



Rutland County Council

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Oakham

Meeting: CABINET

Date and Time: Tuesday, 20 November 2018 at 10.00 am

Venue: COUNCIL CHAMBER, CATMOSE

Governance Officer to contact: Natasha Taylor 01572 720991
email: governance@rutland.gov.uk

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A G E N D A

1) APOLOGIES FOR ABSENCE

2) ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF THE PAID SERVICE

3) DECLARATIONS OF INTEREST

In accordance with the Regulations, Members are required to declare any personal or prejudicial interests they may have and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

4) RECORD OF DECISIONS

To confirm the Record of Decisions made at the meeting of the Cabinet held on 30 October 2018.

5) ITEMS RAISED BY SCRUTINY

To receive items raised by members of scrutiny which have been submitted to the Leader (copied to Chief Executive and Governance Officer) by 4.30 pm on Friday 16 November 2018.

REPORTS OF THE CHIEF EXECUTIVE

6) ST GEORGE'S BARRACKS PROGRESS REPORT

Report No. 216/2018

(Report to follow)

7) DIGITAL RUTLAND: LOCAL FULL FIBRE NETWORKS FUNDING BID (KEY DECISION)

Report No. 212/2018

(Report to follow)

REPORTS OF THE STRATEGIC DIRECTOR FOR PLACES

8) ENFORCEMENT POLICY - LITTERING FROM VEHICLES (KEY DECISION)

Report No. 217/2018

(Pages 5 - 30)

REPORTS OF THE STRATEGIC DIRECTOR FOR RESOURCES

9) MID-YEAR TREASURY MANAGEMENT REPORT (KEY DECISION)

Report No. 197/2018

(Pages 31 - 52)

10) QUARTER 2 FINANCE MANAGEMENT REPORT (KEY DECISION)

Report No. 193/2018

(Report to follow)

REPORT OF THE DIRECTOR FOR PEOPLE (DAS)

11) SAFEGUARDING THROUGH EDUCATION (KEY DECISION)

Report No. 219/2018

(Pages 53 - 78)

12) ANY ITEMS OF URGENT BUSINESS

To receive items of urgent business which have previously been notified to the person presiding.

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MEMBERS OF THE CABINET: Mr O Hemsley Chairman
Mr G Brown
Mr R Foster
Mr A Walters
Mr D Wilby
Mrs L Stephenson

SCRUTINY COMMISSION:

Note: Scrutiny Members may attend Cabinet meetings but may only speak at the prior invitation of the person presiding at the meeting.

**ALL CHIEF OFFICERS
PUBLIC NOTICEBOARD AT CATMOSE
GOVERNANCE TEAM**

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CABINET

20th November 2018

LITTERING FROM VEHICLES ENFORCEMENT POLICY

Report of the Strategic Director for Places

Strategic Aim:	Reaching our Full Potential	
Key Decision: Yes	Forward Plan Reference: FP/100818	
Reason for Urgency	N/A	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr G Brown, Deputy Leader and Portfolio Holder for Planning, Environment, Property and Finance. Mrs L Stephenson, Portfolio Holder for Culture & Leisure, Highways & Transportation and Communications	
Contact Officer(s):	Mark Loran, Senior Environmental Services Manager	01572 758430 mloran@rutland.gov.uk
	Dave Pye, Senior Transport Manager	01572 758229 dpye@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That Cabinet:

1. Approves and adopts the Littering From Vehicles Enforcement Policy, included in **Appendix A** of this report.
2. Decides on the value attributed to the Penalty Notice, and (if any) a reduced fee for early payment, for contravention of 'The Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018'.

1 PURPOSE OF THE REPORT

- 1.1 To seek Cabinet approval to adopt and utilise the new powers as described in this report and the associated Enforcement Policy.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Litter Strategy for England, launched by government in 2017 set out an ambition to *“be the first generation to leave the natural environment of England in a better state than it found it”*. To support this ambition, the following priorities were identified:

-

- Send out a clear anti-litter message
- Improve enforcement against offenders
- Clean up the country.

- 2.2 This report focuses on the new powers introduced by government to improve enforcement against offenders, ensuring the approach is fair and proportionate.

- 2.3 Historically, the littering issue has been dealt with by way of a criminal offence, issuing a Fixed Penalty Notice (FPN) in lieu of prosecution. FPN's are enforceable by police or authorised officers from a Local Authority, using provisions in the Environmental Protection Act 1990.

- 2.4 Local Authority use of criminal powers can be difficult as the evidence standards are much higher, with the aim to prove that an offence occurred. In civil enforcement, the contravention is considered to have occurred if a penalty is issued and the onus is on the person to prove that either the offence did not occur, or that one of the grounds for making representations apply (see Appendix A in the Littering From Vehicles Enforcement Policy).

- 2.5 In April 2018, ‘The Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018’ came into effect, creating a new civil contravention for dropping or throwing litter from a vehicle and is enforced using a Penalty Notice (PN).

- 2.6 A Penalty Notice can be issued for the offence of dropping or throwing litter from a vehicle on ‘relevant land’, this includes not just the highway, but extends to ‘any land which the local authority is under a duty to keep clear of litter’.

- 2.7 Street cleaning costs Rutland County Council £600,000 each year and clearing litter is a significant element of this. There is an impact on the environment, wildlife and is unsightly, giving a negative first impression of Rutland for visitors.

- 2.8 Use of enforcement should be a last resort, after engineering and education solutions have been exhausted. This report, and the attached policy explains how the Council intends to use the powers.

- 2.9 This report provides a policy for utilisation of the new powers, and outlines how the Council intends to use the powers for the benefit of Rutland.

3 ENGINEERING

- 3.1 It is important that the Council makes efforts to provide suitable bins, in the right location. The Environmental Protection team works with waste contractors to review the location and size of bins on an ongoing basis.
- 3.2 Signage advising of the penalties associated with dropping litter are already common in public spaces. At this time, there is no intention to provide additional signs. To signpost across the county would be expensive, increase clutter on the highway and be a further intrusion on the look and feel of the area.

4 EDUCATION

- 4.1 A communication plan is to be developed prior to enforcement, ensuring the public are aware of the new powers, and that they are used in a fair and transparent way.

5 ENFORCEMENT

5.1 Penalty

- 5.2 The Regulations provide for a Penalty Notice to be issued at a value determined by the Local Authority. The guidance note issued by DEFRA states a maximum penalty of £150.00, and a reduced limit of not less than £50.00, though there is no requirement to offer a reduced penalty for early payment. If no penalty value is chosen by the Authority, a default of £100.00 is used.

- 5.3 If the penalty remains unpaid and no challenge has been submitted within the statutory period, an automatic increase of 100% is applied.

- 5.4 Cabinet Members could decide to set the penalty to match that imposed using Fixed Penalty Notices for the same offence, or within the criteria set out in section 5.2 and further explained in the Regulations, set a different value.

- 5.5 To ensure an effective deterrent, and demonstrate the level of intolerance toward littering in the County, the Officer recommendation is that the charge should be set at £150, with no reduced fee offered for early payment.

5.6 Enforcement Officers

- 5.7 The Council can designate any Officer with the power to issue a Penalty Notice. It is proposed that those with 'enforcement' or a variation of the term included in their job description or contract, and who are employed within the Parking Services or Environmental Protection teams be trained and enabled to issue.

- 5.8 Officers acting in this capacity can do so as part of their day to day workload, there is no requirement for Officers to be deployed specifically for the purpose or to wear a certain uniform.

5.9 Administration

- 5.10 The processes and support systems used to issue Penalty Notices are already in use by the Parking Services Team when issuing Penalty Charge Notices for parking contraventions.

- 5.11 Work is progressing to update the Imperial parking system with the relevant information for Officers to issue the new penalty. It is anticipated this can be achieved within the existing budget and that no additional funds will be required.
- 5.12 Appeals and Representation
- 5.13 The grounds for making representations are included in Appendix A of the Littering From Vehicles Enforcement Policy. The Council will consider appeals based on this criteria and, if correct to do so, will be cancelled.
- 5.14 As with Penalty Charge Notices for parking contraventions, a person has the right to lodge a further appeal to the Traffic Penalty Tribunal. The TPT has been proactive in providing Councils with a template Notice of Rejection, included in Appendix B of the Littering From Vehicles Enforcement Policy. The prominence of information relating to rights for further consideration are an improvement on that used in parking contraventions and Officers are looking to incorporate this as a standard.

6 CONSULTATION

- 6.1 Consultation with the relevant Portfolio Holders has already been undertaken.
- 6.2 A communications plan will be developed and implemented prior to any enforcement action being undertaken.

7 ALTERNATIVE OPTIONS

- 7.1 To acknowledge the new powers but decide not to exercise them.
- 7.2 To proceed, but vary any part of the Policy.

8 FINANCIAL IMPLICATIONS

- 8.1 Though not ring-fenced by legislation, revenue from Penalty Notices will be used to fund cleansing operations, engineering, education and enforcement and any other costs associated with administrating the scheme. Any surplus utilised to support related Council services.
- 8.2 Where a Penalty Notice remains unpaid and no appeal submitted, the regulations provide for the penalty to increase by 100% after 28 days.
- 8.3 It is recommended the Penalty Notice charge be set at £150, with no reduced fee offered for early payment.
- 8.4 The level of income that may be generated from implementation of the policy is not known as we will be one of the first authorities taking on these new powers. Based on work undertaken by Environmental Services, several areas have been identified as littering hot spots. Assuming a cautious estimate of 4 Penalty Notices issued per month, this would return £7,500 annually, costs of circa 10% to cover DVLA and appeals should be applied.

9 LEGAL AND GOVERNANCE CONSIDERATIONS

- 9.1 The Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018, the enabling powers. Also referenced is the Environmental Protection Act 1990 and codes of practice or guidance documents issued by government, a copy of these can be obtained from the Contact Officer.

10 DATA PROTECTION IMPLICATIONS

- 10.1 A Data Protection Impact Assessments (DPIA) has been completed. No Risks/issues were identified. A copy of the DPIA can be obtained from the Contact Officer.

11 EQUALITY IMPACT ASSESSMENT

- 11.1 An Equality Impact Assessment (EqIA) has been completed. No adverse or other significant issues were found. A copy of the EqIA can be obtained from the Contact Officer.

12 COMMUNITY SAFETY IMPLICATIONS

- 12.1 No specific Community Safety Implications were identified, though it was noted that it is generally accepted that cleaner environments help in efforts to reduce crime and anti-social behaviour.

13 HEALTH AND WELLBEING IMPLICATIONS

- 13.1 Reducing litter and waste in public open areas will have a positive impact on the health and wellbeing of residents and visitors. Making open spaces more attractive will help draw people towards outdoor activities and healthier lifestyles.

14 ORGANISATIONAL IMPLICATIONS

14.1 Environmental implications

Introducing an active enforcement operation will have a positive impact on the environment, reducing litter and waste in public open areas, improving the look and feel of the area, reducing risks to wildlife and providing a revenue stream which the Council can utilise to further other environmental objectives.

14.2 Human Resource implications

Enforcement activities will be conducted only by Council Officers who have this specified within their Job Description and/or Employment Contracts. The implementation plan includes milestones, at which engagement with operational teams will be undertaken.

14.3 Procurement Implications

14.4 There are no procurement implications, all support systems and services to be used are already in place for other purposes.

15 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

15.1 The option to not utilise the powers will restrict the Councils ability to tackle littering and the effect it has on the County.

15.2 It is recommended that Cabinet approved the Littering From Vehicles Enforcement Policy, this will enable Officers to reduce the impact of litter in the County.

16 BACKGROUND PAPERS

16.1 None

17 APPENDICES

17.1 Appendix A - Littering From Vehicles Enforcement Policy

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.



Rutland County Council

LITTERING FROM VEHICLES ENFORCEMENT POLICY

Version & Policy Number	Version 1.0
Guardian	Dave Pye, Senior Transport Manager Mark Loran, Senior Environmental Services Manager
Date Produced	XX September 2018
Next Review Date	XX September 2019

Approved by Scrutiny	
Approved by Cabinet	
Approved by Full Council	



Summary of document

This policy sets out the enforcement process associated with the Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018, and any amendments or associated legislation, regulations or guidance to Local Authorities.

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1.0 BACKGROUND

- 1.1 Rutland County Council is responsible for ensuring a safe, welcoming and environmentally friendly public asset.
- 1.2 Litter has a significant impact on the environment, is expensive to clean up and, if not properly managed, can cause issues for wildlife, residents, businesses and affects first impressions for visitors and tourists.
- 1.3 RCC has a duty under Section 89 of the Environmental Protection Act 1990 to clear litter from highways and relevant land.
- 1.4 RCC funds street cleansing operations for the public highway and open lands, at a cost of £600k each year and an estimated that 180 tonnes of waste are removed.
- 1.5 On 1st April 2018, the Littering from Vehicles outside London (Keeper: Civil Penalties) Regulations 2018 (hereafter referred to as “LFV Regulations”) came into effect. The effect of the LFV Regulations was to amend Section 88 of the Environmental Protection Act 1990 (EPA). The new Section 88A, grants powers to litter authorities to issue Penalty Notices (PN’s) for littering from vehicles.
- 1.6 Historically, littering has been dealt with as a criminal offence, enforced using Fixed Penalty Notices (FPN’s) in lieu of prosecution. These powers remain unchanged, giving local authorities the option to choose criminal or civil options to enforce, protections have been included in the new powers to prevent double jeopardy, meaning a person cannot be issued more than one penalty (criminal or civil) for the same occurrence.
- 1.7 The LFV Regulations provide for a new civil contravention, which can be enforced by local authorities which are also litter authorities, in much the same manner as Penalty Charge Notices (PCN’s) are issued for civil parking contraventions.

