respect of the actions being taken to reduce spending in Children and Young People's Services. In response, it was explained that the specific report on Children's Services which was the next agenda item would explain the actions in more detail. Members noted that there were 646 children in care, which highlighted the incredible increase in demand faced by the service. Work was ongoing to look at reducing unit cost, where there had been an impact arising from previous work. It was explained that actions in respect of market management, reviewing the right care arrangement appropriate to the child and discharging children and young people into alternative settings at the appropriate time. It was confirmed that there were around 70 Looked After Children currently in out of authority placements.

Further assurances were sought in respect of spend on agency, interim and consultancy staff and whether a moratorium on recruitment would be implemented. In response, reference was made to the enhanced controls implemented through the Workforce Management Board, which had placed tighter restrictions on recruitment. A significant decrease in agency workers in Children and Young People's Services had been realised in quarter 1 of the current year, alongside an overall reduction in the number of posts going to advert. In addition, directives on reducing spend by delaying or not renewing contracts were to be issued. Responding to a further query in respect of the number of agency staff in Children and Young People's Services, it was confirmed that there had been a steady reduction with 12.5% of the workforce consisting of agency staff, which compared to the national average of 16%. It was explained that there had been a number of reasons for the increase in use of agency staff, such as Operation Stovewood and the complex abuse inquiry, as well as preparations for the Ofsted inspection.

Clarification was sought in respect of the deferment of decisions in Children and Young People's Services that would have delivered increased savings, such as Phase 2 of the restructuring of the Early Help service. It was confirmed that the deferral of the decision had been at the request of the Commissioner for Children's Social Care. An explanation was also provided for the delay with the Business Support review and where that piece of work was currently.

**Resolved:-**

1. That a group of OSMB Members be established to monitor in year spend.
2. That a monthly report on vacancy management be submitted to the group of OSMB Members
3. That consideration be given to building in adequate time for consultation when planning the implementation of budget savings to avoid delays in realising savings. when planning budget savings programme that build in time for adequate consultation to avoid savings being delayed.
4. That a breakdown detailing the spend within Children and Young People's Services on the Complex Abuse Inquiry, staffing and the High Needs Block be provided to the group of OSMB Members

**40. BUDGET MONITORING - CHILDREN AND YOUNG PEOPLE'S SERVICES**

Consideration was given to a report in respect of financial monitoring against the budget for Children and Young People's Services. It was reported that demand in Children's Services was high and continuing to rise across all key areas which include children in need of help, protection and children requiring care. The main factors that have impacted on demand were:

- Complex abuse inquiry and Operation Stovewood – 105 children in care had been referred from these investigations;
- Improved social work practice intervention in legacy cases specifically re neglect; and
- National increase in statutory intervention and a budget shortfall of £2bn predicted by 2020.

It was reported that the Children's Services budget for 2018/19 (excluding schools) was £57.4m. Expenditure in the 2017/18 financial year was £69.8m and forecast expenditure before mitigating actions in 2018/19 was £72.7m, which represented an in year pressure of £15.3m that had increased compared to initial estimates in March due to a continued net increase, albeit at a slower rate, in the number of children admitted into care. In year mitigations of £5.7m had reduced this pressure to £9.6m.

Members noted that demand on the service remained high and had continued to rise across all key areas, which included children in need of help and protection and children requiring care. Demand seen at the front door through to children in care and in key service areas was significantly high when compared to our nearest and statistical neighbours with the number of looked after children ('LAC') significantly higher than most neighbouring authorities.

Clarification was sought in respect of the approach to tackling the increased demand and it was explained that there was a continuing focus on the need to reduce demand. The authority would continue to meet its statutory obligations, but where there were opportunities to reduce spend these would be evaluated and taken where appropriate. Members noted that caseloads for social workers had increased as a result of increase demand and that Ofsted had confirmed that the criteria followed was consistent with national standards. The Deputy Leader reiterated the Council did not want to bring children into care, but did so because it was the only course of action left according to national guidelines and the law.

Assurances were sought in respect of how effective vacancy management would deliver savings. It was explained that all current vacancies were being reviewed and some posts were forecast to be vacant for some time, with some vacant from the beginning of the financial year. It was also confirmed that there were two consultants presently working in the Children and Young People's Services directorate.

Reference was made to the level of performance in the directorate which had been recently considered by the Improving Lives Select Commission, where it was noted that an increasing number of indicators were off target. Members expressed concern at the prospect of maintaining performance levels whilst seeking to make savings. Officers relayed confidence that the planned mitigations would deliver the savings requirement, but advised that pressures would continue if demand rose further.

**Resolved:-**

1. That the new Strategic Director of Children and Young People's Services be invited to attend a meeting of Overview and Scrutiny Management Board in November 2018 to set out his financial plan for Children and Young People's Services.
2. That further details on in-year mitigations be submitted to the sub-group of Overview and Scrutiny Management Board members in September 2018.
3. That a detailed breakdown of spend be provided to the sub-group of Overview and Scrutiny Management Board members to provide assurance in respect of extra pressures faced by the service.

**41. SAFER ROTHERHAM PARTNERSHIP ANNUAL REPORT**

Consideration was given to the annual report of the Safer Rotherham Partnership (SRP) and a presentation by the Cabinet Member for Waste, Roads and Community Safety, the Head of Community Safety, Resilience and Emergency Planning and Superintendent Steve Chapman of South Yorkshire Police.

The presentation detailed achievements in the previous twelve months, including the findings of independent peer reviews, the return of community safety powers to local democratic control by the Secretary of State, revised processes and stronger engagement. Emphasis was placed on the importance of data and the use of data by partners and it was acknowledged that there was increased accountability amongst partners.

Members noted the priorities of the Safer Rotherham Partnership:-

- Preventing child sexual exploitation
- Building confident and cohesive communities
- Reducing the threat and harm of domestic abuse
- Reducing and managing anti-social behaviour
- Reducing violent crime and sexual offences

It was reported that an independent health check of the partnership had been conducted by Blackburn with Darwen Council, which had provided an assurance that the partnership was developing in the right way and highlighted areas for further development, such as strategic alignment of resources and commissioning. Domestic abuse had been a key area of focus for the SRP and it was noted that there was increased confidence in the quality of particular services, however there would need to be more joined up work in the response to victims and to share data to further improve.

Members raised their frustrations at the failure to share performance information and data in respect of hate crime since December 2017, which had been raised with the Cabinet and at the SRP Board also. Assurances were given that the data would be shared.

Further frustrations were shared in respect of the lack of confidence in the 101 Connect system on the part of both Members and the communities that they represented. Assurances were sought that the reduction in crime reporting had not occurred as a result of people not bothering to report incidents. In response, Superintendent Chapman felt that there could be an element of that issue, but he believed that it was because the level of crime had plateaued and there was a better understanding of crime recording within the force. He further explained the variety of crimes that police constables have to understand and be confident in investigating.

In response to a query in respect of the benefits of working in partnership in neighbourhoods, anecdotal examples were provided that had led to direct results, such as arrests and seizures of motorbikes, and the use of housing data for warrant applications. It was explained that structures and processes were now in place and the picture would be better informed in future through the use of data. Further reference was made to local offender management plans and the potential for sharing information with Members to ensure that individuals remain safe.

Members thanked the Cabinet Member for Waste, Roads and Community Safety, the Head of Community Safety, Resilience and Emergency Planning and Superintendent Chapman for their attendance and for preparing a good, timely report for the Board's consideration.

**Resolved:-**

1. That the Safer Rotherham Partnership Annual Report be noted.
2. That further work be undertaken to establish protocols for sharing local offender management plans or information supporting such plans to ward councillors.

**42. WORK PROGRAMME AND PRIORITISATION - OVERVIEW AND SCRUTINY MANAGEMENT BOARD**

Consideration was given to a report detailing the outcomes of the work programming and prioritisation activity undertaken by the Overview and Scrutiny Management Board earlier in the municipal year.

It was reported that Members had agreed the following principles:-

- The work programme should be realistic in what can be achieved however the work programme will need to remain flexible throughout the year to allow for any policy changes or emerging issues which warrant investigation. As a consequence, all work programmes should allow 'headroom' in their planning to ensure there is capacity for this flexibility.
- Given the pressures on capacity, opportunities to review issues at an earlier pre-decision stage should be explored and it was agreed that further discussions take place with the Leader to ensure that pre-decision items are scheduled earlier in the process.
- Each select commission will agree its prioritised work programme at their next meeting. The Audit Committee will be mindful of the scrutiny priorities in developing its work plan. The outline work plan will be circulated to OSMB for approval with a summary included in the Annual Report.

- Once issues for review have been identified, members, in conjunction with officers, will scope the terms of reference and determine the most appropriate style of review to undertake to ensure an effective outcome within the available capacity (e.g. workshop sessions; spotlight reviews; in-depth pieces of work).
- Each Select Commission Chair and Vice-Chair will meet with the relevant portfolio holder(s) on a regular basis to discuss policy and performance issues, planned and on-going scrutiny reviews and any emerging issues within their portfolio
- There will be an informal meeting with chair and vice-chair with their respective Link Officer and Scrutiny Officer to review the work programme and forward plan to ensure appropriate prioritisation and ensure all relevant information is available to members in advance of scrutiny.
- Performance Monitoring/Financial Monitoring – each chair/vice chair will lead on questioning on areas in council plan/financial monitoring which relate to their commission's remit.

It was reported that Members had agreed that the overall priority for its work remained the ongoing monitoring of the Budget and Medium Term Financial Strategy. In addition to this, the following issues were raised for scrutiny:-

- Impact of roll-out of Universal Credit (cross cutting with other select commissions)
- Feasibility of introducing energy collectives
- Scrutiny of long-term contracts/commissioning
- Action plan arising from the Corporate Health Check

**Resolved:-**

1. That the action points outlined in Paragraph 3.1 be endorsed as a basis for its work planning.
2. That the prioritised items within the Overview and Scrutiny Management Board's work programme for 2018/19 be approved.
3. That the outline work programmes of the Select Commissions be noted.
4. That regular updates be provided on the progress of the work programme and further prioritisation as required.

**43. WORK IN PROGRESS - SELECT COMMISSIONS**

The Chairs of the Select Commissions provided the following updates on work undertaken and planned activities:-



***Improving Places Select Commission***

Councillor Mallinder outlined the agenda for the meeting scheduled to take place on 26 July 2018 which would include receipt a report from Dignity in respect of bereavement services. Work was also underway to plan a day to focus on the Cultural Strategy and meetings continued to take place with the Commission's Link Officers.

***Health Select Commission***

Councillor Evans reported that the Health Select Commission was scheduled meet on 19 July 2018 to consider the impact of the budget savings made in respect of sexual health and the implementation of the Carers Strategy. He further reported that the quarterly briefing with health partners would take place on the afternoon of 19 July 2018.

***Improving Lives Select Commission***

In the absence of the Chair and Vice-Chair of the Improving Lives Select Commission at that point in the meeting, it was reported that a meeting had taken place on 17 July 2018 where consideration had been given to the following items:-

- Domestic Abuse update
- Children & Young People's Services (CYPS) 2017/2018 Year End Performance
- Children and Social Work Act 2017 - Implications for Practice

**Resolved:-**

That the update be noted.

**44. CALL-IN ISSUES**

The Chai reported that there were no call-in requests for the Board to consider.

**45. URGENT BUSINESS**

The Chair reported that there were no items of business requiring urgent consideration.

**46. DATE AND TIME OF NEXT MEETING****Resolved:-**

That the next meeting of the Overview and Scrutiny Management Board be held on Wednesday 1 August 2018 at 11.00 in Rotherham Town Hall.

## Summary Sheet

### **Name of Committee and Date of Committee Meeting**

Cabinet and Commissioners' Decision Making Meeting – 6 August 2018

### **Report Title**

Developing an Evidence-Based Programme to reunify Young People who are Looked After

### **Is this a Key Decision and has it been included on the Forward Plan?**

Yes

### **Strategic Director Approving Submission of the Report**

Mel Meggs, Acting Strategic Director of Children and Young People's Services

### **Report Author(s)**

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### **Ward(s) Affected**

Borough Wide

## Summary

Rotherham's number of children and young people is higher per 10,000 of population than the national average and statistical neighbours and continues to rise.

Multi-Systemic Therapy – Family Integrated Transitions (MST-FIT) is a programme consisting of two intersecting phases; it is targeted towards children and young people between the ages of 11 and 15 and their families. The target cohort is adolescents who are currently in residential care and who, without focused intervention, are expected to remain there until they are 18. The first phase lasts for 12 weeks, the child is moved from an out of authority placement into a local residential home. The residential team use a model called the 'Integrated Treatment Model' (ITM) to support young people to manage their behaviour and learn new skills. Phase two involves the MST team in the community who support the child and family for up to 20 weeks as they learn to live together again. The two teams work closely together to ensure that there is a clear and supported pathway from the residential provision to a successful return home.

The potential return on investment is high as the offer presents a realistic alternative to adolescents remaining in the care system until they are 18 and to reducing the cost of expensive out of authority placements.

This paper outlines the service, the long term benefits and financing options.

**Recommendations**

1. That the implementation of the MST-FIT model as part of the LAC Sufficiency Strategy to reduce the number and cost of children in care be approved.
2. That approval be given to progress with plans to set up the MST-FIT service and that the most appropriate method of financing be delegated to the Strategic Director of Finance and Customer Services once the grant award from the Life Chances Fund is confirmed and reported back to Cabinet.

**List of Appendices Included**

Appendix 1 MST-FIT Financial Plan

**Background Papers**

None

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## **Developing an Evidence-Based Programme to reunify Young People who are Looked After**

### **1. Recommendations**

- 1.1 That the implementation of the MST-FIT model as part of the LAC Sufficiency Strategy to reduce the number and cost of children in care be approved.
- 1.2 That approval be given to progress with plans to set up the MST-FIT service and that the most appropriate method of financing be delegated to the Strategic Director of Finance and Customer Services once the grant award from the Life Chances Fund is confirmed and reported back to Cabinet.

### **2. Background**

- 2.1 The Multi Systemic Therapy – Family Integrated Transitions (MST-FIT) service under consideration is an innovative approach to address sufficiency for looked after children. It seeks to make a positive case for a model of intervention where young people can learn to behave differently whilst their families learn and are supported to resume leading their care. The service will enable residential care to be used as an intermediate step on the journey to parents fully caring for their children.
- 2.2 MST-FIT is an adaptation of the MST Standard model. MST Standard is designed to prevent children from being placed in either care or custody. MST Standard has an international evidence base to demonstrate its effectiveness and has been successfully delivered in Rotherham and Barnsley through a shared service arrangement.
- 2.3 MST-FIT was developed to support the reintegration of children in care or custody back into the family home. The first phase of MST-FIT places the child in a residential care home for 12 weeks. The home runs a programme called the Integrated Treatment Model (ITM). ITM focuses on a range of behaviours with the young person, including increasing the young person's knowledge of their own behaviour, the driver for their behaviour and the behaviours and drivers of others.
- 2.4 Section 4 explores the three financing options in detail.
  - Option 1: a traditional funding approach from the Children and Young People's (CYPS) revenue budget;
  - Option 2: third party investment through a social impact bond which would be re-paid from the CYPS revenue budget and Life Chances Fund (LCF) if certain pre-agreed outcomes are achieved;
  - Option 3: a combination of options 1 and 2.
- 2.5 The Life Chances Fund (LCF) provides local authorities support to explore the opportunities provided by social impact bonds and outcome based commissioning. Rotherham CYPS have been awarded a grant in principle of £85k per annum for five years subject to a final project submission on 31<sup>st</sup> July 2018.

