

EXECUTIVE

Monday, 18 March 2024
6.00 pm
**Committee Room 1, City
Hall, Orchard Street, Lincoln**

Membership: Councillors Ric Metcalfe (Chair), Donald Nannestad (Vice-Chair), Sue Burke, Bob Bushell, Rebecca Longbottom and Naomi Tweddle

Officers attending: Angela Andrews, Democratic Services, Kate Ellis, Jaclyn Gibson, Daren Turner, Simon Walters, Carolyn Wheater and Louise Simpson

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Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.	
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You are asked to resolve that the press and public be excluded from the meeting during the consideration of the following items because it is likely that if members of the press or public were present, there would be disclosure to them of 'exempt information'.

In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, notice is hereby given of items which will be considered in private, for which either 28 days' notice has been given or approval has been granted by the appropriate person specified in the Regulations. For further details please visit our website at <http://www.lincoln.gov.uk> or contact Democratic Services at City Hall, Beaumont Fee, Lincoln.

These items are being considered in private as it is likely they may disclose exempt information, as defined in Schedule 12A of the Local Government Act 1972. No representations have been received in relation to the proposal to consider these items in private.

SECTION B

ECONOMIC GROWTH

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Present: Councillor Ric Metcalfe (*in the Chair*),
Councillor Donald Nannestad, Councillor Sue Burke,
Councillor Bob Bushell and Councillor
Rebecca Longbottom

Apologies for Absence: Councillor Naomi Tweddle

80. Confirmation of Minutes - 15 January 2024

RESOLVED that the minutes of the meeting held on 15 January 2024 be confirmed and signed by the Chair as a true record.

81. Declarations of Interest

No declarations of interest were received.

82. Western Growth Corridor Scheme Delivery - Eastern Access

Purpose of Report

1. To provide an update on the progress with the delivery of the Skellingthorpe Road (southern access) works and proposed housing development.
2. To provide an update on proposals for the design and delivery of the main bridge and road link, which would form the eastern access point into the Western Growth Corridor site.
3. To seek approval to move forward with enabling works, relating to vegetation clearance and the diversion of statutory services, in order to maintain the programme for delivery of the eastern access work, in line with funding timescales.

Decision

1. That the progress being made in respect of the first phases of delivery to open up the Western Growth Corridor site, which was of strategic importance to the future growth of the city, be acknowledged.
2. That the proposed enabling works associated with the eastern access be approved, in order to maintain the programme for delivery to meet the required funding timescales.

Alternative Options Considered and Rejected

None.

Reasons for the Decision

The delivery arrangements proposed within the officer's report would open up the Western Growth Corridor (WGC) development via its eastern access, creating

opportunities for housing growth and contributing directly and indirectly to the economic growth of the city.

The creation of this access would then further provide the opportunity to deliver a connecting spine road (to link with the Skellingthorpe Road – Southern Access), thereby opening up the full potential of the site and resulting opportunities to support sustainable economic growth.

The development would bring a number of positive benefits in respect of reducing inequality and supporting inclusive growth through the provision of affordable housing, sustainable transport links and wider energy efficiency measures, employment opportunities and access to leisure and green spaces.

Delivery of the Eastern Access would directly open up the land within the ownership of the City Council and forming part of the Western Growth Corridor site. This would provide the opportunity for the delivery of a range of housing across all types and tenures to serve the needs of the City. The Council would be ensuring that a high quality of development was achieved, in line with its objectives and wider vision statement to create sustainable, inclusive communities.

The area for development had a fantastic environment and some very special attributes in terms of existing quality landscape, views of the historic area and the biodiversity of the natural environment, which would be utilised to create a quality community environment. The detailed development proposals for both the infrastructure and subsequent housing development, would be required to take account of these assets and to seek to preserve key landscape features and enhance biodiversity across the site.

The vision for the Western Growth Corridor was to deliver a high quality, sustainable development which sought to address the challenge of climate change in terms of the overall scheme design and its constituent parts – housing layout and built form, energy, biodiversity, transport and construction methodology.

In respect of the Eastern Access, the value engineering and design process sought to improve the overall design, to reduce the quantum of material to be used and to seek to source this sustainably. The opportunities identified to date would realise a 50% reduction in fill material, with greater potential still to be explored leading to significant carbon (and cost) efficiencies. A sustainability report assessment would be carried out as part of the design and delivery process, comparing the previously approved bridge solution to the current proposal.

In respect of the first phase of housing, a sustainability report had been provided which demonstrated that the proposals would deliver a scheme which would produce 87% less carbon than a standard building regulation compliant scheme. The proposals would go further than this, exceeding the proposed Future Homes Standard for development.

This demonstrated the Council's commitment to leading the way in the delivery of a new standard of housing, which was differentiated from the existing market offer and a positive and significant step towards the delivery of net zero development.

All costs associated with the design and enabling works in the current financial year would be funded by the LUF2 grant, as previously reported to Executive

The final project costs would be subject to the technical design process which was currently underway and delivery would be subject to agreement with all funding partners. A further report would be presented in March 2024 to seek approval, ahead of entering into contract to proceed to the delivery stage

83. Accredited Real Living Wage Increase October 2023

Purpose of Report

To recommend the proposed increase to the living wage, as announced by the Living Wage Foundation in September 2022.

Decision

That the increase to the latest accredited living wage uplift be implemented during April 2024.

Alternative Options Considered and Rejected

None. The Council was committed to maintaining its living wage accreditation.

Reasons for the Decision

The aim of implementing the accredited living wage was to ensure that no employees were paid below the accredited living wage hourly rate. Since achieving accreditation, the Council had taken an active role externally to encourage Lincoln businesses to also pay the accredited living wage.

In November 2020, the Government introduced a higher minimum wage rate for all staff over 23 years of age and by law all employers must pay at least £10.42 per hour with effect from April 2023. This calculation was through a percentage of median earnings currently at 55%. The calculation for the living wage was made through the cost of living, based on a basket of household goods and services.

In October 2023 it was announced that the real living wage would increase from £10.90 an hour to £12.00 an hour.

Currently there were thirty-five employees who were paid less than the proposed living wage rate of £12.00. Fifteen employees were on scale point 2 and twenty on scale point 3.

84. Furnished Properties Without a Resident-Council Tax Premium

Purpose of Report

This report was to consider using new discretionary powers to introduce a council tax premium charge for furnished domestic dwellings that were occupied periodically.

Decision

That it be recommended to Full Council, the introduction of a council tax premium charge of 100% from 1st April 2025 for dwellings where;

- a) There was no resident of the dwelling, and
- b) The dwelling was substantially furnished.

NB – details of exceptions to this premium were expected to be mandated in legislation before 1st April 2025.

Alternative Options Considered and Rejected

None.

Reasons for the Decision

The number of holiday/second homes had grown nationally over recent years reducing housing stock for residents in areas with a high number of holiday homes used personally or for Airbnb. This also increased prices in the area, and absent owners were taking up housing stock but not contributing to the area socially or economically.

The Levelling Up and Regeneration Act received Royal Assent on 26th October 2023.

Section 77 of the Act provided a discretionary provision to the Local Authority to raise a premium of no more than 100% on second homes. 'Second homes' were not defined within the Council Tax legislation and the properties that were the subject of the premium were dwellings where;

- a) There was no resident of the dwelling, and
- b) The dwelling was substantially furnished.

A resident in relation to the dwelling meant an individual who had their sole or main residence in the dwelling.

As 12 months' notice to existing owners of second homes was required, the earliest that the new charges would apply was from 1st April 2025.

A consultation in September 2023 was held to identify properties where the premium charge would not be applied in England.

The outcome of this consultation had not been received although officers expected that new legislation would be received before 1st April 2025.

85. Vision and Town Clerk 2025 Progress Report

Purpose of Report

To present to Executive a progress report that summarised the achievements and successes delivered by the Council's Vision 2025 strategic plan to date; and;

To request that the progress report be reviewed and approved by Executive, (Digital document -Appendix A circulated), in order that it could be published and promoted.

Decision

1. That the 'Vision 2025 – Celebrating our Progress' report '**Appendix A**' be received and reviewed; and
2. That the progress report be approved for publication, and its promotion in accordance with the proposal set out in paragraph 3.4 of the covering report be approved by Executive.

Alternative Options Considered and Rejected

There were no alternative options available, as the progress report was for information purposes.

Reasons for the Decision

In 2022 the Council published an interim review of its Vision 2025 strategic plan. The Council would soon be developing its Vision 2030 strategic plan; the progress report '**Appendix A**' sought to both consolidate and celebrate the achievements made during the current plan period and serve as the precursor to commencing the next strategic planning cycle.