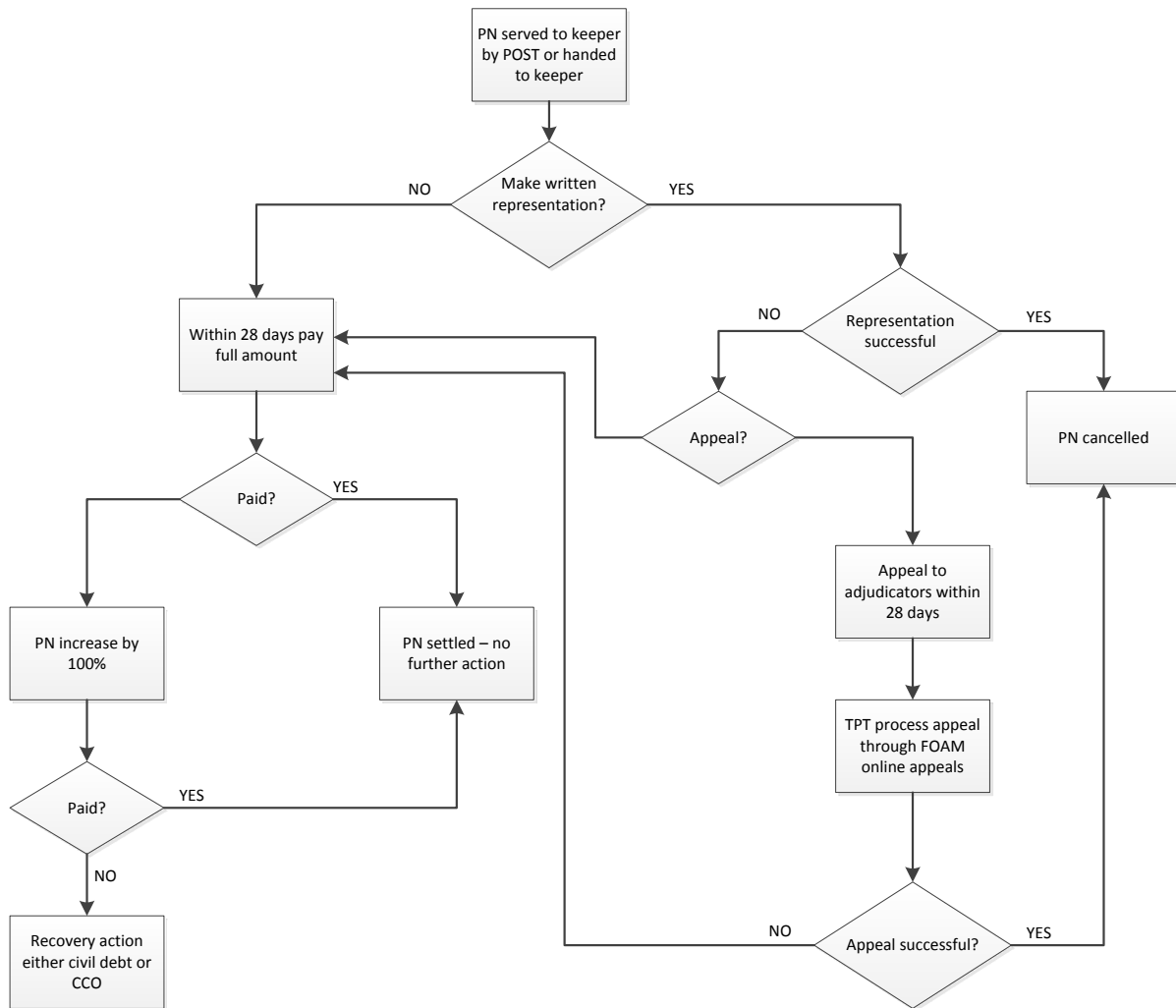
- 1.8 Successful criminal prosecutions are often much harder to secure, as the burden of proof is much higher and the onus on a prosecutor to prove beyond reasonable doubt that an offence has occurred, whereas civil contraventions has lesser requirements for evidence quality and are issued based on an assumption the contravention has occurred, with the onus on the appellant to prove it did not occur or that the contravention did occur, but there are sufficient mitigations what mean a penalty is not applicable.
- 1.9 The purpose of this policy is to set out the principals of enforcement, provide a robust and transparent process, and to outline how and when enforcement powers will be used.
- 1.10 It is essential that public support is maintained in any enforcement activities. To achieve this, the policy will also set out a fair internal appeal process and ensure at all times that operations are conducted in line with the spirit of the legislation and that transparency and communication remain a priority.

2.0 LEGISLATION

- 2.1 A copy of The Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018 can be found following this link <http://www.legislation.gov.uk/ukdsi/2018/9780111163818/contents>
- 2.2 The effect of these regulations is to insert a new section into the Environmental Protection Act 1980, a copy of this Act can be found following this link <https://www.legislation.gov.uk/ukpga/1990/43/contents>

3.0 ENFORCEMENT

3.1 The following process will be applied in respect of Penalty Notices:



3.2 Authorised Officers

In respect of Rutland County Council, an authorised officer includes a person employed for any purpose directly by RCC and who has the function of ‘enforcement’, or a variation of the term but with the same meaning assigned in their job description.

A person in such a position will be considered an ‘authorised officer’ only when a proper training course has been completed and competence is confirmed in writing by the Strategic Director for Places to the line manager.

3.3 Penalty Notice

A Penalty Notice will be of a design which meets national guidance, and includes the information stated in Regulation 5 of the LFV Regulations.

The penalty amount is set at £150, no reduced fee is offered for early payment.

3.4 Issuing a Penalty Notice

A Penalty Notice, of a similar design to that included in **Appendix B**, will be issued to the Registered Keeper of a vehicle in the following circumstances, where the contravention: -

- a) has occurred on relevant land (relevant land shall have the same meaning as assigned in Section 86 and 89(1) of the Environmental Protection Act)
- b) occurred not more than 35 days prior to the Penalty Notice being served (when served by post it is considered served after two working days if sent by first class post to an address within the United Kingdom, five working days if sent by first class post to an address outside of the United Kingdom and, if served by electronic means, is treated as being served on the working day immediately following the day on which it was sent (a notice may only be sent by electronic means if the person has informed the litter authority that notices of that description may be given to the person by being sent to an electronic address and in an electronic form specified for that purpose and if the notice is sent to that address in that form)
- c) is / has not already been progressed as a Fixed Penalty Notice
- d) is not 'petty or insignificant', an example of this circumstance may be ash from a cigarette, which will quickly disperse and leave no obvious material
- e) is not an exempt vehicle described in Regulation 12 of the LFV Regulations (example a public service, hackney or private hire vehicle)
- f) has been recorded on a CCTV device (fixed or mobile), a body mounted camera carried by an authorised officer, the observation only of an authorised officer or where an authorised officer witnesses the contravention and is able to be adequately recorded in a pocket book.

The regulations do provide for Penalty Notices to be issued on evidence produced by members of the public, though in respect of Rutland, it is considered problematic and could be difficult to defend at an independent tribunal.

3.5 Evidence

A penalty notice will be issued only if the contravention has been captured by one of the following means: -

- a) CCTV device, either fixed or mobile), working on a system which is capable of producing a record of the presence of a vehicle on relevant land, including the date and time. A certificate is required, stating the circumstances in which the record was produced and signed by an authorised person
- b) A body camera, worn by an authorised officer, capable as described in 3.5(a) above
- c) A vehicle mounted or dashboard mounted camera, capable as described in 3.5(a) above
- d) A written statement from an authorised officer, describing events to a standard which includes all the information required to issue a Penalty Notice.

3.6 Representations

Where a representation is made, RCC will consider whether the grounds given meet any of those described in **Appendix A** of this report, or whether there are other circumstances which should reasonably be taken into consideration.

A record of all Penalty Notices will be retained, including notes on its status, using a system which can be audited as and when required.

4.0 INDEPENDENT ADJUDICATION

- 4.1 PATROL (Parking and Traffic Regulations Outside London) undertakes initiatives to support its local authority members and raise awareness of the objectives of civil enforcement, including the promotion of annual reports in respect of parking, provision of information online and taking forward traffic management issues of mutual interest to its local authority members, whilst ensuring the motorists perspective is also taken into account, as seen through its already well-established appeals process, managed by the Traffic Penalty Tribunal.
- 4.2 The Traffic Penalty Tribunal (TPT) is responsible for providing the independent adjudication service in respect of Penalty Notices.
- 4.3 Much like civil parking contraventions and the associated Penalty Charge Notice, TPT will be the independent adjudicator for Penalty Notices.
- 4.4 The processes associated with the independent tribunal are published, and regularly updated. These can be found at <https://www.trafficpenaltytribunal.gov.uk/>.

5.0 APPENDIX A – GROUNDS FOR MAKING REPRESENTATIONS

(Reference: The Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018)

Representations against penalty notice

14.—(1) A person to whom a penalty notice is given may make written representations to the litter authority if it appears to the person that one or more of grounds A to L apply.

(2) The representations may only be made within the period of 28 days beginning with the day on which the penalty notice is given.

(3) **Ground A** is that the littering offence in question did not occur.

(4) **Ground B** is that the person was not the keeper of the vehicle at the time of the littering offence because the person became the keeper of the vehicle after the littering offence occurred.

(5) **Ground C** is that the person was not the keeper of the vehicle at the time of the littering offence because the person had disposed of the vehicle to another person before the littering offence occurred.

(6) **Ground D** is that the person was not the keeper of the vehicle at the time of the littering offence because the vehicle was a stolen vehicle when the littering offence occurred.

(7) **Ground E** is that the person— (a) was engaged in the hiring of vehicles in the course of a business at the time of the littering offence, and (b) was not the keeper of the vehicle at that time by virtue of a vehicle hire agreement.

(8) **Ground F** is that the person was not the keeper of the vehicle at the time of the littering offence for a reason not mentioned in grounds B to E.

(9) **Ground G** is that the litter authority was not, by virtue of regulation 4(5), authorised to give the person a penalty notice.

(10) **Ground H** is that the person is not liable to pay the fixed penalty by virtue of regulation 12.

(11) **Ground I** is that liability to pay the fixed penalty has been discharged in the circumstances set out in regulation 13.

(12) **Ground J** is that the fixed penalty exceeds the amount payable under these Regulations.

(13) **Ground K** is that the litter authority has failed to observe any requirement imposed on it by these Regulations in relation to the imposition or recovery of the fixed penalty.

(14) **Ground L** is that there are compelling reasons why, in the particular circumstances of the case, the penalty notice should be cancelled (whether or not any of grounds A to K apply).

(15) If a person makes representations that ground B applies, the representations must include the name and address of the other person from whom the vehicle was acquired (if known).

(16) If a person makes representations that ground C applies, the representations must include— (a) the name and address of the other person to whom the vehicle had been disposed of (if known), or (b) a statement that the name and address of that person is not known.

(17) If a person makes representations that ground D applies, the representations must include the crime reference number, insurance claim reference or other evidence of the vehicle's theft.

(18) If a person makes representations that ground E applies, the representations must include— (a) a statement signed by or on behalf of the person to the effect that at the time of the littering offence the vehicle was hired to a named person under a vehicle hire agreement with the person, and (b) a copy of the vehicle hire agreement.

(19) In paragraph (7)(b), the reference to a person ("P") being a keeper of a vehicle by virtue of a vehicle hire agreement includes a reference to any period during which, with the consent of the person hiring the vehicle, P continues in possession of the vehicle as hirer, after the expiry of any period specified in the agreement but otherwise on the terms and conditions specified in it.

(20) In this regulation, "vehicle hire agreement" means an agreement which— (i) provides for a vehicle to be let to a person for a period of any duration (whether or not the period is capable of extension by agreement between the parties), and (ii) is not a hire-purchase agreement within the meaning given by section 189(1) of the Consumer Credit Act 1974(a).

6.0 APPENDIX B – TEMPLATES

6.1 Penalty Notice

PENALTY NOTICE (PN)

The Littering From Vehicles Order Outside London (Keepers: Civil Penalties) Regulations 2018

«Offender_Title» «Offender_Initials»
«Offender_Surname»
«Offender_Address_1»
«Offender_Address_2»
«Offender_Address_3»
«Offender_Address_4»
«Offender_Town»
«Offender_County»
«Offender_Post_Code»

Date of this Penalty Notice and date of posting: «Date_Letter_Created»

To «Offender_Title» «Offender_Surname», this notice has been served to you because it appears to Rutland County Council that you are the owner of:

Vehicle Registration Number: «PN_Registration_Number» **Make:** «PN_Vehicle_Make»

In respect of which, Penalty Notice (PN) number «PN_Ticket_Number» was served on «PN_Contravention_Date» by Civil Enforcement Officer (CEO) «PN_Civil Enforcement Officer Number» who had reason to believe that the following contravention had occurred and that a penalty charge was payable: **Contravention:** «PN_Offence_Description»

Location: «PN_Street_or_Carpark_Name»

Date of Contravention: «PN_Contravention_Date» **Time:** «PN_Contravention_Time»

Colour: «PCN_Vehicle_Colour»

A penalty charge of «PN_Amount_Outstanding» is now payable by you as the owner and must be paid not later than the last day of the period of 28 days beginning with the date on which this Notice is served.

The Penalty Notice will be reduced by a discount of 50% to «PN_Reduced» if it is paid not later than the last day of the period of 14 days beginning with the date on which the PCN was served.

This Penalty Notice will be taken to have been served on the second working day after the day of posting (as shown above) unless you can show that it was not.

You may make representations to Rutland County Council as to why this Penalty Notice should not be paid. These representations should be made not later than the last day of the period of 28 days beginning with the date on which this Notice is served and any representations which are made outside that period may be disregarded.

NOTE: If you do not pay the penalty charge or make representations before the end of the period specified above the Council may increase the original penalty charge by 50% to «PN_Full_Fine_At_Charge_Cert» and take steps to enforce payment.

How to Make Representations

If you believe that the penalty charge should not be paid you may make representations to Rutland County Council. Representations must be in writing and you may use this form. The representations may be made by: **Post at: Rutland County Council, PO Box 597, Northampton, NN4 7XN**

Representations which are made after the end of the 28 day period specified on the first page of this Notice may be disregarded. This Notice will be taken to have been served on the second working day after the day of posting unless you can show that it was not. For more information on this, please turn to the last page of this Notice. If you submit your representations late, you should explain why.

The statutory grounds on which representations may be made are set out on the previous page together with an indication of the information which you should supply in support of your representations. It is important to provide all relevant information. Tick the relevant boxes and write your reasons in the box on the following page. This Notice will be cancelled if one or more of the specified grounds is established. This Notice may be cancelled for other compelling reasons even if none of the specified grounds apply. If the Notice is cancelled any sums already paid will be refunded.