### 3. Key Issues

- 3.1 Stage one, the residential unit work, will see the young person transfer from their existing residential placement into a commissioned residential home in Rotherham for a period of twelve weeks. At the same time the MST community team (stage 2) work with the young person's family to help them change their parenting approaches and behaviours. When the young person's 12 week period in the home ends they return to live with their family. The family is then supported by the MST community team for a further 20 weeks. The second phase of the programme – MST standard – is not new to Rotherham. It is a service run in partnership with Barnsley Council which has successfully prevented children and young people entering care. The two phases of the intervention are closely aligned to ensure a smooth pathway from the residential provision into a successful return home.
- 3.2 If the work to reunite the young person with their family is unsuccessful an alternative long-term placement in fostering or back into a suitable residential placement will be found. The skills developed during the programme will support the young person to thrive and achieve better outcomes even if they are not able to return home.
- 3.3 Rotherham has 67 looked after children in out of authority residential care (June 2018). An initial scoping exercise has identified 24 children (out of 67) who would be candidates for MST-FIT reunification.
- 3.4 The maximum service capacity per year will be 12 children, based on a three bed residential provision and four cycles of ITM lasting twelve weeks.
- 3.5 The scheme is expected to run for an initial period of five years. In order to guarantee that the demand will be there for the full period of the project a scoping exercise has begun and has identified 24 children and young people from those currently in out of authority residential care who fit the programme criteria. The average number of new entrants into residential care per year, based on the trend of the last three years is 35. If the ratio of new entrants who would qualify for MST-FIT matches the proportion from the current residential population then there will be an additional 7 young people per year in scope. Existing and future children in care, including those in independent fostering placements, will guarantee over 100 children from which more detailed suitability can be determined.
- 3.6 In addition Barnsley Council has indicated that they would be interested in purchasing one place per ITM cycle i.e. 4 per year. This, and an evolving link with the Mockingbird model of foster care offering the chance to establish a step-down pathway from residential care to fostering, will further strengthen the number of children in scope each year.
- 3.7 MST-FIT is being used in two authorities in the UK (Leeds and Northamptonshire) where it is showing strong engagement rates and very positive changes in children's behaviour. Long-term reunification success from the programme is above two-thirds in both authorities.

- 3.8 The ambition for Rotherham MST-FIT will be to out-perform MST-FIT services in other authorities through the unique partnership model – with the commissioner (RMBC), investor and two providers working together and focused on delivering better outcomes for young people. The financial savings that will follow are significant and by the end of 2023/24 the annual expenditure on placements for looked after children will be £3.7m less than currently forecast for 2018/19.
- 3.9 MST-FIT has a number of direct benefits which are outlined above. There are significant secondary outcomes which include how it will:
- Enhance the skills, knowledge and understanding of social workers responsible for children in care
  - Enhance the skills, knowledge and understanding of the residential care staff who care for our children in care
  - Improve the quality of practice of staff across our children's workforce in collaboration with the support offered through evidence-based programmes
  - Enable evaluation of whether or not care provision can be used proactively to 'treat' problem behaviour involving teenagers
  - Enable evaluation of whether or not it is possible to establish a practice model that changes our understanding about the potential of residential care when it is allied with community programmes
  - Present an alternative, costed model to commissioners that can provide confidence in likely outcomes.

#### **4. Options considered and recommended proposal**

- 4.1 This project will close a gap in provision for existing children in care by providing a focused treatment programme with the aim of placing children back in a family environment. It will complement the work of the Right Child Right Care Board – established to review and closely monitor the number of children being admitted to and discharged from care and the length of time in care – and the suite of services which form part of the Rotherham Edge of Care offer.
- 4.2 The total estimated cost of the MST-FIT service is £1.120m per annum, of which £570k is for the residential provision (stage 1) which would be funded from the existing out of authority residential placement budget. The balance of £550k for the MST community team and programme management would be funded from gross savings achieved in-year. The exact amount that the council would need to fund will depend on the financing option that is selected. Indicative net savings (i.e. after any new investment) are:
- 2019/20 – £0.324m
  - 2020/21 – £1.478m

- 2021/22 – £1.088m
- 2022/23 – £0.399m
- 2023/24 – £0.434m

4.3 The costs of the service and the estimated savings are subject to some sensitivity and will depend on a number of factors:

- The commissioned residential home – current assumptions are based on a three bed home, a four bed unit would cost more to commission but would offer an extra four places on the programme per year.
- The LCF grant may increase once final programme costs are submitted as part of the grant set up form.
- Once the detailed scoping exercise has been completed and a current cohort of potential entrants into the programme has been established a refined average annual cost of the existing care placement (and hence saving) will be available which might be more or less than the overall average cost of the 67 young people in residential placements as of June 2018.
- Further work will clarify the difference in years 4 and 5 between genuine cost reduction and maintaining cost avoidance and savings achieved in previous years.

**Option 1: Realign the CYPS social care budget and provide additional investment to fund MST-FIT in full**

4.4 The residential provision will be a 3 or 4 bed home (3 beds assumed for modelling purposes in Appendix 1). Three young people in out of authority residential placements will be transferred into the new commissioned home every twelve weeks. The budget for their residential costs will transfer with them (3 x £175,000). The budget will follow the young person, if they successfully graduate through the scheme and return to the family home the balance of the budget will contribute towards Children's Services savings. If the young person still requires a fostering placement funded by the local authority, the budget from their original placement will fund a new one before contributing to savings.

4.5 If the programme delivers the outcomes that are expected in the first full year of operation estimated savings will cover the cost of the new MST team. Service implementation will be from January 2019 and as a result there will only be a part year effect in 2018/19. Set up costs will contribute to a one-off deficit position in 2018/19.

**Option 2: Delivery via an outcome based contract in partnership with a social investor (using a Social Impact Bond) and with funding support from the Life Chances Fund**

- 4.6 Using this method of delivery the council as commissioner would still contract directly with chosen provider(s). However the initial costs of the service would be funded by a social investor who would loan upfront funding in order to deliver the service. The council would pay the investor back in instalments over the life of the scheme based on the programme achieving agreed outcomes.
- 4.7 The net financial benefit of option 2 would be marginally better than option 1 but the method of financing the service and the commissioning process, contract monitoring and evaluation would have to differ from a more traditional approach.
- 4.8 The significant difference in using the Social Impact Bond method of upfront funding is that the risk of failure would sit with the social investor rather than the council. The council would pay nothing for outcomes that did not meet pre-agreed targets.
- 4.9 However if pre-agreed targets are met the likelihood is that the council would pay the provider an inflated fee to cover the return on investment (ROI) expected by the social investor (ROI could be anything from 0% to 10% [5% is used in the modelling]).
- 4.10 In order to encourage commissioners to approach investments using innovative solutions the Life Chances Fund was created to award grants to commissioners who commit to funding projects through a Social Impact Bond. The grant has been designed to contribute towards the outcome payments. Any return on investment for social investors will be funded from the LCF rather than the council.
- 4.11 Financing the scheme using a Social Impact Bond has additional advantages. It allows Rotherham to try out innovative models of practice without exposing the Local Authority to undue risk. Social Impact Bonds may become a necessary component of funding in the future. In addition to the upfront financial investment there is significant expertise made available to the Local Authority that will enable learning and development of outcome based commissioning and robust performance management based on a delivery model with partnership and shared outcomes at its core.
- 4.12 The National Implementation Service, who hold the UK license for MST, also have expertise in developing services using social impact bonds. They are supportive of this approach and will share their knowledge to ensure the successful delivery of Rotherham's programme.



**Option 3: A combination of option 1 and option 2**

- 4.13 Option 3 has been explored due to the clear distinction between the two elements of the MST-FIT service – the residential home and the MST community team – and how they might best be established and funded. Option 3 could see the residential provision funded through social investment in the first instance (and dependent on meeting pre-agreed outcomes reimbursed by the Council as outlined in paragraph 4.6). An in-house MST team could be funded upfront by the Council but still subject to outcome based performance management.
- 4.14 The commissioned residential provider does lend itself to the Social Impact Bond and outcome based contracting model.
- 4.15 However for the MST community team the process of commissioning a provider might be more difficult given the requirement to obtain an MST licence in order to operate. It might be beneficial to build on the existing MST standard shared service with Barnsley Council who already have the MST licence and there might follow opportunities to make efficiencies across both services.

**Option 4: Not to progress with the proposed service**

- 4.16 Cease to further develop the MST-FIT service provision and withdraw from the Life Chances Fund.

**5. Consultation**

- 5.1 The approach being taken to explore funding options has been developed in collaboration with colleagues from Barnsley Council with whom RMBC co-delivers MST Standard. There has been initial engagement with the VCS – meetings with Voluntary Action Rotherham (VAR) and presentation to the VCS Children and Young People's Consortium. The MST National Implementation Lead has contributed to all discussions so far and is supportive of developing the MST-FIT model in Rotherham
- 5.2 A market warming event took place on 21<sup>st</sup> March 2018. Seven potential providers expressed interest in the event and four potential providers attended an in-depth presentation delivered by MST Services and MST-FIT consultant from the University of Washington and RMBC.

**6. Timetable and Accountability for Implementing this Decision**

- 6.1 The final project proposal to the Big Lottery Fund, who administer the Life Chances Fund Grant, was submitted on 15<sup>th</sup> June 2018. A decision regarding the Life Chances Fund Grant award will be made in early August.
- 6.2 It is expected that the service will commence in January 2019.

## 7. Financial and Procurement Implications

- 7.1 The financial implications of are outlined in section 4 of this report, in Appendix 1 and summarised below.
- 7.2 The timing of actual cash payments will differ depending on the chosen financing option:

Option 1 – a traditional fee for service contract will see payments made at pre-agreed (quarterly) points throughout the financial year.

Option 2 – payments based on outcomes will occur after delivery of the service and be based on achieving pre-agreed outcomes which will be measured and tested throughout the two years following “reunification”.

From an accounting perspective the treatment and recognition of planned payments will be the same for either option. They will be recorded at the point of delivery and recognised for option 2 by creating a provision for costs incurred, payment will only occur after assurance that outcomes have been achieved. Any accounting adjustments, favourable or adverse, will be made once outcomes are known for each child.

- 7.3 The scheme will deliver significant savings to the LAC Placement Budget from the first full year of operation in 2019/20. However in 2018/19 due to one-off set up costs and an expected time lag before savings are realised there will be a requirement for one-off funding of £215k.
- 7.4 The funding required for costs in 2018/19 will not adversely affect the existing forecast of expenditure for CYPS. It will be funded through the over achievement of cost efficiencies estimated for 2018/19 through market management of placement costs. The cost reduction from moving young people who at 1<sup>st</sup> April 2018 were in residential placements into semi-independent accommodation will over achieve the previously estimated £800k saving by £252k.
- 7.5 The investment / saving profile is as follows:

Year	In-Year Investment / (Saving) in £	Cumulative Saving (in £) from 2019/20
2018/19	214,875	
2019/20	(323,750)	(323,750)
2020/21	(1,477,500)	(1,801,250)
2021/22	(1,087,500)	(2,888,750)
2022/23	(398,750)	(3,287,500)
2023/24	(433,750)	(3,721,250)

- 7.6 The proposal to continue the delivery of the MST community team as a shared service through Barnsley Council is not subject to the application of the Public Contracts Regulations 2015.

- 7.7 However, a procurement procedure will need to be undertaken to appoint the Provider(s) to deliver the ITM. It is recommended that continued early engagement with Procurement is maintained to ensure that the Contract entered into accurately reflects the financing option agreed.
- 7.8 It should be noted that if a Social Impact bond is pursued, the appointment of the Social Investor will be exempt from the Public Contracts Regulations 2015 as defined in Regulation 10(f).

## **8. Legal Implications**

- 8.1 There are no direct legal implications arising from the principle of this proposal, in relation to the care and services provided to children and young people and their families.
- 8.2 Further legal advice will be needed in relation to the terms of any proposed grant funding or social impact bond, subject to the funding stream which is chosen.

## **9. Human Resources Implications**

- 9.1 Not applicable at this stage

## **10. Implications for Children and Young People and Vulnerable Adults**

- 10.1 The provision of this service reduces the risk of family breakdown and the associated negative outcomes for family members including parents and siblings. The level of support that is proposed through this intervention will reduce the likelihood that young people who enter the care system continue to be vulnerable in adulthood.

## **11 Equalities and Human Rights Implications**

- 11.1 If the proposal outlined in this report progresses to operational implementation there will need to be an equalities assessment. This will be aligned with the equalities assessment of the wider Edge of Care offer.

## **12. Implications for Partners and Other Directorates**

- 12.1 At this stage there are no implications of this proposal to partners and other directorates. If the decision is to progress through the LCF approach, there may be learning about the Social Impact Bond process that can be shared across RMBC and with partners.
- 12.2 If the proposal outlined in this report progresses to operational implementation there is likely to be a positive impact for partners and other directorates as the intensive intervention with families will reduce the demand often associated with Looked After Children and their families, including missing episodes, poor engagement in education and anti-social behaviour.

### 13. Risks and Mitigation

- 13.1 The relative financial risks are captured in the options appraisal above.
- 13.2 There is a risk that the outcomes built into an outcomes based contract are not SMART and robust in terms of achieving an ongoing cost reduction for the Council and not additional costs on top of existing commitments.
- 13.3 The service risk is that, without additional strategies to reduce the number of young people who remain in care on a long-term basis, there will be increasing pressure on current LAC sufficiency arrangements

### 14. Accountable Officer(s) and Approvals

Mark Chambers, Assistant Director – Commissioning Performance & Quality  
Jenny Lingrell – Head of Service – Transformation Lead Early Help

Approvals obtained on behalf of:-

	<b>Named Officer</b>	<b>Date</b>
Strategic Director of Finance & Customer Services	Graham Saxton	13.07.2018
Assistant Director of Legal Services	Stuart Fletcher	21.06.2018
Head of Procurement	Karen Middlebrook	07.06.2018
Assistant Director of Human Resources	Amy Leech	13.07.2018

## Appendix 1: MST-FIT Financial Plan

Baseline Expenditure = £22.975m

Year 5 Forecast of Expenditure = £19.254m

Estimated cost reduction = £3.721m

	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
	£	£	£	£	£	£
<b>Revenue Expenditure</b>						
Residential (ITM)	142,500	570,000	570,000	570,000	570,000	427,500
MST-FIT Service	100,000	400,000	400,000	400,000	400,000	300,000
Other programme costs	37,500	150,000	150,000	150,000	150,000	150,000
Set up cost	66,125	0	0	0	0	0
RMBC Gross Cost	346,125	1,120,000	1,120,000	1,120,000	1,120,000	877,500
Life Chances Fund Contribution to Outcomes (TBC) *						
RMBC Net Cost	346,125	1,120,000	1,120,000	1,120,000	1,120,000	877,500

<b>RMBC Budget Impact</b>						
Out of Authority Placement - Original 2018/19 Forecast	5,743,750	22,975,000	22,975,000	22,975,000	22,975,000	22,975,000
OOA Revised Forecast	5,612,500	21,531,250	20,053,750	18,966,250	18,567,500	18,376,250
MST-FIT (Commissioned Residential)	178,125	570,000	570,000	570,000	570,000	427,500
MST-FIT (MST Community Team)	125,000	400,000	400,000	400,000	400,000	300,000
MST-FIT (Other costs)	43,000	150,000	150,000	150,000	150,000	150,000
MST-FIT (Income/Contributions) TBC	0	0	0	0	0	0
Combined Budget OOA and MST-FIT	5,958,625	22,651,250	21,173,750	20,086,250	19,687,500	19,253,750
In-Year Investment / (Saving)	214,875	(323,750)	(1,477,500)	(1,087,500)	(398,750)	(433,750)
Cumulative Saving		(323,750)	(1,801,250)	(2,888,750)	(3,287,500)	(3,721,250)

\*Any LCF grant award will reduce the Net Cost of the Service and increase the net saving to the Council.

