

NOTICE OF MEETING

Meeting	Cabinet
Date and Time	Monday, 5th November, 2018 at 10.30 am
Place	Wellington Room, Ell Court, The Castle, Winchester
Enquiries to	members.services@hants.gov.uk

John Coughlan CBE
Chief Executive
The Castle, Winchester SO23 8UJ

FILMING AND BROADCAST NOTIFICATION

This meeting may be recorded and broadcast live on the County Council's website. The meeting may also be recorded and broadcast by the press and members of the public – please see the Filming Protocol available on the County Council's website.

AGENDA

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

All Members who believe they have a Disclosable Pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to Part 3 Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore all Members with a Personal Interest in a matter being considered at the meeting should consider, having regard to Part 5, Paragraph 4 of the Code, whether such interest should be declared, and having regard to Part 5, Paragraph 5 of the Code, consider whether it is appropriate to leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with the Code.

3. MINUTES OF PREVIOUS MEETING (Pages 3 - 14)

To confirm the minutes of the previous meeting.

4. DEPUTATIONS

To receive any deputations notified under Standing Order 12.

5. CHAIRMAN'S ANNOUNCEMENTS

To receive any announcements the Chairman may wish to make.

6. TREASURY MANAGEMENT MID-YEAR MONITORING REPORT

(Pages 15 - 28)

To consider a report of the Deputy Chief Executive and Director of Corporate Resources regarding treasury management activity during the year.

7. ANNUAL SAFEGUARDING REPORT - CHILDREN'S SERVICES

(Pages 29 - 48)

To consider a report of the Director of Children's Services giving an update on the department's activity on safeguarding children.

8. ANNUAL SAFEGUARDING REPORT - ADULTS' SERVICES (Pages

49 - 64)

To consider a report of the Director of Adults' Health and Care giving an update on the activity and progress within the area of adult safeguarding.

9. AIR QUALITY (Pages 65 - 84)

To consider a report of the Director of Economy, Transport and Environment and Director of Public Health regarding emerging issues relating to air quality and the County Council's approach to these.

ABOUT THIS AGENDA:

On request, this agenda can be provided in alternative versions (such as large print, Braille or audio) and in alternative languages.

ABOUT THIS MEETING:

The press and public are welcome to attend the public sessions of the meeting. If you have any particular requirements, for example if you require wheelchair access, please contact members.services@hants.gov.uk for assistance.

County Councillors attending as appointed members of this Committee or by virtue of Standing Order 18.5; or with the concurrence of the Chairman in connection with their duties as members of the Council or as a local County Councillor qualify for travelling expenses.

Agenda Item 3

AT A MEETING of the Cabinet of HAMPSHIRE COUNTY COUNCIL held at the Castle, Winchester on Monday, 17th September, 2018

Chairman:

* Councillor Roy Perry

- | | |
|----------------------------|--------------------------------|
| * Councillor Keith Mans | * Councillor Mel Kendal |
| * Councillor Liz Fairhurst | * Councillor Stephen Reid |
| * Councillor Edward Heron | * Councillor Patricia Stallard |
| Councillor Rob Humby | * Councillor Seán Woodward |
| * Councillor Andrew Joy | |

* In attendance

Also present with the agreement of the Chairman: Councillors Bennison, Carpenter, Carter, Glen and Huxstep.

68. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Humby.

69. DECLARATIONS OF INTEREST

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the circumstances described in Part 3, Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Personal interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 5 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with the Code.

70. MINUTES OF PREVIOUS MEETING

The minutes of the last meeting were reviewed and agreed

71. DEPUTATIONS

No deputations were received to the meeting.

72. CHAIRMAN'S ANNOUNCEMENTS

The Chairman noted that the deadline for BREXIT was fast approaching and confirmed that conversations were being held to ensure the County Council would be positioned to respond to any consequences arising from it.

A recently published list of Councils judged to be in financial difficulty was highlighted. It was noted that Hampshire County Council was not included on the list, which the Chairman attributed to a strong track record of prudent financial management. However concern was also expressed regarding the overall financial picture within Local Government.

The Chairman confirmed he had been elected Chairman of South East England Councils (SEEC), explaining that the Group sought to make the case for the South East region.

A number of recent meetings were highlighted to Cabinet, including with local and national MPs, and the initial meetings of the Commission for the Future of Hampshire.

73. **TRANSFORMATION TO 2019: REPORT NO. 4**

Cabinet received a report of the Chief Executive regarding the Transformation to 2019 programme.

The report was introduced and in particular the pressures on the County Council were noted, through the examples of the additional 2500 people each year aged over 85, as well as increasing number of children in care.

Key points from the report were highlighted and it was confirmed that strong progress against the programme was being made, with £50 million of savings secured. Particular achievements in the areas of digital transformation and the on boarding of new partners were recognised. Challenges within the areas of Adults' and Children's social care were addressed and it was acknowledged that many issues were faced nationally.

Cabinet welcomed the report, highlighting the diagram at paragraph 3.5 to demonstrate the scale of the challenge. Clarification was given on how inflation was accounted for and also on the ability for departments to use cash savings to fund further cost of change where opportunities exist. With reference to appendix one, Cabinet noted the strength of the investment programme.

The recommendations in the report were proposed and agreed. It was additionally noted that lobbying of Government was continuously underway to highlight the pressures on other core services as a result of the increasing costs of social care provision. The decision record is attached.

74. **DIGITAL UPDATE**

Cabinet received a report of the Director of Corporate Resources regarding the progress made on the Digital Portfolio to support departments with their T17 and T19 transformation.

A number of significant areas were highlighted as set out in the report. In particular website updates to improve customer service and engagement, the use of robotics and the roll out of the enabling productivity programme were identified. The case studies included in the report were recognised and the

financial benefits identified welcomed by Cabinet, who noted that these came alongside an improved service delivery to customers and vulnerable people.

The recommendations in the report were proposed and agreed. It was furthermore agreed that the report should be sent to all Hampshire MPs and to the Secretary of State for their information. The decision record is attached.

75. CQC HAMPSHIRE LOCAL SYSTEM REVIEW

[In relation to this item, Councillor Reid declared a personal interest as the County's representative on a Hospital Trust]

Cabinet received a report of the Director of Adults' Health and Care regarding the CQC Hampshire Local System Review.

It was confirmed that the review was one of 20 carried out nationally. The focus of the review had been on people aged over 65, but also picked up related areas. Work was identified around the issue of delayed discharge and assisting getting people out of acute care and the positive impact of this was already being felt.

Officers were congratulated on the outcomes achieved and effort put in to the review. The benefit of bringing partners together was recognised and it was also noted and welcomed that there was no need for a re-visit as no concerns had been identified.

The recommendations in the report were proposed and agreed. The decision record is attached.

Exclusion of the Press and Public

RESOLVED:

That the public be excluded from the meeting during the following item of business, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during these items there would be disclosure to them of exempt information within Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons set out in the report.

76. CREATION OF A JOINT VENTURE LOCAL AUTHORITY TRADING COMPANY

Cabinet received an exempt report of the Director of Corporate Resources regarding the creation of a Joint Venture Local Authority Trading Company.

The context and background to the report and the creation of a Trading Company for the provision of agency staff was set out, including challenges relating to the needs of service provision and the needs of the workforce. It was

confirmed that this was not a move to zero hours contracts and that agency workers would always be able to transfer to become permanent members of staff if a suitable vacancy existed.

It was heard that the proposal was to go into partnership with Kent County Council because of organisationally similar issues and objectives. Furthermore joint working in this way would enable a much speedier and reliable establishment of the new arrangements and Kent's existing success in this market was noted. Other options, including establishing Hampshire's own agency, or buying an existing agency were outlined and the reasons why they were less desirable set out.

It was questioned why the item was exempt and clarified that this was essential to maintain commercial confidentiality. However should the recommendations be agreed, subsequent discussions would be necessary which remove the need for such confidentiality.

The recommendations in the report were proposed and agreed. The decision record is attached.

Chairman,

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Cabinet
Date:	17 September 2018
Title:	Transformation to 2019: Report No. 4
Report From:	Chief Executive

Contact name: John Coughlan

Tel: 01962 846400

Email: john.coughlan@hants.gov.uk

1. The decision:

That Cabinet

- a) Notes the latest Tt2019 programme risk assessment, including the early securing of £50m of savings - section 5 (End of July position).
- b) Notes that six service specific Tt2019 public consultations are planned to take place before the end of 2018, with five of these having been completed and the one remaining due to commence at the start of October - section 5.
- c) Notes the positive progress being made in relation to the on-boarding of the three London Boroughs to the Council's shared services platform and to the development of an alternative business structure (subject to a business case) for Legal Services to enable it to continue to provide sold services to a range of external partners – section 5.
- d) Notes the progress and strong contributions being made by the three enabling projects to the programme; Digital, Productivity and Procurement – section 6.
- e) Notes that programme progress will continue to be monitored closely and that a further update will be provided to Cabinet before the end of 2018 – section 7.
- f) Agrees to continue to lobby Government in respect of new charging powers aimed specifically at raising income that will be used to protect important universal services into the future e.g. Household Waste Recycling Centres, or to enable other specific savings proposals not to be implemented or for their impact to be mitigated.

2. Reason(s) for the decision:

- 2.1. To provide an update on progress with Transformation to 2019, including the early achievement of savings.

3. Other options considered and rejected:

3.1. None

4. Conflicts of interest:

4.1. Conflicts of interest declared by the decision-maker: None

4.2. Conflicts of interest declared by other Executive Members consulted: Not applicable

5. Dispensation granted by the Conduct Advisory Panel: none.

6. Reason(s) for the matter being dealt with if urgent: not applicable.

7. Statement from the Decision Maker:

Approved by:

Date:

17 September 2018

**Chairman of Cabinet
Councillor Roy Perry**

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Cabinet
Date:	17 September 2018
Title:	Digital Update
Report From:	Director of Corporate Resources

Contact name: Carolyn Williamson, Director of Corporate Resources

Tel: 01962 847400
01962 832480

Email: Carolyn.Williamson@hants.gov.uk
Sarah.Snowdon@hants.gov.uk

1. The decision:

That Cabinet

- a) Note the report and the excellent progress made on the Digital Portfolio to support departments with their T17 and T19 transformation.
- b) Agree that the report be publicised to Hampshire MPs and the Secretary of State for Local Government.

2. Reason(s) for the decision:

- 2.1. To recognise progress being made on the 2017 – 2019 Digital Portfolio of IT Enabling Projects and its success in delivering new technology to Hampshire County Council departments to support their T17 and T19 Transformation activity.

3. Other options considered and rejected:

- 3.1. None

4. Conflicts of interest:

- 4.1. Conflicts of interest declared by the decision-maker: None
- 4.2. Conflicts of interest declared by other Executive Members consulted: Not applicable

5. Dispensation granted by the Conduct Advisory Panel: none.

6. Reason(s) for the matter being dealt with if urgent: not applicable.

7. Statement from the Decision Maker:

Approved by:

Date:

17 September 2018

**Chairman of Cabinet
Councillor Roy Perry**

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Cabinet
Date:	17 September 2018
Title:	CQC Hampshire Local System Review
Report From:	Director of Adults' Health and Care

Contact name: Graham Allen

Tel: 01962 847200

Email: Graham.allen@hants.gov.uk

1. The decision:

- a) That Cabinet note this overview of the Care Quality Commission's Local System Review of Hampshire and the Action Plan that has been jointly developed by Hampshire's health and care system leaders to respond to the Review's findings.

2. Reason(s) for the decision:

- 2.1. Following the Care Quality Commission (CQC) Local System Review which took place in February and March 2018 the Hampshire Health and Care System was required to produce an Action Plan to address the findings of this Review.

3. Other options considered and rejected:

- 3.1. None

4. Conflicts of interest:

- 4.1. Conflicts of interest declared by the decision-maker: None

- 4.2. Conflicts of interest declared by other Executive Members consulted: Not applicable

5. Dispensation granted by the Conduct Advisory Panel: none.

6. Reason(s) for the matter being dealt with if urgent: not applicable.

7. Statement from the Decision Maker:

Approved by:

Date:

17 September 2018

**Chairman of Cabinet
Councillor Roy Perry**

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Cabinet
Date:	17 September 2018
Title:	Creation of a Joint Venture Local Authority Trading Company
Report From:	Director of Corporate Resources

Contact name: Stephanie Randall, Head of Transformation & Digital, Corporate Resources

Tel: 01962 846531

Email: stephanie.randall@hants.gov.uk

1. The decision:

That Cabinet

- a) Note the findings and conclusions of the Agency review completed.
- b) Confirm approval to create a Joint Venture Agency LATC with Commercial Services Kent Ltd (CSKL), with the intention to provide Agency services to all departments within the County Council, as well as the creation of a staffing bank to support Adult and Children's residential and nursing services.
- c) Agrees to officers continuing to work with CSKL and Kent County Council (as appropriate) to finalise the project and resourcing plan, and agree a proposed project start date.
- a) Delegates approval for the final decision regarding the commencement of this project to the Chief Executive, in consultation with the Director of Corporate Resources, the Executive Member for Policy and Resources and the Executive Member for Economic Development.

2. Reason(s) for the decision:

- 2.1. To address a range of challenges with regard to the recruitment of agency staff, including high (and rising) financial costs, and an increasing difficulty to source agency staff that are of sufficient quality, particularly at short notice, or as a route to future permanent employment. These issues are particularly common in the Social Worker agency market, which at times has posed potential risk to the vulnerable people we support.

3. Other options considered and rejected:

- 3.1. Not forming a Joint Venture Agency for the provision of agency staff to the County Council, leaving the Council's service provision vulnerable to the challenges of cost and quality.

4. Conflicts of interest:

4.1. Conflicts of interest declared by the decision-maker: None

4.2. Conflicts of interest declared by other Executive Members consulted: Not applicable

5. Dispensation granted by the Conduct Advisory Panel: none.

6. Reason(s) for the matter being dealt with if urgent: not applicable.

7. Statement from the Decision Maker:

Approved by:

Date:

17 September 2018

**Chairman of Cabinet
Councillor Roy Perry**

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Cabinet County Council
Date:	5 November 2018 29 November 2018
Title:	Treasury Management Mid-Year Monitoring Report
Report From:	Deputy Chief Executive and Director of Corporate Resources

Contact name: Rob Carr – Head of Finance

Tel: 01962 847508

Email: Rob.Carr@hants.gov.uk

1. Recommendation

RECOMMENDATIONS TO CABINET

It is recommended that Cabinet recommends to County Council that:

- 1.1. The mid-year report on treasury management activity be noted.

RECOMMENDATIONS TO COUNCIL

Council is recommended to note:

- a) The mid-year report on treasury management activity.

2. Executive Summary

- 2.1. In February 2010 the County Council adopted the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice (the CIPFA Code) which requires the County Council to approve treasury management semi-annual and annual reports.
- 2.2. This report fulfils the County Council's legal obligation to have regard to the CIPFA Code.
- 2.3. The County Council's Treasury Management Strategy (TMS) for 2018/19 was approved at a meeting of the County Council in February 2018. The County Council has borrowed and invested sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk are therefore central to the County Council's TMS.

- 2.4. Following consultation in 2017, CIPFA published new versions of the Prudential Code for Capital Finance in Local Authorities (Prudential Code) and the Treasury Management Code of Practice but has yet to publish the local authority specific Guidance Notes to the latter. In England the Ministry of Housing, Communities & Local Government (MHCLG) published its revised Investment Guidance which came into effect from April 2018.
- 2.5. The updated Prudential Code includes a new requirement for local authorities to provide a Capital Strategy, which is to be a summary document approved by full council covering capital expenditure and financing, treasury management and non-treasury investments. The County Council will be producing its Capital Strategy later in 2018/19 for approval by full County Council.
- 2.6. Treasury management in the context of this report is defined as:
“The management of the organisation’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.”
- 2.7. Overall responsibility for treasury management remains with the County Council. No treasury management activity is without risk; the effective identification and management of risk are integral to the County Council’s treasury management objectives.
- 2.8. All treasury activity has complied with the County Council’s TMS and Investment Strategy for 2018/19, and all relevant statute, guidance and accounting standards. In addition the County Council’s treasury advisers, Arlingclose, provide support in undertaking treasury management activities. The County Council has also complied with all of the prudential indicators set in its TMS.