If your representations are received in time or are received late but are taken into account, Rutland County Council will let you know its decision in writing not later than the last day of the period of 56 days beginning with the date on which your representation was served on it. If it fails to do so, this Notice will be cancelled and any sums already paid will be refunded. If your representations are rejected, you have the right to appeal against that decision to an independent Adjudicator. An appeal form will be sent with the letter rejecting your representations. The form will explain how and when to appeal to the adjudicator.

Rutland County Council's policy about late representations and / or representations not covered by the statutory grounds can be found on www.rutland.gov.uk/parking or in a leaflet available from the Council offices.

Further information about Littering From Vehicles Enforcement is available online at www.patrol-uk.info or in a leaflet available from the enforcement authority.

The Rule Relating to Service

The Littering From Vehicles Order Outside London (Keepers: Civil Penalties) Regulations 2018: Regulation 8

Representations against a Penalty Notice: The Specified Grounds

- (1) A person to whom a penalty notice is given may make written representations to the litter authority if it appears to the person that one or more of grounds A to L apply.
- (2) The representations may only be made within the period of 28 days beginning with the day on which the penalty notice is given.
- (3) Ground A is that the littering offence in question did not occur.
- (4) Ground B is that the person was not the keeper of the vehicle at the time of the littering offence because the person became the keeper of the vehicle after the littering offence occurred.
- (5) Ground C is that the person was not the keeper of the vehicle at the time of the littering offence because the person had disposed of the vehicle to another person before the littering offence occurred.
- (6) Ground D is that the person was not the keeper of the vehicle at the time of the littering offence because the vehicle was a stolen vehicle when the littering offence occurred.
- (7) Ground E is that the person—
(a) was engaged in the hiring of vehicles in the course of a business at the time of the littering offence, and (b) was not the keeper of the vehicle at that time by virtue of a vehicle hire agreement.
- (8) Ground F is that the person was not the keeper of the vehicle at the time of the littering offence for a reason not mentioned in grounds B to E.
- (9) Ground G is that the litter authority was not, by virtue of regulation 4(5), authorised to give the person a penalty notice.
- (10) Ground H is that the person is not liable to pay the fixed penalty by virtue of regulation 12.
- (11) Ground I is that liability to pay the fixed penalty has been discharged in the circumstances set out in regulation 13.
- (12) Ground J is that the fixed penalty exceeds the amount payable under these Regulations.
- (13) Ground K is that the litter authority has failed to observe any requirement imposed on it by these Regulations in relation to the imposition or recovery of the fixed penalty.
- (14) Ground L is that there are compelling reasons why, in the particular circumstances of the case, the penalty notice should be cancelled (whether or not any of grounds A to K apply).

(15) If a person makes representations that ground B applies, the representations must include the name and address

of the other person from whom the vehicle was acquired (if known).

(16) If a person makes representations that ground C applies, the representations must include— (a) the name and address of the other person to whom the vehicle had been disposed of (if known), or (b) a statement that the name and address of that person is not known.

(17) If a person makes representations that ground D applies, the representations must include the crime reference number, insurance claim reference or other evidence of the vehicle's theft.

(18) If a person makes representations that ground E applies, the representations must include—
(a) a statement signed by or on behalf of the person to the effect that at the time of the littering offence the vehicle was hired to a named person under a vehicle hire agreement with the person, and (b) a copy of the vehicle hire agreement.

(19) In paragraph (7)(b), the reference to a person ("P") being a keeper of a vehicle by virtue of a vehicle hire agreement includes a reference to any period during which, with the consent of the person hiring the vehicle, P continues in possession of the vehicle as hirer, after the expiry of any period specified in the agreement but otherwise on the terms and conditions specified in it.

(20) In this regulation, "vehicle hire agreement" means an agreement which—

(i) provides for a vehicle to be let to a person for a period of any duration (whether or not the period is capable of extension by agreement between the parties), and

(ii) is not a hire-purchase agreement within the meaning given by section 189(1) of the Consumer Credit Act 1974(1).

Write your representations here (attach any extra sheets if necessary)

Name and address of buyer/ seller/ hirer of vehicle (where relevant)

I confirm that my representations are true to the best of my knowledge. I realise that knowingly or recklessly making a false statement may result in prosecution and a fine upon conviction of up to level 5 on the standard scale (currently £6,000).

Signature:

Name (in capitals):

Date:

Position in company (if relevant):

How to Pay

Payment should only be made if the Notice is not disputed



- **Online:** at www.rutland.gov.uk/parking follow links from **online payments**
- **By post** using the payment slip to: Rutland County Council, PO Box 597, Northampton, NN4 7XN. Allow 2 working days for 1st class post and 5 for 2nd class with a cheque or postal order payable to Rutland County Council D.C.

All cheques and postal orders must have the PN number and vehicle registration number written on the back. Please send a stamped, self-addressed envelope if you would like a receipt.

Any other form of payment, including cash, will not be accepted.

Pay/Dispute

- a) **PAY - Pay the Penalty Notice in full using an above method.**
- b) **DISPUTE - Make representations to the Council (see overleaf).**

There are set grounds on which you may make representations. If you think that one or more of the listed grounds applies to your case, complete the form and return it to the Council. The letter you are sent if your representations are unsuccessful will explain how you can appeal to an independent adjudicator.

Payment Slip –

You must complete this slip in block capitals and return it with your payment to the address below.

Rutland County Council, PO Box 597, Northampton, NN4 7XN

Name: PN Number: «PN_Ticket_Number»

Address: Vehicle Registration: «PN_Registration_Number»

..... Date of notice: «PN_Contravention_Date»

Postcode: Time served: «PN_Contravention_Time»

PRIVACY STATEMENT

Data Protection Information In order to comply with the Data Protection Act and the General Data Protection Regulation (GDPR), which came into effect in May 2018, we have to provide you with information about the personal data you give to us. This information is set out below. Civil Enforcement Officers use body and hand-held camera devices for safety reasons and in order to enforce parking regulations. Where the regulations have not been complied with, your personal data may be collected, processed, shared and retained in order to carry out the performance of a public task and fulfil our legal obligations in the following ways: To request details of the registered keeper of the vehicle from the DVLA in order to pursue a Penalty Notice. Shared with third parties for appeals and enforcement. Shared with the Police or security organisations to prevent or detect crime. Your Data Rights In relation to the personal data which we may hold about you, in brief, you have the right to request to be informed, have access or rectify incorrect information. You also have the right to object to or restrict our processing of your data. Under Data Protection law we must verify your identity and explain to you our reasons if we do not agree to carry out your request. We will not sell your data or use it for marketing purposes without your consent. We will keep your data for as long as it takes to fulfil our legal obligations under the The Littering From Vehicles Order Outside London (Keepers: Civil Penalties) Regulations 2018. Contact and Further Information Rutland County Council is the data controller for the personal information you may provide. If you would like more information about how we use your data, please read our Privacy Policy on our website www.rutland.gov.uk. You can contact us by phone on 01572 722577, via email to dataprotection@rutland.gov.uk or by writing to us at Data Protection, Catmose House, Oakham, Rutland. LE156HP If you are not happy with the way the council is handling your personal information you have the right to lodge a complaint with the Information Commissioner's Office at www.ICO.org.uk.

6.2 Notice of Rejection

Example Council
Parking Services
Example Town
EX4 5RJ

02/10/17

Mr/Mrs Motorist
MotoristAddress
Example City
EX2 6EA

PCN Number: THXXXXXXXX
VRN:xx10xx

NOTICE OF REJECTION OF REPRESENTATIONS

Dear Motorist

We have considered your representations dated <day-month-year> about the penalty notice issued on the <date> and have taken into account everything you say. However, there are not sufficient reasons to cancel the penalty notice, which is now payable.

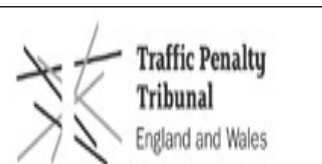
This letter explains the details of the penalty issued, our reasons for rejecting your representations and your options.

Take a moment to carefully read through ALL the sections in this letter (listed below) before you decide what to do next:

- 1. Our reasons for rejecting your representations.**
- 2. The details of the Penalty Notice.**
- 3. How to pay.**
- 4. How to appeal your decision.**
- 5. What happens if you do nothing.**

Yours sincerely,

Council Officer
Parking Services Officer



Appealing this decision

If you disagree with the council's decision you can appeal to the independent adjudicator at the Traffic Penalty Tribunal.

See Section 4 of this letter for further details.

Please consider ALL information in this letter before appealing.

1. Our reasons for rejecting your representations:

The litter was observed to be thrown from the driver's window of the vehicle:

More reasons.....

2. The details of your PN:

Code:75 Littering from a vehicle	Date of Issue: xxxxxxx Date of littering: xxxxxxxxx
Location: xxxxxxxx	MAKE: xxxxxxxx
COLOUR: xxxxxxxx	

3. How to pay:

The outstanding penalty notice (PN) is £XX

This must be paid BEFORE the end of 28 days, beginning with the date of this notice.

- **By Telephone:** Credit / Debit Card Payments only. Automated payment line 0800 000 5469 0000 (24 hours / 7 days a week). Please have your card, vehicle registration mark and PN number to hand. Please note: We do not accept AMEX.
- **Online:** At www.exampletown.gov.uk/parking, selecting the payment option.
- **By Post:** Cheques or Postal Orders made payable to 'Example town address' (this is the address of our scanning company) – include the PN number with your payment and allow two working days for 1st class post; five working days for 2nd class.
- **In Person:** Parking Services at the Customer Service Centre @ Example town

4. How to appeal your decision:



If you disagree with the council’s decision, you can appeal to the independent adjudicator at the Traffic Penalty Tribunal.

The adjudicators are independent lawyers and their decision is final.

You can appeal online by visiting the tribunal’s website: www.trafficpenaltytribunal.gov.uk. The website explains further what the adjudicator can consider and how to appeal.

If you are unable to appeal online, you may request a paper form (and find further information) from the Traffic Penalty Tribunal by calling 0800 160 1999, leaving your name, address, telephone number, vehicle registration mark and penalty notice (PN) number.

There is no charge for appealing and costs are not normally awarded. Details about when an order for costs can be made can be found on the website, or by calling the number above.

You will need the information below to hand when you begin your appeal:

Notice of Rejection Date:	<date>
PN Number:	<PN NO>
Vehicle Registration Mark:	<VRM>
PIN Code:	<PIN>

You should appeal within 28-days of delivery of this Notice of Rejection (this is usually two working days after the “Notice of Rejection” date above). Our website will explain this further.

5. What happens next if you do nothing:

If, after 28 days, you take no action, the PN will increase by 100%, after which we may apply to the County Court to recover the money, plus court costs, from you.

A large print version of this document is available on request



Rutland
County Council

Rutland County Council
Catmose, Oakham, Rutland LE15 6HP

01572 722 577
enquiries@rutland.gov.uk
www.rutland.gov.uk

CABINET

20 November 2018

MID YEAR REPORT ON TREASURY MANAGEMENT AND PRUDENTIAL INDICATORS 2018/19

Report of the Director for Resources

Strategic Aim:	Sound Financial and Workforce Planning	
Key Decision: No	Forward Plan Reference: FP/070618	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr G Brown, Deputy Leader and Portfolio Holder for Planning, Environment, Property and Finance.	
Contact Officer(s):	Saverio Della Rocca, Director for Resources	01572 758159 sdrocca@rutland.gov.uk
	Andrew Merry, Finance Manager	01572 758152 amerry@rutland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Cabinet notes the contents of the report and Appendix A.

1 PURPOSE OF THE REPORT

- 1.1 This report will update members with the progress against the Treasury Management Strategy, prudential indicators and whether any policies require revision. In addition, this Council will receive an update on investment returns.
- 1.2 The underlying purpose of this report also supports the objective in the CIPFA Code of Practice on Treasury Management (revised 2017) and the Ministry of Housing, Communities and Local Government (MHCLG) Investment Guidance which Members receive reports on and adequately scrutinise the treasury management service.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Council's mid-year treasury report is included in Appendix A and includes information on the performance of the treasury management service. The key points

to note for the six months to 30 September 2018 are:

- The Council has only invested with approved institutions;
- The Councils has made a return on investment of 0.75% compared to the LIBOR rate of 0.90%. All information suggested a rate rise was expected in November however if the Council had invested on a short term basis (i.e. less than one year), it would have achieved a lower rate of return. Importantly, the Council did hold some shorter term investments (which achieve lower returns) so that it could respond should a Commercial investment opportunity have materialised. The Council is outperforming budget by c£30k with the rate of return in line with other council's performance;
- The Council has not undertaken any external borrowing in the six months to 30 September 2018. The Council is still below its authorised limit for borrowing of £33m;
- No external debt was repaid early as there was not a financial business case to do so. The total premium (i.e. the charge for repaying early) for the Council's debt portfolio was £15.43m as at 30th September 2018; and
- No Commercial Investments were made in the first 6 months as no suitable opportunities for investment arose.

3 CONSULTATION

3.1 No Formal Consultation is required.

4 ALTERNATIVE OPTIONS

4.1 The report is for noting, there are no alternative options.

5 FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising from this report.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

6.1 The report meets the requirements of both the CIPFA Code of Practice on Treasury Management, the CIPFA Prudential Code for Capital Finance in Local Authorities and the Council's Financial Procedure Rules. The Council is required to comply with both Codes through Regulations issued under the Local Government Act 2003.

6.2 The Council's treasury management activities are regulated by a variety of professional codes and statutes and guidance:

- The Local Government Act 2003 (the Act), which provides the powers to borrow and invest as well as providing controls and limits on this activity;

- The Act permits the Secretary of State to set limits either on the Council or nationally on all local authorities restricting the amount of borrowing which may be undertaken;
- Statutory Instrument (SI) 3146 2003, as amended, develops the controls and powers within the Act;
- The SI requires the Council to undertake any borrowing activity with regard to the CIPFA Prudential Code for Capital Finance in Local Authorities;
- The SI also requires the Council to operate the overall treasury function with regard to the CIPFA Code of Practice for Treasury Management in the Public Services;
- Under the Act the CLG has issued Investment Guidance to structure and regulate the Council's investment activities; and
- Under Section 238(2) of the Local Government and Public Involvement in Health Act 2007 the Secretary of State has taken powers to issue guidance on accounting practices.