## **Summary Sheet**

### **Name of Committee and Date of Committee Meeting**

Cabinet and Commissioners' Decision Making Meeting – 6 August 2018

### **Report Title**

Future Designation of Selective Licensing Areas

### **Is this a Key Decision and has it been included on the Forward Plan?**

Yes

### **Strategic Director Approving Submission of the Report**

Damien Wilson, Strategic Director of Regeneration and Environment

### **Report Author(s)**

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01709 823117 or lewis.coates@rotherham.gov.uk

Matthew Finn, Community Protection Manager  
01709 823134 or matthew.finn@rotherham.gov.uk

### **Ward(s) Affected**

Rawmarsh  
Rother Vale

## **Summary**

Selective Licensing is the licensing of privately rented housing in a specific area with the aim of improving management standards. Where the Council designates an area, landlords must obtain a licence and comply with conditions, or face legal action including prosecution and financial penalties.

Selective Licensing is an important tool for the Council and partners, to drive improvements not only in the safety of homes, but to contributory issues related to deprivation. The Council has successfully implemented schemes in Rotherham, which are designed to deliver improvements to the private rented housing stock and to individual quality of life.

The Council, along with statutory agencies and voluntary organisations, has committed to the Rotherham Plan, a partnership to improve the Borough as a place, and make life better for local people. Part of this approach is to find new ways to halt the trend of deprivation becoming more concentrated in the least well off areas.

In 2015 the Government widened the criteria for which Local Housing Authorities can implement Selective Licensing schemes to improve management standards in the private rented sector and help to combat housing problems associated with deprivation.

The data in this report identifies areas of Rotherham in Thurgroft and Parkgate, which meet the criteria, are within the 20% most deprived areas of England, and additionally have high levels of private rented housing.

This report recommends consulting on proposals to designate parts of Thurgroft and Parkgate as Selective Licensing areas, which will help combat problems associated with housing and housing conditions within areas of deprivation, and deliver improved health and social wellbeing outcomes for those communities.

## **Recommendations**

1. That public consultation be undertaken on the proposed designation of parts of Thurgroft and Parkgate for Selective Licensing of private rented housing.
2. That a further report be submitted in December 2018 on the outcome of the public consultation to consider designating Selective Licensing areas.

## **List of Appendices Included**

- Appendix 1 Intervention Case Studies
- Appendix 2 Areas which fall within the 20% most deprived in Rotherham, private rented accommodation levels and Selective Licensing areas
- Appendix 3 Proposed Selective Licensing Area Boundary Maps
- Appendix 4 Current Selective Licensing Conditions in Rotherham

## **Background Papers**

The following documents have been considered when preparing this report:

[Selective Licensing Mid-Term Report, Improving Places Select Commission, January 2018](#)  
[Selective licensing in the private rented sector: A guide for local authorities](#)  
[English Indices of Multiple Deprivation](#)  
[Rotherham Together Partnership – The Rotherham Plan](#)  
[Housing Act 2004](#)

## **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

Overview and Scrutiny Management Board

## **Council Approval Required**

No

## **Exempt from the Press and Public**

No

## **Future Designation of Selective Licensing Areas**

### **1. Recommendations**

- 1.1 That public consultation be undertaken on the proposed designation of parts of Thurgroft and Parkgate for Selective Licensing of private rented housing.
- 1.2 That a further report be submitted in December 2018 on the outcome of the public consultation to consider designating Selective Licensing areas.

### **2. Background**

- 2.1 In May 2015, following extensive consultation and adherence to due legal process, the Council introduced Selective Licensing to four areas of Rotherham. The areas designated for Selective Licensing were Dinnington, Maltby, Ferham and Masbrough, and Eastwood. The scheme has ensured that all landlords in these areas are identified and licensed, ensuring that landlords can be held to account for their properties including the behaviour of their tenants and the conditions inside and outside of the house.
- 2.2 Also in 2015, the government widened the criteria for which housing authorities can designate Selective Licensing schemes to improve management standards in the private rented sector and to help combat housing problems associated with deprivation.
- 2.3 Analyses of deprivation in local communities are published on a regular basis by the Office of National Statistics. They indicate the proportion of the population who live in areas with the best and worst outcomes for health, education, income and living conditions. These are published as the Indices of Multiple Deprivation.
- 2.4 The latest figures show that 50,370 Rotherham residents (19.5%) live in areas within the most deprived 10% of England. This figure has grown from 30,400 in 2007 and 44,170 in 2010.
- 2.5 The Council has embarked on a significant partnership with voluntary and statutory partners to develop the Rotherham Plan, which aims to tackle deprivation in local communities, help improve the Borough as a place, and make life better for local people. This is contributed to by the Council's Housing Strategy which aims to improve standards in the private rented sector whilst ensuring those in our most vulnerable communities have safe and healthy homes.
- 2.6 As discussed above, the amendment to the Housing Act 2004 has provided Councils with the power to introduce licensing of privately rented properties with the aim of helping to tackle the effects of deprivation. This change in the law supports the work of the Council and partners to improve outcomes for communities.<sup>1</sup>

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<sup>1</sup> The Selective Licensing of Houses (Additional Conditions)(England) Order 2015 – Article 4-7



- 2.7 Additionally, the Council may only make a designation on grounds of deprivation if the proposed area has a high proportion of property in the private rented sector compared to other areas locally or nationally. Nationally the private rented sector currently makes up 19.9% of the total housing stock in England. If the number of privately rented properties in an area exceeds this national number it can be considered as having a high proportion of privately rented properties.<sup>2</sup>
- 2.8 Licensing, together with inspections and compliance monitoring, will improve private rented housing management by landlords to ensure that those who rely on the private rented sector have safe and healthy homes. Often tenants do not contact the Council about poor housing conditions through fear of eviction.
- 2.9 The current designated Selective Licensing areas of Rotherham have seen significant successes in improving housing conditions to make properties safer for our most deprived communities. These improvements contribute to improving health outcomes for families and children, including many of the most vulnerable in our community. In particular, inspections and consequent enforcement actions, have dealt with a range of issues which impact directly upon the health of the young and vulnerable. These include tackling damp and mould in properties, which can lead to long term respiratory disease; trips and falls, which impact directly on reducing individual injuries and mortality; fire safety, which reduces the risk of death; and excess cold, which impacts on chronic and acute pulmonary and respiratory disease.
- 2.10 From May 2015, the first phase of the existing Selective Licensing scheme focused on the administration of licences. The second phase of the scheme, which started in October 2016, progressively concentrated on the enforcement of conditions primarily through inspections of properties.
- 2.11 Significant improvements to the safety of the private rented housing stock have been made through Selective Licensing. Since the scheme came into effect, 1,850 additional private rented houses have been inspected through the scheme, which is five times more than the Council would normally inspect over a similar two-year period following complaints from affected tenants public. Appendix 1 contains a number of case studies describing the positive outcomes associated with Selective Licensing since its inception.
- 2.12 90% of all licensable property is now registered, with investigations and prosecutions in progress for the remaining 10%. Following a detailed mapping exercise in 2017, a complete picture of all licensable houses in these designated areas now exists.
- 2.13 Some 91% of private rented properties initially inspected under the scheme required action to be taken to make them safe. Only 9% of the inspections undertaken found homes to be safe for tenants.
- 2.14 Of those properties which failed the inspections, 36% had significant Category 1 hazards; most commonly a lack of adequate fire safety, damp, mould, excess cold, and damaged floor coverings presenting a serious risk of falls on stairs and throughout the home.

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<sup>2</sup> The Selective Licensing of Houses (Additional Conditions)(England) Order 2015 - Article 3 (1) (a); [English House Condition Survey 2015/16](#); [Selective licensing in the private rented sector: A guide for local authorities, Paragraph 5](#)

- 2.15 Following inspections, subsequent intervention by the Council has resulted in 94.2% of those properties being improved to a safe standard for tenants through the use of formal warnings, threat of Improvement Notices and risk of prosecution. Currently 130 properties are undergoing further warnings and formal enforcement action.
- 2.16 Ten houses were found to be an imminent and serious risk to the safety to tenants. Consequently, the Council has prohibited their use, effectively closing the properties to occupation. Subsequently, the Council arranged emergency accommodation and put in place steps to help these tenants into to better quality homes in the private or social rented sectors.
- 2.17 The Council has so far successfully prosecuted eighteen landlords for failure to licence properties or comply with licence conditions within Selective Licensing areas, together with a further thirty landlords awaiting a Court hearing.
- 2.18 In addition to the closure of properties and successful prosecutions, a significant amount of activity has taken place including:
- 2.18.1 958 investigations of unlicensed properties have been successfully completed
  - 2.18.2 232 landlords have received formal warnings in relation to the anti-social behaviour of their tenants
  - 2.18.3 6 tenants engaged in anti-social behaviour have so far been evicted
  - 2.18.4 1,337 properties received warnings in relation to Gas Safety certificate failures; all of which have complied
  - 2.18.5 104 Landlords have been issued with formal notices to bring properties back to an acceptable standard. This includes 10 Prohibition Notices, forcing closure of all or part of properties
  - 2.18.6 2,088 properties have been licensed so far.
- 2.19 The existing scheme will continue to drive improvements for the next two years in the designated areas. The Mid-Term report on Selective Licensing to the Improving Places Select Commission on 3<sup>rd</sup> January 2018 demonstrated reductions in fly tipping, waste in gardens, noise nuisance and occupier turnover over the last three years. Maltby and Dinnington also showed reductions in empty property rates in that time frame.
- 2.20 While this is not directly due to licensing, the behaviour of tenants, the safety of property and the letting practices of landlords alongside more robust enforcement action and policies from other services in the Council and partners, has an influence on these indicators. A significant benefit to the licensing scheme is that the scheme is administered and enforced as part of the wider Regulation and Enforcement Service and enforcement action is often taken alongside other neighbourhood enforcement work.

### 3. Key Issues

- 3.1 Consideration of the most deprived areas of Rotherham, detailed at Appendix 2, demonstrates that the two Local Super Output Areas<sup>3</sup> of 'Thurcroft Central and Brampton', and 'Parkgate', stand out as being some of the most deprived communities in both Rotherham and England, with a significantly higher level of private rented housing than the national average of 19.9%. 'Thurcroft Central and Brampton' is ranked as being in the top 16% of the most deprived areas in England while 'Parkgate' is ranked in the top 15%.
- 3.2 It is important to take into account a number of relevant factors that contribute to the level of deprivation in communities. These issues include employment, health and housing conditions amongst others, which are described in the table below. These factors are ranked out of 32,844 Local Super Output Areas in England.

Deprivation Indicator	Thurcroft (Rank out of 32,844)	Parkgate (Rank out of 32,844)
Multiple Deprivation	5,139	4,818
Workless adults	4,260	3,425
People on low incomes	5,202	5,839
Health and disability	3,642	2,187
Access to local services (school, post office, GP and food shop)	23,935	16,770
Housing conditions	19,591	11,108
Environmental conditions	10,278	4,657
Levels of crime	7,672	9,625

Ranks relate to all Super Output Areas in England, where 1 is the most deprived

- 3.3 From the Indices of Multiple Deprivation the 'Thurcroft Central and Brampton' super-output area is most affected by a lack of employment, low educational attainment and poor health. 'Parkgate' is most affected by the same lack of employment, poor health and the outdoor environment.
- 3.4 The housing in a poor condition indicator is a modelled estimate in the Indices of Multiple Deprivation of the proportion of social and private homes that fail to meet the Decent Homes standard when assessed under the 2011 English House Condition Survey.<sup>4</sup>

<sup>3</sup> The UK is divided into geographical areas called Local Super Output Areas (SOA) for statistical purposes by the Government, whose areas are determined by the number of households and the populations. In each area there are on average 1500 people and 500 households.

<sup>4</sup>[English Indices of Multiple Deprivation 2015 – Underlying Indicators](#)

- 3.5 Housing conditions are worse in Parkgate than most of the rest of England according to the statistics in the table above. Although Housing Conditions across Thurgroft are not lower than the average under this data set, the English House Condition Survey on which the data is based is a statistical average for the whole area and some streets have higher proportions of problems than others. The data is also six years old and in that time period the level of private rented housing is expected to have grown significantly; importantly, the private rented sector doubled between the 2001 and 2011 Census.
- 3.6 Income levels, employment and health outcomes for households in the area are significantly lower than most of the rest of England. These indicators demonstrate that people have less housing option choices, and may not be in a position to ensure that their privately rented properties are maintained to an appropriate standard.
- 3.7 Poor health outcomes and low incomes contribute significantly to the overall deprivation in the area. Health outcomes are negatively impacted by poor housing conditions, subsequently influencing physical, mental and social wellbeing. Some of the more prevalent hazards found in the existing Selective Licensing areas in Rotherham include fire safety, electrical safety, falls, damp and excess cold, carbon monoxide from unsafe gas appliances, pest control problems, poor food preparation and storage provision as well as security risks.
- 3.8 Crime and anti-social behaviour incidents in the areas from 2016/2017 also support the deprivation data as detailed in the table below:

Area	Crime incidents per 1,000 people	ASB incidents per 1,000 people
<b>Rotherham Borough average</b>	<b>84.8</b>	<b>50.3</b>
Parkgate Super Output Area	423	100
Thurgroft Central and Brampton Super Output Area	122	72.4

- 3.9 To assess where interventions would have the greatest impact, the two Local Super Output Areas, along with Rawmarsh South (which is adjacent to Parkgate and part of the same residential locality), were analysed to identify patterns of crime and anti-social behaviour through 2015/2016 and 2016/2017. This analysis demonstrates that there is one area in Thurgroft and one area in Parkgate and Rawmarsh South, which contain high proportions of crime and anti-social behaviour. Moreover, there are clear trends, which show that these areas suffer from a significant amount of environmental problems, such as fly tipping and littering.
- 3.10 The two areas of greatest concern have been identified in the proposed licensing area maps at Appendix 3. In the identified streets in Parkgate, 98 privately rented properties provide 21% of the housing stock, whilst in Thurgroft, 87 properties in the area account for 38% of the housing stock. Both areas are above the national average of 19.9% and therefore meet the threshold for Selective Licensing under the deprivation criteria.<sup>5</sup>

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<sup>5</sup> The Council may only make a designation under the grounds of deprivation if there is a higher than average level of private rented accommodation. [English House Condition Survey 2015/16](#)

- 3.11 The figures for the concentration of private rented housing in these streets have been calculated by assessing complaint and street survey data over the last three years by Regulation and Enforcement and the Strategic Housing and Investment Service.