3. External Context

- 3.1. The following sections outline the key economic themes currently in the UK against which investment and borrowing decisions have been made to date in 2018/19.

Economic Commentary

- 3.2. UK Consumer Price Inflation (CPI) index fell to 2.4% in June, a 12-month low, as the effects of sterling’s large depreciation in 2016 began to fade. However CPI ticked back up marginally to 2.5% in July, mostly due to higher energy prices, and up again to 2.7% in August from cultural services, where theatre admission prices rose by more than a year ago, and games, toys and hobbies, where prices for computer games rose this year but fell a year ago. The most recent labour market data for July 2018 showed the unemployment rate at 4%; the lowest since 1975. The three month average annual growth rate for regular pay, i.e. excluding bonuses, was 2.9%. However, real wages (i.e. adjusted for inflation) grew only by 0.4%, a marginal increase unlikely to have had much effect for households.

- 3.3. The rebound in Gross Domestic Product (GDP) growth in Quarter 2 of 2018 to 0.4% confirmed that the weakness in economic growth in Quarter 1 was temporary and largely due to weather-related factors. The Bank of England made no change to monetary policy at its meetings in May and June, however hawkish minutes and a 6-3 vote to maintain rates was followed by a unanimous decision for a rate rise of 0.25% in August, taking the Bank Rate to 0.75%. No further change was made to monetary policy at the Bank of England's meeting in September.

Credit background

- 3.4. The big four UK banks are progressing well with ringfencing. Barclays Bank PLC and HSBC Bank PLC have created new banks (Barclays Bank UK and HSBC UK Bank) and transferred ringfenced (retail) business lines into the new companies. Lloyds Bank PLC has created Lloyds Bank Corporate Markets as a new non-ringfenced (investment) bank. RBS has renamed existing group entities and transferred accounts to leave NatWest Markets as the non-ringfenced bank and NatWest Bank, Royal Bank of Scotland and Ulster Bank as the ring-fenced banks. The County Council's day-to-day banking contract remains with NatWest Bank.

4. Local Context

- 4.1. On 31 March 2018, the County Council had net borrowing of £29.1m arising from financing its historical capital programme. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. These factors are summarised in Table 1 below:

Table 1: Balance Sheet Summary

	31/03/2018 Balance £m
CFR	(764.0)
Less: Other Debt Liabilities*	164.2
Borrowing CFR	(599.8)
Less: Resources for Investment	570.7
Net Borrowing	(29.1)

* Finance leases and PFI liabilities that form part of the County Council's debt.

- 4.2. The County Council's current strategy is to maintain borrowing and investments below their underlying levels, sometimes known as internal borrowing, in order to reduce risk and keep interest costs low. The treasury management position as at 30 September 2018 and the year-on-year change is shown in Table 2 overleaf:

Table 2: Treasury Management Summary

	31/03/2018 Balance £m	Movement £m	30/09/2018 Balance £m	30/09/2018 Rate %
Long-term Borrowing	(280.0)	1.6	(278.4)	(4.66)
Short-term Borrowing	(7.9)	4.8	(3.1)	(3.30)
Total Borrowing	(287.9)	6.4	(281.5)	(4.65)
Long-term Investments	289.3	15.0	304.3	2.89
Short-term Investments	240.5	(9.6)	230.9	1.34
Cash & Cash Equivalents	32.4	(2.3)	30.1	0.69
Total Investments	562.2	3.1	565.3	2.14
Net Investments	274.3	9.5	283.8	

Note: The figures in the table above are from the balance sheet in the County Council's statement of accounts, but adjusted to exclude operational cash, accrued interest and other accounting adjustments.

- 4.3. The increase in net investments of £9.4m shown in Table 2 above reflects the combination of repayment of Public Works Loan Board (PWLB) borrowing of £6.3m, and a small increase in investment balances of £3.1m. The repayment of borrowing is in line with the County Council's policy on internal borrowing, whilst the increase in total investments since 31 March 2018 reflects the annual position of 31 March bearing the lowest investment balances, due to many government grants being front-loaded.

5. Borrowing Activity

- 5.1. As shown in Table 2, at 30 September 2018 the County Council held £282m of loans, a decrease of £6m to 31st March 2018, as part of its strategy for funding previous years' capital programmes. This varies from the mid-year treasury management borrowing position and movement since 31 March 2018 shown in Table 3 overleaf; as the treasury management borrowing position excludes borrowing taken out on behalf of others.

Table 3: Borrowing Position

	31/03/2018 Balance £m	Movement £m	30/09/2018 Balance £m	30/09/2018 Rate %	30/09/2018 WAM* years
PWLB	243.4	(6.2)	237.2	4.69	12.16
Banks (LOBO)	20.0		20.0	4.76	15.29
Banks (Fixed Term)	21.0		21.0	4.21	21.91
Total Borrowing	284.4	(6.2)	278.2	4.66	13.12

* Weighted average maturity

Note: the figures in the table above as at 31/03/2018 are from the balance sheet in the County Council's statement of accounts, but adjusted to exclude borrowing taken out on behalf of others, and accrued interest.

- 5.2. The County Council's chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the County Council's long-term plans change being a secondary objective.
- 5.3. In keeping with these objectives, no new borrowing was undertaken in the period, while £6.2m of existing loans were allowed to mature without replacement. This strategy enabled the County Council to reduce net borrowing costs (despite foregone investment income) and reduce overall treasury risk.
- 5.4. The benefits of internal borrowing are monitored regularly against the potential for incurring additional costs by deferring borrowing into future years, when long-term borrowing rates are forecast to rise. Arlingclose assists the County Council with the monitoring of internal and external borrowing.
- 5.5. The County Council continues to hold £41m of market loans (£20m of which are Lender's Option Borrower's Option (LOBO) loans, and £21m of which were LOBO but have now been converted to fixed term loans by the lender). LOBO loans are where the lender has the option to propose an increase in the interest rate at set dates, following which the County Council has the option to either accept the new rate or to repay the loan at no additional cost. No banks exercised their option during the first half of 2018/19.

6. Investment Activity

- 6.1. The County Council holds invested funds representing income received in advance of expenditure plus balances and reserves. The County Council's investment holding was £565m at 30 September 2018, which was £8m (1.4%) lower than the same time last year. During the six month period from 1 April to 30 September 2018, the County Council's investment balance ranged between £562m and £665m due to timing differences between income and expenditure. Table 4 overleaf shows investment activity for the

County Council as at 30 September 2018 in comparison to the reported activity as at 31 March 2018:

Table 4: Investment Position (Treasury Investments)

Investments	31/03/2018 Balance £m	Movement £m	30/09/2018 Balance £m	30/09/2018 Rate %	30/09/2018 WAM* years
<i>Short term Investments</i>					
Banks and Building Societies:					
- Unsecured	11.7	8.8	20.5	0.76	0.09
- Secured	55.0	(2.6)	52.4	1.11	0.39
Money Market Funds	25.7	(4.6)	21.1	0.68	0.01
Local Authorities	160.5	(38.5)	122.0	1.36	0.45
Registered Provider	20.0		20.0	2.30	0.33
Cash Plus Funds		20.0	20.0	0.67	n/a
	272.9	(16.9)	256.0	1.22	0.36
<i>Long term Investments</i>					
Banks and Building Societies:					
- Secured	78.3		78.3	0.99	2.57
Local Authorities	61.0	20.0	81.0	1.29	2.43
	139.3	20.0	159.3	1.14	2.50
<i>Long term Investments – high yielding strategy</i>					
Local Authorities					
- Fixed deposits	20.0		20.0	3.96	15.47
- Fixed bonds	10.0		10.0	3.78	15.27
Pooled Funds					
- Pooled property**	55.0		55.0	4.35	n/a
- Pooled equity**	40.0		40.0	6.47	n/a
- Pooled multi-asset**	20.0		20.0	4.13	n/a
Registered Provider	5.0		5.0	3.40	0.58
	150.0		150.0	4.76	13.29
Total Investments	562.2	3.1	565.3	2.14	2.20

* Weighted average maturity

** The rates provided for pooled fund investments are reflective of the average of the most recent dividend return as at 30 September 2018.

Note: the figures in the table above are from the balance sheet in the County Council's statement of accounts, but adjusted to exclude operational cash, accrued interest and other accounting adjustments.

- 6.2. Both the CIPFA Code and government guidance require the County Council to invest its funds prudently, and to have regard to the security and liquidity of its treasury investments before seeking the optimum rate of return, or yield. The County Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.
- 6.3. During the first half of 2018/19, £38.5m of short-term local authority investments have matured, and opportunities were taken to reinvest £20m into longer term local authority investments, and £20m into cash plus funds. Cash plus funds provide a further avenue of diversification of investment instruments to the County Council and are expected to provide higher returns over the medium term.
- 6.4. Security of capital has remained the County Council's main investment objective. This has been maintained by following the County Council's counterparty policy as set out in its Treasury Management Strategy Statement for 2018/19.
- 6.5. Counterparty credit quality was assessed and monitored with reference to credit ratings, for financial institutions analysis of funding structure and susceptibility to bail-in, credit default swap prices, financial statements, information on potential government support and reports in the quality financial press.
- 6.6. The County Council will also consider the use of secured investments products that provide collateral in the event that the counterparty cannot meet its obligations for repayment.
- 6.7. The County Council maintained a sufficient level of liquidity through the use of call accounts and money market funds. The County Council sought to optimise returns commensurate with its objectives of security and liquidity. The UK Bank Rate increased by 0.25% to 0.75% in August 2018 and short-term money market rates have remained at relatively low levels which has continued to have a significant impact on cash investment income.
- 6.8. The progression of credit risk and return metrics for the County Council's investments managed in-house (excluding external pooled funds) are shown in the extracts from Arlingclose's investment benchmarking in Table 5 overleaf:

Table 5: Investment Benchmarking (Investments Managed In-house)

	Credit Rating	Bail-in Exposure	WAM* (days)	Rate of Return
Hampshire performance:				
- 31/03/2018	AA	8%	735	1.36%
- 30/09/2018	AA	9%	810	1.41%
Similar Local Authorities	AA-	48%	1,026	1.00%
All Local Authorities	AA-	66%	37	0.55%

* Weighted average maturity

- 6.9. As part of the Investment Strategy the County Council agreed an amount targeted towards high yielding investments of £200m. Investments yielding higher returns will contribute additional income to the County Council, although some come with the risk that they may suffer falls in the value of the principal invested.
- 6.10. Of the £200m available £150m has been invested, and an additional £10m has been committed but not called.
- 6.11. The County Council's £115m portfolio of externally managed pooled multi-asset, equity and property funds generated an average total return of 7.81%, comprising a 4.79% income return which is used to support services in year, and 3.03% of capital growth. As these funds have no defined maturity date, but are available for withdrawal after a notice period, their performance and continued suitability in meeting the County Council's investment objectives are regularly reviewed.
- 6.12. The investments in pooled funds allow the County Council to diversify into asset classes other than cash without the need to own and manage the underlying investments. The funds, which are operated on a variable net asset value (NAV) basis, offer diversification of investment risk, coupled with the services of a professional fund manager; they also offer enhanced returns over the longer term but are more volatile in the short term. All of the County Council's pooled fund investments are in the respective fund's distributing share class which pay out the income generated. The County Council's intention is to hold them for at least the medium term.
- 6.13. MHCLG released a consultation on statutory overrides relating to the introduction of IFRS 9 Financial Instruments accounting standard from 2018/19. The consultation recognises that the requirement in IFRS 9 for certain investments to be accounted for a fair value through profit and loss may introduce "more income statement volatility" which may impact on budget calculations. The consultation proposes a time-limited statutory override and has sought views whether it should be applied only to pooled property funds. The County Council has responded to the consultation which closed on 30 September. The County Council's response stated that the County Council agrees that there should be a statutory override, but that it should not be time

limited, as the circumstances meaning an override is appropriate now will still apply in April 2021 and beyond. The statutory override should apply to all pooled investment funds, as the County Council sees no reason for the Government to incentivise property funds over other pooled funds. Good treasury risk management requires long-term investments to be diversified over a range of asset classes, and the government should support this by extending the proposed override to all types of collective investment scheme.

7. Non-Treasury Investments

- 7.1. The definition of investments in CIPFA’s revised Treasury Management Code now covers all the financial assets of the County Council as well as other non-financial assets which the County Council holds primarily for financial return. This is replicated in MHCLG’s Investment Guidance, in which the definition of investments is further broadened to also include all such assets held partially for financial return.
- 7.2. Although not classed as treasury management activities the County Council may also make loans and investments for service purposes, for example loans to Hampshire based businesses or the direct purchase of land or property. Such loans and investments will be subject to the County Council’s normal approval processes for revenue and capital expenditure and need not comply with the treasury management strategy. The County Council’s existing non-treasury investments are listed in Table 6 below:

Table 6: Non-Treasury Investments

	30/09/2018 Asset value £m	30/09/2018 Rate %
Loans to Hampshire Based Business	9.5	4.00
Total	9.5	4.00

8. Compliance Report

- 8.1. The County Council confirms compliance of all treasury management activities undertaken during the period with the CIPFA Code of Practice and the County Council’s approved TMS. Compliance with specific investment limits, as well as the authorised limit and operational boundary for external debt, are demonstrated in Tables 7 and 8 overleaf:

Table 7: Debt Limits

	2018/19 Maximum £m	30/09/2018 Actual £m	2018/19 Operational Boundary £m	2018/19 Authorised Limit £m	Complied
Borrowing	290	282	700	760	✓
Other Long-term Liabilities	164	164	170	210	✓
Total Debt	454	446	870	970	✓

Table 8: Investment Limits

	2018/19 Maximum	30/09/2018 Actual	2018/19 Limit	Complied
Any Single Organisation, except the UK Central Government	£30m	£30m	£70m	✓
Any Group of Organisations under the same ownership	£30m	£30m	£70m	✓
Any Group of Pooled Funds under the same management	£30m	£30m	£70m	✓
Registered Providers	£25m	£25m	£70m	✓
Money Market Funds	15%	2%	50%	✓

9. Treasury Management Indicators

9.1. The County Council measures and manages its exposures to treasury management risks using the following indicators.

Interest Rate Exposures

9.2. This indicator is set to control the County Council's exposure to interest rate risk. The upper limits on fixed and variable rate interest rate exposures, expressed as the amount of net principal borrowed will be:

Table 9 – Interest Rate Exposures

	30/09/2018 Actual	2018/19 Limit	Complied
Upper limit on fixed interest rate investment exposure	£119m	£375m	✓
Upper limit on variable interest rate investment exposure	£447m	£700m	✓
Upper limit on fixed interest rate borrowing exposure	£278m	£970m	✓
Upper limit on variable interest rate borrowing exposure	£3m	£970m	✓

- 9.3. Fixed rate investments and borrowings are those where the rate of interest is fixed for the whole financial year. Instruments that mature during the financial year are classed as variable rate.

Maturity Structure of Borrowing

- 9.4. This indicator is set to control the County Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of fixed rate borrowing will be:

Table 10 – Maturity Structure of Borrowing

	30/09/2018 Actual	Upper Limit	Lower Limit	Complied
Under 12 Months	0%	50%	0%	✓
12 Months and Within 24 Months	3%	50%	0%	✓
24 Months and Within 5 Years	11%	50%	0%	✓
5 Years and Within 10 Years	20%	75%	0%	✓
10 Years and Within 20 Years	55%	75%	0%	✓
20 Years and Within 30 Years	11%	75%	0%	✓
30 Years and Above	0%	100%	0%	✓

Principal Sums Invested for Periods Longer than 364 days

- 9.5. The purpose of this indicator is to control the County Council's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the total principal sum invested to final maturities beyond the period end will be:

Table 11 – Principal Sums Invested for Periods Longer than 364 days

	2018/19	2019/20	2020/21
Actual principal invested beyond year end	£304m	£231m	£206m
Limit on principal invested beyond year end	£375m	£300m	£300m
Complied	✓	✓	✓

CORPORATE OR LEGAL INFORMATION:**Links to the Strategic Plan**

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes/No
People in Hampshire live safe, healthy and independent lives:	Yes/No
People in Hampshire enjoy a rich and diverse environment:	Yes/No
People in Hampshire enjoy being part of strong, inclusive communities:	Yes/No

Other Significant Links

Links to previous Member decisions:	
<u>Title</u>	<u>Date</u>
Revenue Budget and Precept 2018/19 and Capital Programme 2018/19 – 2020/21 http://democracy.hants.gov.uk/ieDecisionDetails.aspx?AllId=6228	Cabinet – 5 February 2018 County Council – 22 February 2018

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

None

IMPACT ASSESSMENTS:

1. Equality Duty

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

Equalities objectives are not considered to be adversely affected by the proposals in this report.