6.3 The Council's Treasury Management Strategy explains how it complies with this legal framework.

7 DATA PROTECTION IMPLICATIONS

7.1 A data protection impact assessment has not been completed as there are no data protection implications.

8 EQUALITY IMPACT ASSESSMENT

8.1 An Equality Impact Assessment (EqIA) has not been completed because the report does not represent the introduction of a new policy or service or a change / to an existing policy or service that has an impact on any particular group.

9 COMMUNITY SAFETY IMPLICATIONS

9.1 There are no community safety implications.

10 HEALTH AND WELLBEING IMPLICATIONS

10.1 There are no health and wellbeing implications.

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

11.1 The report summarises treasury management performance in the year and meets the requirements set out in Section 1.

12 BACKGROUND PAPERS

- 12.1 Statement of Accounts 2017/18
- 12.2 Quarter 1 Finance Management Report
- 12.3 Quarter 2 Finance Management Report

13 APPENDICES

- 13.1 Appendix A - Treasury Management Mid-Year Report
- 13.2 Appendix B – Link Commentary on the six months to 30 September 2018
- 13.3 Appendix C - Glossary

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

APPENDIX A - Treasury Management Mid-Year Report

1 INTRODUCTION

1.1 Background to Treasury Management

- 1.1.1 The Council is required to operate a balanced budget, which means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed to meet day-to-day running costs and planned capital expenditure. Any surplus monies are invested in counterparties or instruments commensurate with the Council's risk appetite, providing adequate liquidity initially before considering investment return.
- 1.1.2 The second main function of the treasury management service is the funding of the Council's capital plans as set out in the Budget and Capital Investment Strategy (CIS). These capital plans provide a guide to the borrowing need of the Council, essentially the longer-term cash flow planning, to ensure that the Council can meet its capital spending obligations. This management of longer-term cash may involve arranging long or short-term loans, or using longer-term cash flow surpluses. On occasion, when it is prudent and economic, any debt previously drawn may be restructured to meet Council risk or cost objectives.
- 1.1.3 CIPFA defines treasury management as "...The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

1.2 What framework or rules do we need to follow?

- 1.2.1 As local authorities have seen a significant drop in local government funding, there has been increased investments in assets – often outside the local authority area – in a bid to generate revenue and balance the books.
- 1.2.2 Some of the deals that local authorities have entered into, often funded by significant borrowing, have raised concerns with the property deals being much bigger than core Council business such that a crash in property markets could effectively render some Council's 'bankrupt'.
- 1.2.3 On the back of this activity, updated guidance was produced:
- Prudential Code for Capital Finance in Local Authorities (2011) (Prudential Code) - this has been updated and introduces a formal requirement for a capital strategy to be approved by Council including "the authority's approach to investments and commercial activities including processes, due diligence and defining the authorities risk appetite in respect of these including proportionality in respect of overall resources".
 - Treasury Management: Code of Practice and Cross-Sectoral Guidance Notes (Treasury Management Code) - this has been updated and again requires more explicit reference to how non treasury investments are managed – "It is critical that due diligence processes and procedures reflect the additional risk an organisation is taking on. Due diligence procedures should ensure effective

scrutiny of proposed investments, identification of risk to both capital and returns, any external underwriting of those risks, and the potential impact on the financial sustainability of the organisation if those risks come to pass”.

- Minimum Revenue Provision - Guidance issued by the Secretary of State under section 21(1A) of the Local Government Act 2003. This prevents various practices such as spreading the MRP charge over a period longer than 50 years or making retrospective changes which give rise to a credit – “Changing the method used to calculate MRP can never give rise to an overpayment, and should not result in a LA making a charge of £nil for the accounting period in which the change is made”.
- Guidance on Local Authority investments - Issued under section 15(1)(a) of the Local Government Act 2003. This guidance is consistent with the Codes described above.

1.2.4 The Council approved a Strategy in February 2018 (report 06/2018) which covered:

- The Capital Prudential Indications
- Borrowing Strategy
- Annual Investment Strategy and Commercial Investment Policy
- The Treasury Prudential Indicators and MRP Statement

1.2.5 The TMS allows for treasury investment in property funds, corporate bonds alongside short term deposits. The Council developed a Commercial Investment Policy that allows for capital investments in property etc that yield a positive net return for the Revenue Account to help subsidise the provision of other Council services, this was included as part of the Capital Investment Strategy.

2 THE CAPITAL PRUDENTIAL INDICATORS 2018/19

2.1 Capital Expenditure

2.1.1 The Council’s capital expenditure plans as set out in the budget are the key driver of treasury management activity. The output of the capital expenditure plans is reflected in the prudential indicators, which are designed to assist members’ overview and confirm capital expenditure plans.

2.1.2 The capital expenditure prudential indicator is a summary of the Council’s capital expenditure plans, both those agreed previously, and those forming part of this budget cycle. As at 30 September 2018 the Council estimates that it will have capital projects approved of £28.252m. The details of this are shown in Quarter 2 Financial Management Report (Report No: 193/2018)

2.1.3 The Council’s forecast capital expenditure for 2018/19 is £28.3m. The Quarter 2 report (193/2018) contains detailed analysis of the revised capital programme and financing. The £28.3m was financed as per the table below. The financing need represents an increase in borrowing requirements.

	2018/19 Treasury Strategy Estimate*	2018/19 Original Estimate **	2018/19 Revised Estimate
	£000	£000	£000
Capital Expenditure	14,252	22,763	23,223
Financed by:			
Capital Receipts	504	1,474	1,488
Capital Grants & Contributions	2,148	8,360	9,098
Revenue	0	0	25
Total Financing	2,652	9,834	10,611
Net financing need for the year	11,600	12,929	12,612

* The Treasury Management Strategy report was presented to Cabinet on 16 January 2018, before the Capital Programme was approved.

** The 2017/18 Outturn Report 83/2018 updated the Capital Programme with 2018/19 carry forwards and additional capital schemes.

2.2 The Council's Borrowing Need (the Capital Financing Requirement)

2.2.1 The second prudential indicator is the Council's Capital Financing Requirement (CFR). The CFR is simply the total historic outstanding capital expenditure which has not yet been paid for from either revenue or capital resources. It is essentially a measure of the Council's indebtedness and its underlying borrowing need. Any capital expenditure above, which has not immediately been paid for, will increase the CFR.

2.2.2 The CFR does not increase indefinitely, as the minimum revenue provision (MRP) is a statutory annual revenue charge which broadly reduces the indebtedness in line with each assets life, and so charges the economic consumption of capital assets as they are used.

2.2.3 The Council's CFR forecast for 2018/19 is shown below, and represents a key prudential indicator.

	2017/18 Actual	2018/19 Treasury Strategy Estimate	2018/19 Revised Estimate
	£000	£000	£000
CFR – 1 April	22,756	22,040	21,858
Movement in Year -			

Net financing need for the year (from table at para 3.2.1)	0	11,600	12,612
MRP	(897)	(629)	(614)
Total Movement in Year	(897)	10,971	11,998
CFR – 31 March	21,858	33,011	33,856

3 BORROWING

3.1 Borrowing objectives

3.1.1 Councils borrow to fund capital expenditure or refinance/reschedule existing borrowing e.g. replace one loan with one at a lower rate. There are 7 types of borrowing outlined in the strategy.

3.1.2 Effectively, the Council works out its capital expenditure plans and then calculates how much it needs to borrow having considered whether it should fund capital expenditure using other options. The Council's objectives are to:

- avoid external borrowing as far as possible (i.e. use other sources of funding first where possible) unless that borrowing yields income or deliver savings beyond the cost of borrowing;
- repay borrowing early if this is financially prudent and viable;
- reduce its borrowing charge if this represents value for money;
- ensure any new borrowing is affordable; and
- work within prudential indicator limits.

3.2 Current borrowing portfolio

3.2.1 The Council currently has loans outstanding of £22.436m of which £21.386m are long term loans with the Public Works Loans Board (PWLB). PWLB is managed as part of the UK Debt Management Office, which is a HM Treasury Executive Agency. The remainder is a £630k Local Enterprise Partnership interest free loan which matures in 2023, and an interest free Salix loan of £420k repayable in 2020. Included within the £21.386m is £8.232m of debt that was inherited from Leicestershire in the Local Government Re-organisation in 1997.

3.2.2 No additional borrowing has been undertaken so far in 2018/19. The last time the Council actually borrowed from the PWLB was in 2008 to contribute towards funding the Oakham bypass, the value of this loan was £4m.

3.2.3 All PWLB loans have been borrowed on a maturity basis. Interest payments will be made every six months on equal instalments throughout the term of the loan, with the principal being re-paid on the maturity date.

3.2.4 The table below shows the actual external debt against the underlying capital borrowing need (the Capital Financing Requirement - CFR), highlighting any over or under borrowing. A key prudential indicator is that the Council needs to ensure

that its gross debt does not, except in the short term, exceed the total of the CFR.

	2017/18 Actual £000	2018/19 Revised Estimate £000	2019/20 Estimate £000	2020/21 Estimate £000
Gross Debt	22,436	27,436	27,436	27,436
Capital Financing Requirement (CFR)	21,859	33,856	33,192	32,528
Under / (Over) borrowing	(577)*	6,420	5,756	5,092

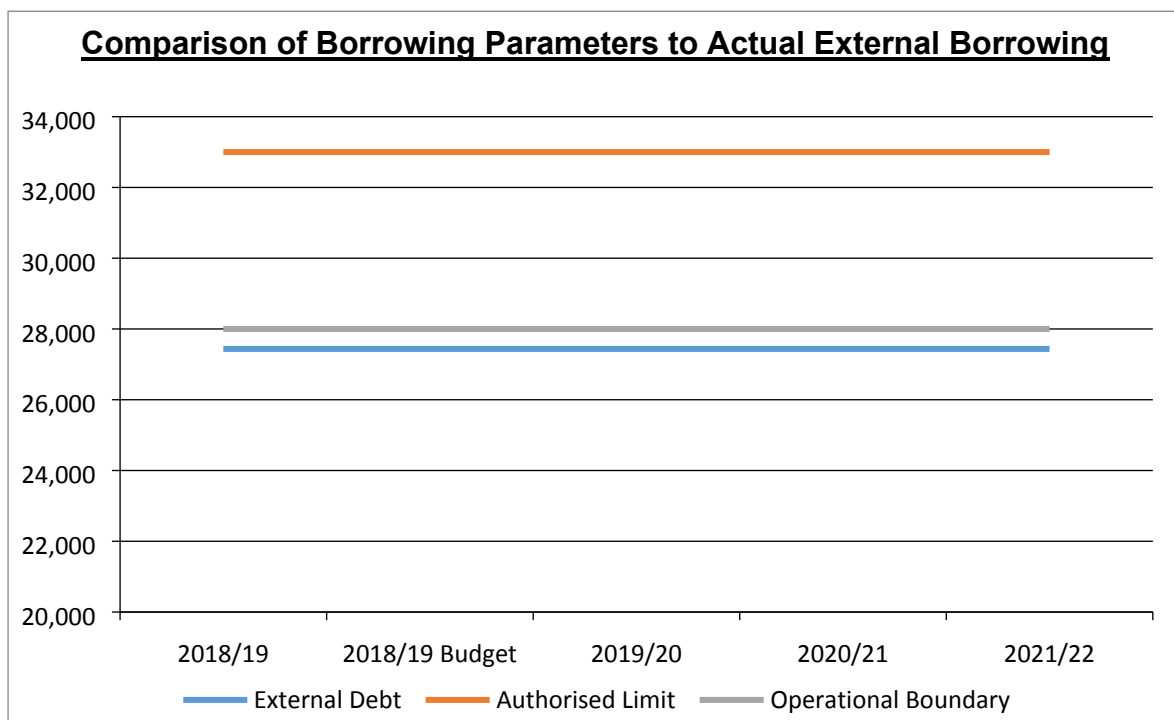
*Under Borrowing Position explained in Treasury Management Strategy 2017/18 (41/2017)

3.3 Treasury Indicators: Limits to Borrowing Activity

3.3.1 **The operational boundary** - This is the limit beyond which external debt is not normally expected to exceed. In most cases, this would be a similar figure to the CFR, but may be lower or higher depending on the levels of actual debt and the ability to fund under-borrowing by other cash resources.

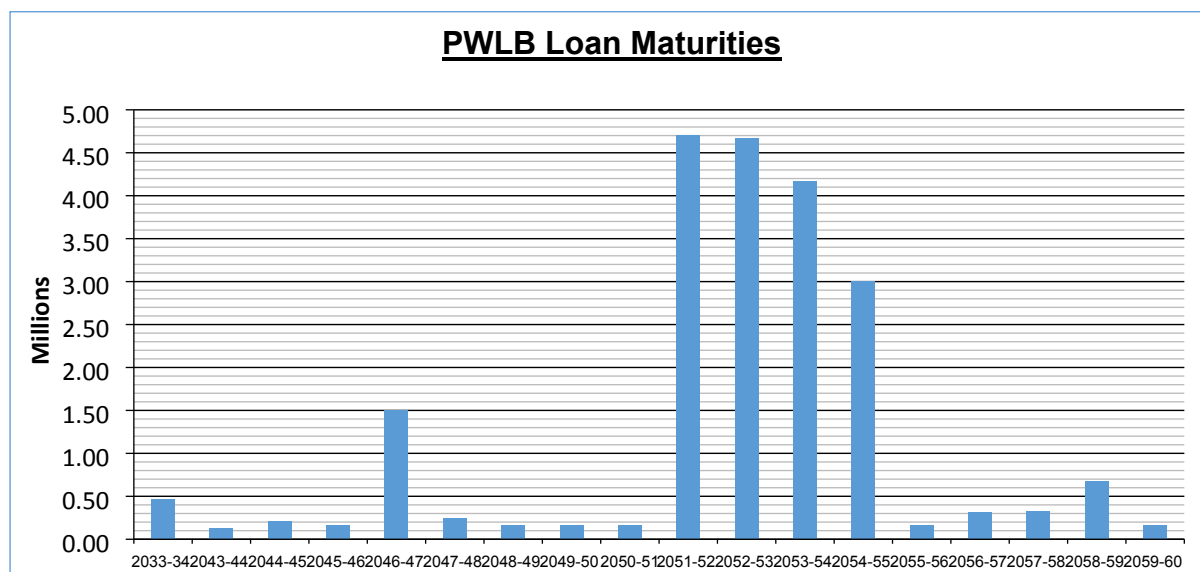
3.3.2 **The authorised limit for external debt.** A further key prudential indicator represents a control on the maximum level of borrowing. This represents a limit beyond which external debt is prohibited, and this limit needs to be set or revised by the full Council. It reflects the level of external debt which, while not desired, could be afforded in the short term, but is not sustainable in the longer term.