The 'Vision 2025 – Celebrating our Progress' report took account of feedback received during its development and was currently being finalised in corporate style. **Appendix A** would follow when completed, in advance of Executive.

The content and format of the progress report had been influenced by the topics emphasised during the recent Growth Conference, and had been developed with the support of all directorates.

The publication style used in the progress report sought to make the document engaging for external stakeholders, presenting information in a more visual way and removing the need for large amounts of text. Emphasis had been given to some of the Council's key achievements by displaying them in case study format, offering opportunities for the Council to showcase those achievements that had the biggest impact on the city.

The officers report supported the Council in commencing its next strategic planning cycle, presenting an overview of the achievements delivered by Vision 2025 and helping to set the scene for Vision 2030. The report reflected all corporate priorities within Vision 2025, and aimed to support development of the next strategic plan.

86. Financial Performance - Quarterly Monitoring

Purpose of Report

To present the third quarter's performance (up to 31 December 2023) on the Council's General Fund, Housing Revenue Account, Housing Repairs Service and Capital Programmes, and to seek approval for changes to the capital programmes.

Decision

1. That the financial performance for the period 1 April 2023 to 31 December 2023 be noted.
2. That the underlying impact of the pressures and underspends identified in paragraphs 3.3 (and Appendix B), 4.3 (and Appendix D), and 5.2 (and Appendix F) of the officer's report be noted.
3. That the proposed carry forward requests and transfers to earmarked reserves detailed in paragraph 3.8 and 3.9 be approved;
4. That the changes to the General Investment Programme and Housing Investment Programme as approved by the Chief Finance Officer detailed in paragraphs 7.6 and 7.14 of the officer's report be noted.
5. That the changes to the General Investment Programme and Housing Investment Programme, as detailed in paragraphs 7.3, 7.4, 7.5, 7.11 and 7.12 of the officer's report, be approved.

Alternative Options Considered and Rejected

None.

Reason for Decision

Financial Procedure Rules required members to receive, on a quarterly basis, a report prepared jointly by the Chief Finance Officer and Corporate Management Team commenting on financial performance to date. This report was designed to meet this requirement.

Whilst there were still a number of variables which were subject to a level of uncertainty, based on the latest set of assumptions as at the end of the third quarter (up to 31 December 2023), the forecast financial position of the Council for 2023/24 was detailed at paragraph 2.2 of the officer's report, together with the detailed financial position shown in sections 3-7 and the accompanying appendices.

Updates were reported as follows:

General Fund Revenue Account

For 2023/24 the Council's net General Fund revenue budget was set at £14,402,660 which included a planned contribution from balances of £191,110 resulting in an estimated level of general balances at the year-end of £2,228,739 (after allowing for the 2022/23 outturn position).

The General Fund Summary was currently projecting a forecast underspend of £289,602 (Appendix A provided a forecast General Fund Summary) resulting in general balances at the year-end of £2,518,341. This position maintained balances above the prudent minimum of c.£1.5-2m.

There were a number of forecast year-end variations in income and expenditure against the approved budget, as detailed at paragraphs 3.3-3.5 of the report, with the main variances provided in Appendix B to the report.

The cost pressures in relation to the pay award were unavoidable, and the levels of income in relation to development in the city were primarily driven by economic factors, both of which had required the resetting of budgets as part of the MTFS. However, in relation to the increasing cost of housing benefits which the Council was bearing the Corporate Management Team had commissioned a range of responses, these would focus on both managing the demand for temporary accommodation as well as exploring options to increase the supply of suitable accommodation to reduce the reliance on costly bed and breakfast usage. In addition, careful review of all supported accommodation claims was in place to ensure the appropriate levels of housing benefit were awarded.

While the forecast outturn for the General Fund was a budget underspend, there still remained uncertainty in terms of service demands and income forecasts. As such the final outturn position for the year was still subject to further change and would continue to be carefully monitored. At this stage no additional mitigations, other than those currently being implemented in response to temporary and supported accommodation costs, were recommended. Strong budgetary control should continue to be a focus to ensure expenditure and income remained balanced within the budget, resulting in a positive contribution to reserves at outturn.

Ear Marked Reserves-Carry Forward Requests

Financial Procedure Rules stated that Assistant Directors were able to carry forward any budget provision not utilised during the financial year, to be used for the same purpose in future years subject to their Directorate as a whole not being overspent. Based on the forecast outturn as at quarter three, and subject to the final cash limit outturn, for each Directorate in 2023/24 a list of requests (to be transferred from the surplus to earmarked reserves for drawdown in future years) totalled £60,400.

In addition to the above carry forward requests, a number of requests for additional transfers to reserves had been made, whereby Directorates had requested a transfer to a new, or existing, reserve for a number of underspent budgets, to be used for alternative purposes or to mitigate risks, in future years, subject to their Directorate as a whole not being overspent. Based on the forecast outturn as at quarter three, and subject to the final cash limit outturn for 2023/24, this list of requests totalled £126,650.

These carry forward requests and additional reserve contributions were included in the forecast outturn position.

Further details of the General Fund Earmarked Reserves were set out in paragraph 6 and Appendix G of the officer's report.

Towards Financial Sustainability Programme

The savings target included in the MTFS for 2023/24 was £185,210.

Progress against this target, based on quarter 3 performance, showed that secured savings totalled £126,080 for the General Fund, with a further £121,590 identified, which resulted in an over-achievement of £62,460 in year.

A summary of the specific reviews that had contributed to this delivery were shown in Appendix K.

Housing Revenue Account

For 2023/24 the Council's Housing Revenue Account (HRA) net revenue budget was set with a planned contribution from balances of £58,930, resulting in an estimated level of general balances at the year-end of £1,125,517, after allowing for the 2022/23 outturn position.

The HRA was currently projecting a forecast overspend of £13,787 which would result in HRA balances of £1,111,730 at the end of 2023/24. (Appendix C provided a forecast Housing Revenue Account Summary). This position maintained balances above the prudent minimum of circa £1m.

Although the forecast position was an overspend, there were a number of significant variations in income and expenditure against the approved budget as outlined at paragraph 4.3-4.5 of the report, with full details of the main variances provided in Appendix D of the report.

As detailed throughout this report, there still remained a number of variables in the forecast assumptions, and as such the final outturn position for the year was still subject to further change. At this stage no additional mitigations, other than those currently being implemented in response to the issues faced by the Housing Repairs Service (HRS) and to the rising cost of Disrepair claims, were recommended. Strong budgetary control should continue to be a focus in this financial year to ensure expenditure and income remained balanced within budget.

Housing Repairs Service

For 2023/24 the Council's Housing Repairs Service net revenue budget was set at zero, reflecting its full cost recovery nature.

At quarter 3 the HRS was forecasting a deficit of £552,062 in 2023/24 as detailed within the forecast HRS summary at Appendix E, with full details of the main variances provided in Appendix F, together with a summary of the key variances provided at paragraph 5.2 of the officer's report.

The main contributory factor for this deficit was the ongoing recruitment and retention challenges, which were being felt not just by the council but across the construction industry as a whole. This inability to attract and retain staff resulted in a greater reliance on the use of sub-contractors to ensure that service demands were met. The cost of using sub-contractors was however more expensive than the HRS's own workforce, due to the ongoing impact of Covid19, inflationary factors and a reduced pool of contractors from which to secure services. These additional costs were therefore not fully offset by the vacancy savings achieved by not carrying out the work internally.

As the increased sub-contractor costs were not reflected in the service hourly rate and overhead recovery was not recouped on sub-contractors, this resulted in an under recovery of full costs from the HRA.

Whilst last year high vacancy levels, and the use of sub-contractors rather than our own workforce, resulted in an underspend on materials for the Council, this year higher than anticipated inflation levels, an industry wide issue, and an

expected increase in repair jobs had resulted in an overspend on materials, further compounding the HRS forecast position.

The forecast deficit also included the impact of the national pay award, which was significantly over and above the assumptions included within the MTFS, as outlined in both the General Fund and HRA variances. The 2023/24 pay offer, made by the National Employers for Local Government Services earlier this year, was accepted by the Trade Unions for both Red and Green Book employees and was subsequently paid in December. The award reflected the higher of either, a flat rate increase of £1,925, or 3.5-3.8% to all employees, equivalent to a 9.4% increase for the lowest paid members of staff and with the majority of staff receiving pay rises above 5% for a second consecutive year.