2. Impact on Crime and Disorder:

2.1. This proposals in this report are not considered to have any direct impact on the prevention of crime.

3. Climate Change:

a) How does what is being proposed impact on our carbon footprint / energy consumption?

No specific impact.

b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

No specific impact.

HAMPSHIRE COUNTY COUNCIL

Decision Report

Committee:	Cabinet
Date:	5 November 2018
Title:	Annual Safeguarding Report – Children’s Services
Report From:	Director of Children’s Services

Contact name: Stuart Ashley

Tel: 01962 846370

Email: Stuart.ashley@hants.gov.uk

1 Recommendations

- 1.1 That Cabinet notes the positive progress and continued consistently high performance with regards to safeguarding children in Hampshire.
- 1.2 That Cabinet note the commitment of a wide range of Children’s Services officers in achieving this level of performance.
- 1.3 That Cabinet endorses the future direction of travel identified in this report.
- 1.4 That Cabinet receives further updates on safeguarding on an annual basis.

2 Executive Summary

- 2.1 The purpose of this report is to provide an annual update to Cabinet on safeguarding children activity within Children’s Services during the financial year 2017/18.
- 2.2 This report identifies key national developments, summarises performance and activity levels, and details a number of key local developments and future priorities.
- 2.3 The report provides assurance that whilst demand for children’s social care services continues to increase year on year, the response to the safeguarding of vulnerable children is both robust and timely. New and emerging risks to children are identified and addressed collaboratively with partners and the wider transformation of children’s social care will deliver a modern social work service fit for the future challenges over the next decade.

3 Background

- 3.1 Cabinet will recall that in 2014, Ofsted carried out an inspection of Hampshire Children’s Services’ safeguarding practice and associated arrangements for children in care and adoption services under their then new, explicitly tougher, Single Inspection Framework. The outcome of that inspection was that the local authority’s performance was assessed as

being 'good' with 'outstanding' leadership and management and adoption services. This report provides an update on national developments, local performance and activity data and ongoing challenges during 2017/18.

- 3.2 The outcome of the December 2016 Joint Targeted Area Inspection (JTAI) of the multi-agency response to abuse and neglect in Hampshire, was an exceptionally positive report, and although no graded judgements are given in such reports, it reads as one of the most positive JTAI feedback letters written nationally. There is recognition of the strong performance of the Children's Services in tackling the issue of domestic abuse and is also particularly positive in respect of the mature multi agency children's safeguarding partnership arrangements across Hampshire.
- 3.3 Inspectors found that the overall standard of practice by Hampshire's agencies in their response to domestic abuse is strong, and that strategic arrangements for responding to domestic abuse are robust and highly effective. Their view was that "all partners are dedicated to improve outcomes for all vulnerable children, including those experiencing domestic abuse." Hampshire Safeguarding Children Board (HSCB) was also praised as being "dynamic and forward thinking".
- 3.4 Inspectors highlighted that frontline social workers were knowledgeable about individual children and ensure that their needs are met at an appropriate level. Equally strong, is the way in which managers oversee and analyse the work of social workers - with Inspectors stating they had seen how this was improving outcomes for children.
- 3.5 A clear commitment to partnership working by HCC was acknowledged and the Inspectors reported that the "open style of leadership and innovation is creatively driven by the Director of Children's Services. Considerable support for this innovation is offered from both the Lead Member and the Chief Executive.' Feedback highlighted the impact of the Family Intervention Teams based on improving outcomes for children and families as well as citing this as "one of many examples where the strategic intention of the partnership has been successfully translated into practice."
- 3.6 Ofsted have now issued a new inspection framework, the Inspection of Local Authority Children's Services (ILACS). Under this new framework each local authority will be inspected annually, through either a full ILACS inspection, a focussed visit or a Joint Targeted Area Inspection. Hampshire can expect to have a full ILACS inspection given the last full inspection was 2014. Further detail on this can be found at paragraph 5.5.

4 National Developments

4.1 Child exploitation:

- 4.2 Following consultation, the government published in February 2017 a new definition of child sexual exploitation and non-statutory practice guidance for those working with children and families. The new definition is as follows:

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

- 4.3 Local priorities in response to the risks that children across Hampshire face in relation to child sexual exploitation are captured in the Hampshire Safeguarding Children Board (HSCB) child exploitation strategy and action plan, in summary these are:
- Understand and identify - strengthen the identification and assessment of children at risk
 - Prevention - raise awareness of missing, exploited and trafficked issues across agencies, children and their families and the wider Hampshire community.
 - Intervene and support - improve safeguarding of vulnerable children deemed to be at risk of exploitation and trafficking. Provide direct therapeutic support and access to specialist services.
 - Disrupt and bring to justice - lead in disrupting perpetrator behaviour and bringing those offenders to justice by building an accurate and clear picture of local trends and networks.
- 4.4 The child exploitation sub group is a multi agency group that reports to the HSCB on matters relating to the exploitation of children. Its original focus was children who go missing where they may be at risk of being trafficked, or being subject to other forms of exploitation. It has broadened its remit to look at all forms of exploitation regardless of whether a child is going missing or not. It continues to look at children who go missing and to ensure that proper steps are being taken to identify those children, and to understand why they have gone missing and what can be done to keep them safe.
- 4.5 The latest available data for children who go missing in Hampshire, be that from home or for those in care, shows a continued improving position. Fewer children are going missing and when they do, there is a robust and effective response from children's social care and Hampshire Constabulary. Each district team tracks and risk assesses their children who go missing to ensure appropriate safeguards are in place to prevent repeat occurrences. This is an important area of work and one that Ofsted give significant scrutiny to.
- 4.6 The child exploitation sub group is well attended by all statutory agencies and partners from the voluntary sector and considers how the exploitation of children can be identified and better understood, by professionals, parents/ carers and by children themselves. It considers how children can be supported to seek help and how adults who exploit children can be

identified and their activity disrupted. Examples of ways in which children can be exploited are: children being exploited for sexual purposes either on line or physically; children being used to entice other children to be exploited, children being trafficked for cheap/free labour, children being used to transport drugs or other goods (county lines); children being threatened for money (gang activity); children being bullied.

- 4.7 'County lines' remains an emerging concern for Hampshire Children's Services and all agencies concerned with children in the area. In essence, it is the supply of Class A drugs, predominantly from inner-city gangs to suburban areas, and targets rural and coastal towns as well as major cities, as part of widening the drug market. For Hampshire much of this activity is supported by good transport links and close proximity to London.
- 4.8 This activity involves child criminal exploitation as criminal gangs use children and vulnerable adults to move drugs and money. Gangs establish a local base or can send adults in to a local area, who actively recruit vulnerable children.
- 4.9 Whilst all agencies and professionals contribute to tackling this new form of exploitation, more specialist work is undertaken by the pan-Hampshire Police Missing team and the Hampshire Children's Services specialist Willow team. The Willow team is a multi agency team consisting of specialist social workers and health professionals, working closely with Hampshire Constabulary to protect the highest risk children. Together with Hampshire Constabulary there is a coordinated deployment of these specialist resources to identify networks, ensuring the safeguarding of the most vulnerable children and the disruption of county line activity.
- 4.10 Work has recently started to bring together the 4 pan-Hampshire child exploitation sub groups, in recognition of the fact that child exploitation is not limited by geographic boundaries and there is much to be gained by working as collaboratively as possible.
- 4.11 Unaccompanied Asylum Seeking Children (UASC):
- 4.12 There are three groups of asylum seeking children: those who enter the UK illegally, those who enter according to the DUBS¹ amendment and Syrian refugees who travel legally to the UK. These children become looked after children and are the responsibility of the Local Authority but the implications are wide reaching and complex. Health services and education are impacted as are Child and Adolescent Mental Health Services (CAMHS) as many of the children are traumatised. There are also issues around the availability and cost of translation services alongside a significant national shortage and lack of suitable placements for looked after children.

Hampshire UASC Arrivals

¹ <https://www.gov.uk/government/news/unaccompanied-asylum-seeking-children-to-be-resettled-from-europe>

	Apr-Jun 2016	Jul-Sep 2016	Oct-Dec 2016	Jan-Mar 2017	Apr-Jun 2017	Jul-Sept 2017	Oct-Dec 2017	Jan-Mar 2018
Quarterly Data	7	19	27	20	17	27	18	14

4.13 As at 31 March 2018 the total number of UASC (under 18 years) looked after by Hampshire is 149, up from 73 reported last year. Since July 2016, Hampshire has been accepting children through the South East National Dispersal Team. The transfers through this scheme and from the closure of the Calais camp account for the large increase in UASC from July 2016 onwards. The majority of the children are placed in independent fostering agency (IFA) placements and a significant number are placed outside of Hampshire, in order that we can better meet their cultural and individual needs. The age range is from 11 years old and the significant majority are males. They will need to be looked after by the local authority until they reach 18 years and will then have care leaver status with continuing support from the local authority until they are 25 years of age. Whilst the Home Office provide set funding for UASC, an Association of Directors of Children's Services report² evidenced that the funding only covers 50% of the actual costs to the local authority. It should also be noted that around 30% of UASC will not be given leave to remain in the UK and as such will have 'no recourse to public funds' requiring the local authority to entirely fund all of their living costs until they reach 25 years of age.

4.14 Working Together 2018

4.15 In October 2017, The Department for Education (DfE) began consultation on the new statutory guidance for safeguarding children, titled 'Working Together 2018'. The main proposed changes relate to the organisation and functioning of the local safeguarding arrangements between partners. Currently it is a requirement to have a Local Safeguarding Children Board (LSCB). In the proposed new arrangements it will not be mandatory, however, each local authority will be required to have formal arrangements in place. The responsibility for local partnerships will rest with the three safeguarding partners, the Local Authority, Police and the CCG for an area. The lead representative from each must play an active role. They can delegate their functions if felt appropriate.

4.16 The partners will need to agree how to coordinate their services, act as a strategic leadership group for others, and implement local and national learning from serious child safeguarding incidents.

4.17 The proposed new statutory framework will give local partners the freedom to decide how they operate to improve outcomes for children. The three key local partners, will be required to make and publish plans showing how

² http://adcs.org.uk/assets/documentation/ADCS_UASC_Report_Final_FOR_PUBLICATION.pdf

they will work together to safeguard and promote the welfare of children in the local area. However, if the three partners see the current arrangements as the most effective form of joint working they will be able to continue them. There can be consideration to having wider partnership arrangements, such as pan-Hampshire. Work is being undertaken on developing the new arrangements in Hampshire.

5 Performance and Activity levels

5.1 Workloads, as evidenced in contacts, referrals and safeguarding activity, continue to be high with 10,542 cases open to Children’s Social Care at the time of writing this report. The table below sets out the trends over the last four years including the source of referrals received via Hantsdirect.

5.2 Contacts and Referrals

Contact and Referrals	2013-14		2014-15		2015-16		2016-17		2017-18	
	Denom	Value	Denom	Value	Denom	Value	Denom	Value	Denom	Value
Number of initial contacts	N/A	68789		71591		77934		87235		106010
Number of CIN referrals	N/A	16217		16749		16666		19435		16596
Referral source: Individual	1809	11.2%	1834	10.9%	1835	11.0%	2165	11.1%	1908	11.5%
Education	3038	18.7%	3633	21.7%	4149	24.9%	4559	23.5%	3862	23.3%
Health Services	2225	13.7%	2312	13.8%	2148	12.9%	2603	13.4%	2251	13.6%
Housing	0	0.0%	277	1.7%	277	1.7%	233	1.2%	174	1.0%
Local Authority Services	1816	11.2%	1447	8.6%	1596	9.6%	1606	8.3%	1704	10.3%
Police	4719	29.1%	4745	28.3%	4346	26.1%	5360	27.6%	4265	25.7%
Other legal agency	527	3.3%	496	3.0%	370	2.2%	447	2.3%	388	2.3%
Other	1194	7.4%	1364	8.1%	1255	7.5%	1765	9.1%	1194	7.2%
Anonymous	364	2.2%	419	2.5%	400	2.4%	478	2.5%	384	2.3%
Unknown	290	1.8%	222	1.3%	290	1.7%	219	1.0%	466	2.8%
Not recorded	230	1.4%	0	0.0%	0	0.0%	0	0%	0	0.0%

5.3 The total number of contacts as at 31 March 2018 (106,010) is 22% higher than the total received at 31 March 2017 (87,235) which was 11.9% higher than the total received as at 31 March 2016. This is indicative of the continuing pressures across the child protection system which is being seen nationally. Police remain the highest referrer (25.7%) followed by education (23.4%) and then health services (13.6%). This trend has remained consistent over the last three years. National benchmarking

highlights that the referral rate from schools in Hampshire are comparable with the south east region.

5.4 Section 47 and Assessments

Section 47 and Assessments	2013-14		2014-15		2015-16		2016-17		2017-18	
	% of S47 going to ICPC	2755	53.5%	4623	45.7%	4182	44.9%	4,211	43.7%	3926
Initial Assessments Timeliness	8689	68.1%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Core Assessments Timeliness	4714	66.6%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
C&FA Timeliness	5849	91.4%	17096	79.4%	16931	88.3%	19841	89.6%	18496	87.9%
Assessments Total	19252	74.8%	17096	79.4%	16931	88.3%	19841	89.6%	18496	87.9%

5.5 With regards to assessments, as can be seen in the table above, the percentage of child abuse investigations (section 47 investigations) which progress to an initial child protection conference has remained at around the same level compared to previous years. This continues to reinforce the fact that thresholds are being consistently applied by social workers and has been the picture locally for the last three years strengthened by the introduction of MASH.

5.6 The timeliness of completing a Child and Family Assessment (C&FA) since their introduction in 2014-15, is a positive picture given the large number of assessments undertaken over the last year. This has remained in the high 80s for the last three years.

5.7 Child Protection Plans (CPP)

Child Protection Plans (CPP) and visits	2013-14		2014-15		2015-16		2016-17		2017-18	
	No of children on CPP	N/A	1111		1354		1441		1263	
New CPP in the Year %: Neglect	656	49.0%	1043	56.7%	1005	60.1%	977	61.8%	1080	70.4%
Physical	289	21.6%	280	15.2%	219	13.1%	123	7.8%	122	7.9%
Sexual	66	4.9%	101	5.5%	122	7.3%	124	7.8%	65	4.2%
Emotions	329	24.6%	414	22.5%	326	19.5%	358	22.6%	268	17.5%
New CPP in Year Rate Per 10,000 : Neglect		20.7	1043	37.0	1005	35.7	977	34.7	1808	38.4
Physical		8.2	280	9.9	219	7.8	123	4.4	122	4.3
Sexual		1.9	101	3.6	122	4.3	124	4.4	65	2.3
Emotional		8.7	414	14.7	326	11.6	358	12.6%	268	9.5
CPPs ending	36	3.2%	43	2.7%	65	4.1%	86	4.9%	108	7.2%

Child Protection Plans (CPP) and visits after 2 or more years	2013-14		2014-15		2015-16		2016-17		2017-18	
Current CPs lasting 2 or more years	20	1.8%	26	1.9%	20	1.4%	27	2.1%	28	2.2%
Children requiring a repeat CPP	233	17.4%	300	16.3%	336	20.1%	384	24.3%	352	23.0%
Children requiring a repeat CPP within 2 yrs	133	10.0%	144	7.8%	165	9.9%	227	14.3%	195	12.7%
Visits made in accordance with CPP - 14 days	2093	84.4%	2515	81.2%	3131	86.8%	3258	89.7%	3160	86.0%

5.8 As detailed above, work within the child protection planning process remains robust with numbers showing a slight decline as of the end of March 2017, and steady in March 2018 at 1293. There has been a percentage rise in the number of children subject to a plan for neglect (although a word of caution in that categorisation between neglect and emotional abuse can be variable). HSCB launched its Neglect Strategy in October 2016 and this continues to help professionals better identify neglect. The accompanying toolkit and resources developed for frontline staff assists in identifying the right interventions and support in place for children and families to ensure sustainable change can be achieved.