3.3.3 The graph below shows where we currently are against all of the borrowing prudential indicators.



3.4 Debt Repayment and rescheduling

3.4.1 The table below demonstrates when PWLB debt is due to be repaid.



3.4.2 The latest advice from Link, the Council’s Treasury Management Advisors, indicates that the premium at 30 September 2018 was £15.43m. This would mean it would cost £15.43m in addition to the £21.386m principal totalling £36.82m, in order to repay the Council’s PWLB loans.

4 INVESTMENT STRATEGY REVIEW

4.1 Investment overview

4.1.1 The Council receives substantial income from council tax, business rates and central government. The majority of council tax and business rates payments are received between April and January, with expenditure being fairly static throughout the year.

4.1.2 During the first half year investments have ranged from £24.6m to £31.0m. The table below shows the level of investments held at 30 September 2018 and the forecasted balances to the end of the Financial Year.

	Investments 31-Mar-18	Investments 30-Sep-18	Forecast Investments 31-Mar-19
	£000	£000	£000
UK Banks (<i>f</i>)	15,001	14,603	15,000
UK Building Societies (<i>f</i>)	10,000	10,000	2,000
UK Local Authorities	0	10,000	10,000
UK Call Accounts (<i>v</i>)	5,000	0	0

Total Fixed Interest Rates (f)	25,001	34,603	27,000
Total Variable Interest Rates (v)	5,000	0	0
Total Investments	30,001	34,603	27,000

4.1.3 Most of the Councils investments are made at fixed interest rates over 6 -12 months. For cash flow purposes, some funds are held in instant access accounts.

4.1.4 The revised budget position for investment income is:

	Original Estimate 2018/19	Received to 30-Sep-18	Revised Estimate 2018/19
	£000	£000	£000
Investment Income	194	124	224
Other Interest Received *	16	16	16
Total	210	140	240

* The Council also receives interest from sources other than investments. A Housing Association has been recharged £12k for the principal and interest of loans that the Council has made to it, the final payment will be in 2051/52. In 2018/19 £4k was received from the sale of buses.

4.2 Investment rules

4.2.1 Like us as individuals, the Council will invest surplus money in various ways to get a return on balances thus generating extra income. As per our overall objectives, we ensure that these surplus balances are managed in a way to maximise the income potential whilst having regard to security risk.

4.2.2 The Council's investment strategy primary objectives, in order of importance are:

- safeguarding the re-payment of the principal and interest of its investments on time – losing any funds like in the case of Icelandic banks would be very significant in this financial climate;
- ensuring adequate liquidity – the Council does not want to run short of money so it cannot pay its bills or does not have money available to make investments in capital expenditure;
- maximising the investment return – this is clearly important but the Council does not want to maximise returns at the expense of the first two objectives.

4.2.3 The Council has only invested in agreed specified and non-specified

investments listed in Appendix 1, paras 4.4.5 of the Treasury Management Strategy. The current investment counterparty criteria selection approved in the Treasury Management Strategy Statement is meeting the requirement of the treasury management function.

4.3 Investment Performance

4.3.1 The Code of Practice on Treasury Management requires the Council to set performance indicators to assess the adequacy of the treasury function over the year. An example of a performance indicator often used for the investment treasury function is internal returns above the 6 month LIBOR rate (the average interbank interest rate at which a selection of banks on the London money market are prepared to lend to one another). The Council monitored performance against the LIBOR rate for the first six months of 2018/19 and the results are shown below.

	2017/18	2018/19 (Q1)	2018/19 (Q2) (Cumulative)
RCC Returns (%)	0.66	0.70	0.75
LIBOR (%)	0.49	0.78	0.90

4.3.2 Although the achieved rate is above what we achieved last year, the rate is below LIBOR. All information suggested a rate rise was expected in November however if the Council had invested on a short term basis (i.e. less than one year), it would have achieved a lower rate of return. Importantly, the Council did hold some shorter term investments (which achieve lower returns) so that it could respond should a Commercial investment opportunity have materialised. The Council is outperforming budget by c£30k with the rate of return in line with other council's performance.

4.4 Affordability Prudential Indicators

4.4.1 The previous sections cover the overall capital and control of borrowing prudential indicators, but within this framework prudential indicators are required to assess the affordability of the capital investment plans. These provide an indication of the impact of the capital investment plans on the Council's overall finances. The Council is asked to approve the following indicators:

4.4.2 **Ratio of Financing Costs to Net Revenue Stream** - This indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

	Original Estimate 2018/19 £000	Forecast Quarter 2 2018/19 £000

Financing Costs		
Capital Financing Costs	1.647	1.647
Interest Receivable	(0.210)	(0.250)
A	1.437	1.397
Revenue Stream		
Government Grants	4.779	5.047
Retained Business Rates	4.963	4.763
Council Tax	24.870	24.870
B	34.612	34.680
Ratio (A divided by B as a percentage)	4.15%	4.03%

4.4.3 The estimates of financing costs include current commitments and the proposals in the budget report.

5 CAPITAL INVESTMENT STRATEGY

5.1.1 Continued reductions in Government funding and reduced investment income from traditional Treasury Management investments are still anticipated reinforcing the need for the Council to maximise income from other sources. In its efficiency plan (Report 151/2016) approved by Council in September 2016, the Council noted that one of its strategies for reducing the gap in the MTFP was to make better use of assets/capital resources: "The Council recognises that investing in new assets or enhancing/making better use of existing assets can have a beneficial impact in terms of a revenue payback or reducing revenue costs. Officers have been asked to bring forward proposals to be considered"

5.1.2 The Capital Investment Strategy published alongside the TMS identified the key principles of:

- Focus capital investment on delivery of council objectives and priorities
- Maximise and promote best use of available funds
- Ensure strong governance over decision-making
- Ensure plans are affordable, prudent and sustainable

5.1.3 Commercial investments are made in accordance with the Commercial Investment Policy which details the criteria and minimum requirements for appraising potential investments.

5.1.4 During the first 6 months of 2018-19 no commercial investments have been identified.

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Appendix B. Link Asset Services Commentary on the Economy and Interest Rates

1 ECONOMICS UPDATE

UK. The first half of 2018/19 has seen UK economic growth post a modest performance, but sufficiently robust for the Monetary Policy Committee, (MPC), to unanimously (9-0) vote to increase Bank Rate on 2nd August from 0.5% to 0.75%. Although growth looks as if it will only be modest at around 1.5% in 2018, the Bank of England's August Quarterly Inflation Report forecast that growth will pick up to 1.8% in 2019, albeit there were several caveats – mainly related to whether or not the UK achieves an orderly withdrawal from the European Union in March 2019.

Some MPC members have expressed concerns about a build-up of inflationary pressures, particularly with the pound falling in value again against both the US dollar and the Euro. The Consumer Price Index (CPI) measure of inflation rose unexpectedly from 2.4% in June to 2.7% in August due to increases in volatile components, but is expected to fall back to the 2% inflation target over the next two years given a scenario of minimal increases in Bank Rate. The MPC has indicated Bank Rate would need to be in the region of 1.5% by March 2021 for inflation to stay on track. Financial markets are currently pricing in the next increase in Bank Rate for the second half of 2019.

As for the labour market, unemployment has continued at a 43 year low of 4% on the Independent Labour Organisation measure. A combination of job vacancies hitting an all-time high in July, together with negligible growth in total employment numbers, indicates that employers are now having major difficulties filling job vacancies with suitable staff. It was therefore unsurprising that wage inflation picked up to 2.9%, (3 month average regular pay, excluding bonuses) and to a one month figure in July of 3.1%. This meant that in real terms, (i.e. wage rates higher than CPI inflation), earnings grew by about 0.4%, near to the joint high of 0.5% since 2009. (The previous high point was in July 2015.) Given the UK economy is very much services sector driven, an increase in household spending power is likely to feed through into providing some support to the overall rate of economic growth in the coming months. This tends to confirm that the MPC were right to start on a cautious increase in Bank Rate in August as it views wage inflation in excess of 3% as increasing inflationary pressures within the UK economy. However, the MPC will need to tread cautiously before increasing Bank Rate again, especially given all the uncertainties around Brexit.

In the political arena, there is a risk that the current Conservative minority government may be unable to muster a majority in the Commons over Brexit. However, our central position is that Prime Minister May's government will endure, despite various setbacks, along the route to Brexit in March 2019. If, however, the UK faces a general election in the next 12 months, this could result in a potential loosening of monetary policy and therefore medium to longer dated gilt yields could rise on the expectation of a weak pound and concerns around inflation picking up.

USA. President Trump's massive easing of fiscal policy is fuelling a (temporary) boost in consumption which has generated an upturn in the rate of strong growth which rose from 2.2%, (annualised rate), in quarter 1 to 4.2% in quarter 2, but also an upturn in inflationary pressures. With inflation moving towards 3%, the Fed increased rates another 0.25% in September to between 2.00% and 2.25%, this being four increases in 2018, and indicated they expected to increase rates four more times by the end of 2019. The dilemma, however, is what to do when the temporary boost to consumption wanes, particularly as

the recent imposition of tariffs on a number of countries' exports to the US, (China in particular), could see a switch to US production of some of those goods, but at higher prices. Such a scenario would invariably make any easing of monetary policy harder for the Fed in the second half of 2019.

EUROZONE. Growth was unchanged at 0.4% in quarter 2, but has undershot early forecasts for a stronger economic performance in 2018. In particular, data from Germany has been mixed and it could be negatively impacted by US tariffs on a significant part of manufacturing exports e.g. cars. For that reason, although growth is still expected to be in the region of 2% for 2018, the horizon is less clear than it seemed just a short while ago.

CHINA. Economic growth has been weakening over successive years, despite repeated rounds of central bank stimulus; medium term risks are increasing. Major progress still needs to be made to eliminate excess industrial capacity and the stock of unsold property, and to address the level of non-performing loans in the banking and credit systems.

JAPAN - has been struggling to stimulate consistent significant GDP growth and to get inflation up to its target of 2%, despite huge monetary and fiscal stimulus. It is also making little progress on fundamental reform of the economy.

2 INTEREST RATE FORECASTS

2.1 The Council's treasury advisor, Link Asset Services, has provided the following forecast:

Link Asset Services Interest Rate View											
	Sep-18	Dec-18	Mar-19	Jun-19	Sep-19	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21
Bank Rate View	0.75%	0.75%	0.75%	0.75%	1.00%	1.00%	1.00%	1.25%	1.25%	1.50%	1.50%
3 Month LIBID	0.75%	0.80%	0.80%	0.90%	1.10%	1.10%	1.20%	1.40%	1.50%	1.60%	1.60%
6 Month LIBID	0.85%	0.90%	0.90%	1.00%	1.20%	1.20%	1.30%	1.50%	1.60%	1.70%	1.70%
12 Month LIBID	1.00%	1.00%	1.00%	1.10%	1.30%	1.30%	1.40%	1.60%	1.70%	1.80%	1.80%
5yr PWLB Rate	2.00%	2.00%	2.10%	2.20%	2.20%	2.30%	2.30%	2.40%	2.50%	2.50%	2.60%
10yr PWLB Rate	2.40%	2.50%	2.50%	2.60%	2.70%	2.70%	2.80%	2.90%	2.90%	3.00%	3.10%
25yr PWLB Rate	2.80%	2.90%	3.00%	3.10%	3.10%	3.20%	3.30%	3.30%	3.40%	3.50%	3.50%
50yr PWLB Rate	2.60%	2.70%	2.80%	2.90%	2.90%	3.00%	3.10%	3.10%	3.20%	3.30%	3.30%

2.2 The flow of generally positive economic statistics after the end of the quarter ended 30 June meant that it came as no surprise that the MPC came to a decision on 2 August to make the first increase in Bank Rate above 0.5% since the financial crash, to 0.75%. However, the MPC emphasised again, that future Bank Rate increases would be gradual and would rise to a much lower equilibrium rate, (where monetary policy is neither expansionary or contractionary), than before the crash; indeed they gave a figure for this of around 2.5% in ten years' time but they declined to give a medium term forecast. We do not think that the MPC will increase Bank Rate in February 2019, ahead of the deadline in March for Brexit. We also feel that the MPC is more likely to wait until August 2019, than May 2019, before the next increase, to be followed by further increases of 0.25% in May and

November 2020 to reach 1.5%. However, the cautious pace of even these limited increases is dependent on a reasonably orderly Brexit.

2.3 The overall balance of risks to economic recovery in the UK is probably neutral but balance of risks to increases in Bank Rate and shorter term PWLB rates, are probably also even and are broadly dependent on how strong GDP growth turns out, how slowly inflation pressures subside, and how quickly the Brexit negotiations move forward positively.

Downside risks to current forecasts for UK gilt yields and PWLB rates currently include:

- Bank of England monetary policy takes action too quickly over the next three years to raise Bank Rate and causes UK economic growth, and increases in inflation, to be weaker than we currently anticipate
- Geopolitical risks, especially North Korea, but also in Europe and the Middle East, which could lead to increasing safe haven flows.
- A resurgence of the Eurozone sovereign debt crisis.
- The imposition of trade tariffs by President Trump could negatively impact world growth.
- Rising interest rates in the US could negatively impact emerging countries which have borrowed heavily in dollar denominated debt, so causing an investor flight to safe havens e.g. UK gilts
- Weak capitalisation of some European banks.
- Austria, the Czech Republic and Hungary now form a strongly anti-immigration bloc within the EU while Italy, this year, has also elected a strongly anti-immigration government. The challenges from these political developments could put considerable pressure on the cohesion of the EU and could spill over into impacting the euro, EU financial policy and financial markets

2.4 The potential for upside risks to current forecasts for UK gilt yields and PWLB rates, especially for longer term PWLB rates include: -

- President Trump's fiscal plans to stimulate economic expansion causing a significant increase in inflation in the US and causing further sell offs of government bonds in major western countries.
- The Fed causing a sudden shock in financial markets through misjudging the pace and strength of increases in its Fed. This could lead to a major flight from bonds to equities and a sharp increase in bond yields in the US, which could then spill over into impacting bond yields around the world.
- The Bank of England is too slow in its pace and strength of increases in Bank Rate and, therefore, allows inflation pressures to build up too strongly within the UK economy, which then necessitates a later rapid series of increases in Bank Rate faster than we currently expect.
- UK inflation, whether domestically generated or imported, returning to sustained significantly higher levels causing an increase in the inflation premium inherent to gilt yields.