It should be noted that due to the interconnection of the HRS and HRA, the consequential costs in the HRA were ordinarily reduced, and therefore offset any repatriated deficit. However due to the increased usage of more expensive sub-contractors and materials, and an increased volume of works, this was not the case this financial year as detailed above, and there was a significant additional cost for repairs and maintenance of the housing stock being incurred by the HRA. This additional cost was being offset against the overall HRA position.

Earmarked Reserves

The Council held a number of earmarked revenue reserves over both the General Fund and HRA. These reserves were sums set aside for specific purposes and to mitigate against potential future known or predicted liabilities. Key reserves included income volatility, business rates volatility, IT investment fund, asset sinking funds for future refurbishment etc. A number of these reserves were budgeted for use over the period of the MTFS.

The details of all the earmarked reserves and their forecast balance as at 31 March 2024 were attached at Appendix G, and summarised at paragraph 6.2 of the officer's report, with further details in the MTFS 2023-2028.

General Fund Investment Programme

The revised General Investment Programme (GIP) for 2023/24 amounted to £24.784m following the quarter 2 report. At quarter 3 the programme had reduced by £9.450m to £15.334m, as detailed at paragraph 7.2 of the officer's report.

Changes over the delegated limits which required approval by the Executive for the third quarter were detailed at paragraph 7.3 of the officer's report.

New projects added to the GIP, which required Executive approval, or recently added and approved by Executive in Quarter 3 were detailed at paragraph 7.4-7.5 of the officer's report.

The financial changes and reprofiles to the budget up to an approved limit, delegated to the Chief Finance Officer for approval for the third quarter 2023/2024 were detailed at paragraph 7.6, with a summary of the projected outturn position provided at paragraph 7.7 of the officer's report.

The overall spend on the General Investment Programme active schemes for the third quarter of 2023/24 was £8.2m, which was 67.57% of the budget (excluding externally delivered schemes), as detailed further at Appendix I of the report.

Housing Investment Programme

The revised Housing Investment Programme (HIP) for 2023/24 amounted to £16.862m following the quarter 2 position. At quarter 3 the programme had been decreased by £0.742m to £16.120m, as detailed within paragraph 7.10 of the officer's report.

All changes over the approved limit required approval by the Executive. The financial changes over the approved limit which required Executive approval for the third quarter 2023/2024 were detailed at paragraph 7.11 of the officer's report.

All new projects were subject to Executive approval. There had been one new project to be funded from the Major Repairs Reserve which required approval during quarter 2 as detailed at paragraph 7.11 of the officers report.

One new project in quarter 3, having been approved under delegation in accordance with the Virtual Asset Management Group, was detailed at paragraph 7.12 of the officer's report:

The financial changes delegated to the Chief Finance Officer for approval as set out under Financial Procedure Rules for the third quarter 2023/2024 were detailed at paragraph 7.13 and a summary of the projected outturn position for the Housing Investment Programme at paragraph 7.14 of the officer's report.

The overall expenditure on the Housing Investment Programme at the end of quarter 3 of 2023/24 was £7.029m, which was 41.85% of the 2023/24 revised programme. This excluded expenditure relating to Western Growth Corridor, which was currently shown on the GIP, to be apportioned at year end (current forecast outturn £1.97m). This was detailed further at Appendix J.

A further £0.525m had been spent as at the end of January 2024, although this was still a low percentage of expenditure at this stage of the financial year, works had been constrained by the availability of contractors and materials, however new contracts were in place and spend was expected to increase by the end of the financial year. In addition, schemes such as Hermit Street had only recently commenced, and a number of the LAHF acquisitions were currently in progress but not yet complete.

87. Treasury Management and Prudential Code-Quarterly Update

Purpose of Report

To summarise and review the Council's treasury management activity and the prudential indicators at 31 December 2023.

CIPFA's new edition of the Code of Practice for Treasury Management (2021) recommended that Councillors should be informed of Treasury Management activities quarterly (previously twice a year). This report, therefore, ensured this Council was embracing best practice for the scrutiny of capital and investment activity in accordance with the Code of Practice (CIPFA).

Decision

That the Prudential and Treasury Indicators and the actual performance against the Treasury Management Strategy 2023/24 for the quarter ended 31 December 2023 be noted.

Alternative Options Considered and Rejected

None.

Reason for Decision

The prudential system for capital expenditure was well established. One of the requirements of the Prudential Code was to ensure adequate monitoring of the capital expenditure plans, prudential indicators (PIs) and treasury management response to these plans. This report fulfilled that requirement and included a review of compliance with Treasury and Prudential Limits and the Prudential Indicators at 31 December 2023. The Treasury Management Strategy and Prudential Indicators were previously reported to and approved by Council on 28 February 2023.

The Council had adopted the CIPFA Code of Practice for Treasury Management in the Public Sector and operated its treasury management service in compliance with this Code and the above requirements. These required that the prime objective of treasury management activity was the effective management of risk, and that its borrowing activities were undertaken in a prudent, affordable and sustainable basis.

It was noted that the Council held £28.315m of investments at 31 December 2023, achieving an average interest rate of 5.64% (2.10% 22/23). Actual interest earned in the 9 months period to 31 December 2023 totalled £1.440m.

It was noted that as at 31 December 2023, the Council held £109.243 million of external borrowing, of which 100% were fixed rate loans.

As at 31 December 2023, the average rate of interest paid during the first 3 quarters of the year on external borrowing was 3.26%.

As part of the Treasury Management Strategy, the Council established a range of Prudential Indicators (in accordance with professional practice) to monitor both Treasury and Capital as the two were intrinsically linked. Details of the performance against the Prudential Indicators was detailed at Appendix A to the officer's report.

The current economic update from the Council's treasury advisors (LINK) could be found in Appendix B.

This report highlighted the changes to the key prudential indicators, to enable an overview of the current status of the capital expenditure plans. It incorporated any new or revised schemes previously reported to members. Changes required to the residual prudential indicators and other related treasury management issues were also included.

88. Quarter 3 2023/24 Operational Performance Report

Purpose of the Report

To present an outturn summary of the Council's operational performance in quarter three of 2023/24.

Decision

1. That the achievements and challenges identified in the Quarter 3 2023/24 operational performance report be noted.
2. It be confirmed that the format of the performance report continued to meet requirements.

Alternative Options Considered and Rejected

None were considered.

Reasons for the Decision

Regular monitoring of the council's performance was a key component of the Local Performance Management Framework. This report covered the key strategic performance measures identified by members and Corporate Management Team (CMT) as of strategic importance.

The outturn summary report detailed performance against a total of 85 measures across the directorates Chief Executive's, Communities and Environment and Housing and Investment. In total 65 performance measures out of the 85 were monitored against targets, of which 7 were below target; 25 were within target boundaries; 33 had met or exceeded a higher target; 20 measures were recorded as volumetric, and there were no measures recorded as data not available for this quarter.

Out of the 85 performance measures monitored during the quarter with 65 targets allocated to them, 58 (89.2%) were within or exceeding the targets set. This was an improvement of 8.6% when compared to quarter 2 2023/24.

The Quarter 3 2023/24 Operational Performance Report found at Appendix A to the officer's report detailed those targeted measures with performance above or below target by each directorate at the end of the third quarter of 2023/24, and the reasonings behind the performance outturns.

In addition to the directorate performance measures, the report also detailed the performance outturns for corporate performance measures. These measures focussed on areas of resources, health & wellbeing, sickness, complaints (including Ombudsman rulings) and compliments.

To support the full operational performance report, a full list of all performance measure outturns and supporting performance commentary was provided at Appendix B, together with those performance measures performing within target boundary at the end of the quarter (acceptable performance) and the outturns for all performance measures recorded as volumetric (untargeted).

89. Medium Term Financial Strategy 2024/2029

Purpose of Report

To consider recommending the Medium-Term Financial Strategy for the period 2024-2029 and the budget for 2024/25 to the Council for approval.

To consider recommending the Capital Strategy 2024-2029 to the Council for approval.

Decision

That the Council be recommended to approve the Medium Term Financial Strategy 2024-2029, and the Capital Strategy 2024-2029, which included the following specific elements:

- a proposed council tax Increase of 2.92% for 2024/25;
- the Council being a member of the Lincolnshire Business Rates Pool in 2024/25;
- the General Fund Revenue Forecast 2024/25-2028/29, as shown in Appendix 1 and the main basis on which this budget had been calculated (as set out in paragraph 4);
- the Housing Revenue Account Forecast 2024/25-2028/29, as shown in Appendix 2 and the main basis on which this budget had been calculated (as set out in paragraph 5);
- the General Investment Programme 2024/25-2028/29, as shown in Appendix 3, and the main basis on which the programme had been calculated (as set out in paragraph 6).
- The Housing Investment Programme 2024/25-2028/29, as shown in Appendix 4, and the main basis on which the programme had been calculated (as set out in paragraph 7).