#### **4. Options considered and recommended proposal**

##### **4.1 Option 1 – Begin a formal consultation to designate the defined areas of Thurgroft and Parkgate, as described in Appendix 3, for Selective Licensing.**

- 4.1.1 Prior to designating an area, the Council is required to undertake a ten-week statutory consultation with local people, businesses, landlords and partners. An outline of the consultation process is contained within section 5 of this report.
- 4.1.2 Developing the designations for Selective Licensing in Thurgroft and Parkgate, identified in Appendix 3, will contribute both to the Council's Housing Strategy<sup>6</sup> though improving the quality of the private rented sector, reducing fuel poverty and providing tougher enforcement for those landlords who do not meet their statutory responsibilities. The designations will also contribute to the aim of the Rotherham Together Partnership to find new ways to halt the trend of deprivation becoming more concentrated in the least well off areas; a situation reflecting high worklessness, low skill levels and ill health. The plan reaffirms that the quality of housing has a direct impact on health and wellbeing<sup>7</sup>.
- 4.1.3 Selective Licensing will improve housing conditions in the private rented sector through inspections and through enforcing improvements in properties and property management standards. This in turn will contribute to improving health outcomes in these communities, and make the local environment more appealing to residents and visitors.
- 4.1.4 A formal designation would ensure that the costs of both licensing and property management improvement is borne by the industry and not the Council. The existing designations are self-financing and new designations would work in the same way.
- 4.1.5 A designation would require all privately rented properties within the identified boundaries of the two areas, subject to statutory exemptions, to be licensed for up to five years and comply with a set of licence conditions. The conditions for the current Selective Licensing designations, which would form part of the consultation, can be seen in Appendix 4.

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<sup>6</sup> [http://www.rotherham.gov.uk/shf/downloads/file/18/housing\\_strategy\\_2016-19](http://www.rotherham.gov.uk/shf/downloads/file/18/housing_strategy_2016-19), Pg24

<sup>7</sup> [http://rotherhamtogetherpartnership.org.uk/downloads/file/7/the\\_rotherham\\_plan\\_a\\_new\\_perspective\\_2025](http://rotherhamtogetherpartnership.org.uk/downloads/file/7/the_rotherham_plan_a_new_perspective_2025)

## **4.2 Option 2 – Carry out alternative interventions in place of a formal scheme**

- 4.2.1 Alternatives to Selective Licensing were considered in 2014 prior to the designation of the current Selective Licensing areas. These included voluntary registration and use of traditional enforcement tools, which would require significant additional investment by the Council to achieve any sustainable change across the area.
- 4.2.2 These traditional tools, while initially attractive, do not provide the level of engagement with landlords necessary for the desired improvements. Landlord take up of previous accreditation schemes has been very low and would only include those responsible landlords who saw a value in being part of a scheme. Short term proactive enforcement projects can have an impact but are not sustainable without significant investment from existing revenue budgets or grant funding.

## **4.3 Preferred Option**

- 4.3.1 It is proposed that Option 1 is the most appropriate course of action to ensure a sustainable and cost effective solution to improving management standards in the private rented sector in these two areas and that a formal consultation begin.

## **5. Consultation**

- 5.1 This report recommends taking the proposals to the statutory consultation prior to the Cabinet decision as to whether to designate areas for Selective Licensing.
- 5.2 The consultation process would begin on the on the 17<sup>th</sup> September 2018 and be for the 10 week statutory period which would include:
- A consultation report with the draft designations will be prepared and posted on the Council's website.
  - A Selective Licensing consultation web page with an online questionnaire and information about the scheme.
  - Advertisements in the local newspapers.
  - A series of press releases and social media postings promoting the consultation throughout the 10 weeks.
  - A questionnaire posted to all addresses and businesses within the proposed areas (residential and businesses) and a buffer zone around the proposed area.
  - A letter and questionnaire to every private sector landlord, letting agent and current HMO or Selective Licence holders for which the Regulation and Enforcement Service has direct contact details.
  - A consultation meeting for landlords and tenants at the beginning and end of the Consultation period.
  - Direct contact with landlord associations and representatives through local meetings, and the Selective Licensing Steering Group meetings.
  - Attendance at local disability or minority support groups in or servicing the areas.

- 5.3 Following the consultation, a further report will be made to Cabinet with the outcome of the consultation and final recommendations for the next steps. Following this the full outcome will be published. In accordance with legal requirements the respondents to the consultation will be individually notified of the outcome in addition to being publicised through newspapers, the Council's web site and press releases.
- 5.4 Once the consultation has concluded, the outcome will be reported back to the Cabinet on whether there are any adjustments that should be considered following any representations that have been made and whether the proposed areas should be designated.

## **6. Timetable and Accountability for Implementing this Decision**

- 6.1 The consultation process would begin on the on the 17th September 2018 and be for the 10 week statutory period.
- 6.2 Following this a further report will be presented to Cabinet in December 2018. Should a decision be taken to implement a Selective Licensing area, designation would be within 3 months from the date of that meeting, i.e. April 2019. This would include a statutory notification period after the designations were made.
- 6.3 The Assistant Director for Community Safety and Street Scene will be responsible for the delivery and implementation of the proposal.

## **7. Finance and Procurement Implications**

- 7.1 Based on the costs of the previous consultation processes for Selective Licensing designations, it is expected that the consultation process will cost approximately £5,000. The majority of this would be spent on postal surveys to affected and neighbouring addresses and landlords. Costs will be minimised by contacting existing licence holders through email addresses they have provided from their previous applications. The costs of the consultation exercise will be managed within the existing Regulation and Enforcement Service revenue budget. The cost of consultation cannot be recovered through the licence fee.

## **8. Legal Implications**

- 8.1 The designations would be made under Part 3 of the Housing Act 2004. This would provide the Council with additional enforcement powers in relation to those houses.
- 8.2 The consultation exercise must comply with statutory requirements (section 80(9) of the Housing Act 2004).
- 8.3 Paragraph 13.6 below refers to legal risks.

## **9. Human Resources Implications**

- 9.1 There are no direct HR implications arising from these proposals. However, it will be necessary following the statutory consultation to consider the requirement for any additional staffing resources needed to implement any subsequent outcome or further recommendations.

## **10. Implications for Children and Young People and Vulnerable Adults**

- 10.1 There are no direct implications for Children and Young People and Vulnerable Adults arising from this report.

## **11. Equalities and Human Rights Implications**

- 11.1 There are no equalities and/or human rights implications anticipated arising from this report.

## **12. Implications for Partners and Other Directorates**

- 12.1 Relevant partners and Directorates will be advised of the recommendations made in this report in addition to the formal consultation process.

## **13. Risks and Mitigation**

- 13.1 If more than 20% of the private rented housing in the Borough or 20% of the geographical area of the Borough will be subject to licensing, approval for designations must be sought from the Secretary of State for Communities and Local Government.
- 13.2 The most recent estimates<sup>8</sup> for the size of the private rented sector in Rotherham come from the Office for National Statistics which estimated that in 2015 there were 14,562 privately rented properties in the Rotherham Borough. This has grown from the 12,500 privately rented houses identified in the 2011 census and is likely to have grown since. These projections, while not official statistics, are designed to enable Councils to set housing policy.
- 13.3 The current and proposed licensing schemes would cover no more than 2,600 privately rented properties, which equates to 17.9% of the private rented housing stock in the borough. This means that the Council does not require Secretary of State approval to make the designations.
- 13.4 There is a risk of a significant budget shortfall if the scheme does not receive applications and fees from the anticipated number of licensable premises, however access to taxation and benefit claim data under the Housing Act 2004<sup>9</sup> will mitigate that risk and the vast majority of the licensable properties will be identified as part of the consultation and designation processes.
- 13.5 This risk is mitigated by the experience that the Selective Licensing team has developed in mapping and taking enforcement action where there is a failure to licence. It should also be mitigated further by the formal consultation process.

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<sup>8</sup> Sub-national dwelling stock estimates – Office for National Statistics

<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/subnationaldwellingstockbytenureestimates>

<sup>9</sup> Housing Act 2004, Section 237. This provides access to such data sets to local housing authorities for the purpose of exercising functions under parts 1 to 4 of the Act.



- 13.6 An application for Judicial Review is a realistic expectation. These have been successful where Councils have failed to follow the correct consultation processes or have been unable to justify part of their scheme, proposals or evidence base. Although the previous designations in Rotherham were found to be sound at the Judicial Review in 2015, and this experience has helped develop these proposals, it is possible a further review could be sought.
- 13.7 An effective dialogue with local and national landlord representatives through the newly formed Selective Licensing Steering Group and an effective consultation process should mitigate these risks.

**14. Accountable Officer(s)**

Tom Smith, Assistant Director, Community Safety and Street Scene  
Damien Wilson, Strategic Director, Regeneration and Environment

Approvals obtained on behalf of:-

	<b>Named Officer</b>	<b>Date</b>
Strategic Director of Finance & Customer Services	Judith Badger	23.07.2018
Assistant Director of Legal Services	Dermot Pearson	20.07.2018
Head of Procurement (if appropriate)		
Head of Human Resources (if appropriate)		

This report is published on the Council's website or can be found at:-  
<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

## APPENDIX 1 – Intervention Case Studies

### Case Study 1 – Eastwood

#### Overview

The property was inspected and found to be heavily cluttered with personal belongings of the tenant. It was identified that the elderly and vulnerable tenant had both hoarding tendencies and mobility issues which made the property unsuitable for their needs.

The exterior of the property was presenting problems to the area due to the dilapidated windows and the lack of maintenance by the landlord.

During the Selective Licensing inspection there were a number of defects identified which should have been controlled by the landlord which had increased the risks of injury and illness to the tenant. These related to:

- Excess Cold – the property suffered from single glazed wooden framed windows, which were in poor state of repair. The heating system was unreliable, with periods of it showing faults and not working so therefore not providing adequate heating and hot water.
- Fire – only one single point battery operated smoke alarm had been provided, offering inadequate means of fire detection and warning.
- The surfaces to the external areas were uneven and on top of this was an unguarded drop in levels between the drive and the front garden. This posed a significant risk of a fall resulting in significant harm to any occupants and there visitors.





Given the vulnerabilities identified, the visiting officer contacted Adult Social Care to enable further support to the tenant while enforcement action was taken by the Selective Licensing Team.

### **Enforcement action and outcomes**

The inspection of the property led to a detailed set of repairs being carried out without the need for formal enforcement notices, which included:

- new double glazing units throughout the property
- new central heating system installed
- guarding to the driveway to mitigate the risk of any fall
- adequate fire detection system installed
- much improved look to the property, contributing to the improved local environment and amenity.

The proactive inspection also enabled the tenant to get essential support and they moved to a more suitable property for their needs, with the support of the Council.

## **Case Study 2 – Eastwood**

### **Overview**

Inspection of this property found a multitude of problems which were affecting the health of tenants as well as the visual appearance of the property. The problems included:

- Damp and mould in living areas due to a lack of mechanical ventilation
- A generally cold property due to ill-fitting doors and defective and broken windows
- Lighting in poor repair and a lack of handrails to stairs causing risks of falls throughout the property.
- No fire detection equipment, a missing door, poor quality, cheaper and hollow core doors throughout, increasing the risk of fire spread and the risk that a fire would not be detected until it was too late. The front door was also screwed shut meaning people could not exit the building if there was a fire at the rear of the property. In addition the rear door did not have a door handle.
- Damage to electrical sockets and a lack of adequate numbers of sockets throughout the house, increasing the risk of overloading the system.
- Missing doors on kitchen cabinets, unsealed work surfaces and the structure of the kitchen as poor. These increase risks to food hygiene and safety of family members in the kitchen.



### **Enforcement action and outcomes**

Due to the severity of the hazards and the poor quality of the accommodation, an Improvement Notice was served immediately. The cost associated with serving the notice was charged to the Licence Holder.

The notice was not fully complied with by the due date on the notice and as such a further investigation has taken place into this including an interview under caution with the Licence Holder. The works have since been completed, however further enforcement action is being considered (Prosecution or Civil Penalty) due to the severity of the breach, the risks to the tenants and the additional work required by the Council to secure improvements.

### **Case Study 3 – Maltby**

#### **Overview**

A mid-terrace property in Maltby was inspected as part of the licensing designation and a number of defects were identified.

- Penetrating damp into the bathroom and a bedroom.
- Thin brickwork on one wall and a broken window increasing the risk of excess cold.
- The hand rail to the stairs was insufficient and there were no window restrictors fitted to the first floor, increasing the risk of a fall from a height.
- There were inadequate numbers of electrical sockets in the property for modern day living.
- There was a lack of fire detection throughout and poor separation of rooms from the spread of fire.
- A wall to the rear of the property was bulging and in danger of collapse.

#### **Enforcement action and outcomes**

A detailed and lengthy schedule of works was given to the Licence Holder, and the property was brought up to the required standard with no further formal enforcement action required.

The repairs were significant with building contractors required to ensure the structural stability of the rear of the property.

The family has remained in the property which is now in a safe condition. This property would have gone unnoticed without the Selective Licensing designation in place

## **Case Study 4 - Dinnington**

### **Overview**

A row of terraced properties with significant issues around the condition of the houses and the condition of rear gardens and shared alleyways, causing blight on the wider neighbourhood.

These properties were subject to proactive housing standards enforcement over 8 years ago, but since the end of the external funding, those properties have not been subject to continued scrutiny, other than dealing with the environmental problems caused on a reactive basis.

During inspections there were significant problems with properties with regards to the management of the tenants, as well as the lack of fire detection and mechanical ventilation to keep the properties free of damp and mould growth.

Repeated fly tipping complaints and waste in gardens issues were reported both from the public and observed by Council staff and elected members.

### **Enforcement action and outcomes**

Property inspections under Selective Licensing have resulted in all the properties being assessed and enforcement action taken to remedy the housing conditions. Additional unlicensed houses have been found through door to door checks on properties and enforcement taken to secure licensing

All landlords of properties with Licences have been given warnings regarding their tenant's behaviour and the potential risk of breaching licence conditions.

Further enforcement has been taken with individuals and addresses to ensure the waste issues are resolved and people held to account for their behaviour.

The street continues to present a high volume of work for the Regulation & Enforcement Service but the problems are being effectively managed through joined up approach with the area Community Protection Unit, Neighbourhood Wardens and the Selective Licensing Team, who are both part of the Regulation & Enforcement Service. This partnership working has included working the Police to SHARE intelligence and ensure appropriate enforcement is taken against offenders to improve the area and the outcomes for tenants.

## **Case Study 5 - Masbrough**

### **Overview**

A report was received about a potentially unlicensed property which the police had found where there was a significant Cannabis cultivation operation taking place. The tenants had left the property before the Police raised but a significant volume of cannabis at the property.

The property was found to be unlicensed and had not had any previous involvement from the Regulation & Enforcement Service.