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Appendix C: Treasury Management Glossary of Terms

Authorised Limit (Also known as the Affordable Limit):

A statutory limit that sets the maximum level of external borrowing on a gross basis (i.e. not net of investments) for the Council. It is measured on a daily basis against all external borrowing items on the Balance Sheet (i.e. long and short term borrowing, overdrawn bank balances and long term liabilities).

Balances and Reserves:

Accumulated sums that are maintained either earmarked for specific future costs or commitments or generally held to meet unforeseen or emergency expenditure.

Bank Rate:

The official interest rate set by the Bank of England's Monetary Policy Committee and what is generally termed at the "base rate". This rate is also referred to as the 'repo rate'.

Basis Point:

A unit of measure used in finance to describe the percentage change in the value or rate of a financial instrument. One basis point is equivalent to 0.01% (1/100th of a percent). In most cases, it refers to changes in interest rates and bond yields. For example, if interest rates rise by 25 basis points, it means that rates have risen by 0.25% percentage points. If rates were at 2.50%, and rose by 0.25%, or 25 basis points, the new interest rate would be 2.75%.

Bond:

A certificate of debt issued by a company, government, or other institution. The bond holder receives interest at a rate stated at the time of issue of the bond. The price of a bond may vary during its life.

Capital Expenditure:

Expenditure on the acquisition, creation or enhancement of capital assets.

Capital Financing Requirement (CFR):

The Council's underlying need to borrow for capital purposes representing the cumulative capital expenditure of the local authority that has not been financed.

Capital Receipts:

Money obtained on the sale of a capital asset.

Credit Rating:

Formal opinion by a registered rating agency of a counterparty's future ability to meet its financial liabilities; these are opinions only and not guarantees.

Counterparty List:

List of approved financial institutions with which the Council can place investments with.

Debt Management Office (DMO):

The DMO is an Executive Agency of Her Majesty's Treasury and provides direct access for local authorities into a government deposit facility known as the DMADF. All deposits are guaranteed by HM Government and therefore have the equivalent of a sovereign triple-A credit rating.

Gilts:

Gilts are bonds issued by the UK Government. They take their name from 'gilt-edged'. Being issued by the UK government, they are deemed to be very secure as the investor expects to receive the full face value of the bond to be repaid on maturity.

LIBID:

The London Interbank Bid Rate (LIBID) is the rate bid by banks on Eurocurrency deposits (i.e. the rate at which a bank is willing to borrow from other banks).

LIBOR:

The London Interbank Offered Rate (LIBOR) is the rate of interest that banks charge to lend money to each other. The British Bankers' Association (BBA) work with a small group of large banks to set the LIBOR rate each day. The wholesale markets allow banks who need money to be more fluid in the marketplace to borrow from those with surplus amounts. The banks with surplus amounts of money are keen to lend so that they can generate interest which it would not otherwise receive.

Maturity:

The date when an investment or borrowing is repaid.

Money Market Funds (MMF):

Pooled funds which invest in a range of short term assets providing high credit quality and high liquidity.

Minimum Revenue Provision (MRP):

An annual provision that the Council is statutorily required to set aside and charge to the Revenue Account for the repayment of debt associated with expenditure incurred on capital assets.

Voluntary Revenue Provision (VRP):

An additional contribution over and above the MRP that the Council can choose to make to reduce the CFR which in turn will reduce the MRP for future years.

Non Specified Investment:

Investments which fall outside the MHCLG Guidance for Specified investments (below).

Operational Boundary:

This linked directly to the Council's estimates of the CFR and estimates of other day to day cash flow requirements. This indicator is based on the same estimates as the Authorised Limit reflecting the most likely prudent but not worst case scenario but without the additional headroom included within the Authorised Limit.

Prudential Code:

Developed by CIPFA and introduced on 01/4/2004 as a professional code of practice to support local authority capital investment planning within a clear, affordable, prudent and sustainable framework and in accordance with good professional practice.

Prudential Indicators:

Prudential indicators are a set of financial indicators and limits that are calculated in order to demonstrate that councils' capital investment plans are affordable, prudent and sustainable.

They are outlined in the CIPFA Prudential Code of Practice. They are indicators that must be used to cover the categories of affordability, prudence, capital spending, external debt/borrowing and treasury management. They take the form of limits, ratios or targets which are approved by Council before 1 April each year and are monitored throughout the year on an on-going basis. A council may also choose to use additional voluntary indicators.

Public Works Loans Board (PWLB):

The PWLB is a statutory body operating within the United Kingdom Debt Management Office, an Executive Agency of HM Treasury. The PWLB's function is to lend money from the National Loans Fund to local authorities and other prescribed bodies, and to collect the repayments.

Revenue Expenditure:

Expenditure to meet the continuing cost of delivery of services including salaries and wages, the purchase of materials and capital financing charges.

(Short) Term Deposits:

Deposits of cash with terms attached relating to maturity and rate of return (Interest).

Specified Investments:

Term used in the MHCLG Guidance and Welsh Assembly Guidance for Local Authority Investments. Investments that offer high security and high liquidity, in sterling and for no more than one year. UK government, local authorities and bodies that have a high credit rating.

Supported Borrowing:

Borrowing for which the costs are supported by the government or third party.

Temporary Borrowing:

Borrowing to cover peaks and troughs of cash flow, not to fund capital spending.

Unsupported Borrowing:

Borrowing which is self-financed by the local authority. This is also sometimes referred to as Prudential Borrowing.

Yield:

The measure of the return on an investment.

CABINET

20th November 2018

RUTLAND COUNTY COUNCIL SAFEGUARDING THROUGH EDUCATION REPORT 2017-18

Report of the Director for People

Strategic Aim:	Creating a brighter future for all	
Key Decision: No	Forward Plan Reference: FP/010818	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr D Wilby, Portfolio Holder for Lifelong Learning, Early Years, Special Educational Needs & Disabilities, Inclusion	
Contact Officer(s):	Gill Curtis Head of Learning and Skills	Telephone: 01572 758460 gcurtis@rutland.gov.uk
	Karen Bland Early Education and Safeguarding Through Education Advisor	Telephone: 01572 758235 Email: kbland@utland.gov.uk
Ward Councillors	N/A	

DECISION RECOMMENDATIONS

That Cabinet:

1. Notes the actions and priorities for Safeguarding through Education identified within the report.
2. Provides feedback on planned actions identified through review of current practice and procedures

1 PURPOSE OF THE REPORT

- 1.1 All Local Authorities have an overarching responsibility for safeguarding and promoting the welfare of all children and young people in their area. Section 11 of the Children Act 2004 places duties on a range of organisations and individuals to ‘ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children’. The 2018 updated DfE guidance ‘Keeping Children Safe in Education’ clearly sets out the statutory responsibilities of all schools, including maintained schools, academies and the independent sector.
- 1.2 This report aims to provide Cabinet with assurance that there is a comprehensive approach by the Learning and Skills Service that contributes to the Council meeting these Section 11 requirements. This is achieved through supporting and promoting

the knowledge and understanding of safeguarding for staff working in Rutland early years' settings, all schools and wraparound and holiday childcare.

- 1.3 An annual review is undertaken of the effectiveness of safeguarding through education activity and this report identifies where this is working well and sets out planned actions for addressing any areas where future focus is required.
- 1.4 It is recognised that this is a lengthier report than typically produced. This is to enable the Learning and Skills Service to demonstrate the direction of change from the previous methodology of reviewing processes to a more audit driven approach to evaluating the effectiveness of the Service's role in enabling all those in the education sector to safeguard the children and young people in their care.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Her Majesty's Government's guidance '*Working together to safeguard children – a guide to inter-agency working to safeguard and promote the welfare of children*' (July 2018) sets out the local authority's responsibility for safeguarding and promoting the welfare of all children and young people in their area.
- 2.2 Rutland County Council's Learning and Skills Service contributes to safeguarding processes and procedures in education settings across Rutland through the delivery or commissioning of training programmes and by issuing guidance and information updates. The Learning and Skills Service is not responsible for evaluating the effectiveness of safeguarding processes or procedures in schools and early years settings; this is the remit of Ofsted, the Regulatory Compliance (for Independent Schools) or Rutland's Childminding Agency. The purpose of inspecting is to evaluate how well providers fulfil their statutory and other responsibilities and how well staff exercise their professional judgement in keeping children and learners safe. Should safeguarding concerns be raised to, or identified by, members of the Learning and Skills Service, these are escalated in line with Rutland County Council safeguarding procedures.
- 2.3 The Learning and Skills Service works in partnership with Children's Social Care to ensure that the information being provided and the training offered remains current and reflects the very latest statutory guidance and recommendations, as well as taking in to account findings from local and regional incidents and concerns.
- 2.4 In order to support all providers in maintaining provision which focuses on the safety and well-being of the children and young people in their care, the Learning and Skills Service undertakes routine reviews which include the annual audit of safeguarding through education. The questions asked within this audit are agreed through consultation with the Local Safeguarding Children's Board (LSCB) and are adjusted each year to reflect changes to national legislation and guidelines or areas of concern which have been raised locally or regionally.
- 2.5 The audit is an on-line questionnaire which is sent to Rutland state-funded and independent schools, early years' providers and wraparound and holiday childcare providers. Cross border education providers for children with SEND and children looked after were invited to complete the 2018 safeguarding audit. Results from the audit are analysed and key outcomes are fed back to responders, the outcomes also inform future actions for the Learning and Skills Service.

- 2.6 The outcomes of the 2017-18 audit indicate that whilst there are no significant concerns from participants of the audit it is essential that safeguarding continues to remain a high priority for all those who work with children and young people.
- 2.7 The audit has provided a systematic approach to gathering safeguarding information. Analysis of the audit has generated a relevant and cohesive training package, delivered in partnership with the Local Authority Designated Officer (LADO), Children's Social Care, Community Safety Representatives and Rutland Teaching School Alliance to all Rutland schools and early years' providers, inclusive of wraparound and holiday childcare providers.
- 2.8 Further review, including the Safeguarding through Education audit 2019, will be undertaken by the Learning and Skills Service to ensure that areas for development identified through the 2018 audit have been addressed and actions taken are impacting on the work of schools and early years' providers in the safeguarding of children and young people in Rutland.

3 CONSULTATION

- 3.1 Consultation, through the Safeguarding through Education Group, is undertaken with LSCB, the Learning and Skills Service, the Education Sector and Children's Social Care.

4 ALTERNATIVE OPTIONS

- 4.1 Section 11 of the Children Act 2004 places a duty on Local Authorities to safeguard and promote the welfare of all children and young people in their area.
- 4.2 Although there could be a number of methods to evaluate the effectiveness of the Learning and Skills Service in undertaking activity to support the education sector in keeping children and young people in their care safe, there are no significant alternative options.

5 FINANCIAL IMPLICATIONS

- 5.1 The promotion and associated actions and resources, including staffing, is funded through the Learning and Skills Budget for Education Officers and School Improvement Consultancy. There are no additional costs incurred through the implementation of the intent of this Report.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 Section 11 of the Children Act 2004, supported through Her Majesty's Government's guidance 'Working together to safeguard children – a guide to inter-agency working to safeguard and promote the welfare of children' (July 2018), set out the local authority's responsibility for safeguarding and promoting the welfare of all children and young people in their area.
- 6.2 The activity of the Learning and Skills Service within Safeguarding through Education Activity, in partnership with Children's' Social Care, supports the Local Authority in

meeting this duty

7 EQUALITY IMPACT ASSESSMENT

7.1 An Equality Impact Assessment (EqIA) has not been completed.

8 COMMUNITY SAFETY IMPLICATIONS

8.1 The Community Safety Team is represented in the Safeguarding through Education Group and contributes to actions and activities undertaken through this group.

9 HEALTH AND WELLBEING

9.1 Safeguarding through Education promotes the welfare of children and young people in education settings in Rutland.

10 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

10.1 This report provides elected members with an overview of the activities undertaken by the Learning and Skills Service, in partnership with Children's' Social Care, to provide all childcare providers and school staff with training and guidance, so that they know and understand how to keep the children in their care safe and from harm.

10.2 Through regular review of this aspect of the Learning and Skills Service role, assurances can be made regarding the effectiveness of the work undertaken and enable planned actions to be timely, relevant and leading to continued quality of support for education providers.

11 BACKGROUND PAPERS

11.1 There are no additional background papers to the report.

12 APPENDICES

Appendix A: Rutland County Council Safeguarding through Education Report 2017-18.

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.