Alternative Options Considered and Rejected

None.

Reasons for the Decision

The refresh of the MTFS needed to be seen in the context of significant financial uncertainty for the Council. Exceptional economic factors such as; the impact of inflation on the Council's pay bill and the cost of goods and services it purchased; rising interest rates increasing the cost of borrowing; increased costs of construction impacting on capital schemes; and reductions in service income and collection rates, continued to add considerable cost pressures to the Council's budgets

In addition, the Council was facing growing demands for some of its key services as those more vulnerable in the city looked to the council for support as the cost-of-living crisis continued to impact on household incomes. The imbalance between housing supply and demand and the reliance on temporary accommodation, to provide the necessary support, were of particular challenge to the Council.

Alongside these cost and demand pressures, there still remained uncertainty around the level of funding for local government beyond the current Spending Review period and the implementation of the planned national funding reforms. These reforms had the ability to fundamentally alter the course of the MTFS. Although it had been confirmed that these fundamental reforms would not be implemented in 2024/25, and there was a high likelihood that this would be the case in 2025/26 as well, all this did was shift the financial challenges to later in the MTFS period. This was further compounded by the risk of a new round of

public expenditure austerity measures. The funding outlook for local authorities therefore remained uncertain.

As a result of these factors, the financial landscape for local government continued to pose a challenge to the Council and was set in the context of this significant, inherent uncertainty. It was a long time since the Council had any medium-term certainty during budget setting, which made financial planning in this climate extremely challenging.

The Council would continue to build on its successful financial planning to date, driving down the net cost of services by implementing a range of transformational changes in the way in which it operated and delivered services, while continuing to prioritise investment in the City and its economy to grow future tax bases. Adopting this approach would ensure that the Council carefully balanced the allocation of resources to its vision and strategic priorities, whilst ensuring it maintained a sustainable financial position and delivered the required reductions in its net cost base.

Prior to submission of the MTFS 2024-2029 and budget to the Executive and Full Council, public consultation and member scrutiny had been undertaken.

The MTFS set out the overall framework on which the Council planned and managed its financial resources to ensure that they fitted with, and supported, the direction of the Council's vision and strategic priorities.

The MTFS integrated revenue allocations, savings targets and capital investment, provided the budget for the next financial year and provided indicative budgets and future council tax and housing rent levels for the period covered by the strategy.

In light of the current economic conditions and the impact these were having on the Council's finances, along with the inherent uncertainty in financial planning, the existing objectives of the MTFS had been reviewed to ensure they remained relevant. As a result, the key overriding objective continued to be;

- To drive down the Council's net cost base, in line with available resources, to ensure that it maintained a sound and sustainable financial base, delivering a balanced budget over the life of the MTFS;

The further objectives that the MTFS sought to achieve were detailed within the officer's report.

Looking ahead the financial landscape for local government continued to pose a high level of uncertainty, with a number of unknowns in relation to both national and local economic factors. Layered on top of this was the lack of clarity on further government funding reforms, and the level of overall resources for local government beyond the current Spending Review period. Therefore, in order to ensure that the Council maintained a robust and sustainable financial position and was able to respond to the impact of external events and increased financial risks that it faced, the MTFS needed to remain flexible, the council's reserves resilient and the soundtrack record of delivering savings needed to be sustained, whilst ensuring that resources were directed towards its vision and strategic priorities.

Purpose of Report

In light of the report on the Medium-Term Financial Strategy, as detailed at Minute 89, to consider the City Council's council tax requirement, together with the requirements of the County Council and the Police and Crime Commissioner for Lincolnshire and to allow the Executive to make a formal recommendation to Council for the overall levels of council tax for 2024/25.

Decision

That the following recommendations be made to the Council:

1. That the recommendation of the Executive on 2 January 2024 be accepted that the Council Tax Base for 2024/25, as calculated in accordance with The Local Authorities (Calculation of Council tax Base) (England) Regulations 2012, be 25,669.23
2. That the following amounts be calculated for the year 2024/25 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992:
 - (a) £109,979,120 being the aggregate of the amounts which the Council estimated for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - (b) £102,073,510 being the aggregate of the amounts which the Council estimated for the items set out in Section 31A(3) of the Act.
 - (c) £7,905,610 being the amount by which the aggregate at 2(a) above exceeded the aggregate at 2(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31A (4) of the Act).
 - (d) £307.98 being the amount at 2(c) above (Item R), all divided by Item T (1 above), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
 - (e) £0 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act.
 - (f) £307.98 being the amount at 2(c) above less the amount at 2(e) above, all divided by the amount at 1 above, calculated by the Council in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.

(g) City of Lincoln Council

A	B	C	D
£205.32	£239.54	£273.76	£307.98
E	F	G	H
£376.42	£444.86	£513.30	£615.96

being the amounts given by multiplying the amount at 2(f) above by the number which, in proportion set out in Section 5(1) of the Act, was applicable to dwellings listed in a particular band divided by the number which in proportion was applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken for the year in respect of categories of dwellings listed in different bands.

3. That it be noted that for the year 2024/25 Lincolnshire County Council had stated the following amounts in precepts issued to the Council, in accordance with the dwelling bandings shown below:

Lincolnshire County Council

A	B	C	D
£1,052.46	£1,227.87	£1,403.28	£1,578.69
E	F	G	H
£1,929.51	£2,280.33	£2,631.15	£3,157.38

4. That it be noted that for the year 2024/25 Police & Crime Commissioner Lincolnshire had provisionally stated the following amounts in precepts issued to the Council, in accordance with the dwelling bandings shown below:

Police & Crime Commissioner Lincolnshire

A	B	C	D
£202.80	£236.60	£270.40	£304.20
E	F	G	H
£371.80	£439.40	£507.00	£608.40

5. That having calculated the aggregate in each case of the amounts at 2(g), 3 and 4 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby set the following as the amounts of Council Tax for the year 2024/25 in accordance with the dwelling bandings shown below:

Total Council Tax Charge 2024/25

A	B	C	D
£1,460.58	£1,704.01	£1,947.44	£2,190.87
E	F	G	H
£2,677.73	£3,164.59	£3,651.45	£4,188.24

Alternative Options Considered and Rejected

None.

Reasons for the Decision

The net General Fund Budget requirement as set out in the Medium Term Financial Strategy report totalled £15,427,670 which included a contribution to balances of £146,820. For 2024/25 a council tax increase of 2.92% had been applied. The council tax requirement for 2024/25 was £7,905,610. By reference to

the Band D level, the 2024/25 council tax would rise by £8.73 to £307.98 per annum.

The requirements of Lincolnshire County Council and the Lincolnshire Police and Crime Commissioner were detailed in the report.

91. Prudential Indicators 2023/2024 to 2026/27 and Treasury Management Strategy 2024/25

Purpose of Report

To review and to recommend to the Council the adoption of the:

- Treasury Management Strategy 2024/25;
- Prudential Indicators;
- Minimum Revenue Provision (MRP) Policy Amended from 2023/24;
- Treasury Management Practices (TMP's)

Decision

- (1) That the Council be recommended:
- (a) To adopt the Treasury Management Strategy 2024/25, including the Prudential Indicators;
 - (b) To approve the revised Minimum Revenue Position Policy 2023/24;
 - (c) To approve the Treasury Management Practices

Alternative Options Considered and Rejected

None.

Reasons for the Decision

The report set out the operation of the Council's prudential indicators, its treasury function and its likely activities for the forthcoming year which incorporated the following four key elements:

- Prudential and Treasury Indicators – The reporting of the statutory prudential indicators together with local indicators, in accordance with the requirements of the CIPFA Prudential Code for Capital Finance in Local Authorities and the CIPFA Treasury Management Code of Practice.
- Minimum Revenue Provision (MRP) Statement – The reporting of the MRP policy which set out how the Council would pay for capital assets through revenue each year (as required by regulation under the Local Government Act 2003).
- Treasury Management Strategy – This set out how the Council's treasury activity would support capital decisions, the day-to-day treasury management and the limitations on activity through treasury prudential indicators. The key indicator was the Authorised Limit, the maximum amount of debt the Council could afford in the short term, but which would not be sustainable in the longer term. This was the Authorised Borrowing Limit required by Section 3 of the Local Government Act 2003 and was in

accordance with the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code.