On owner was identified as being a landlord of other properties and the licence holder for one other house in the current designation areas. The manager of the property, who had let the house, was related to the owner. Interviewed under Caution, both claimed the failure to licence was an oversight, despite one of them living only a few doors away from the property and the other having licensed a house in the same designation area.

### **Enforcement**

Both the owner and the manager of the property were convicted on a Criminal offence of being in control of or managing a property which was subject to licensing but was not licensed.

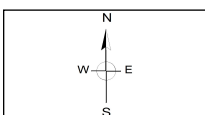
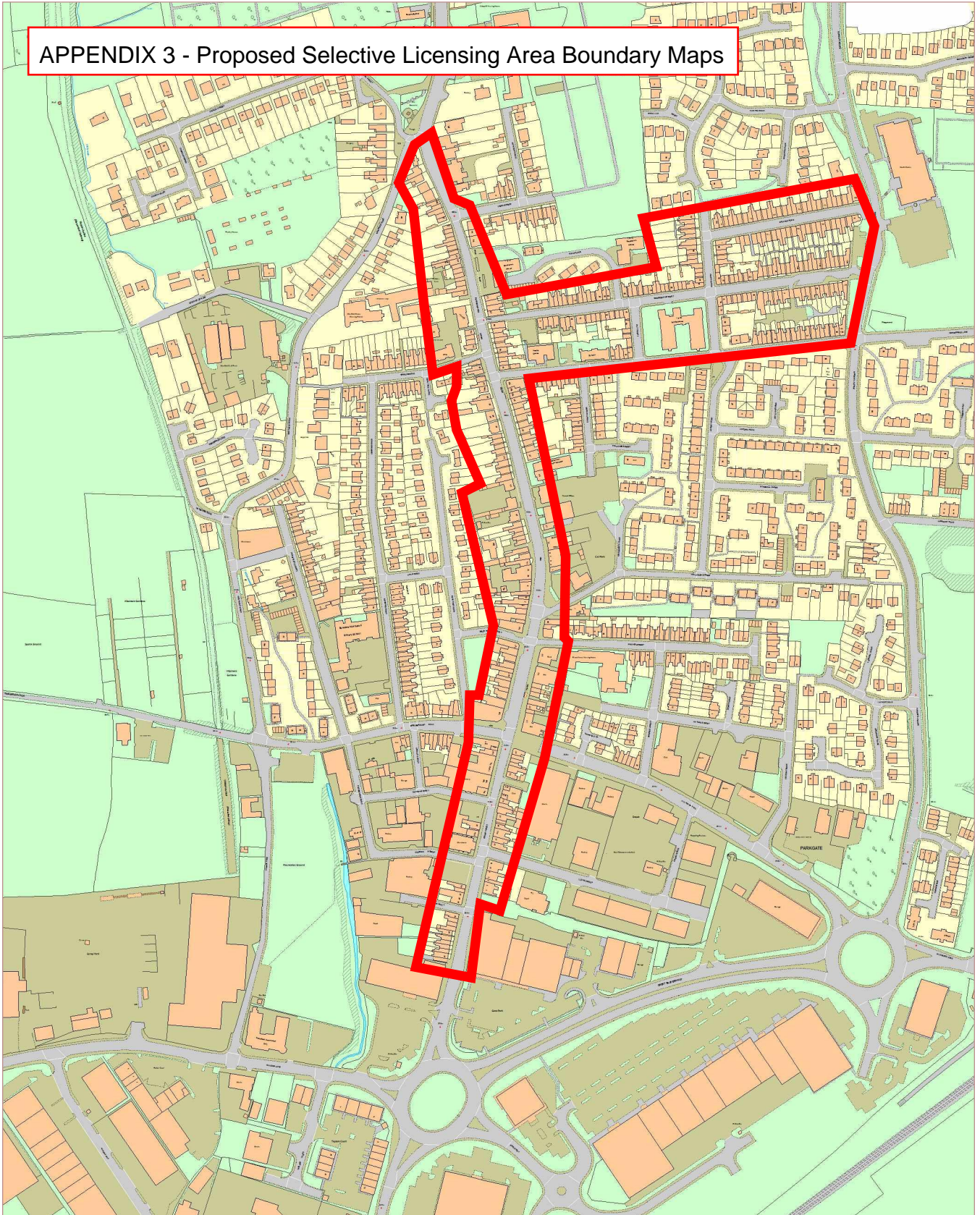
Prior to Selective Licensing the owner of the property would have been able to avoid enforcement relating to the tenants behaviour. In this case they had avoided licensing and were convicted of that offence. Further to that if the property were licensed this behaviour could have resulted in the licence holder breaching licence conditions and then being held accountable for their tenants criminal activity which had gone unchecked.



**APPENDIX 2 – Areas which fall within the 20% most deprived in Rotherham,  
private rented accommodation levels and Selective Licensing  
Areas**

LSOA number	LSOA Name	Index of Multiple Deprivation (IMD) Rank (where 1 is most deprived)	Index of Multiple Deprivation (IMD) Decile (where 1 is most deprived 10% of LSOAs)	Private Rented % (2011 Census)	Current Selective Licensing Designation Area
E01007715	Masbrough West	242	1	37.8	Masbrough
E01007737	East Herringthorpe North	257	1	9	
E01007769	Eastwood Village	302	1	38.8	Eastwood
E01007677	Canklow North	315	1	16.5	
E01007736	Eastwood East	323	1	16.9	Eastwood
E01007735	East Herringthorpe South	480	1	8.1	
E01007768	Eastwood Central	500	1	17.5	Eastwood
E01007764	Maltby East - Maltby Main	597	1	16.6	Maltby South East
E01007739	East Dene East	623	1	4.5	
E01007716	Masbrough East	634	1	24.7	Masbrough
E01007738	East Dene North East	670	1	11.9	
E01007775	Rawmarsh North East	740	1	8.8	
E01007714	Town Centre	805	1	30.9	Eastwood
E01007721	Dalton	1039	1	13.2	
E01007719	Thrybergh South	1106	1	8.8	
E01007790	Dinnington Central	1129	1	24.2	Dinnington
E01007668	Aston North West	1480	1	10.5	
E01007730	Wingfield	1755	1	9	
E01007729	Greasbrough South	1765	1	4.4	
E01007718	Jordan	1835	1	16.7	
E01007760	Maltby East - Muglet Lane	1920	1	32.1	Maltby South East
E01007734	Herringthorpe North	2067	1	7.8	
E01007809	Thurcroft South West	2096	1	10	
E01007723	East Herringthorpe East	2256	1	7.3	
E01007732	Rockingham West	2463	1	4	
E01007822	Wath Central & Newhill	2487	1	10.9	
E01007727	Thrybergh East	2723	1	7.9	
E01007779	Upper Haugh West	2878	1	7.9	
E01007794	Swinton South	2918	1	6.3	
E01007662	North Anston Central	3017	1	4	
E01007791	Dinnington East	3048	1	15.4	Dinnington
E01007766	East Dene South	3190	1	5.4	
E01007708	Herringthorpe South	3309	2	8.5	
E01007740	Kimberworth Park East	3323	2	5.4	
E01007726	Flanderwell	3390	2	12.4	
E01007763	Maltby East - Town Centre	3485	2	25.4	Maltby South East
E01007805	Kimberworth Park Roughwood	3757	2	4.4	
E01007767	Clifton West	3810	2	23.8	Eastwood
E01007804	Kimberworth Park West	4039	2	3.6	
E01007697	West Melton West	4330	2	4.4	
E01007770	East Dene North West	4409	2	11	
E01007717	Bradgate	4744	2	17.1	
E01007784	Parkgate	4818	2	27.5	
E01007806	Kimberworth Park Central	5010	2	5.8	
E01007815	Thurcroft Central & Brampton	5139	2	28.2	
E01007759	Maltby East - Highfield Park	5167	2	8.9	
E01007796	Swinton North	5184	2	7.9	
E01007733	Rockingham East	5664	2	4.5	
E01007783	Rawmarsh South	6089	2	9.8	
E01007782	Rawmarsh North	6345	2	8.7	
E01007694	Brampton North	6390	2	10.1	
E01007745	Richmond Park	6401	2	4.4	

APPENDIX 3 - Proposed Selective Licensing Area Boundary Maps

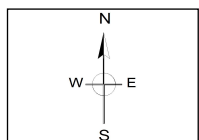
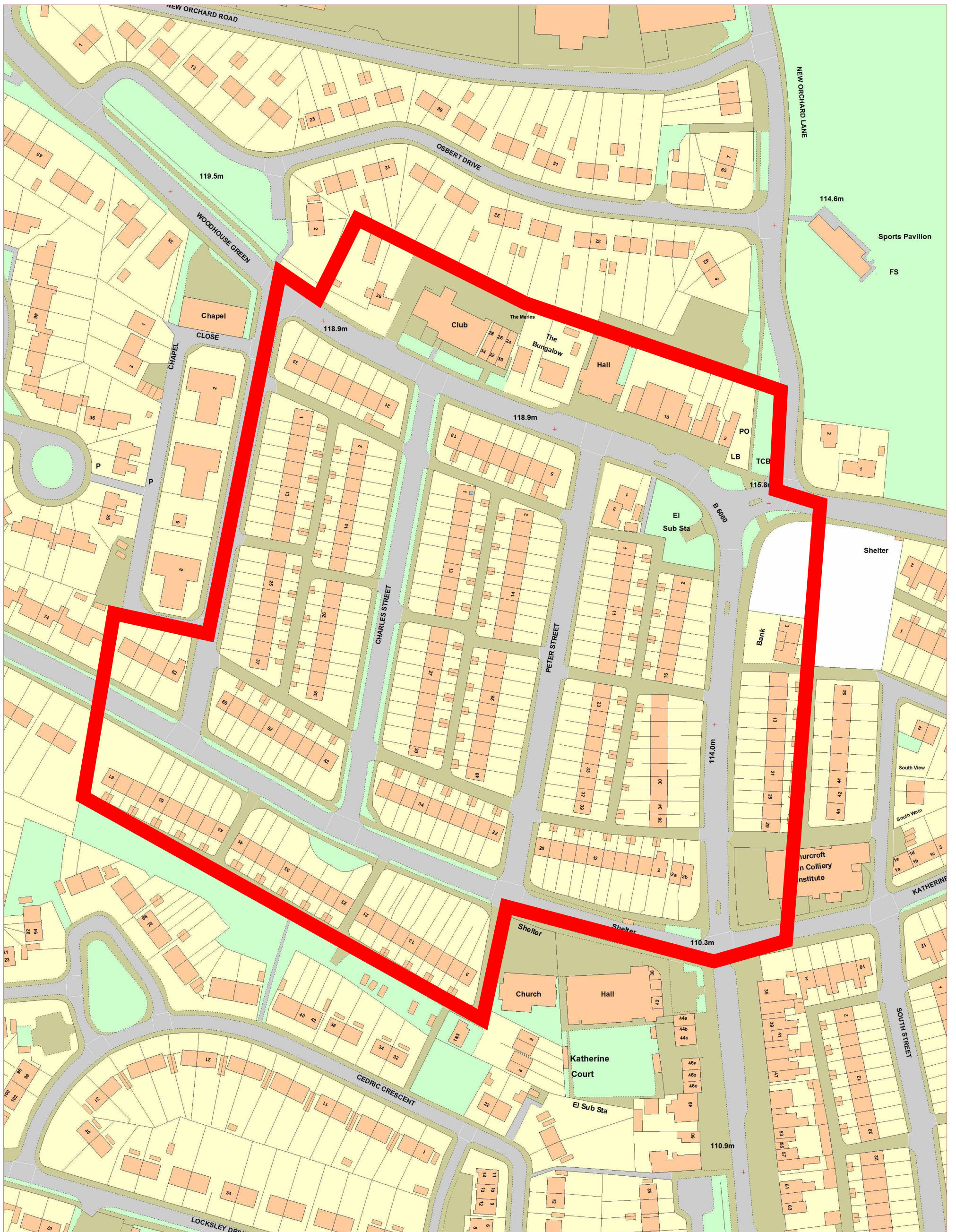


1:5000

**Parkgate Proposed Selective Licensing Area**







Thurcroft Proposed Selective Licensing Area

The boundary drawn in red is the proposed area which is being considered for the use of Selective Licensing powers under the Housing Act 2004.



1:1476

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## APPENDIX 4 - Current Selective Licensing Conditions in Rotherham

- *As amended by the provisions of Regulation 15 of The Smoke and Carbon Monoxide Alarm (England) Regulations 2015, SI 2015 No. 1693*

*In these conditions, “house” is meant to refer to the building or part of a building, which is licensed under Part 3 of the Housing Act 2004.*

### **Housing Act 2004 Prescribed Conditions**

1. The licence holder must obtain a valid gas safety certificate on an annual basis, if gas is supplied to the house. This must be provided to the Council as part of the application process and on an annual basis thereafter. A copy must also be provided to the tenant.
2. The licence holder must:
  - a. keep electrical appliances and furniture made available by him in the house in a safe condition and
  - b. supply the authority, on demand, with a declaration by him as to the safety of such appliances and furniture.
3. The licence holder must:
  - a. ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation, and
  - b. ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance;
  - c. (i) keep each such alarm prescribed in 3a & 3b above in proper working order; and  
(ii) supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm prescribed in 3a & 3b above.

Please note that a “room” includes a hall or landing, and a bathroom or lavatory is to be treated as a room used as living accommodation.

4. The licence holder must provide each occupier of the house with a written statement of the conditions of the terms on which they occupy the house (tenancy agreement). The licence holder shall provide a copy of the said terms to the authority on demand. The licence holder must abide by the conditions and responsibilities contained in the tenancy agreement and carry out all landlord functions as laid down.

### **Conditions relating to the property**

5. The Licence holder should submit an annual declaration as to the condition in relation to the hazards present in the property and the safety of the property

on a copy of the form in Appendix 2 to these conditions, at the same time as the Gas Safety Certificate. The form will also be available on the Council's website.

6. The licence holder must provide prospective tenants with a copy of the Energy Performance Certificate (EPC) prior to the commencement of the tenancy.
7. The licence holder must:
  - a. ensure that throughout the period of the licence, that the premises are covered by a valid periodic electrical survey inspection report. Such a report should be provided by a suitably trained, experienced and competent person i.e. a NICEIC or ECA member;
  - b. ensure any Category 1 remedial works be recommended on the periodic electrical survey report, the licence holder must ensure that such works are completed within the timescales given by the electrical engineer and must inform the selective licensing team upon completion of such works; and
  - c. supply the authority, on demand, with a copy of the periodic inspection report.
8. The licence holder must ensure that all furniture supplied complies with the Furniture and Furnishings (Fire) (Safety) Regulations 1988. A declaration to this effect must be supplied to the Council upon request.
9. Where any qualifying works are to be carried out to the house, the licence holder must ensure the appropriate consent is obtained from the Council's Building Control service prior to works commencing.
10. The licence holder will ensure that any remedial works to rectify disrepair issues identified during the 'sign up' stage are undertaken within period of time agreed with the tenant and no later than 28 days from the beginning of the tenancy.
11. The licence holder must ensure that any disrepair identified by the tenant or through periodic inspection by the licence holder, other managing agent or landlord are undertaken within the period of time agreed with the tenant, and no later than 28 days of it being identified.
12. The licence holder must ensure that all repairs to the house or any installations, facilities or equipment within it are to be carried out by competent and reputable persons and that they are completed to a reasonable standard.
13. The licence holder must ensure that the water supply and drainage system serving the house is maintained in good, clean and working order.
14. The licence holder must not unreasonably cause any service supplied to the property under the terms of the tenancy agreement to be interrupted.
15. The licence holder must provide the tenant and their household with suitable alternative accommodation where necessary if substantial remedial works are undertaken.