5.9 A low percentage of child protection plans are lasting beyond two years (which is good as it indicates proactive work) and relatively few require a repeat plan within two years. The number of timely visits made within the required dates remains a significant strength of the service.

5.10 Full Time Children Looked After (CLA)

Full Time Children Looked After (CLA)	2013-14		2014-15		2015-16		2016-17		2017-18	
No of full time CLA		1267		1339		1305		1440		1592

	Oct-Dec 16	Jan-March 17	April-June 2017	Jul-Sep 2017	Oct-Dec 2017	Jan-Mar 2018
Entering full time care	169	152	156	168	152	146
Leaving full time care	136	117	121	110	136	123
Net increase	33	35	35	58	16	23
Of those new into care children PwP	6	26	33	21	29	39
Of those new UASC	27	20	13	27	18	14

- 5.11 With regards to children in care, the number has increased by 152 (10.5%) over the last 12 months, which is impacting significantly on the financial challenges the Council is facing and the capacity of the service. The rise in the number of new UASC (72) has contributed to the overall rise in children becoming looked after by Hampshire and if those numbers are removed, then the actual increase of new children in care for 2017/18 is 80, or 5.5%. This is in line with the national average increase. It should be noted that there is of course significant churn throughout the year of the children in care population. Additionally, changes in court practices are ensuring that more children are placed at home whilst on a Care Order (and thus 'in care') whilst previously such children would probably have remained the subject of support in the community without entering the court (and care) arena. This is primarily due to a complex set of changes relating to the 'Public Law Outline'. The table above shows the quarterly rise in numbers of children being placed with parents by the courts.
- 5.12 Nationally the picture of demand continues to outstrip the supply of placements for children in care, and the costs of placements are still rising significantly. The increasing complexity of these children coming into the care system has meant additional costs associated with their placements. As above, demand for placements outstrips supply and this is particularly the case with the most complex and troubled teenagers, who frequently require more intensive residential placements. The costs of those placements continue to rise year on year. Significant work is carried out by our Placement Commissioning team (such as working through framework contracts and contract specification) to ensure that Hampshire achieves the best value that it can in what is an 'overheated' market.

6 Local Developments

6.1 MASH:

- 6.2 The Multi Agency Safeguarding Hub (MASH) is now fully embedded since it became operational in 2014. It operates alongside existing services provided by Hantsdirect and the children's reception team (CRT). CRT screen incoming contacts to Children's Services. MASH provides multi-agency assessment and triaging of all children's safeguarding concerns at the point of referral, protecting vulnerable children from harm, neglect and abuse. CRT was managing in excess of 7,000 contacts per month (highest month 9,730 in July) and in total received 106,010 over the last 12 month period (1 April 2017 to 31 March 2018).
- 6.3 Referrals meeting the threshold for statutory intervention from children's social care are transferred into the MASH for a multi agency decision regarding the level and type of intervention required. MASH includes Children's Services, Hampshire Constabulary and Southern Health with virtual partners including Hampshire Probation, Hampshire Fire and Rescue Service, Southern Central Ambulance Service and district councils.

- 6.4 Referrals that do not meet the threshold for a statutory service are transferred into the Family Support Service. Increases in referrals progressing to a children's social care assessment are attributable to the good information sharing within MASH and the improved quality of referrals following a review of the Inter Agency Referral Form.
- 6.5 Child Assessment and Safeguarding Teams (CAST)
- 6.6 Hampshire Children's Services has been exploring ways in which to provide a more efficient service, manage demand from the front door and most importantly, reduce transition points for families. From 6 February 2017, Basingstoke district piloted a new structure which integrated our traditional Referral and Assessment team and Children in Need teams into Children's Assessment and Safeguarding Teams (CAST). The 4 district CAST teams rotate over a 4 week period, receiving incoming work from the MASH. A report went to the children and families senior management team in June 2017 which outlined the positives of the change which included:
- Reduced transition points and greater continuity for children, families and partner organisations
 - All CAST team members are skilled across a range of casework and able to enjoy a more diverse role
 - A reduction in caseloads was evident
 - The plans for children and families are more robust and social workers have a greater ownership of casework.
 - Assistant Team Managers have greater capacity to support line-management of staff (including social workers)
 - Reduced duplication of work
- 6.7 A decision was made given the success of the Basingstoke pilot to roll out CAST teams across the county. The work towards the CAST structure also forms part of the Partners in Practice redesign work (see paragraph 4.22) to create multi-agency hubs where CAST social workers are able to call on and utilise the input of other specialist workers to support families.
- 6.8 The CAST rollout has been carefully planned with the infrastructure, staff mix and training, carefully implemented in the run up to each district roll out which was achieved in January and February 2018.
- 6.9 Family Support Service (FSS):
- 6.10 This integrated service brings together the work of children's centres and the Early Help Hubs, including youth support services, into a single service. The service commenced in December 2016 and supports vulnerable families with children aged 0-19 years (or up to age 25 for young adults with learning difficulties and/or disabilities). It is also more closely aligned with the Supporting Troubled Families Programme. Help and support is targeted specifically to vulnerable families with children who have multiple needs, often requiring the involvement of more than one agency, but who

do not meet the criteria for statutory, children's social care intervention. Tailor-made support is provided at a local level, in order to respond to the needs of local families. With one point of contact, families no longer need to go to different early help services. A total of 3,462 children were open to the FSS as at the end of March 2018 which is an increase on the numbers previously supported at this level under the previous system.

6.11 Recruitment and Retention:

6.12 A key issue continues to be the recruitment and retention of social workers. Nationally vacancy rates are now at around 20% of all posts and, at times, there have been similar rates in Hampshire.

6.13 In part this has been due to aggressive recruitment tactics by agencies which have played on the insecurity in social work posts brought about by critical Ofsted judgements (sometimes in neighbouring authorities) or national reports. Social workers report being offered very high hourly rates to switch to an agency and to then work in a neighbouring authority. The recruitment and retention strategy implemented by the department is beginning to address these issues and create a more stable workforce in Hampshire.

6.14 As part of the strategic response to the aggressive tactics of agencies, Hampshire County Council has now established its own agency in partnership with Kent. The 'Hampshire Agency' will source and supply social workers (and a range of other staff for the council) with a view to those social workers becoming permanent employees over time.

6.15 A Memorandum of Co-operation (MoC) agreed by the South East Regional Assistant Directors meeting came into place over 18 months ago. This is slowly shifting the price and command of the agency market away from private agencies towards local authorities. Pay rates for agency social workers are agreed, based on London rates, although in Hampshire we are yet to see any reduction in agency social workers usage.

6.16 We have seen a continued steady rise in demand across social work services in line with the national picture, which was increasing the caseloads of our social workers. The Council's investment of £6.5m in over 100 new social work posts recognised that to deliver effective sustained change in vulnerable families, social workers require greater time to deliver meaningful interventions, therefore requiring greater capacity. This investment will, in the longer term, keep more children at home where it is safe and appropriate to do so, and reduce the number of children the service is working with. This in turn should see a reduction in spend on children in care placement costs as referred to earlier.

6.17 As part of the drive to increase the recruitment and retention of social workers, in February 2018, Children's Services entered into a strategic 'attraction resourcing and retention' partnership with Community Care. This includes the following; attendance at Community Care Live events in Manchester in April and London as the Supported Learning Sponsor; dedicated campaign management and analysis; Social Work Retention Risk Tool developed in partnership with the University of West England;

Employer Zone articles promoting Hampshire Children's Services and increasing awareness of employment benefits; unlimited advertising through Community Care social media reach, website and targeted emails against their talent bank.

- 6.18 A substantially enhanced programme of recruitment activities was developed for 2018 and is now fully underway. This is based upon a continuous approach to recruitment which is open to applications at all times.
- 6.19 There is proactive promotion of our Graduate Entry Training Scheme to current university students, including direct attendance at student events seeking to recruit 3rd year students subject to graduation. For the last 18 months Hampshire has been developing the social work Graduate Entry Trainee Scheme (GETS), which is fundamentally changing our recruitment and retention approach. Hampshire has been more able to recruit newly qualified social workers (NQSWs), and recognises the need for them to be fully prepared for a career in social work. The nine month GETS works on the basis that each cohort recruited, receives intensive support within a protected environment. Increased management oversight and supervision provides a gradual introduction to the social work role and embeds the expectations and high quality standards of Hampshire. This provides more resilient social workers better able to deal with the challenges of front line practice. The first two cohorts of Graduate Trainees (GTs), 19 and 17 NQSWs respectively, joined Hampshire in August 2017, with further cohorts in place for January, February, May, August and October 2018; five further cohorts will join in 2019. There is understandably a time-lag of six months between GTs joining the department for their induction and then moving into their substantive post; in 2018 we anticipate approximately 70 GTs joining substantive posts with over 100 expected to take up post in 2019.
- 6.20 There is good involvement with the Step up to Social Work programme and the current Step Up to Social Work cohort started in mid January 2018. There are 6 students in Hampshire who will qualify in April 2019.
- 6.21 There is a review of the selection and appointment process to support continuous receipt and processing of applications throughout 2018, without periods of closure to applications. Additionally, conversion of existing agency staff to HCC employment through District Manager led discussions and interventions. .
- 6.22 Strengthening Troubled Families Programme (STFP):
- 6.23 In September 2017, the Hampshire Supporting Troubled Families Programme was renamed the 'Supporting Families Programme'. In 2017/18 Hampshire identified/engaged 1113 families. Whilst this was the highest yearly figure to date it was 300 short of the increased Government target (1413), adding to the shortfall from 2016/17 (171). As a result Hampshire has submitted a plan to the Ministry of Housing, Communities and Local Government (MHCLG), outlining how Hampshire will make up the shortfall over the last two years of the programme. In 2018/19 the

Hampshire target for identifying/engaging families is 1250 families. The Recovery Plan also includes measures to increase the proportion of reward claims accepted by MHCLG. Hampshire currently has a 15.6% (499 claims) success rate against its own projection of 30%. In December 2017 MHCLG refreshed the Financial Framework so Hampshire's Troubled Families Outcome Plan (TFOP) has been updated and came into effect from 1/4/18. The Supporting Families Programme Strategic Lead has now been given the lead for Early Help within Hampshire Children's Services and as such will be meeting each month with Family Support Service Managers who chair the Early Help Hubs across Hampshire, whom are a significant source of family nominations to SFP.

6.24 In March 2018 Solent University, the independent academic evaluators of phase 2 of the programme, delivered their interim report which stated; 'There has been sustained progress since the Portsmouth evaluation in 2015 as systems and relationships have matured. This has resulted in improved approaches to, and greater confidence in, whole family working.' The final Solent evaluation report is due in early 2019 and will focus on the experience of families. It is understood the Government's funding of the programme will cease at the end of 2019/20.

6.25 Transforming Social Care in Hampshire – Partners in Practice programme

Hampshire is one of only a small number of good /outstanding local authorities chosen by the Department for Education to innovate and test new ways of delivering social work to vulnerable children and families. This is a radical whole system change and Hampshire Children's Services' vision is to build a new service around five key principles:

- A family service - a system focusing on improving outcomes for the child in the context of their family
- A social work led, integrated, multi-disciplinary service, from the front door through to specialist services
- Social workers supported to deliver meaningful interventions based on an underpinning methodology of resilience that creates lasting change
- A service where good practice is free to flourish unfettered by bureaucracy and unnecessary regulatory demands
- Children are supported by and within their own family/community wherever possible. Where children do come into care longer term their experience will be life changing for the better.

6.26 To do so, we are focusing on three key areas:

6.27 *1) Family focused and evidence based practice*

6.28 We are developing the 'Hampshire Approach', a resilience, strengths based way of working with families grounded on academic research by the University of Winchester. The Hampshire Approach will provide a strengths based platform and structure for staff to work with families to identify their strengths and to find solutions to the challenges they face.

- 6.29 In support of the ‘Hampshire Approach’, we have developed an online toolkit that provides the tools and resources staff need to work with children and families to enable the best possible outcomes. We want to lead the way, across the country, in adopting an evidence based model of practice. The way that we intervene will reflect the best available research, and the ‘Hampshire Approach’ will incorporate a continuous feedback loop so we continue to build our own knowledge and research of what works best in which situations.
- 6.30 *2) Dynamic and sustainable multi-disciplinary service*
- 6.31 To ensure we are able to put the right support around the family, and do so in a way that is sustainable in the long term, we are creating a multi-disciplinary service that makes the best use of the collective resources available for children and their families.
- 6.32 To achieve this, we have needed to work closely with those that commission or provide other services to build a shared, joint understanding of how we can collectively work for children and families in Hampshire. As a result of our programme, we will have a sustainable multi-disciplinary service with buy-in and support from across agencies and no reliance on short term funding from the DfE.
- 6.33 *3) Graduate Entry Training Scheme (GETS)*
- 6.34 As in paragraph 4.18 this will create a steady intake of newly qualified social workers that have been effectively supported in their transition from education to social work, positioning them to have long careers in Hampshire.
- 6.35 Youth Offending Service:
- 6.36 Hampshire Youth Offending Service (YOS) aims to prevent offending and reoffending by children and young people aged 10 -17 years. This aim involves significant criminal justice statutory functions which include the assessment and supervision of children and young people subject to out of court disposals, court orders, custodial sentences and bail and remand. YOS also has statutory duties to co-operate under the Multi Agency Public Protection Arrangement framework (MAPPA), and a duty under the 2004 Children Act to promote the welfare and safeguarding of children and young people. Hampshire YOS is geographically represented across the county in four teams in addition to the ‘prevention arm’ of youth crime prevention being present in all districts. Hampshire YOS staff and service, the three Youth Courts in the county in addition to the Crown Court sitting in various locations. Alongside this they work with children in custody from Hampshire accommodated across England and Wales. The YOT, alongside Children’s Services, continues to identify young people who can benefit from Hampshire’s innovate ‘Wessex Dance Academy’. This is a partnership with the Hampshire Cultural Trust which uses the medium of contemporary dance to achieve sustained positive change in the lives of particularly vulnerable young people. The programme has been running for almost ten years now with many young people having benefited from the programme with evidenced improvements in offending rates, school/college

attendance and a range of social and emotional benefits for the young people.

- 6.37 At any one time, Hampshire YOS is working with 250-300 children and young people across the county; during 2017/18 they worked on 1,002 interventions with 755 young people. Furthermore, the Youth Crime Prevention Team worked on 511 interventions with 481 children and is working with around 170-200 at any one time. In addition, Hampshire YOS works with both the victims and the parents of those children and young people. All victims of youth crime are contacted by specialist trained Restorative Justice staff within the YOS and offered the opportunity to participate in a restorative intervention if they wish. Hampshire YOS was awarded the Restorative Services Quality Mark by the Restorative Justice Council in April 2016. In 2017 the Hampshire YOS has been commended by the Youth Justice Board for its positive progress in reducing first time entrants to the criminal justice system, with Hampshire's performance being described as 'exceptional'. Hampshire YOS has recently been inspected by HMI Probation in a report that assessed the service as being 'good'.
- 6.38 Sector Led Improvement:
- 6.39 Hampshire County Council has been working with the Department for Education to develop sector led improvement in children's social care. Going forward it is likely that this will have a more regional component, however, in the last year Hampshire has been supporting the improvement of Torbay Children's Services following their Ofsted inadequate judgement in November 2015. Hampshire's Chief Executive, has taken on the formal role of 'Commissioner' with Hampshire Children's Services senior managers acting as 'expert advisers' for the service. This means Hampshire has a responsibility for supporting and directing Torbay's improvement journey. The agreement between the Department for Education and HCC was extended until the end of the year.
- 6.40 This is not the same role as HCC have with the Isle of Wight Children's Services, where a partnership has been established whereby HCC lead and manage those services. In the case of Torbay, HCC is not as intensively involved with staff and providing management time as it is with the Isle of Wight Children's Services. Senior managers and frontline practitioners have been providing support, challenge and direction on-site and remotely over the 2017/18 year. This has included the short term secondment of an Area Director from Hampshire to work alongside Torbay's Director of Children's Services for six months to bring about the pace of change expected from the Department for Education as set out in the 'Government Direction' issued after the inadequate judgement.
- 6.41 The Isle of Wight has continued to make positive improvements and in a pilot Ofsted focussed visit in summer 2017, the feedback reflected our own positive assessment of the improvements made across the service. For the purposes of governance in Hampshire members can be assured that, even with the work of the Director of Children's Services and some of his senior managers in the above two authorities, there is no detriment to the

oversight and management of Hampshire Children's Services. As with all work undertaken in other authorities, there is always positive learning gained to further improve services in Hampshire.