- Investment Strategy – This was included in the Treasury Management Strategy and set out the criteria for choosing investment counterparties and limiting exposure to the risk of loss, which was reported annually in accordance with Department for Levelling Up, Housing and Communities (DLUHC) Investment Guidance.

This report had been considered by Audit Committee on 30 January 2024.

92. Strategic Risk Register Quarterly Review

Purpose of Report

To provide a status report on the revised Strategic Risk Register as at the end of the third quarter 2023/24.

Decision

That the Council's strategic risks as at the end of quarter 3 2023/24, be noted.

Alternative Options Considered and Rejected

None were considered. The Strategic Risk Register contained the key strategic risks to the delivery of the Council's medium and longer term priorities. A failure to monitor the action that was being taken to manage those risks would undermine the Council's governance arrangements.

Reasons for the Decision

An update of the Strategic Risk Register developed under the risk management approach of 'risk appetite', was last presented Members in November 2023 and contained fourteen strategic risks as detailed within paragraph 3.1 of the officer's report.

Since reporting to Members in November, the Strategic Risk Register had been refreshed and updated by the Risk Owners and Corporate Management Team which had identified some positive movement in the Risk Register.

93. Exclusion of the Press and Public

RESOLVED that the press and public be excluded from the meeting during consideration of the following items of business because it was likely that if members of the public were present there would be a disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

94. Strategic Risk Register Quarterly Review

Purpose of Report

To receive the revised Strategic Risk Register as at the end of quarter 3 2023/24.

Decision

That the Council's strategic risks, as at the end of quarter 3 2023/24, be noted.

Alternative Options Considered and Rejected

None were considered. The Strategic Risk Register contained the key strategic risks to the delivery of the Council's medium and longer term priorities. A failure to monitor the action that was being taken to manage those risks would undermine the Council's governance arrangements.

Reasons for the Decision

The reasons for the decision were set out at Minute 92 above.

95. Disposal of Council Property-Newport Cemetery Lodge

Purpose of Report

As detailed in the exempt report to the Executive.

Decision

That the recommendation to the Executive, as set out in the exempt report, be approved.

Alternative Options Considered and Rejected

As detailed in the exempt report to the Executive.

Reasons for the Decision

As detailed in the exempt report to the Executive.

96. Yarborough Leisure Centre - Energy Efficiency Improvements

Purpose of Report

As detailed in the exempt report to the Executive.

Decision

That the recommendation to the Executive, as set out in the exempt report, be approved.

Alternative Options Considered and Rejected

As detailed in the exempt report to the Executive.

Reasons for the Decision

As detailed in the exempt report to the Executive.

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SUBJECT:	CONTRACT OF EMPLOYMENT
DIRECTORATE:	CHIEF EXECUTIVE AND TOWN CLERK
REPORT AUTHORS:	CLAIRE BURROUGHS, HR AND WBL MANAGER / ALI THACKER, HR AND PAYROLL TEAM LEADER

1. Purpose of Report

- 1.1 To provide Executive with an overview of the proposed changes to the City of Lincoln Council contract of employment and to request that Executive consider the content of the report and consider the approval of the revised contract of employment.

2. Background

- 2.1 Human Resources have reviewed the existing contract of employment, and this report provides a summary of the proposed changes.

3. Contract of Employment Proposed Changes

3.1 Probationary Period

In Section 3 the proposed change includes a sentence providing the employee with one week's notice in line with the probation policy.

This makes clear that both the Council and employee can give on weeks' notice during the probationary period.

3.2 Sickness Absence

In Section 10 an additional paragraph has been included referencing attendance at Occupational Health.

The proposed change makes provision where an employee's health could affect their job or be affected by the work they do, the Council can request that they attend an Occupational Health assessment. The Council can then discuss the advice openly with the employee on how to best manage their condition in relation to their work and make any decision on an informed basis.

3.3 Notice Period to Terminate your Employment

In Section 13 a proposed change makes provision for an employee to be paid in lieu of notice.

A PILON clause gives the Council the right to terminate the employment contract with immediate effect and make a payment representing the period of notice that it would otherwise owe to the employee.

In addition, on leaving employment an employee can request to be paid in lieu of notice.

4. Organisational Impacts

4.1 Finance

There are no financial implications arising from this report.

4.2 Legal Implications including Procurement Rules

4.3 There are no legal implications arising from this report.

4.4 Equality, Diversity and Human Rights

There are no Equality, Diversity and Human Right implications arising from this report.

4.5 Human Resources

The proposed changes to the contract of employment have been discussed with Unions during local HR and Trade Union meetings, and Unions are supportive of the changes.

The draft proposed wording has been discussed and includes feedback from Trade Unions.

The proposed changes to the contract of employment was also taken to JCC in January 2024, where it was agreed that the proposed changes should progress to Executive for consideration/formal approval.

5. Risk Implications

5.1 (i) Options Explored

N/A

5.2 (ii) Key Risks Associated with the Preferred Approach

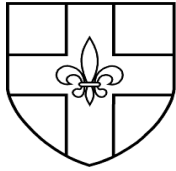
N/A

6. Recommendation

6.1 To request that Executive consider the proposed changes to the contract of employment for formal approval.

Is this a key decision?	No
Do the exempt information categories apply?	No
Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?	No
How many appendices does the report contain?	Two
List of Background Papers:	None
Lead Officer:	Claire Burroughs / Ali Thacker Human Resources Claire.burroughs@lincon.gov.uk Ali.thacker@lincoln.gov.uk

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CITY OF
Lincoln
COUNCIL

APPENDIX A

PRIVATE AND CONFIDENTIAL

<<formatted_name>>
<<formatted_address>>

Dear <<first_forename>>

Permanent Contract – <<job_title>>

Congratulations, I would like to confirm the offer of <<job_title>> with effect from <<job_start_date>>.

Your full-time equivalent salary will be £<<payscale_actual_rate_of_pay_value>> within the grade of <<grade_description>>. [insert if applicable – Your salary will be pro-rated to £xxx based on your contractual hours of work.

You will be required to attend an induction with your manager and you will be given further information in relation to that on your first day.

I enclose documentation for your attention and would be grateful if you could complete the documents and return those to me, as follows:-

- Contract of Employment – please read the contract carefully to ensure that you understand the terms upon which this post is being offered to you. Please sign and date a copy of your contract and return to me over email. If you have any queries in relation to the contractual terms you should not hesitate to contact me.
- Job Description – please sign and date a copy of the job description and return that to me. Please keep a copy for your own records.

Please bring with you on your first day, your P45 if available.

If you have any questions before you start with us, please do not hesitate to contact me on the above number.

Chief Executive & Town Clerk

Angela Andrews CPFA

City Hall, Beaumont Fee,
Lincoln. LN1 1DD

Telephone: (01522) 881188

Facsimile: (01522) 873546

Website: www.lincoln.gov.uk

Minicom: (01522) 873693 - Reception

Maurice Souter Ali Thacker Alison Kelby is
dealing with this matter

E-mail: maurice.souter@lincoln.gov.uk

ali.thacker@lincoln.gov.uk

alison.kelby@lincoln.gov.uk

Direct Line: 01522 873801 / 225/
397/3390

Date: <<date>>

I wish you every success in your new post.

Yours sincerely

Maurice Souter

Ali Thacker

Alison Kelby

HR Associate / HR and Payroll Team Leader

Standard Terms and Conditions of Employment

1.0 Employee's details

- 1.1 The Employee is <<formatted_name>>.
- 1.2 Job title <<job_title>> with effect from <<job_start_date>>.
- 1.3 Grade <<grade_description>>.
- 1.4 Your terms and conditions of employment are in accordance with the National Joint Council for Local Government Services, National Agreement on Pay and conditions of Service except where local agreements are in place.

2.0 Employer's Name and Address

- 2.1 Your Employer is City of Lincoln Council
 City Hall
 Beaumont Fee
 Lincoln
 LN1 1DD
- 2.2 The employer will be known as the Council in the remainder of your Terms and Conditions of employment.

3.0 Period of Employment

- 3.1 For statutory purposes your period of continuous employment with the City of Lincoln Council will start from <<org_start_date>>.
- 3.2 For the purposes of entitlements regarding:
 - ◆ Occupational Sick pay
 - ◆ Occupational Maternity pay
 - ◆ Annual leave
 - ◆ Redundancy payment

Continuous service will include continuous previous service with any public authority to which the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 (as amended) applies.