16. The licence holder must ensure that they carry out regular inspections of the property to ensure that at least the minimum requirements for the condition of private rented accommodation are maintained and that the property and that the tenancy is not causing nuisance or annoyance to neighbouring properties.
17. The licence holder shall ensure that the tenant is provided with wheeled bins of suitable capacity and type as specified by the Council at the property and that the Council's arrangements for refuse collection including recycling are issued to the tenant at the outset of the tenancy.
18. The licence holder must take steps to remove graffiti on the property within five working days of it being reported to them.

### **Management of the licensed property**

19. The licence holder shall ensure that the occupancy level at the property is in accordance with the criteria as determined by the Rent Officer (Housing Benefit Functions) Order 1997 Schedule 2, Size Criteria.
20. The licence holder must obtain references or guarantees in respect of the person(s) who wish to occupy the property in order to make an informed decision regarding the occupancy of the property. Copies of these references must be made available to the council upon request.
21. The licence holder must provide the occupiers of the house, with details of the following:
  - a. Name of the licence holder
  - b. A contact address, daytime telephone number
  - c. An emergency contact number and details of the arrangements in place to deal with repairs and emergencies should they arise.
22. The licence holder must provide all tenants with a copy of the licence and the licence conditions.
23. This information must be supplied within 28 days of receipt of the licence document and should be clearly displayed in a prominent position within the house. An emergency contact telephone number for the licence and/or management agency shall also be available and notified to the authority.
24. The licence holder must ensure that all monies in respect of the licence fee are paid to the authority by the terms imposed by the invoice.
25. The licence holder will make every attempt to provide each occupant of the house with copies of user manuals for any installations or equipment provided as part of the agreement for the occupation of the house.
26. The licence holder will arrange to undertake a detailed inventory to be agreed with each occupant upon commencement of their occupation of the house and kept on file by the licence holder at their business address.

27. The licence holder must provide the tenant with a written receipt for all cash rental payments received. (This does not affect the legal requirement to provide a rent book for rent paid on a weekly basis).
28. Where the rent is paid monthly, the licence holder must provide the tenant with a clear rent statement, on a six monthly basis. This must also be provided at any other time when requested by the tenant.
29. The licence holder must ensure that all new tenancy deposits are protected in a government authorised scheme within 14 days of receiving it from the tenant. The licence holder must also ensure that the tenant is given;
  - a. The details of any utilities or other charges included in the rent
  - b. Information and instructions on the responsibility for payment of council tax
  - c. Information and instructions on the responsibility for payment of utilities and arranging provision of such
30. The licence holder will not discriminate against prospective occupiers of the house on the grounds of race, disability, gender, religion or sexual orientation.
31. The licence holder must inform the Council of any change of circumstances which may affect their suitability to continue to remain the licensee. This must be done within five working days of the changes taking effect. (See Appendix)
32. The licence holder must ensure that any person(s) who assist in the management of the property not detailed in the original licence application must be a 'fit and proper' person to do so as per the definition in the Housing Act 2004 and Appendix 1 of these conditions, and must notify the Council of these changes. Where necessary the Council will require a declaration to be signed by the person assisting in the management of the property stating that they meet the **'fit and proper'** person criteria.
33. The licence holder must inform the Council, within 5 working days, if there is a change of managing agent and provide the Council with proof that they are a 'fit and proper person' to do so under the definition under the Housing Act 2004 and Appendix 1 of these conditions.
34. Notifications of changes in accordance with the previous two conditions should be made in writing by the Licence Holder and addressed to (email address to be confirmed).
35. The licence holder must adhere to legal requirements when seeking possession of the property from the tenant.
36. The licence holder must inform the council of any steps being taken to sell the licensed property including the details of any successful purchaser(s).
37. The licence holder must be a permanent resident in the United Kingdom.

## **Security**

38. The licence holder will ensure that keys are provided to the tenant where window locks are provided.
39. Where previous occupants have not surrendered keys, the licence holder and will arrange for a lock change to be undertaken, prior to new occupants moving in.
40. The licence holder will ensure front and rear doors are secure and fitted with good quality locking systems.
41. The licence holder must ensure that all reasonable measures are taken to ensure that the property is made secure from unauthorised entry during periods of occupancy.

## **Environmental Management / Amenity of the Neighbourhood**

42. The licence holder shall ensure that the exterior of the house is maintained in a reasonable decorative order and in reasonable repair.
43. The licence holder must ensure that all outbuildings, yards, forecourts and gardens surrounding the house are maintained, in reasonable repair and ensure that the tenant is aware of their responsibility to keep them in a clean, tidy and safe condition and free from infestations.
44. The licence holder must take all reasonable and all practicable steps in keeping external areas and the curtilage of the property free from rubbish and fly tipping deposits at all times. If employing a third party to carry out any such clearances, care must be taken to ensure that they are a registered waste carrier.

## **Preventing and Reducing Anti-Social Behaviour**

45. The licence holder must take all reasonable and all practicable steps for preventing and dealing with anti-social behaviour and undertake a thorough process of incremental steps to deal with any complaints, which have been made either directly to them, or via the Local Authority or any Police service, regarding their occupiers. For the purposes of these conditions, anti-social behaviour is taken to comprise behaviour by the occupants of the house and/or their visitors, which causes a nuisance or annoyance to other occupants of the house, to lawful visitors to the house or to persons residing in or lawfully visiting the locality of the house.
46. The licence holder is required to provide an authorised officer of the Local Authority, a Police Officer or Police Community Support Officer, upon request, information regarding the full names and dates of birth of each occupant.
47. The licence holder will ensure that the occupants of the house are aware of the assistance available to them to deal with anti-social behaviour and how they can report nuisance and anti-social behaviour to the authority. The



Council will make such information available to tenants and property owners via its website.

48. The licence holder will respond to reference requests within a reasonable timescale and provide an honest and accurate reference relating to existing or past tenants.
49. The licence holder must take steps to terminate the tenancy following advice and recommendation from the Council, should it be found that the property is being used for illegal or immoral use or where there is evidence of persistent and ongoing anti-social behaviour.

## **Summary Sheet**

### **Name of Committee and Date of Committee Meeting**

Cabinet and Commissioners' Decision Making Meeting – 6 August 2018

### **Report Title**

CCTV Priority Capital Investment and Policy

### **Is this a Key Decision and has it been included on the Forward Plan?**

No

### **Strategic Director Approving Submission of the Report**

Damien Wilson, Strategic Director of Regeneration and Environment

### **Report Author(s)**

Lewis Coates, Head of Service, Regulation and Enforcement  
01709 823117 or lewis.coates@rotherham.gov.uk

### **Ward(s) Affected**

All

### **Summary**

The Budget and Council Tax 2018-19 report to Cabinet and Commissioners' Decision Making Meeting on 19 February 2018 approved the Council's Capital Strategy to 2021/22. As part of this, £60,000 of Priority Capital Investment monies were identified for mobile CCTV cameras.

The utilisation of technology to enhance the Council's drive to tackle anti-social behaviour is critical to improving the outcomes delivered by the Council and partners alike to deter and punish offenders whilst improving the quality of life of residents.

It is apparent that the Council, partners and residents would benefit from increased provision of CCTV technology to provide suitable capacity, capability and flexibility, and to support ward priorities, Community Action Partnerships and Tasking meetings. Current revenue budgets are not in a position to fund increased provision, and capital funding is therefore required to deliver enhanced capacity - the equivalent of one camera for each ward - to deliver the desired outcomes.

It is estimated that the cost of each individual CCTV system will be in the region of £3,000, equating to a total cost of £63,000 for the 21 cameras sought. Whilst this is an estimate, and the actual costs will be determined through a procurement process, any potential costs beyond the £60,000 allocation will be dealt with through existing budgets. Steps will be taken via the procurement process to seek to bring the overall cost of the 21 cameras within the original £60,000 budget allocation.

The cameras will be deployed in accordance with the Council's revised CCTV Policy, which has been reviewed and updated as part of this project, to ensure that the future use of CCTV is fully compliant with the General Data Protection Regulation (GDPR).

### **Recommendations**

1. That the allocation of £60,000 of funding within the approved Capital Programme for mobile CCTV cameras be noted.
2. That the reviewed CCTV Policy and improved processes be approved.

### **List of Appendices Included**

Appendix A CCTV Policy and Guidance (Overt Surveillance)

### **Background Papers**

Surveillance Camera Code of Practice [Surveillance Camera Commissioner, June 2013]

### **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

### **Council Approval Required**

No

### **Exempt from the Press and Public**

No

## **CCTV Capital Bid and Policy**

### **1. Recommendations**

- 1.1 That the allocation of £60,000 of funding within the approved Capital Programme for mobile CCTV cameras be noted.
- 1.2 That the reviewed CCTV Policy and improved processes be approved.

### **2. Background**

- 2.1 The Council approved the Budget and Council Tax 2018-19 report on 28 February 2018. The report included the Capital Strategy 2021/22 which identified £60,000 of Priority Capital Investment monies were identified for mobile CCTV cameras.
- 2.2 Tackling anti-social behaviour is a key priority for the public and the Council. The key priority to deliver 'a strong community in a clean, safe environment' is a Vision Statement Commitment for the Council.
- 2.3 The Council has a number of existing systems which provide some capabilities to address anti-social behaviour, including CCTV on vehicles, buildings, and body cameras on Civil Enforcement Officers. However, these are specific to location or individual officers, and are not deployed to target wider anti-social behaviour issues.
- 2.4 The existing systems provide little flexibility and are not able to support deployment in line with local ward priorities or priorities identified via Tasking Meetings. The ability to provide one camera per Ward would enable a more equitable distribution of CCTV resources.
- 2.5 Whilst the Council does currently have a wider deployable system of cameras that can be deployed on street furniture such as lamp posts, the system has proven to be unreliable, with many cameras not working despite recalls and disputes with the provider.
- 2.6 Concurrently, the Council's CCTV Policy has been reviewed and updated. This was undertaken to ensure an up to date Policy was provided to teams that are likely to utilise CCTV, whilst also ensuring that the Policy is GDPR compliant.

### **3. Key Issues**

- 3.1 Whilst it is evident that the Council and partners take robust action to tackle anti-social behaviour, it is clear that further progress might be achieved through the utilisation of technological solutions. Moreover, CCTV provides a deterrent to potential offenders and reassurance to those affected by anti-social behaviour, with consequent improvements in perceptions of anti-social behaviour.

- 3.2 Furthermore, where images are recorded that identify offenders, the Council and partners can deliver enhanced enforcement up to and including prosecutions. This will serve to demonstrate the Council's commitment and seriousness in dealing with anti-social behaviour and improve residents' confidence in the Council and partners as enforcers.
- 3.3 The Council's current CCTV capabilities are limited in terms of both the reliability of equipment and the number of cameras available. This capital project seeks to deliver a system that is capable of providing CCTV cameras in every electoral ward, along with the flexibility to deploy those cameras in areas of highest need. This enhanced capacity and reliability will give the Council greater flexibility to rapidly deploy mobile CCTV, and to tackle urgent issues across in local areas, without diminishing capacity across the Borough, and ensuring the cameras are used equitably in each ward.
- 3.4 Any new system should aim to support the delivery of Ward plans and priorities through the Community Action Partnership (CAP) meetings, and local Tasking arrangements. It is therefore proposed that, should the cameras be purchased, requests by Elected Members for the deployment of CCTV will be made through the CAP meetings within each ward. Requests will be referred to the respective Tasking Meeting (North, Central or South) who will ensure the deployment requested adheres to the Policy, and then arrange for deployment.
- 3.5 Whilst the process for the deployment of anti-social behaviour CCTV systems at an operational level will remain within the Community Safety team, authorisation to deploy the systems will be subject to the Council's revised CCTV Policy and Guidance (Overt Surveillance). The Council's CCTV Policy has been reviewed and updated to ensure the Policy supports the training of staff who are likely to utilise CCTV, and the operational processes that underpin any deployment. The revised Policy will also ensure that the Council is fully compliant with all relevant legislation, including the General Data Protection Regulations (GDPR). In particular, the revised Policy addresses requirements to ensure that data is processed lawfully; collected only for specific legitimate purposes; is limited to what is necessary; kept up to date; stored only as long as is necessary; is secure and confidential; and appropriately documented governance and training is in place. A copy of the revised policy can be found in Appendix A.
- 3.6 Noting the unreliable nature of the previous equipment procured, officers are exploring more robust and reliable technology options through a procurement with a public sector partner. This will deliver a more effective and reliable system, working in conjunction with a public sector partner who has previously engaged a procurement process, to deliver a CCTV system that is already in use in similar operational setting in another Local Authority. This approach could also potentially reduce the time taken to procure a system.

#### **4. Options considered and recommended proposal**

##### ***Option 1***

- 4.1 The Council is under no obligation to use overt CCTV to deter and tackle anti-social behaviour. The Council may therefore decide that there is currently no desire to invest in additional technology. Whilst the Capital resources identified within the Capital Strategy could be allocated elsewhere, it would also limit the tools available to the Council to deliver its corporate priorities.

##### ***Option 2***

- 4.2 This option seeks to apply for capital funding to procure a complete system of CCTV cameras to provide sufficient capacity and flexibility to deter and tackle anti-social behaviour across key hotspots within each electoral ward.
- 4.3 The Council has historically invested in a range of CCTV to tackle key issues; in particular anti-social behaviour and fly-tipping. CCTV provision has generally been at a low level due to the reliance on available revenue budgets to provide cameras.
- 4.4 CCTV is a critical tool in the Council's drive to reduce and tackle anti-social behaviour both as an overt and covert resource. Previous systems utilised have failed to deliver suitable capacity and reliability and have been the subject of contractual challenge to the system provider. Moreover where resource is revenue funded, there is a lack of financial flexibility to provide sufficient capacity and to deal with failures of equipment.
- 4.5 It is proposed to source a technological solution with a similar specification to systems deployed for similar purposes in other local authority areas.
- 4.6 In order to ensure capacity, sufficient CCTV cameras will be purchased to provide coverage for each ward across the Borough with prioritised deployment in support of the new CAP and Tasking arrangements.

##### ***Option 3***

- 4.7 The Council might prefer a reduced financial commitment with reduced numbers of CCTV systems. Whilst this option might not provide the complete coverage of all wards, it could provide sufficient flexibility to cover major hotspots in key locations. However, a reduced number of cameras would limit the ability of the Council and partners to deploy cameras to deliver on ward plan priorities, or to be able to react to requests from CAP and Tasking meetings.

## **Preferred Option**

- 4.8 Option 2 is therefore the preferred option. It will deliver a sufficient number of systems to deter and tackle anti-social behaviour in key locations in each ward, and the flexibility to support ward plans, the CAP process, Tasking arrangements and the Council's corporate priorities.