7 Future Challenges and Operational Priorities

- 7.1 The future challenges and priorities can be summarised as follows (this is not an exhaustive list and the history of this type of work is that new priorities will emerge such as child exploitation and domestic abuse have done).
- 7.2 The number of children entering the care system remains a challenge, as do the cost of their placements. It is essential that the transformation work as described in paragraph 4.24 and the new operating model become fully embedded to keep more children at home, where it is safe and appropriate to do so. Transforming children's social care will deliver a modern social work service fit for the future challenges over the next decade
- 7.3 Child exploitation continues to be an increasing area of work, particularly the emerging 'county lines' issues. Although Hampshire is well placed to meet these challenges, it is important that we remain vigilant and responsive, working in tandem with partners to protect children.
- 7.4 The recruitment and retention of social workers will continue to need to be addressed. Nationally vacancy rates are now at around 20% of all posts and, at times, there have been similar rates in Hampshire, although in the main we have less churn than other authorities in the region. As above in paragraph 4.11, there is significant work underway to both recruit and retain social workers.
- 7.5 Ofsted's new framework began in January 2018. Local authorities that are not judged inadequate will fall within this new framework which allows for standard and short inspections. Authorities that are Requires Improvement, for example the Isle of Wight, will receive a standard inspection which will involve one week pre-inspection and then two weeks on site. Local authorities that are good or outstanding will receive short inspections which will involve one week on site. Indications are that although shorter that the volume of work remains as intense. In addition to these, between the three yearly inspections Ofsted will aim to visit local authorities on an annual basis to conduct JTAs or focussed visits which will take two days and will explore in detail a particular theme. Prior to inspections Ofsted will hold an annual conversation with the Director of Children's Services and will expect advance sight of a self assessment of children's social care.
- 7.6 Tactical changes have been made to the current social care IT system to ensure that the system continues to be fit for purpose. A new system will be implemented through procurement during 2018. The new system must allow social workers to work in a modern technological environment, which will free up their capacity and reduce administration. The new system is expected to be in place in 2020.

- 7.7 A further priority will be continuing to develop capacity and sustain improvement in the Isle of Wight and develop options for future arrangements beyond the end of the partnership agreement in 2018.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	yes
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	no
Corporate Improvement plan link number (if appropriate):	

Other Significant Links

Links to previous Member decisions:	
<u>Title</u>	<u>Date</u>
Direct links to specific legislation or Government Directives	
<u>Title</u>	<u>Date</u>

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

8. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;

Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;

Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;

Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

9. Equalities Impact Assessment:

This report is for Cabinet to note Hampshire County Council's progress and performance with regards to safeguarding vulnerable children. As such it creates no disadvantage or inequality and the activity described serves to reduce inequality for some of the county's most vulnerable children

10. Impact on Crime and Disorder:

The report is for Cabinet to note and so does not create any impact on crime and disorder although the activity described herein serves to reduce the impact of crime on the most vulnerable children.

11. Climate Change:

How does what is being proposed impact on our carbon footprint / energy consumption?

How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

It is not anticipated that this decision will have any impact on Climate Change.

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Cabinet
Date:	5 November 2018
Title:	Adult Safeguarding
Report From:	Director of Adults' Health & Care

Contact name: Jo Lappin, Interim Assistant Director, Older People & Physical Disability

Tel: 01962 847971

Email: Jo.lappin@hants.gov.uk

1. Recommendations

- 1.1 That Cabinet receives this annual update report and notes the activity and progress within the area of adult safeguarding.
- 1.2 That Cabinet note the developments and risks in relation to the remit of our local authority statutory duty to safeguard and keep vulnerable adults safe.
- 1.3 That Cabinet note the contribution of the Hampshire Safeguarding Adults Board in leading the development of policy across the four local authority areas of Hampshire, Portsmouth, Southampton and the Isle of Wight.
- 1.4 That Cabinet receive a further update on adult safeguarding in 12 months time.

2. Executive summary

- 2.1. Adult safeguarding is a core duty of every local authority and the term is used to describe a broad range of activities and responsibilities undertaken to protect adults who may be vulnerable to a range of behaviours which could directly impact upon their wellbeing. This report provides an overview of developments and actions undertaken by Adults' Health and Care, the County Council and a range of partners in protecting the wellbeing of vulnerable adults in Hampshire.
- 2.2. Notable issues include the lead role the Hampshire Safeguarding Adults Board (HSAB) continues to take in leading the Inter Authority work across the wider Hampshire and Isle of Wight area. Work undertaken includes the development of responses to increasing awareness and the responses to adults who may be at risk of radicalisation and the positive work undertaken to support people with limited or no capacity to manage key decisions relating to

their finances and property. Particular risks have previously been identified to Cabinet with regard to this latter area (Deprivation of Liberty Safeguards (DoLS)), and key issues are highlighted in more detail in this report. There are numerous positive elements of the adult safeguarding function that are identified including Hampshire County Council's work with partners, such as the continued development of the Multi-Agency Safeguarding Hub (MASH), responses to emerging forms of abuse and increased activity through traded opportunities in the Client Affairs Service (CAS).

- 2.3. This report provides Cabinet with a detailed insight into the activities undertaken to keep vulnerable adults across Hampshire safe and to identify priorities over the coming year.

3. Context

- 3.1. The statutory responsibilities for local authorities, Police and the NHS brought about by the Care Act 2014 has brought a change of emphasis and an enhanced focus on wellbeing, prevention and early intervention. The obligations now cover a wide range of activities and actions taken by a large number of individuals and organisations responsible for preventing, detecting, reporting and responding to the abuse of adults at risk. In a sense, the Care Act 2014 has therefore broadened the scope of adult safeguarding to include all activity designed to prevent harm from occurring, alongside our responsive duties following allegations of abuse or neglect.

- 3.2 For Adults' Health and Care much of the activity has focused on continuing to implement changes brought about by the Care Act 2014 and maintaining high levels of operational performance in this area. This has included refocusing internal resources to address our PREVENT duties and responsibilities.

4. Hampshire Safeguarding Adults Board (HSAB)

- 4.1 The Hampshire Safeguarding Adults Board is a well established strategic Board whose membership includes all multi-agency partners. A new Independent Chair, Robert Templeton, took up post in January 2018. Mr Templeton is active in both local and national adult services / adult safeguarding networks. This is having a positive and beneficial impact by ensuring local arrangements across the wider Hampshire and Isle of Wight geography are wholly consistent with one another and that the Board is ensuring best practice against the national benchmark.

- 4.2 The policy framework for adult safeguarding is shared between the four local authority areas in Hampshire and the Isle of Wight. The Hampshire Safeguarding Adults Board continues to lead the policy development work on behalf of the other 3 Pan Hampshire local authorities. The policy, guidance and toolkit are ratified by the 4 Boards and this enables partner organisations such as the Police, Hampshire Fire and Rescue Service and NHS Trusts who work across local authority areas to benefit from a consistent approach. It is recognised that for some organisations the obligation to a high number of

separate safeguarding boards and sub groups is challenging and may not be sustainable.

4.3 A key focus for the HSAB has therefore, been to identify opportunities for increased joint working and coordination across Hampshire's wider strategic partnership. The Board has therefore, undertaken joint work with neighbouring local safeguarding adult boards to introduce two new Pan Hampshire work groups addressing areas of common interest. This approach has enabled HSAB not only reduce duplication but has also led to greater effectiveness and impact in a number of important areas including:

- Availability of consistent multi-agency policy and guidance.
- Sharing of expertise and best practice.
- Improved delivery of training and development.
- Wider application of learning from serious cases.
- Better use of time and resources for respective Boards and their partners.

4.4 HSAB has also been working in collaboration with the Hampshire Children's Safeguarding Board to promote the 'Think Family' theme across respective Board activities. This has resulted in the development of a Whole Family Protocol outlining a set of principles including a commitment to joint training, awareness raising within respective workforces, development of joint policies and guidance, awareness of the Mental Capacity Act 2015 and shared Learning into Practice activities. It is anticipated that this protocol will be formally launched at the joint 'Think Family' conference being held in January 2019.

4.5 Under the Care Act 2014, local safeguarding adults boards have a statutory duty to carry out a Safeguarding Adults Review (SAR) when an adult with care and support in its area dies and the Board knows or suspects the death was as a result of abuse or neglect and there is concern about how the HSAB, its members or organisations worked together to safeguard the adult. The purpose of the SAR is to establish whether there are any lessons to be learnt from the circumstances of a particular case and the way in which local professionals and agencies worked together to safeguard the adult at risk. The SAR brings together and analyses findings from investigations carried out by individual agencies involved in the case, in order to make recommendations for improving future practice where this is necessary.

4.6 In December 2016, HSAB commissioned a SAR to review the circumstances of Mr C's case to draw out specific learning relating to his support, care and treatment. As part of the SAR process, a multi-agency reflective workshop was held with the practitioners and operational managers involved in Mr C's care and support. This event focussed on Mr C's journey through the system and enabled reflection and shared learning in order to identify opportunities for improved working within and between agencies in the future.

4.7 Mr C was the third case since 2012 which involved the death of an adult with a learning disability highlighting concerns about the way deteriorating physical

health needs of people with complex needs and behaviours are managed (Mr A 2012 and Ms B 2015). HSAB commissioned an independent thematic review and analysis of the issues and root causes across the three cases. The Thematic Review identified that there has been considerable improvement since the first of the three SARs and therefore there should be recognition of this.

4.8 The review highlighted however, that more still needs to be done to improve the experiences of those people with a learning disability who require admission to an acute hospital for diagnosis, care and/or treatment. People with learning disability often have a range of family, carers and health and social care professionals involved in their care. This makes coordination of that care when there is a change, especially complex for people for whom change can be particularly difficult. HSAB has developed a multi-agency action plan to respond to the following common issues identified across all three cases which it will be progressing with partners over the coming year:

- Understanding and application of the Mental Capacity Act.
- Access to advocacy.
- Management of transitions in placements and to and from acute hospital care.
- Involving family in treatment decisions.
- Availability and access to the Learning Disability Liaison Nursing Service.
- Use of the Hospital passport.
- Effective hospital discharge planning.
- Continued use of the Care Programme Approach during hospital admission.
- Escalation and challenge

4.9 HSAB has produced its annual report for 2017/18 outlining the progress achieved against the priorities published in its strategic plan. These priorities focus on the themes of awareness and engagement; prevention and early intervention; workforce development; quality assurance; learning and review and service user involvement including Making Safeguarding Personal. The annual report highlights the key themes the Board will be focusing on over the coming year under the strategic priorities described above as well as a continued focus on joint working and coordination. The report was ratified at the September Board meeting.

5 PREVENT

5.1 The Counter Terrorism and Security Act 2015 created a statutory duty to have due regard to the need to prevent people being drawn into terrorism. This duty applies to all public bodies (local authorities, police, NHS, schools, further and higher education providers, probation, prisons and youth offending services). The duty also applies to private providers supplying public functions for example, in the education sector. Previously, the lead responsibility for

PREVENT lay with the police, however, local authorities now have the lead as PREVENT interventions are focused in the 'pre criminal space'.

- 5.2 Hampshire has an established PREVENT Partnership Board whose role is to provide a consistent and co-ordinated response. This is achieved through oversight of PREVENT activities across the area and ensuring PREVENT is addressed, as appropriate, in strategic plans and strategies.
- 5.3 The Hampshire PREVENT Partnership Board brings together agencies who provide services across Hampshire to share guidance, strategic work and improve co-ordination, however, in terms of governance the three neighbouring local authorities have their own delivery arrangements.
- 5.4 The Board has agreed a PREVENT Strategy and Action Plan which is monitored by the Board. The Board has launched a website providing access to a wide range of national and local multi-agency guidance.
- 5.5 Following the Home Office led peer review of the County Council's arrangements for PREVENT which took place in July 2017 a number of key developments have been implemented. These include the introduction of the County Strategy Group (CSG) and the creation of the Community Engagement Forum for Hampshire (CEFH).
- 5.6 Established under the Crime and Disorder Act 1998, the purpose of the CSG group is to provide strategic leadership and strategic direction for a range of community safety themes. The CSG is responsible for undertaking a strategic assessment of community Safety for the Hampshire County Council area and for the development of a County Agreement which sets out how partnership activity will be co-ordinated to address the priorities in the assessment, including effective working at the county and local levels. The focus of the CSG is on gaining assurance that the necessary work to address the priorities in the County Agreement is being coordinated effectively. Whilst there is no statutory accountability for performance to the CSG, the importance of evaluating the effectiveness of the co-ordination arrangements in addressing priorities and in agreeing any areas for development is reflected in the terms of reference. The work of the CSG will be included in the Council's wider scrutiny and governance arrangements reporting to relevant council committees as appropriate.
- 5.7 Since September 2017 work has been undertaken, using the principles of co-production, to establish a standing Community Engagement Forum for Hampshire (CEFH) emerging originally from the positive engagement of communities of interest in the PREVENT agenda positively recognised by a peer review of PREVENT carried out in 2016 with recommendations for further sustained development. In order to ensure the Forum is developed on firm foundations, a small advisory steering group has been established involving individuals from a range of communities of interest and the County Council. The steering group participants include representatives from the key 'protected characteristic' communities defined by the Equality Act 2010 as well as representatives from key partner organisations. A Community Engagement

Plan has been produced by the steering group. A launch of the wider community engagement forum will be taking place in due course.

5.8 The PREVENT arrangements across Hampshire are chaired by a senior manager with a range of specialist and operational service delivery knowledge within Adults' Health and Care. Furthermore, Adults' Health and Care has also created a dedicated service manager role within the department to address the increasing volume and complexity of PREVENT related referrals into the County Council. This role will also focus on improving and co-ordinating Hampshire County Council's duties under the PREVENT agenda as a whole.

6. Activity

6.1 Over the last few years Adults' Health and Care have continued to make improvements to the capture and reporting of safeguarding information. As a result of these changes it is not possible to directly compare activity between years.