Your date for these purposes is <<reckonable_service_date>>.

- 3.3 The first 6 months of employment with the Council will be a probation period. During this period your performance, attendance, competence, behaviour and conduct will be monitored and assessed. The Council has the right to terminate your employment with one week's notice at any time during or at the end of this probationary period. As an

exception you can give one week's notice within the probationary period in accordance with the Probation Policy.

- 3.4 The Council can extend any probationary period if the line manager considers the employee's performance, attendance or conduct is unsatisfactory.
- 3.5 If you move roles or are promoted internally within the Council you will not have to complete a probationary period but your progress will be monitored and reviewed regularly with you during your first 6 months in post.

4.0 Job Title

- 4.1 Your job title is <<job_title>> in accordance with your job description.
- 4.2 Your duties are outlined in your job description. The Council reserves the right, in consultation with you, to amend your job title and role to take into account changing requirements. You may be required to undertake additional or other duties in line with your grade and current job role, to meet the needs of the business of the Council.

5.0 Salary

- 5.1 Your initial salary is £<<payscale_actual_rate_of_pay_value>> within the grade of <<grade_description>>.

Increments, if applicable, will be paid annually each year on the anniversary of your start date or of a change in grade until you reach the top of your grade.

- 5.2 Your salary will be paid monthly two weeks in arrears and two weeks in advance by credit transfer on the 15th day of each month.
- 5.3 Your salary will be reviewed annually, with effect from the 1 April each year.

6.0 Deductions

- 6.1 The Council has the right to deduct any money you owe the Council from your pay, including:
 - over-payments
 - loans made to you by the Council

7.0 Place of work

- 7.1 Your normal base will be <<location>> but the Council reserves the right to change this to any other place within the geographical area served by the Council.

8.0 Normal hours of Work

- 8.1 You are normally required to work <<contractual_hours>> hours per week, over days per week or in accordance with the rota given to you by your Manager.
- 8.2 You may be required to work overtime in addition to your normal hours of work. Your Manager will give you reasonable notice. Authorised overtime will be paid in accordance with the National Agreement and any individual agreements made under the Flexible working policy.

9.0 Holiday Entitlement

- 9.1 Annual leave must be booked and taken in accordance with the Annual Leave Policy. Your leave year will run from your date of appointment with the Council and your entitlement is pro rata to a full time equivalent of 37 hours per week. Leave entitlements increase with length of service and are shown in the table below.

Grade	Less than 5 years	After 5 years	After 10 years	After 15 years	After 20 years
S1a – S4 and Apprentices	170.2 hours	207.2 hours	214.6 hours	222 hours	229.4 hours
S5 – S6	192.4 hours	207.2 hours	214.6 hours	222 hours	229.4 hours
SO1 – PO2B	207.2 hours		229.4 hours		
CX, Director, Assistant Director, PO2C and PO2D	236.8 hours		259 hours		
Craft	177.6 hours	214.6 hours			

- 9.2 If the Council terminates your employment for gross misconduct, you will be paid any outstanding statutory holiday entitlement only. Any sums owed to the Council may be deducted from any money owing to you.
- 9.3 The Council reserves the right to require you to take any unused Council holiday entitlement during your notice period. This may include any leave due to be taken after the end of your notice period.

10.0 Notification of Sickness

- 10.1 Notification of sickness must be in accordance with the Council's Procedures for Managing Absence.

- 10.2 If you are unable to attend work and your absence has not previously been authorised by your Manager, you must inform your Manager of your absence and the reasons for it in accordance with the Management of sickness Absence Policy.
- 10.3 If you are absent from work due to sickness or injury that continues for more than seven days, including weekends you must provide the Council with a medical certificate by the eighth day of sickness or injury. After this medical certificates must be provided to the Council to cover any continued absence.
- 10.4 The Council reserves the right to ask you for a medical certificate at any time during periods of sickness. The Council will pay for any costs your incur in doing so, provided you produce a receipt.
- 10.5 Immediately following your return to work after a period of absence, you must complete a return to work form and attend a return to work interview.
- 10.6 If your doctor has certified your absence, your certificate must either have a return date on it, or you must obtain a fitness to return to work statement from your doctor before returning.
- 10.7 If you fail to comply with these arrangements without good reason it may disqualify you from entitlement to sick pay and may lead to disciplinary action.
- 10.8 The Council reserves the right to require you to attend an Occupational Health appointment at any time during your employment in connection to and/or in conjunction with Council Policies. If you refuse to attend, or you withhold your consent to a medical report being disclosed to the Council, we may need to make decisions affecting your employment without the benefit of medical input, which could be to your detriment.

11.0 Sick Pay

- 11.1 If you are absent from work due to sickness or injury and comply with the Council's sickness procedures you will receive sick pay in accordance with the National Agreement on Pay and Conditions of Service.
- 11.2 The Council reserves the right to ask you to be examined at any time by an independent doctor or to attend a consultation with the Occupational Health Service. The Council will pay any associated costs.
- 11.3 Where there is a risk that your health and/or, in the case of pregnant women, the health of the unborn child may be endangered by exposure to the normal work environment you are entitled to be suspended on medical grounds with full pay until the risk can be effectively managed.

11.4 If you are absent from your duties due to sickness or injury for a period or periods in excess of your maximum Council sick pay entitlement, the Council will not be obliged to make any further payments to you. In exceptional circumstances discretionary sick pay can be applied for through your Director.

11.5 You must notify Human Resources if your absence is caused by the actions or negligence of a third party from which you are able to recover damages that cover your sick pay. The Council retains the right to reclaim any sick pay, paid to you during that period.

12.0 Pension

12.1 As you are eligible to join the Local Government Pension scheme, you will automatically be enrolled in that scheme.

13.0 Notice period to terminate your Employment

13.1 Grades S1 – S6

13.2 You must give 1 calendar month notice in writing of your intention to terminate your employment.

13.3 The minimum period of notice the Council must give you after completion of any probationary period, is one month rising after 4 years' service by one week each year up to a maximum of 12 weeks.

13.4 Grades S01 – S02

13.5 You must give 2 calendar months' notice in writing of your intention to terminate your employment.

13.6 The minimum period of notice the Council must give you after completion of any probationary period, is two months rising after 8 years' service by one week each year up to a maximum of 12 weeks.

13.7 P0 grades and above

13.8 You must give 3 calendar months' notice in writing of your intention to terminate your employment.

13.9 The minimum period of notice the Council will give you after completion of any probationary period is 3 months.

13.10 PILON

The organisation reserves the right to terminate your employment by making a payment in lieu of notice for all or any part of your notice period. Any PILON would be subject to agreement with the Council

and Employee.

14.0 Disciplinary and Grievance Procedures

- 14.1 The Council deals with disciplinary and grievance matters in accordance with its disciplinary and grievance procedures. Copies of all HR policies and procedures are available on the Council's intranet, reception at Hamilton House or from the Human Resources department.

15.0 Code of Conduct

- 15.1 All employees must act in accordance with the Council's Code of Conduct. Employees who fail to act in accordance with the Code of Conduct may face disciplinary action.

16.0 Transportation

- 16.1 Business mileage must be claimed in line with the Travel Policy.
- 16.2 To claim business mileage, you must produce a current certificate of motor insurance covering for business use, full driving licence and MOT certificate (for cars over 3 years old) on an annual basis, when you change your car or when requested.

17.0 Acceptance of gifts

- 17.1 You cannot accept any gift and/or favour of whatever kind from any customer, client or supplier of the Council without the prior written consent of your Manager.

18.0 Other Employment

- 18.1 If you want to engage either directly or indirectly in any other business or employment you must have prior written consent from your Assistant Director. This will not be unreasonably withheld.

19.0 Confidentiality

- 19.1 You must not disclose or allow the disclosure of information of a confidential nature relating to the Council, its employees or customers except in the proper course of your employment.
- 19.2 You must not remove any documents or tangible items that belong to the Council or contain any confidential information from the Council's premises at any time without proper advance authorisation.
- 19.3 On the termination of your employment with the Council you must return all documents and tangible items that belong to the Council or

that contain or refer to any confidential information in your possession or under your control.

- 19.4 You must, if requested by the Council, delete all confidential information from any re-useable material and destroy all other documents and tangible items that contain or refer to any confidential information in your possession or under your control.