## **5. Consultation**

- 5.1 The Cabinet Member for Waste, Roads and Community Safety has been consulted and is supportive of the approach.

## **6. Timetable and Accountability for Implementing this Decision**

- 6.1 The procurement will be undertaken in line with the Council's Contract Standing Orders and options are being considered as to the best way to approach the market to ensure we receive a tested and reliable system.
- 6.2 A structured training programme has been delivered to front-line staff involved with mobile CCTV relation to the new overt CCTV Policy and in relation to the overlap with Regulation of Investigatory Powers Act 2000. Additional training has also been delivered to the member of Council staff acting as CCTV Manager within the Policy.
- 6.3 During the implementation period for the new Policy, the authorisation process will be subject to enhanced legal advice and guidance.
- 6.4 The Assistant Director for Community Safety and Street Scene will be responsible for the delivery and implementation of this proposal in consultation with the Cabinet Member for Waste, Roads and Community Safety.

## **7. Financial and Procurement Implications**

- 7.1 The Cabinet and Commissioners' Decision Making Meeting of 19<sup>th</sup> February 2018 approved an allocation of £60,000 as a priority capital investment in mobile CCTV cameras. This report constitutes the request for approval to draw down this funding.

It is estimated that each CCTV system individually will cost in the region of £3,000. Consequently, to purchase twenty-one systems, one for each ward, of the cost might reach £63,000. It is anticipated that the procurement process may deliver the systems below the £60,000 allocation, if not, then any additional costs will be found within existing budgets.

- 7.2 It is possible that the deterrent effect of CCTV systems will have a positive effect on the resources required to deal with anti-social behaviour. Whilst no revenue savings are currently identified relating to this, any savings will be captured as the project progresses.

- 7.3 Procurement of the CCTV systems is expected to be through a public sector partner. This will ensure a tested and reliable system, that is already in use in similar operational setting in another Local Authority, whilst minimising the time taken to procure.

## **8. Legal Implications**

- 8.1 The revised CCTV Policy complies with relevant legislation and the Surveillance Camera Commissioner's Code of Practice. It is incumbent upon the officers responsible for the deployment of CCTV systems that they understand and adhere to the Council's CCTV Policy. It is critical that relevant officers understand the circumstances under which the CCTV Policy applies and those circumstances where the requirements of the Regulatory of Investigatory Powers Act 2000 would need to be followed.
- 8.2 Failure to follow legislation and Policy can lead to failure of legal cases brought on the strength of CCTV evidence and potential litigation/complaints against the Council.

## **9. Human Resources Implications**

- 9.1 There are no human resources implications related to this initiative.

## **10. Implications for Children and Young People and Vulnerable Adults**

- 10.1 There are no implications for Children and Young People or Vulnerable Adults. However, approval of this report will see additional deterrents which will positively affect the quality of life of individuals.

## **11. Equalities and Human Rights Implications**

- 11.1 There are no equalities or human rights implications.

## **12. Implications for Partners and Other Directorates**

- 12.1 There are no implications for partners or other directorates.

## **13. Risks and Mitigation**

- 13.1 There is a small risk that the purchase and use of CCTV cameras does not lead to a reduction in anti-social behaviour. However, the Service assesses this risk to be low.

## **14. Accountable Officer(s)**

Damien Wilson Strategic Director of Regeneration and Environment  
Tom Smith, Assistant Director – Community Safety and Street Scene  
Sam Barstow, Head of Service – Community Safety, Resilience and  
Emergency Planning



Approvals obtained on behalf:-

	<b>Named Officer</b>	<b>Date</b>
Strategic Director of Finance & Customer Services	Judith Badger	23.07.2018
Assistant Director of Legal Services	Dermot Pearson	20.07.2018
Head of Procurement (if appropriate)	Karen Middleton	14.06.2018
Head of Human Resources (if appropriate)	Not Consulted	

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<http://moderngov.rotherham.gov.uk/ieDocHome.aspx?Categories=>

## **Appendix A: CCTV Policy and Guidance (Overt Surveillance)**

# **CCTV Policy and Guidance (Overt Surveillance)**

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Version	Author	Approved By	Date	Published	Review
0.2	Lewis Coates/ Supported by Marie Buxton		April 2018	-	-
0.3	Marie Buxton		25/04/2018	-	-
0.4	Lewis Coates		8 <sup>th</sup> May 2018		
0.5	Neil Concannon		25 <sup>th</sup> May 2018		
0.6	Neil Concannon and Lewis Coates		13 <sup>th</sup> June 2018		
0.7	Neil Concannon and Lewis Coates		9 <sup>th</sup> July 2018		
0.8	Tom Smith and Lewis Coates		10 <sup>th</sup> July 2018		
0.9	Neil Concannon and Lewis Coates		11 <sup>th</sup> July 2018		
0.10	Tom Smith		20 <sup>th</sup> July 2018		

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2. Objectives
3. Policy Statement
4. Legislation and Guidance
5. Responsibilities
6. Process

### Appendix:

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| A | CCTV Approval Form        |
| B | CCTV Policy               |
| C | Privacy Impact Assessment |

## 1. Introduction

- 1.1 The following policy relates to surveillance camera equipment and the gathering, storage, use and disposal of Closed Circuit Television (CCTV) system recorded data. The Council uses surveillance camera devices for various purposes. These include CCTV systems within Council premises and car parks as well as on the highway, body worn video camera equipment, and automatic number plate recognition. In this policy such devices shall be referred to as 'CCTV Systems'.
- 1.3 The policy covers all CCTV systems used by Rotherham Metropolitan Borough Council but does not cover Rotherham schools.
- 1.4 This policy should be read in conjunction with the following codes of practice for surveillance cameras:

<https://www.gov.uk/government/publications/surveillance-camera-code-of-practice>

<https://ico.org.uk/media/1542/cctv-code-of-practice.pdf>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/561520/NSCS\\_Strategy\\_FINAL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/561520/NSCS_Strategy_FINAL.pdf)

## 2. Overlap with Regulation of Investigatory Powers Act 2000 (RIPA)

- 2.1 All involved with CCTV operations must be keenly aware of the difference between overt and covert operations. Overt cameras are covered by this Policy; the use of covert cameras can, and must, only be authorised through the Council's RIPA Policy
- 2.2 Deployment of cameras in circumstances that can be considered to be directed surveillance, must follow the RIPA authorisation process and NOT the Council's Overt CCTV Policy.
- 2.3 Directed Surveillance is defined as:
  - 2.4 Any covert surveillance that is not intrusive.
  - 2.5 Carried out for the purposes of a specific investigation or operation.
  - 2.6 Likely to result in the obtaining of private information about a person.
  - 2.7 Not an immediate response to events or circumstances where it would not be practical to seek an authorisation.
- 2.8 Covert surveillance is defined as:
  - 2.9 Surveillance is covert if, and only if, it is carried out in a manner that is calculated to ensure that persons who are subject to surveillance are unaware that it is or may be taking place.

- 2.10 It is important to understand that concealed cameras are not necessarily the same as covert; where very clear signage indicates that CCTV is in operation and that concealed cameras are in use, then the Council may be able to use the overt CCTV Policy, so long that the use of the cameras does not constitute directed surveillance. The only current example of the use of concealed cameras in this way is in relation to fly-tipping cases. If officers are proposing to use concealed cameras under this policy in different circumstances, or if there appears to be any risk of directed surveillance, or any uncertainty, then Legal Services must be consulted before CCTV is used in those circumstances.

### 3. Objectives

- 3.1 It is important that everyone and especially those charged with operating the CCTV systems on behalf of the Council understand exactly why each of the CCTV systems and each camera used as part of the CCTV system has been introduced and what the cameras should and should not be used for.
- 3.2 Each CCTV system will have its own site objectives, these could include some or all of the following:
- 3.2.1 Protecting areas and premises used by Council officers and the public
  - 3.2.2 Deterring and detecting crime and anti-social behavior
  - 3.2.3 Assisting in the identification of and apprehension of offenders
  - 3.2.4 Deterring violent or aggressive behaviour towards Council officers
  - 3.2.5 On-site traffic and car park management
  - 3.2.6 Monitoring traffic movement
  - 3.2.7 Identifying those who have contravened parking regulations
  - 3.2.8 Assisting in traffic regulation enforcement
  - 3.2.9 Protecting Council property and assets
  - 3.2.10 Assisting in grievances, formal complaints and investigations
  - 3.2.11 Surveying buildings for the purpose of maintenance and repair
- 3.3 CCTV systems must not be used to monitor the activities of Council officers or members of the public in the ordinary course of their lawful business. Council officers are not permitted to use CCTV systems to observe the working practices and time keeping of other Council officers.

### 4. Policy Statement

- 4.1 This policy statement and the following guidance must be complied with at all times on all Council premises.
- 4.2 Management must ensure that there is reasonable justification before CCTV is used. (CCTV Approval Form – Appendix A)

- 4.3 All schemes require an assessment of impact on people's privacy (Surveillance Camera Privacy Impact Assessment – Appendix B)
- 4.4 A designated manager will have responsibility for compliance with the schemes operational process and procedures.
- 4.5 The intended use of the CCTV will be documented and the system must not be used for anything other than this purpose (CCTV Policy – Appendix C)
- 4.6 Each system must have procedures for administration, which will include:
  - 4.6.1 Ensuring the scheme is in accordance with the CCTV policy
  - 4.6.2 Right to be Informed eg signage and privacy notice
  - 4.6.3 Procedures for handling images.
  - 4.6.4 Record keeping of access requests, use of images procedures
  - 4.6.5 Monitoring of the scheme to ensure compliance, whilst at the same time protecting personal data of others.
  - 4.6.6 Control of recorded material
  - 4.6.7 Retention and Destruction
- 4.7 Regular training to ensure operators are kept up to date with the procedures.
- 4.8 Permanent or movable cameras must not be used to view areas that are not of interest and not intended to be the subject of the scheme.
- 4.9 There are areas where there is an expectation of heightened privacy and CCTV may only be used in very extreme cases and this must not be undertaken without discussing with the senior manager of the site, for example siting CCTV outside a school.
- 4.10 The CCTV will only be used at relevant times; times when site security is at risk for example.
- 4.11 The equipment used must be maintained to give reliable quality.
- 4.12 No sound recording technology is to be used, with the exceptions outlined in the Council's Licencing Policy.
- 4.13 Material must not be stored for longer than is necessary and must be deleted as soon as possible. For example, as soon as it is obvious that no crime has occurred, then the data must not be kept.
- 4.14 Images must be viewed in a secure/restricted area with access only to authorised persons.
- 4.15 Images must not be released to third parties. Unless a legitimate valid request in line with appropriate legal exemptions is received and accepted.
- 4.16 Individuals who are recorded may request access to the images, via a Data subject access request, subject to exemptions.

- 4.17 There must be adequate signage to let people know that surveillance is taking place. Where cameras are discreet, the notices must be more prominent. Where cameras are concealed, the notices must confirm this fact.
- 4.18 The CCTV systems must not be used to systematically monitor people. If this is required to obtain the information that is needed then authorisation to carry out directed surveillance under the Regulation of Investigatory Powers Act (RIPA) 2000 will be required and the relevant officers must immediately contact Legal Services for advice.

## **5. Legislation and Guidance**

- 5.1 CCTV systems are subject to legislation under:
  - 5.1.1 Data Protection Act 1998 (DPA)
  - 5.1.2 European Data Protection Legislation (GDPR)
  - 5.1.3 Human Rights Act 1998 (HRA)
  - 5.1.4 Freedom of Information Act 2000 (FOIA)
  - 5.1.5 Regulation of Investigatory Powers Act 2000 (RIPA)
  - 5.1.6 Protection of Freedoms Act 2012
  - 5.1.7 Criminal Procedures and Investigations Act 1996
- 5.2 Twelve guiding principals of the Surveillance Camera Code of Conduct which the Council will adhere to are:
  - 5.2.1 Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
  - 5.2.2 The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
  - 5.2.3 There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
  - 5.2.4 There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
  - 5.2.5 Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
  - 5.2.6 No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
  - 5.2.7 Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is

- necessary for such a purpose or for law enforcement purposes.
- 5.2.8 Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
  - 5.2.9 Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
  - 5.2.10 There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
  - 5.2.11 When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
  - 5.2.12 Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.<sup>1</sup>

## 6. Responsibilities

### 6.1 CCTV Manager (RMBC SPOC)

- 6.1.1 The role will be undertaken at a Head of Service level such as Head of Service Regulation and Enforcement or equivalent.
- 6.1.2 The CCTV Manager is responsible for ensuring all those involved in the use of CCTV systems can view current legislation and guidance relating to CCTV systems.
- 6.1.3 The CCTV Manager will be required to be fully trained in relation to the use of, and policies relating to, overt and covert camera usage and where RIPA is applicable
- 6.1.4 The CCTV Manager will review the CCTV policy annually
- 6.1.5 The CCTV Manager will take the CCTV policy to the Corporate Information Governance Group (CIGG) to receive policy approval
- 6.1.6 The CCTV Manager will submit an annual report to the Senior Information Risk Owner (SIRO) dealing with how effective, in the previous year, CCTV systems have proved to be, in meeting objectives listed in Section 2.
- 6.1.7 The CCTV Manager will comply with the roles and responsibilities as set out by the [Surveillance Commissioner for organisation Single Point of Contact](#) (SPOC) for CCTV
- 6.1.8 The CCTV Manager will authorise the deployment of all CCTV systems
- 6.1.9 The CCTV Manager will ensure that all authorisations and PIAs are submitted to the Information Management team and Legal Services for reference. It is incumbent on the CCTV Manager

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<sup>1</sup> Home Office, Surveillance Camera Code of Practice, June 2013, pp 10 - 11



where any application raises concerns, to seek Legal advice before authorizing the application.

## 6.2 Designated Manager (The Operational Manager)

- 6.2.1 The role will be undertaken at a service operational manager level such as Community Protection Manager or equivalent.
- 6.2.2 This will be a minimum M2 graded Manager who is liable for the deployment of CCTV and its legality.
- 6.2.3 The Manager liable for the actions of the Nominated and Investigating Officers

## 6.3 Nominated Officer (Supervising Officer or System Operator responsible to the Designated Manager)

- 6.3.1 The role will be undertaken at a service principal officer/team leader level such as Principal Community Protection Officer or equivalent.
- 6.3.2 The day-to-day operational responsibilities for each CCTV system rests with the nominated officer.
- 6.3.3 A list of all CCTV systems and their nominated officers will be recorded and available in a CCTV register held by the Council's SPOC
- 6.3.4 Person or persons that take a decision to deploy a surveillance camera system, and/or are responsible for defining its purpose, and/or are responsible for the control of the use or processing of images or other information obtained by virtue of such system.
- 6.3.5 The responsible officer shall ensure that Council officers involved in the operation of CCTV systems are trained in the use of the equipment and are aware of this policy and the procedures in place to manage CCTV systems at the Council
- 6.3.6 The responsible officer should act as the first point of contact for all enquiries relevant to the CCTV system in their premises and should ensure that only authorised officers are able to operate or view images.
- 6.3.7 The responsible officer shall investigate any reported misuse of a CCTV system and report it immediately to the CCTV Manager. It will be the responsibility of the CCTV Manager to refer any misuse of CCTV to the relevant immediate line manager.
- 6.3.8 The responsible officer shall report any faults in the CCTV system equipment to the CCTV Manager and take steps to remedy the fault at the earliest opportunity.