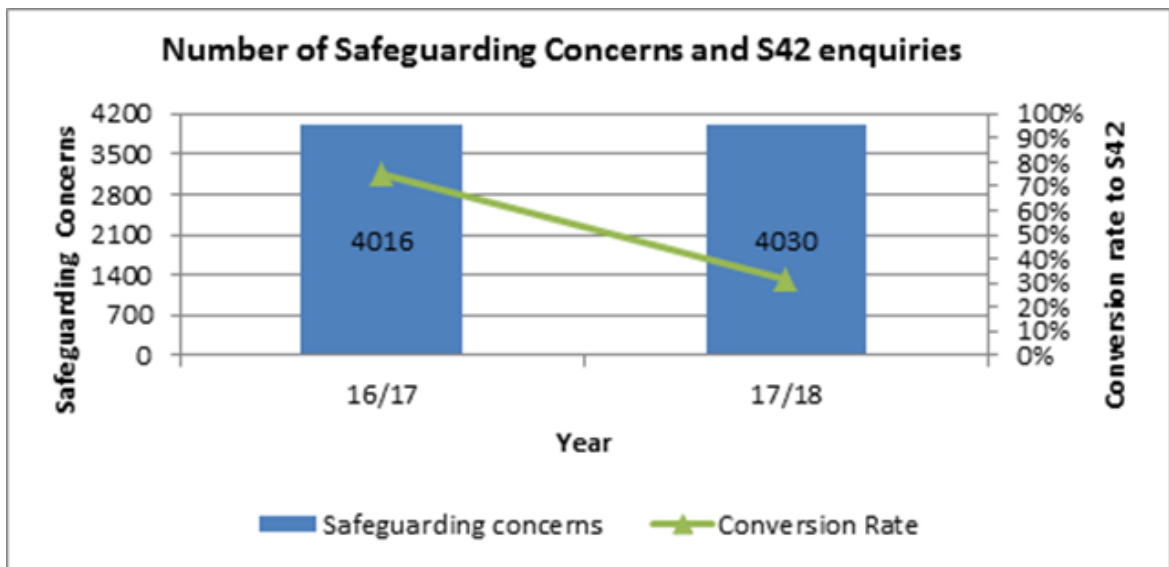
6.2 The vast majority of safeguarding concerns are now directed to the Adult Multi-Agency Safeguarding Hub (MASH) where staff review them in relation to the action required, consider multi-agency information sharing and proportionality. This enables the services to ensure that concerns that require a different response, for example a review of the care arrangements, are dealt with by the social work teams and not through safeguarding arrangements.

6.3 The nature of concerns reported to Adults' Health and Care are often on a continuum of poor quality care through to extremely serious abuse carried out where police investigation is required. Information gathering is required before a decision can be reached to establish if abuse or neglect has taken place.

6.4 MASH screen all safeguarding concerns for cases which are not allocated to a community team or keyworker, and advise on appropriate action.

6.5 Information is only forwarded to community teams where either follow on action is required by them, or the information needs to be shared to assist the local team to build a picture about a service/individual in their area. Despite the increase in concerns coming through the service the number of new S42 enquiries being opened does demonstrate that the role of MASH is having a positive impact on the workload of the community teams who would otherwise be undertaking much more of the screening function. Additionally the quality of the information that is passed to the community teams by the MASH team assists with robust decision-making and the quick identification of actions required.

6.6 An overview of recent annual referral numbers is shown below:



6.7 The chart above demonstrates the nearly static number of safeguarding concerns received (in blue) from 2016/17 compared with 2017/18. The conversion rate (represented with the green line) of actual formal S42 enquires then initiated as a result of these concerns has reduced year on year from around **70%** to **30%**, this means that positive resolution is being achieved without recourse to more formal and, by implication more time consuming enquiries and investigations.

6.8 There are two key reasons for this improvement; embedding the principles of Safeguarding as outlined in the Care Act 2014, specifically proportionality, meaning more alerts are resolved at an earlier stage, risks are reduced and outcomes reached negating the need for further processes.

6.9 The second reason for this change is greater use of our quality and contract monitoring processes. This means that where an alert is clearly as a result of the quality of care provision, for example late attendance at a domiciliary care visit or complaints to do with the quality or range of meals in care homes, then contractual remedies are employed to address this and increase the overall quality of the provider.

6.10 We expect to receive the national data for 2017/18 later this year which we will be able to use to benchmark this change against other parts of the country. This is important in order to determine whether the thresholds we are applying are in line with, or different from that, of other local authority's.

7. Recent Achievements

7.1 The Client Affairs Service (CAS) operates to manage the property and financial affairs for people who lack the mental capacity to do this for themselves. People supported by the team have no family willing or deemed suitable to do this on their behalf. The CAS works with people who are

subject to appointeeship and deputyship. An appointee is responsible for managing a person's benefits if the person has a low level of financial assets and is in receipt of benefits with no other sources of income.

- 7.2 If a person's financial affairs are more complicated (for example, if they have additional sources of income, investments or significant savings) then deputyship is used to manage all financial affairs including savings, pensions, all sources of income and assets such as property and valuables.
- 7.3 This is a growing area for the County Council as the contract to provide the service for Southampton City Council has recently been extended to include all their deputyship, not just the higher value cases. This 'sold' service is developing further due to recent agreements with Guernsey and an agreement with the Clinical Commissioning Groups (CCGs).
- 7.4 At the most recent assurance visit of the Client Affairs Service the Office of the Public Guardian referred to the Hampshire Service as being exemplary and a well performing team nationally.
- 7.5 The Service Manager for the DoLS and Client Affairs service is a Co-Chair of the National Association of Public Authority Deputies (APAD). In the capacity of this role she has been leading on a national training development to accredit the Client Affairs Case Officer Role using the Open College Network.
- 7.6 The Training plan has been written and now being piloted within Hampshire with 9 other local authorities attending. Once completed the plan is to roll out the Accredited Training across England and Wales to nationalise the expected standard to operate corporate deputyship within local authorities.

8 Key Priorities

- 8.1 One of the key priorities is to manage the demand as effectively as possible and address the opportunity for closer joint working system wide. This includes joining up responses between Children's Services and Adults' Health and Care regarding common areas.
- 8.2 In the light of the new operating model within Adults' Health and Care and the subsequent restructure through the introduction of the Contact Assessment Resolution Team (CART) this allows MASH to offer an enhanced service to keep hold of cases for longer so that they are able to resolve more and therefore send less through to the community teams.
- 8.3 Work is continuing to help improve the quality of Hampshire Police and South Central Ambulance Service alerts and positive progress has been made, working alongside Southampton, Portsmouth and Isle of Wight local authorities. The current reporting process (PPN1) has improved the quality of referrals from partner agencies. The PPN1 form is due to be replaced with a national PPN2 form which will place greater emphasis on consent of the subject and offers greater opportunity to improve referral quality.

- 8.4 The Children's MASH and the Adults' MASH operate from the same floor of the same building and the respective Service Managers continue to work together to join up systems wherever possible – e.g. shared referral process for PREVENT referrals.
- 8.5 Whilst it is recognised that there are different legal frameworks there is a significant opportunity to bring together the work of the teams where it would be valuable to do so and consider integrating processes where this would be beneficial to families.
- 8.6 As mentioned earlier in this report there is an increased focus on prevention and early intervention. A key aim in this regard has been to integrate safeguarding and the prevention and intervention agenda across the continuum of the procurement of services through to delivery.
- 8.7 Work streams include:
- The further development of the Quality Outcomes Contract Monitoring (QOCM) framework. This informs the departmental risk log and there is now a county level reporting system. This different approach now allows for strategic oversight and early warning, intervention and support for providers who are commissioned by the Council to provide care and support in regulated settings including people's homes and in residential and nursing services.
 - As a preventative approach and in line with the new framework introduced in August 2018 additional quality checks for new providers before they are given business or added to the AIS system is now in place. This aims to ensure that a baseline of information is known about a service before the department commissions packages of care.
 - Closer working with the social care regulator, the Care Quality Commission (CQC) and NHS colleagues to share information and agree consistent approaches to address poor quality care. The intention is to focus this approach to ensure that we have a robust approach to the management of quality in the sector to ensure we have pro-active embedded quality monitoring structures rather than just a quality improvement approach, largely based on a reactive risk based approach.
- 8.8 The local authority responsibility in respect of Modern Day Slavery/Human Trafficking derives from section 52 of the Modern Slavery Act 2015. The local authority is known as a 'first responder' and has a role in respect of the initial intervention and signposting. Adults' Health & Care have worked alongside the Police, Borders Agency, Salvation Army and the Medaille Trust to develop operational guidance which is now in place, with all referrals being managed via the Multi Agency Safeguarding Hub (MASH).
- 8.9 Victims of trafficking may not identify themselves as victims. They may appear extremely closed, distrusting and reluctant to communicate. Traffickers and exploiters often develop complex strategies to keep their

victims dependent on them, making it especially difficult for victims to escape or disclose details, even if protection and support are offered. Modern Slavery training has therefore been the focus of recent safeguarding update training for the social work workforce to ensure a greater awareness of how to identify victims and the required response.

- 8.10 For this reason the scale of the crime is unknown. There have been two confirmed incidents in Hampshire since the new duties though there are reported incidents nationally and in neighbouring authorities. National examples include an increased prevalence amongst agricultural workers.

9 Risk Issues

Deprivation of Liberty Safeguards (DoLS)

- 9.1 The Local Authority acts as the 'supervisory body' under the Mental Capacity Act 2005 for Deprivation of Liberty Safeguards (DoLS). DoLS is the legal framework applied when someone has care and support needs which mean their liberty is deprived in order to keep them safe. Care homes and hospitals ('managing authority') must make an application to the local authority if they believe someone in their care, who lacks mental capacity, is deprived of their liberty as a result of care arrangements in place. These arrangements are necessary to ensure that no-one is deprived of their liberty without independent scrutiny.
- 9.2 The result of a Supreme Court judgement in March 2014 has had a considerable impact on resources as a result of the widening of the criteria in terms of who is eligible for a DoLS. This situation has been an issue of risk for the Council over the past four years and continues to be subject to significant management oversight. There are planned legislation changes, in July 2018 the Government published the Mental Capacity (Amendment) Bill which if passed into law will result in amendments to DoLS legislation currently named as Liberty Protection Safeguards. However, whilst we are fully supportive of this proposed approach, as set out in the Bill, this may take up to 4-5 years to be enacted. While this gives the department time to prepare for new, amended responsibilities the risks that exist within the existing frameworks will continue to endure.
- 9.3 As a result of the judgement of March 2014, Adults' Health and Care has seen a significant increase in the number of DoLS applications.
- 9.4 The available budget in the DoLS service has been increased from 17/18, removing the financial risk. However, this means that the service must come in on budget whilst continuing to appropriately manage risks.
- 9.5 Productivity has further increased and revised ways of working have been proposed and are being piloted. In anticipation of the Liberty Protection Safeguards mentioned earlier, the service is developing a 'light touch' assessment – targeting people who have already been assessed at least

twice, with no objection or conflict noted, no conditions and no change to the care plan, residing in the same location. The service then anticipates just one assessor visiting as opposed to two, with a records check, to then proceed on the basis of no change. The expectation is for throughput of assessments to significantly improve, but we can report on this at a later date.

Deprivation of Liberty (DoL)

9.6 For people living in community settings requiring complex support packages there should also be due consideration as to whether the care and support arrangements amount to a deprivation of liberty. In these circumstances applications are made to the Court of Protection. The greatest area of risk is our learning disability services and we have now introduced a system to ensure service users who may be deprived of their liberty are appropriately referred to the Court of Protection with centralised management and oversight where this is the case.

9.7 This approach will now be rolled out across our services supporting Older Adults from Autumn 2018 once scoping work is completed and appropriate personnel identified.

Making Safeguarding Personal

9.8 All practice should evidence a Making Safeguarding Personal approach to ensure the wishes and views of individuals are reflected in all decisions. Systems changes have been developed to enable recording of decision making but a recent internal review identified this to be an area for development. HSAB has Making Safeguarding Personal as one of its strategic priorities and the Board will be holding a Development Day in December to explore with multi-agency partners how this approach can be embedded in local safeguarding arrangements. Making Safeguarding Personal this has been by the four Local Safeguarding Adults Boards as an area of common interest which will benefit from a joint approach to implementation.

9.9 The internal safeguarding review has further identified opportunities to develop the service in respect of improving consistency, clarifying process and procedure and to take a more strategic approach to safeguarding across the whole department. There is a practice steering group to implement a corresponding action plan to improve the overall safeguarding offer.

10. Gosport War Memorial Inquiry

10.1 The recently published Gosport War Memorial Hospital Inquiry is an in-depth analysis of the Gosport Independent Panel's findings. It explains how the information reviewed by the Panel informed those findings and illustrates how the disclosed documents add to public understanding of events at the hospital and their aftermath. The documents that the Panel has found reveal that during an extended period at Gosport War Memorial Hospital the lives of a

large number of patients were shortened by the prescribing and administering of “dangerous doses” of a hazardous combination of medication not clinically indicated or justified.

10.2 HSAB is the key mechanism for agreeing how local agencies will work together effectively to safeguard and promote the safety and wellbeing of adults with care and support needs who are at and/or are in vulnerable situations. Recent critical events such as the independent inquiry into Gosport War Memorial Hospital (and also similar past events such as Mazars) have highlight the need for the HSAB to be increasingly proactive in gaining assurance that partner agencies, both individually and collectively, have robustly addressed and implemented learning from the Inquiries in order to ensure similar events cannot happen again in the future. Going forward, HSAB will be establishing a multi-agency ‘Learning from Deaths’ Forum to help drive these improvements.

11. Finance

11.1 Adult safeguarding is core work for every team and is embedded in all service provision as a core duty of the department. It is therefore impossible to provide a total cost for carrying out safeguarding work within the Department.

11.2 The HSAB budget is made up of agency contributions as follows - Adult Services 63%, Clinical Commissioning Groups 26% and the Police 11%. The total budget in 2017/18 is £126,384.

11.3 The Prevent duties attracted a £10k one-off payment for local authorities which were used for set up costs and the ongoing specific Prevent budget of £15k is met by Adults’ Health and Care, Children’s Services and the Office of the Police Crime Commissioner (OPCC) in equal measure.

11.4 The DoLS budget has been increased to £1.3million in order to manage the demand and the service will successfully operate within this budget.

12. Future Direction

12.1 The main focus of the work over the coming months will be to:

- Ensure the approach of Making Safeguarding Personal is universally adopted
- Deliver the Hampshire Safeguarding Adult Board Business Plan
- Continue to support the development of PREVENT
- Continue to work with the NHS and CQC regarding quality improvement
- Continue to work to embed safeguarding into the commissioning and procurement of the department

- Risks in respect of the DoLS service continue to require attention and close management
- Address multi-agency learning and undertake any necessary actions arising from the Gosport Independent Panel review, as required.

CORPORATE OR LEGAL INFORMATION:**Links to the Strategic Plan**

Hampshire maintains strong and sustainable economic growth and prosperity:	no
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	no
People in Hampshire enjoy being part of strong, inclusive communities:	yes

Other Significant Links

Direct links to specific legislation or Government Directives	
<u>Title</u>	<u>Date</u>
Care Act	2014

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equality Duty

1.1 The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

The multi-agency policy, guidance and toolkit has its own equality impact assessment. The local authority approach to safeguarding is applicable across all communities.

2. Impact on Crime and Disorder:

2.1. Adults' Health & Care work alongside Hampshire Constabulary and key criminal justice agencies to support those who are at risk of, or suffering, abuse in order that they received access to justice in the event of criminal activity.

3. Climate Change:

3.1. How does what is being proposed impact on our carbon footprint / energy consumption?

No impact has been identified

3.2. How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

No impact has been identified

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HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Cabinet
Date:	5 November 2018
Title:	Air Quality
Report From:	Director of Economy, Transport and Environment and Director of Public Health

Contact name: Graham Wright

Tel: 01962 845148

Email: graham.wright@hants.gov.uk

1 Recommendation(s)

That Cabinet:

- 1.1 Note the statutory responsibilities and accountabilities shared between the County and Borough Councils for dealing with air quality and approve in principle the approach set out in sections 4 and 5 of the report.
- 1.2 Authorise the Directors of Economy, Transport and Environment and Public Health to develop options for undertaking additional work in line with the action plan set out in paragraphs 6.1 to 6.4 of the report and within existing available resources.
- 1.3 Agree to the County Council undertaking a “coordination role” on air quality issues within Hampshire as outlined in paragraph 6.5 of the report, where this is related to our core functions as both highway and public health authority.

2 Executive Summary

- 2.1 The purpose of this paper is to inform Cabinet on emerging issues related to air quality and to agree an overall approach by the County Council to address air quality issues. Poor air quality is a serious public health issue. It is the largest environmental risk to the public’s health and a significant contributor to preventable ill health and early death.
- 2.2 The Secretary of State for Environment, Food and Rural Affairs (SoS) has directed certain local environment health authorities to investigate implementing measures to address areas with illegal levels of nitrogen dioxide emissions and consider implementing Clean Air Zones (CAZ) which may require non-compliant vehicles to be charged.
- 2.3 The SoS has issued Ministerial Directions to district councils, relating to four locations in Hampshire, plus one each in Southampton and Portsmouth, determining them as non compliant and needing action in the “shortest possible time”. The SoS has subsequently issued a Ministerial Direction to

the County Council in respect of the direction previously issued to Basingstoke and Deane Borough Council.