20.0 Health and Safety at Work

- 20.1 The Council will take all reasonably practicable steps to protect your health and safety and welfare while at work. You must familiarise yourself with the Council's Health and Safety policy and its Safety and Fire Rules. It is your legal duty to take care of your own health and safety and that of your colleagues.

- 20.2 The Council operates a no-smoking policy.

21.0 Maternity/Paternity

- 21.1 The rights to maternity and paternity leave and pay are in accordance with the National Agreement.

22.0 Collective Agreements

- 22.1 Your terms and conditions of employment will be in accordance with collective agreements negotiated with the National Joint Council for Local Government Services and any local agreements reached with the Council's recognised Trade Unions. Any changes to these agreements will be incorporated in your terms and conditions of employment.

23.0 Statement of Employment Particulars

- 23.1 This agreement contains the written particulars of employment the Council must give you in accordance with the Employment Rights Act 1996.
- 23.2 This agreement replaces and terminates all previous letters of engagement, and agreements whether in writing or verbal, relating to your employment, all of which shall be deemed terminated. This agreement along with the HR policy Handbook which can be found on the Council's intranet, constitutes the entire terms and conditions of your employment.

Signed
On behalf of the City of Lincoln Council

Dated

I confirm acceptance of the terms herein stated.

Signed

Dated

18. **Contract of Employment**

Claire Burroughs, HR and WBL Manager:

- a) presented a report to request comments from Members on the proposed changes to the Council's contract of employment, as detailed within the report, prior to progression to Executive for formal approval
- b) advised that a summary of the proposed changes to the policy could be viewed at paragraphs 3.1, 3.2 and 3.3 of the report respectively
- c) summarised that HR had reviewed the policy in conjunction with Trade Unions and Trade Unions were supportive of the changes
- d) added that the proposed draft wording had been discussed and included feedback from Trade Unions
- e) invited comments and questions from Members of the Committee.

Question: Referred to the proposed change at paragraph 3.1 of the report. Confirmation was requested that every effort was made to offer guidance and support to employees.

Response: Regular review meetings were held and if necessary, an action plan was put in place which included support and training.

Comment: This was exceptional and was not often experienced.

RESOLVED that the proposed changes to the Council's contract of employment, as set out in the report, be supported for formal approval of the Executive.

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SUBJECT: RECRUITMENT POLICY CHANGES

DIRECTORATE: CHIEF EXECUTIVE AND TOWN CLERK

REPORT AUTHOR: ALI THACKER (HR AND PAYROLL TEAM LEADER)

1. Purpose of Report

- 1.1 To provide Executive with an overview of the proposed changes to the Councils Recruitment Policy, and to request that Executive consider the content of the report and consider the approval of the revised policy.

2. Background

- 2.1 In November 2022, the Council commenced a recruitment trial whereby managers had the opportunity to advertise roles internally and externally at the same time (once the roles had been advertised to redeployment).
- 2.2 Prior to this, in accordance with the Recruitment Policy all vacancies were subject to Redeployment advert, then internal (if the role was not recruited to at the redeployment stage), and then external adverts (where a vacancy had not been recruited to internally).

There was however provision within the policy to advertise a vacancy simultaneously. This required the recruiting officer to submit written reasons to HR of why the post should be advertised internally and externally at the same time and those written reasons are forwarded to the Trade Unions for their comments.

The Trade Unions had three working days in which to make written representations to HR, and those representations will be considered by the Chief Executive, together with any recommendations by the Assistant Director and HR, before making a final decision whether to proceed as proposed.

- 2.3 It was previously recognised by one union that they can see the value in advertising externally at the same time in some cases. However, they do not want to see jobs where there are promotional opportunities for staff going out to external at the first instance and maintain a level of training for existing staff for promotional opportunities.
- 2.4 Following a review of recruitment processes in relation to advertising vacancies a trial commenced whereby managers were able to advertise internally and externally simultaneously (without the need to seek approval).

It was envisaged that this would enable the Council to reach out to a wider market for a larger pool of applicants and ensure we are getting the best candidate for the role.

3. Proposed Permanent Changes to the Recruitment Policy

- 3.1 Following this trial, a proposal was put to unions for a permanent change to the policy to allow managers the opportunity and autonomy to continue to advertise posts internally and externally at the same time (where they feel this is necessary).
- 3.2 The proposed updated policy is enclosed to this report with the main changes being made to Section 5 (sub section “e”).

4. Key Background Information for Consideration

- 4.1 When looking back over information prior to the trial (approximately 2 years) there had been 67 successful external candidates and 68 successful internal candidates. This suggested that 50% of vacancies are filled internally.

In addition, in terms of timescales of processes prior to the HR department had reviewed a small number of roles which went through the full advertising processes (i.e. Redeployment, then internal, then external) and the average time it took between the advert stage – offer the role (for those roles) was 82.4 days.

- 4.2 Following the initial trial period, figures showed that there had been 21 successful internal candidates and 32 successful external candidates. This suggests that around 60% of vacancies which were advertised and appointed to were filled externally and in terms of timescales the average time it took between advert to the offer stage was 56.4 days.
- 4.3 HR also conducted a survey with managers who have recently recruited during the trial to gain an understanding of their views in relation to the trial and the potential processes moving forward. 18 responses were provided.

In summary:

- All felt having the option to advertise internally and externally was useful.
 - All felt this enabled the Council to ensure the most suitable candidate for the role is appointed.
 - All wanted to see the current processes continue.
 - The vast majority felt it reduced the time to recruit.
- 4.4 Having continued to offer managers the opportunity to advertise internally and externally at the same time since the trial, further figures have been gathered from August – December 2023, and figures show that where an appointment has been made, around 65% of vacancies which were advertised and appointed to were filled externally and in terms of timescales the average time from advert to offer stage was 47 days.

5. Organisational Impacts

5.1 Finance (including whole life costs where applicable)

The recruitment process can impact on delivering services and capacity issues due to the potential time it takes where a post is not filled.

Advertising simultaneously would potentially result in additional advertising costs.

5.2 Legal Implications including Procurement Rules

N/A

5.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

All HR/recruitment interventions/actions/activity will be in accordance with the Equality Act 2010.

5.4 Human Resources

During discussions with Trade Unions, The Unions have raised concerns with the proposal namely regarding the following:

- This could prevent promotional opportunities for current employees.
- Unions feel this goes against everything we do for apprentices (as they would be pitched against external candidates with more experience).
- They also feel there shouldn't be discretion applied and it should be a set policy in place, as the proposal allows managers to selectively recruit and takes away the benefit that has always been assumed by working in the council.

During discussions, Unions outlined that their view is that if this was to be implemented it should be for set roles from a specific grade (for example scale 6 roles and undergo internal and external at the same time, and for roles over scale 6 go internally first to allow for progression for internal staff). They also feel there shouldn't be discretion applied and it should be a set policy at a certain grade (please note: the Scale 6 example outlined above has only been used as a hypothetical example).

However, having taken these views into account it is the Councils view that the proposed permanent policy change (whereby managers have the discretion to advertise internally/externally simultaneously) should be progressed and taken to JCC/ Executive for consideration/implementation.

HR will however look to produce an e-learning course for internal employees on the Councils recruitment processes (Covering aspects such the completion of an application form and interview processes etc).

This Policy was also taken to JCC in January 2024, where it was discussed in further detail. A summary of the comments received are contained below:

- Development and Opportunities for Internal Staff – This should not be weighted towards external candidates.
- Consultation - Unions felt there should be discussions held/ consultation with Unions prior to a role being advertised internally and externally (between the manager / relevant unions) to ensure that any discretion is objective, open and transparent.
- Retention – . If an internal applicant was not successful in appointment to a role, it may be the case that they looked externally elsewhere. Internal employees' knowledge/ skills may be overlooked and this may hinder succession planning/ internal progression.

It was agreed that the above comments were noted for Executive to consider as part of the formal approval process.

6. Risk Implications

6.1 (i) Options Explored

N/A

6.2 (ii) Key Risks Associated with the Preferred Approach

N/A

7. Recommendation

- 7.1** To request that Executive consider the proposed policy changes and the content of the report when considering formal approval of this policy.

Is this a key decision?	No
Do the exempt information categories apply?	No
Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?	No
How many appendices does the report contain?	Two
List of Background Papers:	One (Recruitment Policy).
Lead Officer:	Ali Thacker HR and Payroll Team Leader Ali.thacker@lincoln.gov.uk

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CITY OF
Lincoln
COUNCIL

Appendix A

Recruitment Policy

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Recruitment Policy

1 The Purpose of the Policy

- 1.1 The City of Lincoln Council (“the Council”) recognises that the success of its service delivery hinges on its staff. The Council aims to find, and retain, employees with the necessary abilities, attitudes and skills.
- 1.2 The purpose of this policy is to ensure effective recruitment of staff, in accordance with the law and the policies of the Council so that the Council can deliver its objectives.