Rutland
County Council

Safeguarding Through Education

2017-18



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1. Introduction: The role of the Local Authority
2. Safeguarding Through Education: training support and advice.
3. Evidence of impact
4. Safeguarding Through Education Audit 2017-18
5. Safeguarding Through Education - Recommendations and future plans
6. Conclusion

Appendices

- | | |
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| Appendix A | Useful acronyms |
| Appendix B | Safeguarding training offered 2017-18 |
| Appendix C | Completed Key Actions Early Years / Schools 2017-18 |
| Appendix D | Key Actions 2018-19 |

1 THE ROLE OF THE LOCAL AUTHORITY

- 1.1 HM Government's guidance 'Working Together to Safeguard Children – is a guide to inter-agency working to safeguard and promote the welfare of children' (Sept 2015). This document identifies that local authorities have overarching responsibility for safeguarding and promoting the welfare of all children and young people in their area.
- 1.2 Rutland Learning and Skills service contributes to the effectiveness of safeguarding and processes in education settings in Rutland through the promotion of safeguarding of all children and young people. Through a programme of support and guidance, education settings can be well equipped to ensure that they are meeting their safeguarding requirements.
- 1.3 The Rutland Learning and Skills service monitor and evaluate education effectiveness including termly Quality Assurance desk-top reviews and visits. Indicators for prioritisation of risk are detailed in the Learning and Skills service Education Provider Prioritisation and Entitlement 2018-19. Feedback from visits to education settings by other Council staff, including members of the Special Education Needs and/ or Disabilities (SEND) and Inclusion team, Early Help, Children and Adult Social Care and youth workers are also taken into account; all safeguarding issues are processed according to school and the local authority agreed procedures.
- 1.4 The promotion of attendance at training remains a key factor and, through greater co-ordination, duplication of content across different training events has been reduced whilst still ensuring key issues are being addressed. Where relevant, the Rutland Learning and Skills service make it a priority to understand reasons for non-attendance at training events, remaining responsive to requests for training and flexible in terms of times and dates. It is recognised that Multi Academy Trusts may have their own programme of Safeguarding training and updates; in these cases the Learning and Skills Service will seek assurance that training is completed.
- 1.5 Ofsted (for early years providers, including Rutland's Childminding Agency and state-funded maintained schools and academies) and Regulatory Compliance (for independent schools) inspection reports are analysed when published to determine any potential safeguarding concerns. In judging the effectiveness of leadership and management, Ofsted must also judge whether the schools and settings arrangements for safeguarding pupils are effective, and whether those responsible for governance ensure that these arrangements are effective.

2 SAFEGUARDING THROUGH EDUCATION: TRAINING, SUPPORT AND ADVICE



- 2.1 Rutland Learning and Skills service promotes effective safeguarding processes through education and its work with all education settings, including the independent sector. The Service works in partnership with Children's Social Care and Community Safety to offer information, advice and where required, to either deliver, broker or commission training which is available at little or no cost to all education settings in Rutland.
- 2.2 The programme of safeguarding training is delivered by local authority staff or commissioned as required to ensure training is relevant, good quality and offered at times and venues that can be accessed by education providers.
- 2.3 Safeguarding guidance and updates are available on Rutland County Council website and schools have links to the Local Safeguarding Children Board (LSCB) website <http://lrsb.org.uk/children>.
- 2.4 The Learning and Skills Education Bulletin is distributed to all Rutland early years' settings and state-funded and independent schools and includes regular safeguarding updates and guidance as a standing item. The Bulletin provides current information, updates and signposting of local, regional and national initiatives or focus areas. In addition, Rutland Children's services produce a termly safeguarding update which is sent out to all education settings including independent schools to provide up to date information.
- 2.5 A programme of training and updates, on safeguarding, is provided for education staff and governors through LSCB, Rutland County Council and Rutland Teaching School Alliance training programmes. Additional training and guidance can be brokered or commissioned through regional Teaching School Alliances and other consultants or providers dependent on the topic of focus. Schools are offered generic training opportunities through the Teaching School Alliance continued professional development offer. In 2017, previous focussed training from external providers has included GDPR, Safer Recruitment and Positive Handling (Appendix B).
- 2.6 In the early years, core training is provided for the LSCB by Rutland Adult Learning

and Skills Service (RALSS). Regular conferences and network meetings for early years' providers include safeguarding as a prioritised agenda item and attention is drawn to current emerging priorities or serious case reviews linked to the LSCB. The Early Years' service, supported by the National Day Nursery Association (NDNA) delivered safeguarding training at the annual managers' day.

- 2.7 The Community Safety Team has been proactive in forging links with schools and sharing information about the services they provide. A particular focus has been promoting the awareness of Child Sexual Exploitation (CSE) and leading a 'Safety day' event with parents.
- 2.8 The Early Years Foundation Stage annual visit has been evaluated and a more rigorous approach through a more regular 'Keeping in Touch' visit. This revised approach includes a specific, evidence-based, focus on the settings' processes for ensuring safeguarding including documenting identified Designated Safeguarding Lead (DSL) and reviewing the record of relevant and most recent training. The intention of this revised practice is to more effectively offer support and challenge to EYFS safeguarding practice. Initial feedback from providers has been positive and has already led to some changed practice in how recruitment checks and training undertaken is recorded centrally.
- 2.09 The Head of the Virtual School coordinates education support for children looked after (CLA) which includes identifying any safeguarding concerns through monitoring the CLA's education progress and welfare. Support and training are also provided to designated teachers, named governors, social workers and foster carers in order to achieve the best possible educational and welfare outcomes for CLA and children previously looked after.
- 2.10 Rutland Learning and Skills Service safeguarding knowledge and skills are updated through access to training that is provided by Rutland colleagues and attendance at regional and national safeguarding meetings and conferences.
- 2.11 The Learning and Skills Service has purchased a one year subscription to CareKnowledge, an online service which provides up to date research and practice materials that enables all Rutland education providers to remain informed and updated on safeguarding and wider knowledge regarding the care of young children and people.
- 2.12 In autumn 2017, a Rutland County Council internal audit was undertaken to review safer recruitment processes in Rutland maintained schools. The audit was designed to provide assurance that schools adopt a consistent and rigorous approach to recruitment and selection with the aim of reducing the risk of appointing unsuitable people to positions of trust. The audit identified that all schools had safer recruitment policies in place and all had recently either strengthened procedures or had improved induction processes in relation to safeguarding. However, during testing it was noted that there were a number of inconsistencies in approaches and templates across the maintained schools. All schools were keen to implement the recommendations made in the audits and assurances through feedback from schools, evidenced through Governing Body minutes, are that the recommendations have been implemented. This will be reviewed in the internal audit planned for autumn 2018.

3 EVIDENCE OF IMPACT

- 3.1 The remit of Early Years Ofsted Inspections is to have regard for how well children are helped and protected so that they are kept safe. Early years' inspection outcomes report that all inspected Rutland settings have effective safeguarding arrangements for children.
- 3.2 Similarly, the remit of school Ofsted inspections is to report on the effectiveness of safeguarding arrangements. School inspection outcomes report that Rutland schools have effective safeguarding arrangements for children at the time of the inspection. Comments in some of the most recent Ofsted reports include:

"Governors are adept at checking out information for themselves - for example, the Safeguarding lead governor carries out spot checks and audits to ensure arrangements for safeguarding are robust."

"Robust systems are in place. Training is up to date and regular reviews are carried out to check that requirements are fully met."

"There is a strong culture of safeguarding; the school makes thorough recruitment checks."

"All leaders and staff show a determined commitment to keeping pupils safe."

"Systems and procedures for recording concerns are robust."

"Pupils said that they feel safe at school."

"You and your staff make good use of outside agencies to provide pupils with guidance on how to stay safe."

"Keeping children safe is given a high priority by leaders, so that staff create a safe and secure environment where pupils' welfare is seen as important."

- 3.3 During the academic year 2017-18 a total of eight Ofsted inspections took place - five schools and three early years' providers. One early years' provider, Little Bloomers Day Nursery based at Kendrew Barracks, Cottesmore was judged inadequate in all areas. Although no significant safeguarding issues were identified, some concerns were raised over aspects of overall safety and welfare of children. The Authority followed statutory guidance and best practice and withdrew funding for those children accessing government entitlements. Although initially remaining in business, the manager took the decision to close the nursery in December 2017.
- 3.4 During the year 2017-18 there has been one recorded safeguarding incident at an early years setting in the Oakham area. The day nursery had been inspected in December 2016 with an outcome of Good, however Rutland County Council became aware that subsequent concerns were being raised. An Ofsted investigation was instigated and the Learning and Skills service worked in partnership with the Local Authority Designated Officer (LADO) and Ofsted in a complex investigation which resulted in Ofsted's decision to issue a notice of intention to cancel the registration of the setting. The provider resigned their registration and the setting

has subsequently closed.



4.1 In May 2018 the Safeguarding through Education audit 2017-18 was distributed to:

- Rutland state funded and independent schools,
- Private Voluntary and Independent Early Years settings, and
- Wraparound and holiday childcare providers.

For the local authority to have assurances that safeguarding processes are in place for Rutland children who are educated out of county i.e. children with SEND and children looked after (CLA), cross border education providers were invited to complete the 2018 safeguarding audit.



4.2 The annual safeguarding audit is an on-line questionnaire. The timing of the audit has been adjusted following reflection of the 2017 survey timescales so that it was distributed earlier in the summer term, avoiding key test and examination times. This meant it was received where there was less pressure on time, particularly for schools.

4.3 The audit is reviewed and updated each year to reflect changes in legislation and national and local emerging concerns therefore direct comparisons cannot be made with previous years. Every responder received a PDF of their audit response so that they can review their own responses and take appropriate action for their provision.

4.4 The overall results are analysed by the Learning and Skills service so that key outcomes can be fed back to relevant providers and a strategic response can be developed for Rutland providers. Reference is also made to outcomes and actions from the 2017 survey to ensure no reoccurrence is evident (Refer to Appendices C,

and D).

- 4.5 The analysis indicates that Early Years' settings remain compliant in meeting the 'safeguarding and welfare' requirements of the Statutory Framework for the Early Years Foundation Stage. Scrutiny of the audit responses indicate an improved safeguarding awareness and application of safeguarding procedures. A similar outcome was noted for responding schools.
- 4.6 Safeguarding aspects of the 2017-18 audit include:
- Confirmation of names of designated safeguard leads with dates of DSL training and provider.
 - Confirmation of reviewed Child Protection/Safeguarding Policies and Procedures
 - Assurance that all staff and governors are familiar with statutory publications with identified dates
 - Confirmation of when safeguarding training was undertaken or acknowledgment that updated guidance or training is required
 - Safeguarding, Allegations Management and Safer Recruitment training including induction, dates and names of staff, governors or committee members who have completed training and how this information is recorded
 - Online safety
 - Children missing education / elective home education and Flexi-schooling
 - Identification of connection with external agencies and/or services
 - Protecting children with a disability
 - Off-Site Educational visits
- 4.7 A total of seventy two completed responses were received, this is a significant increase compared with the previous year of twenty nine responses. The higher response outcome is due to both the combined raised profile of the safeguarding audit and greater engagement with education providers. These responses were from eighteen of the twenty-nine childminders, twelve of the fifteen early years' settings; all five local authority maintained schools, thirteen of the sixteen Rutland academies/ free school and one of the three independent schools and one of the two independent special schools. Twenty two additional audit responses were received from Rutland Wraparound and holiday childcare providers and out of county SEND and CLA educational provisions. Future engagement activities and promotion of the audit will be planned to ensure numbers of survey responses continue to increase so that the information gathered is robust and reflective of practice across all Rutland providers.
- 4.8 The findings from the audit has enabled swift identification of strengths and areas for delivery of updated training or guidance. Overall, the responses are very encouraging and have highlighted several areas of good practice:

- 100% of all responders identified they had at least one named and trained Designated Safeguarding lead.

The table below illustrates the percentage and number of education providers confirming they had reviewed policies in the last 24 months.

Policy	Percentage	Number
Child Protection	97%	70
Behaviour Policy	98%	71
Special Educational Needs and Disabilities / Inclusion Policy	93%	67
Health and Safety Policy	97%	70



100% assurance that all staff and governors are familiar with statutory publications Working Together to Safeguard Children (2015), Keeping children safe in education (at least Part 1) (2016) and the Prevent Duty guidance for England and Wales 2015.

- The range of adults working with children and young people i.e. premises officers, administration staff accessing statutory safeguarding awareness has increased since last year's safeguarding survey.

The table below illustrates the percentage and number of education providers confirming they had accessed training in the last 24 months.

Training	Percentage	Number
*Whole Staff Safeguarding awareness	94%	68
Prevent	97%	70
Paediatric First Aid	100%	72
CSE	87%	62
Online safety	82%	59

* 6% of childminders are sole workers and misinterpreted the 'whole staff' element of the question. This issue was followed up with the assurance that childminders accessed safeguarding awareness training.

Analysis of the safeguarding audit recognises across the whole education sector the requests for safeguarding training and updates. Early years' childcare providers are developing a deeper safeguarding awareness. It is a priority to continue promoting

safeguarding awareness through education bulletins, senior leader and other education training events. Training requests are highlighted in Appendix D.

4.9 Safeguarding allegations management / Recording Safer Recruitment processes for staff, governors and/or committee members is mainly on a single central record, or similar documentation. Newly recruited staff, governors or volunteers access statutory safeguarding training, additional safeguarding guidance and information through induction programmes, sometimes these are led by the setting Designated Safeguarding Lead (DSL), NSPCC training and through a range of online courses. In many cases part of the induction process involves access to reading policy and procedure documentation. Schools have procedures and policies in place to acknowledge the importance of Allegations Management and Safer Recruitment training. This aspect is not fully addressed by all early years' providers and is a priority to continue. In November 2017, governors were invited to join the Designated Teacher Training Annual Event which included aspects of safeguarding for Children Looked After.

4.9.1 Online safety / Schools and settings report they have active internet filtering and anti-virus software on all IT equipment. Online safety is monitored closely by IT managers.



4.9.2 Whilst figures for children missing education training appear low, this is reflective of a high proportion within the early years' sector not recognising the wider implication of children missing from home or care. This issue is being addressed through updated training at early years' network and 'Keeping in Touch' visits.

4.9.3 Education providers recognise the value of partnership work. The services which education providers mostly engaged with over the last 12 months were Children's Social Care and Early Help. This is particularly important with the introduction of the revised 'Working together to safeguard children' (2018) where processes for inter-agency working to safeguard children are essential.