- 2.4 The responsibilities, statutory or otherwise are fragmented across borough, unitary and county authorities. As the upper tier authority with the overarching geography it would seem appropriate for the County Council to take a “coordination role” in facilitating activity across the multiple tiers of local government where this is related to our functions as highway and public health authority.
- 2.5 The serious nature of the public health impacts and the directions from the SoS means the County Council needs to consider if it should be enhancing its activity directed at addressing poor air quality within existing available resources.

3 Contextual information

- 3.1 Roles and responsibilities on air quality are not straightforward in two-tiered local government, with both county and district councils having statutory responsibilities. Under the current legal framework, local government across county and district councils are effectively required to work together to identify suitable measures to address air quality. Further information on Air Quality issues is detailed in Appendix C attached to this report.
- 3.2 In terms of the split in accountability, district councils as environmental health and planning authorities are responsible for considering the impact of development and growth on air quality via environmental assessments of local plans, monitoring and assessing air quality and developing and implementing Air Quality Management Areas (AQMA's) with Annual Status Reports (ASRs). In support of this, County Councils are obliged to submit measures and implement them where these are related to its functions as highway and public health authority.
- 3.3 Directions from the SoS have been made to the district councils under the Environmental Health Act 1995, mandating compliance with prescribed EU emissions law “within the shortest time possible”. Directions have been served to Basingstoke Borough Council, Fareham Borough Council, New Forest District Council and Rushmoor Borough Council and apply to relatively small sections of roads in each case. The current prescribed process is one of developing action plans to reach compliance and testing them against implementing a CAZ involving charging. A charging zone would apply sequentially to classes of non-compliant vehicles depending on the severity of the modelled exceedance, starting with buses, taxi's and private hire vehicles and in the worst case scenarios could apply to all vehicles including private cars.
- 3.4 Nationally, road transport is thought to account for 60% of all NO₂ emissions and in all the four cases impacting Hampshire, the main cause of non-compliance with legal air quality limits is transport related. Whilst the directive is not placed on the County Council, there is a requirement for action across our functions, meaning we must take positive action in cooperation with the local authorities to develop measures that meet the directive. The implication of not doing so is that local authorities, who maybe

in receipt of EU fines passed on by the Government for non-compliance, may seek redress from the County Council.

- 3.5 The timelines for action imposed by the SoS are tight. Submission of full business cases testing all possible solutions and identifying a preferred option are required by December 2018. In order to meet the directive timescales the local authorities may be required to engage in public consultations related to Clean Air Zones and other air quality action plans. The SoS directive requires the County Council to adhere to a “shortest time possible” legal imperative. Fareham BC has been undertaking public engagement on introducing a charging scheme or other alternative air quality abatement measures in Fareham.
- 3.6 In April 2012 *The Health and Social Care Act* gave Hampshire County Council a new duty to improve and protect the health of people in its area and tackle health inequalities. This means we need to develop strategies and plans designed to address premature death caused by poor air quality.
- 3.7 There is an emerging body of evidence that supports the conclusion that air quality, specifically roadside emissions of nitrogen dioxide (NO₂) primarily caused by diesel vehicles have a serious and damaging impact on human health and the environment. Such issues disproportionately impact on those living in areas of deprivation, older and younger people, unborn foetuses and those with pre-existing health conditions, thus contributing to inequalities.
- 3.8 Action to improve air quality is not limited to implementation of local measures. Local leaders campaigning groups and other interested parties from across the country have repeatedly requested that Government lead by taking national action. Measures that have been requested include:
- Increased access to funding to support the delivery of Clean Air Zones
 - A national fund to support investment in cleaner buses and taxis
 - Increased national funding for improvements in walking and cycling infrastructure
 - Introduction of a targeted ‘vehicle renewal scheme’ to replace older polluting vehicles
 - Developing a national retrofit programme for coaches and HGVs mirroring the Government’s earlier Clean Bus Fund
 - Introduction of a new Clean Air Act to enshrine World Health Organisation air quality guideline pollution limits into UK law
 - Grant local and regional authorities the additional powers and resources required to tackle poor air quality, addressing the currently fragmented responsibilities for air quality and its health impacts at a local level.

4 Current Activity by the County Council

- 4.1 The County Council is engaging with district councils in receipt of the SoS directive and undertaking the following activity:
- For Fareham Borough Council, HCC is working with Atkins, our strategic partner to provide a traded service support to develop the

business case submission for FBC. At the time of writing, this is likely to include a range of possible abatement measures to address the predicted exceedance (on the A27 Gosport Road), including consultation this autumn on a potential Clean Air Zone charging for non-compliant diesel buses, taxis and, private hire vehicles

- In Rushmoor the predicted exceedance is on the A331, Blackwater Valley Road that straddles the administrative areas of Hampshire and Surrey county councils as the respective highway authorities and the borough councils of Guildford, Surrey Heath and Rushmoor, the respective local environmental health authorities. Current work is pointing towards a speed limit reduction on the affected section of the A331 as the main means to address the predicted exceedance
- For New Forest, the exceedance is an extension of the Southampton exceedance on the A35 at Redbridge and the District Council has worked with Southampton City Council to develop measures in the City that will also address the exceedance at Redbridge
- Initial work undertaken by Basingstoke and Deane Borough Council has indicated that for the identified exceedance (a short section of the A339, Ringway North), legal compliance can be achieved within the requirements of the ministerial direction with the potential introduction of a lower speed limit. This is based on initial evidence commissioned by the Borough Council. In view of the short time scale remaining to secure legal compliance, the SoS has now issued a further Ministerial Direction to the County Council to investigate and implement, subject to approval, this potential speed limit reduction.
- The County Council has been consulted by Southampton City Council (and New Forest District Council) on proposals that include introducing a Class B Clean Air Zone within the city that if approved would introduce charging for non-compliant heavy goods vehicles, coaches, buses, taxis and private hire vehicles. In response to the consultation, the County Council has raised concerns about the potential wider displacement impact of the proposed CAZ on roads in Hampshire, for example HGV's bound for the Isle of Wight potentially re-routing via Lymington and through the Lyndhurst Air Quality Management Area. The County Council has therefore raised an objection to the proposal until evidence has been submitted that shows that these issues have been fully assessed and that any necessary mitigation has been included. The full response of the County Council is provided at Appendix D.

4.2 In general Hampshire enjoys relatively good air quality compared to the rest of the country. The majority of national locations identified by government modelling under the national plan for NO₂ are cities or metropolitan areas and those air pollution hotspots identified in Hampshire have less severe exceedances than the rest.

4.3 However, there is no safe level of exposure to NO₂ and the national trend of areas with higher index of deprivation experiencing more severe levels of exposure would appear to be true for Hampshire too.

5 The County Council's Current Approach to Tackle Air Quality

5.1 In addition to the activity related to clean air zones, the County Council is also currently involved in the following key activity related to air quality:

- Delivering measures in locally designated Air Quality Management Areas (AQMA's) and more generally developing local transport strategies and major and minor transport schemes to alleviate congestion, such as park and ride schemes
- Reviewing speed management policy to consider setting speed limits to support air quality objectives in designated air quality areas
- Supporting local bus services, including quality bus partnerships with emissions targets
- Implementing the County Council's Electric Vehicle Charging Point (EVCP) Framework to allow transition to low emission vehicles by providing new infrastructure in public car parks and for public sector organisations
- Facilitating and championing the delivery of superfast broadband connectivity to reduce the need to travel for work
- Developing travel plans with local businesses and schools
- Improving the safety and reliability of the road network by maintaining roads effectively, managing road works and road safety measures and campaigns and managing traffic flow through traffic signal technology
- New developments can secure financial contributions from developers to deliver transport infrastructure, whether that be in support of walking and cycling or additional highway capacity
- Implementing the Public Health Strategy 2016-2021.

Moving forward officers will be seeking opportunities for recover costs where this is possible.

6 The Proposed County Council Plan of Action for Tackling Air Quality in Hampshire

6.1 Air quality is an emerging and important area of work in which the County Council will need to engage with other statutory authorities to ensure that the transport measures developed to address poor air quality are deliverable within the powers and budgets available to it as the local highway authority and enable it to meet the duty to improve public health.

6.2 It is considered that, whilst the County Council works to meet the demands of the current urgent work, a longer term strategy and approach to air quality is required.

6.3 In order to help meet the range of challenges presented and potential implications for different County Council service areas, it is proposed to enhance coordination within the County Council by creating a new internal cross departmental air quality group to manage and oversee this work.

- 6.4 Further to this the County Council will increase representation in regards to air quality issues at existing forums such as the Hampshire wide, informal environmental health and planning officer groups where air quality issues are already discussed. To comply with the DEFRA Local Air Quality Management Policy Guidance (2016) it may be necessary to establish a separate Air Quality Steering Group with all districts.
- 6.5 Other additional countywide actions could include:
- To investigate the business case for on-street Electric Vehicle Charging points or other measures supporting a transfer in vehicle ownership and usage to cleaner fuel vehicles
 - To develop Planning Guidance in partnership with planning authorities and action plan on air quality
 - To enhance or develop new local agreements with buses, taxi operators and licencing authorities to promote use of cleaner fuel vehicles
 - Implement those elements of the Public Health Strategy 2016-21 – “Towards a Healthier Hampshire and The Hampshire Physical Activity, Walking and Cycling Strategies” that ‘co-benefit’ health and reduce air pollution caused by road transport
 - Through town-planning arrangements, such as those forged from the Public Health & Planning Position Statement, promote improved connectivity making the use of cycling and walking routes as an alternative to the car
 - Investigate changes that can be made to the County Council’s own corporate processes (such as adopting procurement contracts that contain key performance indicators linked to air quality) and transition of our fleet to low emission vehicles)
 - To develop in cooperation with the local authorities a countywide approach to tackling air quality issues in Hampshire.

7 Equalities

- 7.1 An Equalities Impact Assessment has been undertaken. Details are included in Integral Appendix B of this report

8 Finance

- 8.1 The additional activity will require the redistribution of resources from external or new resources. To date £111k has been secured through external grant funding to cover the new activity related to developing business cases for the CAZ. This is time limited and does not currently extend beyond 2018.
- 8.2 New external funding opportunities may come forward beyond 2018 following submission of full business cases but at this stage cannot be formally agreed. In the event that this is not forthcoming, there may need to be a more permanent redistribution of resources to allow this work to proceed. This will need to be addressed in the relevant budget areas as the overall work programme develops.

9 Summary

- 9.1 This is a fast emerging and complex area of work and it is important that Cabinet are aware of the issues which cross a number of service areas. With a range of local authorities involved in addressing air quality issues, it is important for the County Council to take the initiative to ensure that transport measures designed to address air quality are within available powers and budget as local highway authority, are consistent with the corporate strategy and will deliver on the duty to improve public health.

CORPORATE OR LEGAL INFORMATION:**Links to the Strategic Plan**

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	yes
People in Hampshire enjoy being part of strong, inclusive communities:	yes

Other Significant Links

Links to previous Member decisions:	
None	
Direct links to specific legislation or Government Directives	
Direction by the Secretary of State for Environment, Food and Rural Affairs, to local environmental health authorities under Environment Act 1995 to reach compliance with EU emissions law "within the shortest possible time".	Date Various

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

None

IMPACT ASSESSMENTS:

Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

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Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;

Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;

Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

Equalities Impact Assessment:

An Equalities Impact Assessment has been undertaken. Disproportionate impacts have been identified for several groups with protected characteristics:

Age – Positive

Potential positive impact on wellbeing as poor air quality disproportionately impacts on older and younger people.

Poverty – Positive

Potential positive impact on wellbeing as the national trend is that poor air quality disproportionately impacts areas of high social deprivation.

Pregnancy & Maternity – Positive

Potential positive impact on wellbeing as the latest scientific evidence suggests poor air quality can impact on unborn fetuses.

Disability – Positive

Potential positive impact on wellbeing as poor air quality disproportionately impacts on those residents with some pre-existing health conditions.

Other than this, the impact on groups with protected characteristics is expected to be neutral, but the impact for all residents should be positive as a result of cumulative improvements to air quality.

Impact on Crime and Disorder:

This proposal does not have any direct impact upon Crime and Disorder.

Climate Change:

How does what is being proposed impact on our carbon footprint / energy consumption?

Implementation of Hampshire's Physical Activity, Walking and Cycling Strategies and promoting active travel will have a positive impact.

How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

Implementation of Hampshire's Physical Activity, Walking and Cycling Strategies will help mitigate against the effects of climate change.

Further Contextual Information on Air Quality Issues

1 The National Picture

- 1.1 There is increasing evidence that air quality has an important effect on the public's health, the economy, and the environment. According to Public Health England (PHE), poor air quality is the largest environmental risk to public health in the UKⁱ. Evidenceⁱⁱ from the World Health Organization (WHO) shows that older people, children, people with pre-existing lung and heart conditions, and people on lower incomes may be most at risk.
- 1.2 There is emerging evidence from the Royal College of Physicians (amongst others) of possible links with a range of other adverse health effectsⁱⁱⁱ. The Chief Medical Officer's (CMO) most recent annual report '*Health Impacts of All Pollution - what do we know?iv*' published in February 2018 discusses the threat to health posed by air pollution to people living in England and makes some specific recommendations for local government action. These health impacts impose a significant cost on the national and local economy.
- 1.3 Under the Department for Environment Food & Rural Affairs (DEFRA) Local Air Quality Management (LAQM¹) system, District Councils are required to assess air quality in their area and designate Air Quality Management Areas (AQMAs), as set out in the *Environment Act 1995 - Part IV Air Quality*^v. These are areas where the national air quality objectives are unlikely to be met and Air Quality Action Plans (AQAP) have been developed to bring concentrations down to within legal limits. Each year District Councils are also required to submit an Annual Status Report (ASR) to DEFRA on progress in achieving reductions in concentrations of emissions relating to relevant pollutants below air quality objective levels.
- 1.4 In addition to this, the EU Directive 2008/50/EC (the Air Quality Directive), sets legally binding standards for ambient air quality. It sets limits for concentrations of various pollutants and dates by which targets must be achieved. The Government are bound by the Air Quality Directive to achieve compliance to certain air quality standards by 2010 (later extended to 2015).
- 1.5 In February 2017 the Government was sent a final warning by the EU to comply or face a case at the European Court of Justice.
- 1.6 In July 2017 the Government published its finalised UK plan for tackling roadside nitrogen dioxide concentrations. The following day Defra and the Department for Transport (DfT) delegated the legal duty to comply to each Environmental Health Authority named in the national plan, via Ministerial Direction, mandating time-limited actions. Government has set up an

¹ LAQM – a system of assessing air quality and designating AQMAs in a Local Authority area

Implementation Fund and a Clean Air Fund to support Environmental Health services in achieving the core objective of delivering cleaner air in the shortest time possible.

- 1.7 A draft national *Clean Air Strategy* was published in May 2018 by Government for consultation. This document sets out how the government intends to meet international commitments to reduce emissions of five damaging air pollutants by 2020 and 2030 (nitrogen oxides, particulate matter, sulphur dioxide, non-methane volatile organic compounds and ammonia). It has a broader scope than the National Air Quality Plan for tackling roadside emissions of NO₂ and covers emissions from domestic, industrial, farming and building activities. Government proposes to publish 'Road to Zero' later this year, a companion strategy which will outline a pathway to achieving zero emissions transport for all road vehicles. It is expected that this will be followed in 2019 by a draft detailed action plan on how this will be achieved.
- 1.8 The Government's Clean Growth Strategy outlines how action to deliver clean growth (growing national income whilst cutting greenhouse gas emissions) has wider benefits, listing as an example how the co-benefits of cutting transport emissions is cleaner air, which has an important effect on public health, the economy and the environment. This document sets out Government's Transport ambitions, including almost every car and van needing to be zero emission by 2050, with a 30% reduction in transport emissions by 2032 a possible target, with a looser, further target of walking and cycling becoming the natural choices for shorter journeys by 2040.
- 1.9 Government have also outlined plans to end the sale of all new wholly internal combustion engine (ICE) powered cars and vans by 2040, with most manufacturers already announcing plans to phase out production of solely ICEs by 2020

2 Local Air Quality Arrangements

- 2.1 The Government has placed certain responsibilities on both County and District Councils for achieving improvements in air quality in their local areas through existing legislation and policy frameworks. It is expected that all departments across County and District Councils should work together to identify suitable measures to address air quality. This includes measures in relation to local Transport, Highways, Land-use Planning, Environmental Health and Public Health.
- 2.2 The County Council is a consultee to the Air Quality Action Plans and Annual Status Reports prepared by the District Councils. The Secretary of State expects the County Council to proactively engage at all stages of review, assessment and action planning in relation to LAQM in Hampshire. While the function of monitoring and management of air quality is a District Council function, it is acknowledged that factors and agents that can

influence vehicle emissions' impact operate outside the jurisdiction of Districts.