## 6.4 Investigating Officer (System User)

- 6.4.1 The role will be undertaken at an operational officer level such as Environmental Health Officer, Enforcement Officer, or equivalent.
- 6.4.2 Person or persons who have access to live or recorded images or other information obtained by virtue of such system.

- 6.4.3 Person or persons who are trained to burn images and deal with access requests.

## 7. Process

THIS PROCESS RELATES TO THE FOLLOWING ACROSS THE COUNCIL:

- THE FORMAL AUTHORISATION
- PURCHASING and DEPLOYMENT
- MONITORING and HANDLING
- ACCESS TO IMAGES
- SIGNAGE and PRIVACY NOTICES
- STORAGE
- INSPECTION/AUDIT
- COMPLAINTS

EACH TEAM MAY HAVE THEIR OWN PROCESS IN PLACE FOR IDENTIFYING DEPLOYMENT LOCATIONS AND INTERNAL AUTHORISATION, PRIOR TO FORMAL AUTHORISATION AT DIRECTORATE LEVEL.

### 7.1 CCTV Approval

The procedure covers overt surveillance. There will be occasions where concealed cameras are deployed, but only in conjunction with very clear signage confirming that fact. During a previous Regulation of Regulatory Powers Act 2000 (RIPA) inspection the OSC Inspector found that 'such signage renders the proposed surveillance overt and therefore does not require authorisation under RIPA'. Consequently, in these circumstances it brings the surveillance within the Council's CCTV Policy & Guidance regime.

#### 6.1.1 Approval Procedure

- a) It is required that to ensure compliance with the above requirements, the CCTV Policy, the CCTV Approval Form (Appendix A) and CCTV Policy document (Appendix B) are completed. These should be drawn up between the Investigating Officer and the Nominated/Supervising Officer.
- b) No officer, unless they have attended suitable training and are deemed competent by the CCTV Manager, shall take a lead role as an Investigating Officer, Nominated/Supervising Officer or Designated Manager.
- c) Despite being an overt surveillance operation there may be a risk of intrusion into people's privacy and a risk of collateral intrusion. To address this with regard to the; necessity, proportionality and collateral intrusion, the CCTV Approval Form (Appendix A) should, under

'Storage and Retention', detail such issues as; how long we intend to have the camera in place for and how regularly we will review the recordings. If necessary an addendum can be added to ensure full provision (although concise) of information to allow a decision to be taken.

- d) All applications for authorisation to deploy overt CCTV will be accompanied by a Privacy Impact Statement (PIA) (Appendix C). No application will be authorised without a PIA

#### 6.1.2 Guidance Points for CCTV Approval Form (Appendix A):

In addition to the information provided in the CCTV Policy document (Appendix B), the following shall be included:

- a) Column 1 – '**Property**' – Property where CCTV camera is located
- b) Column 2 - '**Purpose of CCTV Camera**' – Should identify the purpose of the installation such as primarily for security purposes/in order to ensure the safety and security of staff and visitors/ prevention and/or detection of crime.)
- c) Column 3 – '**Public Awareness**' – Should describe how individuals are to be made aware that a CCTV system is in use, which should include a description of signage and its location.
- d) Column 4 – '**Nominated Officer**' – this should include the responsibilities and names of the Nominated/Supervising Officer, Designated Manager and Investigatory Officer(s)
- e) Column 5 – '**Storage and Retention**' - should include details such as how long it's intended to have the camera in place for and how regularly the recordings will be reviewed. The footage, needs to be regularly reviewed so that cameras can be removed if it is deemed that the objective of the CCTV system has been achieved and any material that is of no use shall be deleted. It shall be ensured that any material that is of use is retained securely.
- f) For purposes of approval the whole document should be read in conjunction, including the appendices which are likely to contain detail and supporting information to the entries made in the form.

#### 6.1.3 Submission of Application

- a) The Designated Manager shall ensure that the surveillance and associated documentation is CCTV Policy compliant. Appendix A, Appendix B and the PIA at Appendix C shall be submitted direct to the CCTV Manager who is the SPOC for the purpose of this policy. Only

applications submitted according to this process will be deemed as a valid application.

- b) In the absence of the CCTV Manager, the Regulation and Enforcement Principal Officer for Community Protection (North Team), will have delegated authority to authorise applications

#### 6.1.4 Authorisation

- a) The CCTV Manager will review and authorise on satisfaction of compliance with the CCTV & Guidance policy.
- b) On approval authorisation will be confirmed via email including named officers and also a copy will be forwarded to the Data Protection Officer Information Management Team, Riverside House, Rotherham. That email will provide;
  - i. a confirmatory statement that the application is authorised
  - ii. the Appendix A, Appendix B and Appendix C documentation
  - iii. the naming of the Designated Manager, Supervising Officer and/or Investigating Officer taken from the Appendix A and section 3 of the Appendix B (also cc'ing these in the email).
- c) The team deploying the CCTV shall keep a documented record of each deployment together with location, supervising and investigating officers. The record will be maintained as a live document and updated appropriately.
- d) The CCTV Manager will maintain a master record of all deployed CCTV within the Regeneration and Environment directorate.

#### 6.1.5 Changes to equipment, times and other parameters from the original application

- a) Parameters contained within an application might change prior to deployment or during the lifetime of deployment, these would include, but not exclusively:
  - i. Change of surveillance times
  - ii. Change of equipment
  - iii. Breakdown and repair of equipment
  - iv. Adjustment of location
  - v. Vandalism and theft of signs
  - vi. Vandalism and theft of cameras
- b) In all such circumstances the CCTV Manager must be informed immediately and a reviewed and updated application presented to the CCTV Manager for authorisation.

- c) Deployment within the altered parameters must only take place once authorisation has been granted.

## **7.2 Purchasing and Deployment (PIA) and (Policy)**

- 6.2.1 It is advisable when purchasing CCTV systems to purchase from suppliers that are registered with the Surveillance Camera Commissioner's Third Party Certification Scheme. Certification enables organisations to demonstrate that they use their CCTV systems transparently, effectively and proportionately.
- 6.2.2 Where a third party is responsible for the storage or processing of data from CCTV systems, then third party data processing contracts must be in place with the third party to ensure protection of the data and compliance with the Council's information governance standards. The Council information governance standards which can be found at: <http://rmbcintranet/Directorates/FCS/CIDS/IM/default.aspx>
- 6.2.3 Those responsible for introducing and operating CCTV systems must ensure that the use of cameras is proportionate to the intended objective and that individuals' right to privacy is respected at all times. A clear operational objective for the CCTV system must be identified and an assessment on the impact on privacy must be carried out and reviewed each year. A Privacy Impact Assessment template can be found on the Surveillance Commissioner's website at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/634894/Privacy\\_Impact\\_Assessment\\_1.docx](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/634894/Privacy_Impact_Assessment_1.docx). A Privacy Impact Assessment must be completed for each CCTV system in use.
- 6.2.4 Care must be taken to ensure that cameras do not capture images or sounds of private spaces such as dwelling houses.
- 6.2.5 Covert surveillance is not permitted to be carried out under the auspices of this policy. Such activities fall within RIPA and authorisation must be obtained for such activity under the Council's RIPA procedures and the Council's Legal Services must be consulted about acquiring such authorisation.
- 6.2.6 The Council does not generally use cameras that can monitor conversation or be used to talk to individuals as this is viewed as an unnecessary invasion of privacy. This however, does not apply to body cameras where interactions may be recorded.

## **7.3 Handling / Monitoring**

- 6.3.1 Where CCTV monitors providing live monitoring for security or other Council officers, are sited in reception areas and areas open to the public or visitors, the ability to view the CCTV system monitors must be restricted to those authorised to see them. Monitors must not be visible

to those entering the premises.

6.3.2 Monitoring of CCTV systems will only be carried out by officers authorised to do so.

6.3.3 CCTV will only be subject to the Data Protection legislation if the footage captured relates to individuals who can be identified from it.

## **7.4 Access to Images**

Access to images must follow one of the following routes:

### 7.4.1 Subject Access Request

- a) Members of the public have the right to request access to their personal information (images) in line with Data Protection legislation. Access will only be granted when a completed request form has been submitted and identity verified.
- b) CCTV access requests can be made via the Council's website 'Right to Access'.
- c) The Information Management Team will verify the request and identity of the individual and send onto the CCTV Manager.

### 7.4.2 Police, Other Council's etc

- a) Organisations responsible for the detection and prevention of crime, taxation recovery or duties of similar nature can request access to personal information (images) in line with Data Protection Legislation. Access will only be granted when a formal request has been received.
- b) Formal requests will be in the format of a Data Protection exemption form sometimes known as a section 29, CIDS49.
- c) The Information Management Team will verify the request and identity of the individual and send onto the CCTV Manager.

### 7.4.3 Solicitors/Insurances

- a) Organisations acting on behalf of individuals dealing with legal claims or responding to court orders can request access to personal information (images) in line with Data Protection Legislation. Access will only be granted when a formal request has been received.
- b) Formal requests will be in the format of a Data Protection exemption form sometimes known as a section 35, or a court order.



- c) The Information Management Team will verify the request and identity of the individual and send onto the CCTV Manager.

6.4.4 Any complaints relating to the use of CCTV must be logged via the Council's complaints procedure.

## **7.5 Signage and Privacy Notice**

6.5.1 All areas where CCTV is in use should be clearly signed. Such signs warn people that they are about to enter an area covered by a CCTV system or to remind them that they are still in an area covered by CCTV.

6.5.2 Where signs are used on the highway to alert road users to the use of CCTV systems, these should not affect the safety of road users.

6.5.3 Where CCTV signage is used and there might be penalties incurred from the images recorded, then the signs must reflect the risks. For example, where CCTV is used in relation to environmental offences, the signage must warn that legal action is a risk if offences are recorded.

6.5.4 Where body cameras are in use, officers using them must display a clear notice that this is the case on their person, usually as part of their uniform. This notice should not be covered up or obscured, but should be visible at all times during an interaction that is being recorded or may be recorded. Where there may be doubt that a member of the public might be aware of this, then the officer should inform the member of the public that a body camera was worn.

6.5.5 Signs should be of appropriate size depending upon context such as whether the signs are to be read by road users or pedestrians. If concealed cameras are being deployed then the signs should clearly state this fact.

6.5.6 Data Protection legislation provides individuals with the right to be informed about processing of their personal data. All CCTV processing must be detailed within the Council and Directorate Privacy Notice. Guidance on the content of Privacy Notices can be found on the Information Management Team intranet site at:  
<http://rmbcintranet/Directorates/FCS/CIDS/IM/default.aspx>.

## **7.6 Storage and Retention**

6.6.1 CCTV system images will only be stored for a maximum of six weeks and then overwritten, subject to legal proceedings or ongoing investigations.

6.6.2 Recorded material will not be sold or used for commercial activities or published on the internet

6.6.3 All CCTV systems will be kept secure and free from unauthorised access

6.6.4 All recorded images are the property and copyright of the Council

6.6.5 All images will be stored securely on servers and no images will be stored to a cloud

6.6.7 Where recordings are placed onto discs they will have a unique reference number

6.6.8 All images will be time and date stamped

6.6.9 All images and media will be confidentially disposed of when no longer needed

## **7.7 Monitoring/Inspections**

6.7.1 CCTV systems can be inspected or audited at any time by:

- CCTV Manager
- Relevant Head of Service
- Members of the Information Management team
- Members of the Corporate Complaints team
- Members of the senior management team
- Members of the Information Commissioner's Office

## **7.8 Complaints**

6.8.1 All complaints relating to the use of CCTV systems will be subject to the Council's Corporate Complaints Procedure



## Appendix A – CCTV Approval Form

### CCTV APPROVAL FORM

Please complete the following:

<b>Property</b> (Property where CCTV camera is located)	<b>Purpose of CCTV Camera</b> (i.e. primarily for security purposes/in order to ensure the safety and security of staff and visitors/ prevention and/or detection of crime.)	<b>Public Awareness</b> (In order to comply with Principle 1 of the Data Protection Act 1998 (fair and lawful obtaining and processing), individuals should be made aware that a CCTV system is in use. Please advise how this is done – signs displayed etc.)	<b>Nominated Officer</b> (The Supervising Officer for the CCTV System)	<b>Storage and Retention</b> (Where are images stored, who has access to the images and how long they are kept for?)	<b>Quality</b> (i.e. How often are the media changed/if quality not adequate for purpose who will this be reported to? /How long for repair or reinstatement if broken or damaged/Where will maintenance log be kept and who is responsible to check log?) Give Details

## **Appendix B – CCTV Policy**

### **1. Purpose**

- 1.1 The CCTV system installed at the [LOCATION] will be used for the prevention/detection of crime.
- 1.2 The CCTV system will monitor activity at [LOCATION] A Map of the location to attached to the this application at [APPENDIX] with the location of the camera marked with a [DESCRIBE THE MARK]

### **2. Public Awareness**

- 2.1 In order to comply with Principle 1 of the Data Protection Act 1998 (fair and lawful obtaining and processing), individuals will be made aware that a CCTV system is in use. A number of camera warning signs will be sited around the area. The signs will be clearly visible and legible.
- 2.2 A photograph(s) of the signage in situ is provided to this application at [APPENDIX] and marked on the map referred to in 1.2 with a [DESCRIBE THE MARK]

### **3. Nominated Officers**

- 3.1 The supervisory officers for the surveillance CCTV system will be [NAME OF SUPEVISORY/NOMINATED OFFICER]. The system will be used and monitored under the supervision of [NAME OF SUPEVISORY/NOMINATED OFFICER], by investigatory officers [NAME AND RANK OF INVESTIGATORY OFFICERS/SYSTEM USERS].
- 3.2 The designated manager for the CCTV system will be [NAME OF DESIGNATED MANAGER]

### **4. Storage and Retention**

- 4.1 Images will be stored [LOCATION OF STORAGE DATA INCLUDING BUILDING AND SYSTEM] and will only be viewed in a secure location by [NAME OF OFFICERS AUTHORISED TO VIEW IMAGES].
- 4.2 In accordance with Principle 5 of the Data Protection Act 1998, images will be kept only as long as necessary for the specified purpose. They will, therefore, be retained for [SPECIFY TIME PERIOD FOR RETENTION]. When this period expires the images will be removed or erased.

### **5. Quality**

- 5.1 The media will be changed every [FREQUENCY OF MEDIA CHANGE] If the quality of images is not adequate for the intended purpose, this will be reported to [SYSTEM PROVIDER]
- 5.2 If a breakdown occurs, the camera will be repaired and reinstated as soon as practicable.

- 5.3 A maintenance log for the system will be kept at [LOCATION] and will be checked by the Nominated/Supervising Officer [NAME OF OFFICER].

**Appendix C – [Privacy Impact Assessment](#)**

The template for the Privacy Impact Statement can be found at:

[http://rmbcintranet/Directorates/FCS/CIDS/IM/Privacy%20By%20Design/PIA\\_CCTV\\_Only\\_Template.pdf](http://rmbcintranet/Directorates/FCS/CIDS/IM/Privacy%20By%20Design/PIA_CCTV_Only_Template.pdf)