5 SAFEGUARDING THROUGH EDUCATION: RECOMMENDATIONS AND FUTURE PLANS

- 5.1 From the 72 completed responses of the safeguarding audit, indications are that there are no significant concerns placing children and young people directly at risk, or from any other indicators such as inspection outcomes, it is essential that safeguarding continues to remain a high priority for all those who work with children and young people. A priority is to address any identified areas of concern within the Safeguarding through Education audit 2017-18.
- 5.2 The audit has provided a systematic approach to gathering information and therefore a proactive response to training requests such as restraint and positive handling.
- 5.3 A post has been developed within the Learning and Skills service to act as a champion to promote a cohesive approach to safeguarding through education and to ensure that all staff working in the education sector remain well-informed and have the relevant up to date knowledge and understanding to ensure the children in their care are kept safe. This officer will utilise the skills and expertise available across Rutland County Council and the wider area to the benefit of education settings and providers building on the current good practice in individual teams, departments and services who all individually interface with education settings and providers.
- 5.4 Education is one of the many contributors to ensuring and promoting safeguarding for children and young people. Over the last year, the shift from safeguarding **in** schools to safeguarding **through** education has improved the coordination of safeguarding practice with a greater impact within the education sector. A partnership has been developed across services within the local authority with assurances that safeguarding practices and procedures for all children and young people are in place.



- 5.5 The local authority, working in partnership with Rutland Teaching School Alliance will continue to deliver a focused safeguarding activity, led through Children's Social Care team, in the termly Local Authority and Head Teacher Partnership events. All sectors and stakeholders indicated very positive responses to the 2017-18 safeguarding events and is evident through greater engagement underpinned by a deeper knowledge and understanding of safeguarding responsibilities.

- 5.6 A programme of training will be delivered by local authority staff or commissioned as required to ensure training for all early years and Wraparound and holiday childcare providers is offered at times and venues that can be easily accessed. Higher presence at training events is evident when practitioners' access replicated training at a time convenient to themselves i.e. the Early Education Safeguarding updates were offered both early evening midweek and on a Saturday morning.
- 5.7 It is vital that those responsible for governance of education provision are confident in being able to challenge and review the effectiveness the safeguarding processes within their school or setting. Governors will continue to be invited to training events.



- 5.8 Safeguarding information will continue to be collected annually from the early year's sector, schools and colleges in order to monitor compliance and help in evaluating the impact of the safeguarding support being offered.
- 5.9 Local authority representation at identified local, regional and national conferences, networks, strategic groups and meetings are essential to ensuring Rutland County Council colleagues remain well informed and are working with their professional partners in addressing both Safeguarding and other relevant actions and particularly important with the revised Keeping Children Safe in Education (2018) and Working Together to Safeguard Children (2018) publications.
- 5.10 In autumn 2018, an internal audit will be undertaken in maintained schools to review the recommendations made in the 2017 safer recruitment audit and to review whether the policies/processes in place at schools are fulfilling the expectations of statutory guidelines and whether those responsible for governance are exercising their duties in ensuring that these arrangements are working effectively. This will not be an audit of specific child protection cases and will not be looking to provide an opinion on the effectiveness of safeguarding across the school. This offer will be made to academies at a reasonable cost. Academies are asked to provide assurance of validation of current practices if they do not wish to engage with the audit.

6 CONCLUSION

- 6.1 Of the 72 responses that were scrutinised as part of the 2017-18 Safeguarding through Education Audit, no significant safeguarding concerns were raised. The promotion of attendance at training remains a key factor and, provides opportunity to bring key issues to the forefront. A priority will be for the Learning and Skills Service to continue to challenge and understand reasons for non-attendance at training events and ensure requests for training are met.
- 6.2 From September 2018, 'Keeping Children Safe in Education' (2018) is the statutory guidance that schools should follow. This guidance has an emphasis on children with SEN and disabilities, those who were care leavers, and those children who were previously looked after. The guidance includes peer-on-peer abuse, sexual violence and sexual harassment. An interconnected training approach will ensure all education providers have relevant policies and practices to meet the needs of children and young adults in their community.
- 6.3 Two pieces of statutory safeguarding guidance which set the framework within which all practitioners should operate in order to protect children from abuse, neglect and promote their best interests are the revised 'Working together to Safeguard Children' (2018) and 'Local Safeguarding- Transitional Arrangements. Both pieces of guidance provide the Learning and Skills Service with nationally agreed guidance which supports the direction for future programs of work.
- 6.4 Safeguarding of all children and young people remains key to all those who work with them, and safeguarding through an effective education programme is essential to achieving this.



Appendix A. Useful acronyms

CAF – common assessment framework

CLA – children looked after

CSE – child sexual exploitation

DSL – designated safeguard lead

EHA – early health assessment

FGM – female genital mutilation

LSCB – local safeguarding children’s board

NDNA – National Day Nursery Association

NEET – not in education, employment or training

Ofsted – office for standards in education

PREVENT - counter-terrorism activity

PSHE – personal, social and health education

RALSS – Rutland adult learning and skills service

RTA – Rutland Teaching Alliance

SEND – special educational needs and/ or disabilities

SENCo – special educational needs coordinator

SMSC – spiritual, moral, social and cultural (development)

YOT – youth offending team

YISP – youth inclusion support panel

Appendix B; Safeguarding Training offered through Rutland Local Authority during the academic year 2017-18.

Rutland County Council	<p>Allegations Management Whole School Awareness Raising PREVENT Safeguarding Governor Training which clarified the local authority processes for raising concerns within education settings and enabled governors to gain confidence in evaluating school's processes for referral</p> <p>May 12th / 16th 2018 Early Education Safeguarding updates, topics included: EYFS Statutory framework, the safeguarding and welfare requirements. Understanding of safeguarding processes in Rutland Overview of children's social care Allegations and role of the LADO Safeguarding children and escalation pathways Safer recruitment Child exploitation and Domestic violence</p> <p>Safeguarding compliance, capacity and safeguarding</p> <p>May 2018 Safer Recruitment Safeguarding Training</p>
Rutland Adult Learning & Skills Service (RALS)	Designated Safeguarding Lead / Refresher Designated Safeguarding Lead
NDNA	January 2018 Safeguarding Annual Briefing Early Years' Managers Day
Team Teach	June 2018 Positive Handling
Andrew Hall	April 2018 Safer Recruitment
The ICT Service	<p>General Data Protection Regulation (GDPR)</p> <p>March 2018 Session 1 for governors and business managers</p> <p>April 2018 Session 2 for childminders, nursery and Holiday and Wraparound childcare providers</p>
CareKnowledge Training	Subscription from April 30th

Appendix C

Completed Key Actions: Early Years 2017-18

	Action	Timeframe	Responsibility	Monitoring Activity
1	To inform individual settings where specific concerns are identified	S: September 2017 F: October 2017	Childcare and Children's Centre Officer	Early Years Advisor to contact individual settings for assurance of compliance. January 2018
2	To ensure all relevant guidance is collated and re-distributed to providers with clear guidance on actions required	S: December 2017 F: January 2018	Early Education and Childcare Coordinator	Childcare and Children's Centre Officer to review at Managers' Day February 2018
3	To develop programme of training for early years settings, including childminders and 'out of school' holiday and wraparound childcare providers, to include delivery from RCC Safeguarding team within Children's Social Care, RCC Community Safety Team and RALSS to focus on areas identified through survey to include : <ul style="list-style-type: none"> • CSE • FGM • E Safety • Cyberbullying • Restraint /Positive Handling • Homophobic Bullying • Domestic Abuse • Anti-Bullying • Health and Safety • Protocol for dealing with concerns/disclosure • Protocols for dealing with allegations against a member of staff, volunteer, manager and/or proprietor • Mental health • Drugs • Fabricated or induced illness • 'Lock Down' procedure • Safer recruitment training • DBS checks • Working with other agencies e.g. Social Services, Police and Health. 	S: October 2017 F: July 2018	Childcare and Children's Centre Officer	Learning and Skills Team Manager to monitor take-up and demand for safeguard training March 2018. Learning and Skills Team to analyse 2017-18 Safeguarding Audit responses April 2018
	To ensure the safeguarding and welfare requirements of the Early Years Foundation Stage are met by the local authority providing core training.	S: January 2018 F: February 2018	Childcare and Children's Centre Officer	Early Years Advisor to analyse Managers' day evaluation forms and identify concerns

	Key safeguarding issues to be shared at the Managers' Day event (February 2018).			March 2018
	To ensure all Early Years Networks (3 times per year) include programme of safeguarding updates with opportunities to share good practice and concerns	S: November 2017 F: June 2018	Childcare and Children's Centre Officer	Early Years Advisor to review agenda and feedback from each network meeting. December 2017, April 2018, July 2018
	To ensure all Childminders continue to fulfil their statutory safeguarding responsibilities in meeting the safeguarding and welfare requirements of the Early Years Foundation Stage through programme of training and sharing of current relevant safeguarding information(3 times per year)	S: November 2017 F: June 2018	Childcare and Children's Centre Officer REYAL – Childminding Agency	Early Years Advisor to review agenda and feedback from each childminder network meeting. December 2017, April 2018, July 2018
4	Plan 2017-18 safeguarding in education audit to reflect outcomes of 2016-17 survey, local, regional and national initiatives and concerns and updated safeguarding guidance. Ensure section appropriate specifically to childminders and out of school holiday and wraparound childcare providers in distribution	S: February 2018 f. March 2018	Childcare and Children's Centre Officer Learning and Skills Team Manager	Head of Service Learning and Skills Team and Head of Children's Social Care through analysis of audit March 2018
5 74	Undertake stakeholder engagement activity prior to survey to ensure greater response through wider understanding of the importance and relevance of the process and outcomes to ensure the safeguarding of all children in Rutland early years settings, including childminders and out of school holiday and wraparound childcare providers	S: March 2018 F: March 2018	Early Education and Childcare Coordinator	Head of Service Learning and Skills to monitor volume of audit responses and identification of key priorities April 2018

Completed Key Actions: Schools 2017-18

	Action	Timeframe	Responsibility	Monitoring Activity
1	To inform individual schools where specific concerns are identified.	S: September 2017 F: October 2017	Childcare and Children's Centre Officer	Primary Education Officer Learning and Skills to contact individual schools for assurance of compliance January 2018
2	To ensure all relevant guidance is collated and re-distributed to schools with clear guidance on actions required	S: December 2017 F: January 2017	Early Education and Childcare Coordinator	Childcare and Children's Centre Officer to follow up receipt and action by schools February 2018
3 75	To develop programme of training to include delivery from RCC Safeguarding team within Children's Social Care, RCC Community Safety Team, RALSS, Rutland Teaching Alliance and Healthwatch for all schools to focus on areas identified through survey to include: <ul style="list-style-type: none"> • Children missing education • CSE • FGM • E Safety • Cyberbullying • Restraint /Positive Handling • Homophobic Bullying • Domestic Abuse • Drugs • Fabricated or induced illness • Protocols for dealing with concerns/disclosure • Faith Abuse • Gender based violence / violence against women and girls (VAWG) • Gangs and Youth Violence • Safer recruitment training • DBS checks • Working with other agencies e.g. Social Services, Police and Health. • Lock Down procedure 	S: October 2017 F: April 2018	Childcare and Children's Centre Officer	Learning and Skills Team Manager to monitor take-up and demand for safeguard training provided March 2018. Learning and Skills Team to analyse 2017-18 Safeguarding Audit responses April 2018
	To ensure statutory training is implemented for designated teachers and named	S: October 2017	Rutland County	Learning and Skills Team Manager

	Governors	F: April 2018	Council	through review of attendance and feedback April 2018
4	Plan 2017-18 safeguarding in education audit to reflect outcomes of 2016-17 survey, local, regional and national initiatives and concerns and updated safeguarding guidance	S: February 2018 f: March 2018	Childcare and Children's Centre Officer Learning and Skills Team Manager	Head of Service Learning and Skills Team and Head of Children's Social Care through analysis of audit March 2018
5	Undertake stakeholder engagement activity prior to survey to ensure greater response through wider understanding of the importance and relevance of the process and outcomes to ensure the safeguarding of all children in Rutland schools	S: March 2018 F: March 2018	Early Education and Childcare Coordinator	Head of Service Learning and Skills to monitor volume of audit responses and identification of key priorities April 2018

Appendix D
Key Actions plan 2018-19

	Action	Timeframe	Responsibility	Monitoring Activity
1	To inform individual education providers where specific concerns are identified.	S: September 2018 F: October 2018	Childcare and Children's Centre Officer/ Safeguarding Champion	Officers within the Learning and Skills Service to discuss identified concerns with education providers. January 2019 Monitoring of attendance at safeguarding events April 2019
2	To ensure all relevant guidance is collated and re-distributed to education providers (including out of county provisions) with clear guidance on actions required.	S: October 2018 F: February 2019	Early Education and Childcare Coordinator	Childcare and Children's Centre Officer to follow up receipt and actions February 2019
3	The audit identified priority training and/or updates based on a % of requests from early years' settings and schools.(see below) A programme of training will be developed with training delivered by RCC Safeguarding team within Children's Social Care, RCC Community Safety Team, RALSS, and Rutland Teaching Alliance for all education providers.	S: September 2018 F: April 2019	Childcare and Children's Centre Officer/ Safeguarding Champion	Learning and Skills Team Manager to monitor take-up and demand for safeguard training provided March 2019.
	To ensure statutory training is implemented for designated teachers and named Governors	S: October 2018 F: April 2019	Learning and Skills Head of Service	Learning and Skills Team Manager through review of attendance and feedback April 2019
4	Plan 2018-19 safeguarding through education audit to reflect local, regional and national initiatives and concerns and updated	S. October 2018 f. March 2019	Childcare and Children's Centre Officer Safeguarding Champion / Learning and Skills Team Manager	Head of Service Learning and Skills Team and Head of Children's Social Care March 2019

5	Undertake stakeholder engagement activity prior to launch of audit (w/c 29 th April 2019) to ensure a greater response.	S: October 2018 F: May 2019	Early Education and Childcare Coordinator	Head of Service Learning and Skills to monitor volume of audit responses and identification of key priorities May 2019 Learning and Skills Service to analyse 2018-19 Safeguarding Audit responses May 2019
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Number of Training requests 2018-19

29	Gangs and youth violence	
24	Gender based violence/violence against women and girls (VAWG),	
23	Faith Abuse	
21	Children missing from home or care.	
21	Drugs	18
	Homophobic Bullying	15
	Children missing education	16
	reasonable force/ positive handling	16
	Domestic Abuse	12
	Cyberbullying	11
	Mental Health (including suicidal ideation and self-harm)	11
	Safer Recruitment and Induction Policy	
5	CSE	
7	Female Genital Mutilation (FGM)	
6	Online Safety	
5	Food Hygiene	
2	PREVENT	