- 2.3 Essentially, there are four geographical entities in the context of air quality linked to vehicle emissions, in Hampshire:
- District Councils that have no identified significant and sustained exceedances in vehicle emissions that warrant special action. These
 - District Councils may still be monitoring air quality.
 - District Councils that have declared a DEFRA registered AQMA
 - District Councils in receipt of a Ministerial Directions that they bring NO₂ levels into legal compliance 'in the shortest possible time'. These Local Authorities are currently testing potential measures, including CAZs.
- 2.4 Under *Section 86(2) of the Environment Act 1995*, the County Council may make recommendations to District Councils in relation to any review and assessment of air quality or development or amendment of AQAPs. The County Council is obliged under *Section 86(3)* to submit measures related to its functions (i.e. local Transport, Highways and Public Health) to help meet air quality objectives in the area. These measures should be included in the AQAPs being developed.
- 2.5 Under *Section 3.1 of the Air Quality (England) Regulations 2000^{vi}*, submission of these proposals should take place within at the latest nine months of first being consulted on the AQAP by the District Council. Earlier responses from the County Council are encouraged in order not to delay the completion of the AQAP process. There is an expectation for the County Council to bring forward measures in relation to addressing the transport impacts in its area for inclusion in any AQAP.
- 2.6 DEFRA's *Local Air Quality Management Policy Guidance^{vii}* is statutory and recommends that the Director of Public Health (DPH) and Transport colleagues should be involved in AQMA strategic planning through the establishment of a District Council led 'Air Quality Steering Group' (AQSG). The Steering Group has an important role in securing support across District and County Councils, along with members such as the Environment Agency, Highways England, local businesses and interest groups. There is an expectation that the Chair is of sufficient seniority and that there is active participation of the County Council through the highest level of support to ensure effective working of the AQSG.
- 2.7 Where significant action to resolve air quality issues is required from the County Council, it will be beneficial to have a senior County Council representative as Co-Chair. Further, the guidance acknowledges the broader potential influence of including air quality in the Hampshire Joint Strategic Needs Assessment (JSNA) and bringing air quality issues to the attention of the Hampshire Health and Wellbeing Board.

3 Local Arrangements for dealing with the Government's National Plan for Tackling Roadside Nitrogen Dioxide

- 3.1 European law (directive: 2008/50/EC) embedded in England through *The Air Quality Standards Regulations 2010^{viii}*, sets legally binding limits for air pollutants such as particulate matter (PM₁₀ and PM_{2.5}) and nitrogen dioxide (NO₂).
- 3.2 Part 2 of the Localism Act 2011 contains discretionary powers under which the Government could require local authorities to pay some or all of the European fines faced by the UK. A requirement to make a payment may only be imposed if there has been a Ministerial order designating a public authority and the EU sanction is one to which the designation applies. Before making such an order the public authority would have to be consulted and warnings given. Payment of any fines is dependent on a decision by the EU to impose them, which is only expected to occur if the Court of Justice of the European Union (CJEU) issues a judgement and the UK fails to act on its findings.
- 3.3 In January 2018, UK Ministers, with other EU Ministers, attended EU discussions around what penalties might be. In April 2018 the EU indicated it was considering next steps in its 'infringement cycle', where action by the EU Court of Justice remains an option, subject to considering the UK Governments plans. In May 2018 the UK (alongside five other European countries) was referred to the EU Court of Justice by the European Commission, with the hearing on NO₂ breaches expected to take place within six months.
- 3.4 The newly agreed *EU National Emissions Ceiling (NEC) Directive^{ix}*, tackles trans-boundary sources of air pollution and if implemented is predicted to reduce the negative health impacts of air pollution, such as respiratory diseases and premature death, by almost 50% by 2030. Thus there is a need to continue to work with the EU post-Brexit to ensure that air quality policy is maintained and environmental governance operated in a coherent and progressive manner, given how many of UK environmental laws derive from EU Directives and regulations. It is not yet clear how the Government will be held to account against the targets it has set beyond Brexit.

4 The County Council's Public Health duties

- 4.1 In April 2013 *The Health and Social Care Act (2012^x)* gave Hampshire County Council a new duty to improve and protect the health of people in its area. This provides opportunity to consider the actions the County Council might take using the evidence available, to mitigate the impact of transport and non-transport sources of air pollution. Evidence will allow us to target those localities with the greatest impact from air pollution on health.

5 Air Quality & Public Health – the wider context

- 5.1 *Air Quality: A Briefing for Directors of Public Health* provides guidance on how to determine an appropriate public health response to air pollution. It looks at how the available evidence can be used to inform public and decision maker opinion, including an ‘*Air Pollution Briefing for Elected Members*’.
- 5.2 The *Public Health Outcomes Framework (PHOF)* and *National Public Health Profiles* include indicators on physical activity, road traffic incidents, premature mortality and specific air quality indicators on particulate matter. The PHOF indicator 3.01 is an air pollution indicator: *fraction of mortality attributable to particulate air pollution* (measured as fine particulate matter, PM_{2.5}). According to the latest data published in the PHOF, an estimated 4.5% of ‘deaths’ in Hampshire were attributable to long-term exposure to particulate air pollution in 2015. The *Wider Determinants of Health Public Health Profile* includes air pollution indicator 92924: *fine particulate matter* which measures the annual local authority concentrations (µg/m³) of anthropogenic PM_{2.5} and data used for this indicator is the same as that which underlies the PHOF indicator 3.01. The annual mean PM_{2.5} concentration in Hampshire was 7.9µg/m³ in 2015 and below the WHO annual mean objective of 10µg/m³. This intelligence helps inform policy direction.
- 5.3 The South East office of Public Health England (PHE) have published “*Air Quality: A briefing for Directors of Public Health in the South East of England*” which provides guidance in relation to declared AQMA’s specifically to the extent to which the ASRs and AQAPs demonstrate a strategic public health focus. “*Outdoor Air Quality. A resource for Directors of Public Health*” published in March 2018 complements this guidance and includes further iteration of the aide memoire. The aide memoire provides a means by which a DPH may become assured that public health has been considered in local action on air quality.

6 Transport

- 6.1 Hampshire’s duties as Highway Authority in relation to air quality and transport are set out in the 2013 Local Transport Plan (LTP).
- 6.2 HCC will support district councils with respect to carrying out air quality reviews, the assessment of air quality management areas and the preparation of air quality action plans; whilst addressing ‘the effects of inequalities that arise from social or economic disadvantage, as well as from gender, race, disability, sexual orientation and belief’.
- 6.3 Generally, the LTP recognises that conserving and enhancing the quality of Hampshire’s environment is a responsibility that residents expect the County Council to meet. It is important to manage and mitigate the adverse

impacts of traffic and travel on people, natural habitats and landscapes, where practical and efforts are already made when carrying out work on the highway or designing improvements to minimise these effects.

- 6.4 Specifically, the LTP recognises that air quality is a major environmental factor that can affect human health, as well as significantly influence and alter local ecosystems. Several factors contribute to air pollution in the county, most notably emissions from transport and pollutants related to industry, largely outside the county boundary. Air quality in the majority of the county is considered to be relatively good and within government standards, although certain areas do experience problems. The strategy for air quality in the most recent Local Transport Plan seeks to address poor air quality locations, the overall health of the community and why pollution incidents occur.
- 6.5 Measures to reduce the need to travel widen travel choice and reduce dependence on the private car, alongside investment in low-carbon vehicle technologies all play an important part of helping to meet local and national targets for air quality and carbon. Cleaner, greener travel helps improve quality of life and health for residents near busy roads and for the people travelling.
- 6.6 Increasing the proportion of journeys made on foot and by bicycle has the potential to assist in achieving local goals including improved air quality, carbon reduction and healthier communities. Investment in walking and cycling infrastructure will be primarily focused on urban areas, where it has the potential to provide a healthy alternative to the car for local short journeys to work, local services and schools at relatively low cost.
- 6.7 The County Council also seeks low-cost opportunities to create a non-intimidating environment to allow people to make short journeys on foot and by bicycle. Provision of cycle training helps residents to cycle safely, and enables them to build healthy travel into their daily routines while helping to improve their independence. This has been further expanded on in the *Hampshire Walking^{xi}* and *Cycling^{xii} Strategies*
- 6.8 The positive benefits of modal shift away from the private car to public transport and active modes is well understood, Successful implementation of infrastructure & behaviour change campaigns contributing to reduced congestion, improved journey times and wider improvements to air quality and health are well evidenced.
- 6.9 Hampshire County Council has a strong record of unlocking improvements through well evidenced schemes and initiatives, where funding is made available.

7 Planning

- 7.1 Section IV of the *National Planning Policy Framework (NPPF)* on “*Promoting Sustainable Transport*” encourages sustainable transport, including reducing congestion, reducing journey lengths and prioritising pedestrian and cycle movement in new developments, facilitating travel choice, use of technology and expecting the submission of a *Transport Assessment and Travel Plan* for large scale developments. It also emphasises the role of the *Local Plan* in influencing sustainable transport.
- 7.2 Section VIII of the NPPF on “*Promoting Healthy Communities*” covers enhancing rights of way and accessibility networks. It recognises that good planning can encourage active travel.
- 7.3 The *National Planning Practice Guidance (NPPG)* supports the NPPF and states “*Local planning authorities should ensure that health and wellbeing...are considered in local and neighbourhood plans and in planning decision making.*” This would extend to considering road infrastructure and transport implications of new developments. The NPPG further delivers specific guidance on air quality, emphasising the function of the Local Plan, and suggests examples of mitigation such as “*promoting infrastructure to promote modes of transport with low impact on air quality*”.
- 7.4 *Low Emissions Strategies: using the planning system to reduce transport emissions. Good Practice Guidance* is guidance from DEFRA to Planning Authorities on mitigating vehicle emissions impact.
- 7.5 *The Hampshire Planning and Public Health Position Statement* sets out how Hampshire County Council and partners can deliver the County Council’s statutory public health responsibilities and District Councils duties to deliver relevant elements of the National Planning Policy Framework through the planning system.

HCC response to Southampton City Council



Hampshire
County Council

Our ref: O-LO-2018-0096

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11 September 2018

Dear Christopher

I am writing to share with you the County Council's response to Southampton City Council and New Forest District Council's consultation on introducing a Class B charging Clean Air Zone (CAZ) in the city, targeting buses, coaches, taxis and HGVs.

The County Council acknowledges the serious implications for public health of poor air quality and is supportive of the work of the City Council and New Forest District Council in developing measures to tackle the impact of roadside air pollution and to achieve legal compliance. However, the County Council does have significant concerns with the evidence currently available to support the proposal and therefore objects to the City Council's current charging CAZ proposal for the city at this time, albeit reluctantly.

The modelling guidance used is based on a simulation to support a new London Congestion Charge case study, a scheme that has yet to be implemented. Whilst it is acknowledged this methodology is a national specification determined by the Joint Air Quality Unit (JAQU), the effectiveness of applying socio-economic assumptions from a London model to the Solent context or geography without adaptation is questioned. Amongst our concerns is to what extent non-compliant vehicles may re-route to avoid any potential charge, for example to access the Isle of Wight potentially via the Lymington Car Ferry and Lyndhurst Air Quality Management Area, which would contravene national guidance contained within the Clean Air Zone Framework (paragraph 53 of JAQU's Clean Air Zone Framework). In the absence of evidence to allay these concerns, one possible option might be to consider a legal agreement between our authorities such that, in the event any of these concerns manifest, mitigation measures to offset these impacts outside of the city-wide CAZ will make first call on any revenue derived from the charging zone.

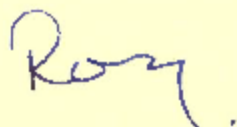
The County Council is also concerned about the potential impact of diversion of freight traffic away from rail access to the Port of Southampton towards roll-on roll-off facilities elsewhere, such as Portsmouth or even Felixstowe. We support in principle the commitment of Associated British Ports to help Southampton City Council meet their compliance target without the need for a charging solution and would like to understand more about how this approach is progressing, as well as more detail around their concerns as to the commercial impact of a CAZ on their operations.

The County Council has concerns around the capacity of the haulage industry to deliver changes to vehicle fleet at the pace that CAZ implementation would require, especially small haulage operators for whom the switch to compliance will represent a significant investment that may be beyond their ability to absorb. If unresolved these could impact on the local economy (especially considering the 'just in time' nature of stock supply to most businesses) so must be well understood. Similarly, we understand from discussions with some local public transport stakeholders that there may be commercial implications for their operations, including accessing depots or service centres.

Finally, the County Council feel the path to delivery is still somewhat unclear, with some technical solutions required to interact with national back-office enforcement activity reportedly not yet ready to be specified or procured. It is likely that implementation of a CAZ in Southampton will require some form of signage at least, (if not some enforcement equipment), outside of the city boundary and probably on the County Council's highway network. The County Council is unable to support such measures until the details are known.

I hope this has been useful to you in clarifying the reasons for the County Council's objection to the current CAZ proposals for Southampton, which we would of course be prepared to review if further evidence becomes available. In the meantime may I reassure you that the County Council remains committed to working in collaboration with the City Council in bringing forward evidence based effective proposals for Southampton and adjoining parts of New Forest to address the very serious issue of air quality identified by the Government's national plan for tackling roadside emissions of NO2.

Yours sincerely



Roy Perry
Leader
Hampshire County Council

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- ⁱ Public Health England (PHE). 'Estimating local mortality burdens associated with particulate air pollution', 2014. Available at: www.gov.uk/government/publications/estimating-local-mortality-burdens-associated-with-particulate-air-pollution
- ⁱⁱ World Health Organization. 'Review of evidence on health aspects of air pollution – REVIHAAP Project', 2013. Available at: <http://www.euro.who.int/en/health-topics/environment-and-health/air-quality/publications/2013/review-of-evidence-on-health-aspects-of-air-pollution-revihaap-project-final-technical-report>
- ⁱⁱⁱ February 2016 Royal College of Physician (RCP) report on air pollution. Every breath we take: the lifelong impact of air pollution. Available at: <https://www.rcplondon.ac.uk/projects/outputs/every-breath-we-take-lifelong-impact-air-pollution>
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- ^{vi} The Air Quality (England) Regulations 2000. Available at: <http://www.legislation.gov.uk/uksi/2000/928/contents/made>
- ^{vii} DEFRA. [Local Air Quality Management Policy Guidance \(PG16\)](https://laqm.defra.gov.uk/assets/laqmpolicyguidance2016.pdf). 2016. Available at: <https://laqm.defra.gov.uk/assets/laqmpolicyguidance2016.pdf>
- ^{viii} The Air Quality Standards Regulations 2010. Regulation 31. Available at: <http://www.legislation.gov.uk/uksi/2010/1001/regulation/31/made>
- ^{ix} NEC Directive reporting status 2017 - The need to reduce air pollution in Europe. Available at: <https://www.eea.europa.eu/themes/air/national-emission-ceilings/nec-directive-reporting-status>
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- ^{xii} Hampshire County Council Cycling Strategy September 2015. Available at: <http://documents.hants.gov.uk/transport-strategy-documents/HampshireCyclingStrategy.pdf>