2. Responsibilities

2.1 Responsibility of Directors and Assistant Directors

It is the responsibility of Directors and Assistant Directors to ensure this Policy is adhered to so that there are consistent and legal standards of recruitment and selection practice across the Council.

It is also the responsibility of Directors and Assistant Directors to consider whether vacant posts need to be replaced like for like or whether the work can be carried out by other means.

2.2 Responsibility of Managers

The term “Manager” is a generic term used throughout this Policy to include all those who have direct line responsibility for staff, such as Service Managers and Team Leaders.

It is the responsibility of Managers to ensure this Policy is followed so that there are consistent and legal standards of recruitment and selection practice across the Council.

It is the responsibility of Managers to ensure that Job Descriptions and Person Specifications are up to date and fit for purpose prior to any role being advertised.

To determine with the support of Human Resources whether a position requires a DBS/Disclosure Scotland Check (and at which level).

For any Manager sitting on an interview Panel, they must have attended safer recruitment training with HR within 3 years preceding any interviews being undertaken.

2.3 Responsibility of HR

It is the responsibility of HR train recruitment panellists. It is also HR's responsibility to review and update this policy in line with new legislative requirements.

2.4 Responsibility of Employees

It is the responsibility of the employee to familiarise themselves with their obligations under this policy and to raise any queries with the relevant Manager.

3 Equal Opportunities

3.1 The Council will, through good practice, ensure that full and fair consideration be given to all applications for employment, having regard only to the candidates' particular aptitudes and abilities in relation to the vacancy for which they have applied.

3.2 No job applicant will receive less favourable treatment on the grounds of:

- sex,
- race,
- nationality,
- disability
- sexual orientation
- religious belief
- age,
- ethnic or national origins
- domestic circumstances (including marriage and civil partnership or pregnancy and maternity)
- social and employment status
- HIV status
- Gender reassignment
- Political Affiliation
- Trade Union Membership

3.3 All applicants will be given guidance notes on:

- How to complete an application form
- The Council's Equal Opportunities Statement
- How to complain if they believe they have been unfairly treated at any stage of the recruitment process.

3.4 Applicants can download a recruitment pack from the Council's website www.lincoln.gov.uk

Requests for application packs can also be made:

- via email to humanresources@lincoln.co.uk
- verbally in person or over the phone

3.5 Application forms and related information are available on request in braille and large print.

4 Disability

- 4.1 The Council has achieved 'Disability Confident Employer' status. This means that if an applicant advises on their application form that they are disabled under the Equality Act 2010, they will be guaranteed an interview if they show on their application form that they have met the essential criteria for the role on the person specification.
- 4.2 An applicant who advises they have a disability will be asked if they need any adjustments to be made at their interview and/or to any assessments or tests. All reasonable steps will be taken to ensure adjustments are made to provide disabled applicants with equal opportunities.
- 4.3 If adjustments are needed the interviewing officer will be notified in order to ensure that the adjustments are implemented. If there are no adjustments needed, the interviewing officer will not be advised of a disability until after a job offer has been made, and then only to assess what adjustments are needed to assist the employee.

5 Process for Recruitment

- 5.1 The Council is committed to developing its employees and supports this commitment in a number of ways:

a) Redeployment

The Council has a redeployment policy in which it sets out that the HR department will keep a record of all employees who have been placed on the redeployment register.

Those employees will be given the opportunity to apply for vacancies before they are more widely advertised to other employees and the general public if they show on their application form that they meet all the essential criteria for the role.

In order to be offered a role, Applicants will then need to go on to meet the minimum benchmarking level set by the recruiting Panel for the interview stage(s). Prior to the interview date, the recruiting panel will set the minimum benchmark an applicant would need to pass in order to be considered for the role, e.g. an applicant must achieve over 60% in the test and 70% at interview, ensuring that the weight given to particular facets of the candidates' abilities reflect the requirements of the job in a non-discriminatory way.

HR will forward to the employee details of all available jobs and an employee must confirm their interest in a position by completing the application form and returning this to HR within 48 working hours of receipt.

Employees and Apprentices with less than one year's continuous service will receive a period of one calendar month on the redeployment register.

Employees and Apprentices with over 12 months continuous service will receive a period of three calendar months on the redeployment register. Periods may be extended by a maximum of 6 weeks by agreement with HR if it means an employee can secure suitable alternative employment (as per the terms of the Council's Redeployment Policy).

HR will notify employees of any redeployment opportunity via the employees work email address. For those employees who are not on email, or who would prefer another means of communication, it is the responsibility of the employee to notify HR of how they wish to be contacted.

It is the employee's responsibility to notify HR if they do not have access at any time to their email/postal address, e.g. if on annual leave or off sick, so that an alternate method of communication can be agreed in order to ensure that the employee does not miss out on any redeployment opportunity.

b) Apprentices

The Council has its own apprenticeship schemes, green and red book. Apprentices who have successfully completed any probationary period are encouraged to apply for suitable vacancies if they meet the essential criteria on the person specification.

An Apprentice who successfully obtains another post will be offered that post on the basis of a 10% reduction in grade. This is to take account of time away from the work place whilst the Apprentice concludes their Apprenticeship training.

c) Agency Workers

Agency workers have the right to be informed of any internal vacancies, however they will not be eligible to apply for internal vacancies. Contractors are also not eligible to apply for internal vacancies.

d) Secondments

The Council operates a Secondment Policy. The Secondment Policy is applicable to all employees. Any employee wishing to take advantage of a secondment opportunity must seek agreement from their Manager before applying for a post. The Appointing Officer must speak to the Manager to confirm agreement prior to any secondment offer being made.

e) Advertising

All vacancies will initially be advertised to employees within the redeployment pool (as set out in "a").

Following this, a manager will have the opportunity to either:

- Initially advertise the role internally – This will be advertised via the Council internal vacancies site and where only employees of the Council will be able to apply for the vacancy. If the internal recruitment campaign is not successful, the manager will have the option to then advertise externally.
- Advertise the role internally and externally simultaneously – This is where the vacancy will be advertised via the Councils internal and external vacancy site www.lincoln.gov.uk (and displayed in appropriate publications/sites). This will enable both Council employees and external individuals the ability to apply for the vacancy. This will also assist in creating a diverse workforce representative of the community it serves. (

f) Wording for Adverts and Costs

All advertising costs must be met out of the recruiting Managers own budget.

All adverts must go via HR to be advertised, who will ensure that adverts display all appropriate safer recruitment and relevant Council information. Managers will need to provide HR with a brief description of the job role that they would like to be advertised.

Managers should include a contact name, phone number and/or email address if an applicant would like additional information or has any queries.

HR will use the vacancy pro-forma to include on the advert whether or not the post is subject to any disclosure checks and will confirm that the Council will only accept job applications on the Council's own application form.

g) Re-advertising of Posts

Where a recently filled role becomes vacant (e.g. because the successful applicant leaves within a short space of time or references/checks are not acceptable) or where another role with the same job description, hours and location becomes vacant within 10 weeks of it first being advertised and interviewed for, Managers can backfill to that post from the original recruitment exercise without the need to re-advertise the post again.

This applies only if an employee has not been entered into the redeployment pool since the initial advert was first placed. In such circumstances, and if the employee in redeployment meets the essential criteria for such, he/she should be offered an interview prior to any other applicant. HR advice on this must be obtained prior to back-filling any role.

Any employee applying for the role, either via redeployment or internally, and who meets the essential criteria for the role as laid down by the person specification should only be offered a role following interview if they then go on to meet the minimum benchmarking levels set for the interview stages.

Prior to the interview date, the recruiting panel will need to set the minimum benchmark an applicant would need to pass in order to be considered for the role following interview, e.g. an applicant must achieve over 60% in the test and

70% at interview. Managers must ensure that the weight given to particular facets of the candidates' abilities reflect the requirements of the job in a non-discriminatory way.

If the employee does not meet that benchmarking set for the interview stage, the recruiting Manager can backfill to the post from the original recruitment exercise without the need to re-advertise the role further.

6 Job Descriptions, Person Specifications and Job Evaluation

- 6.1 All vacancies have a standard job description and tailored person specification, which will be given to applicants. The job description will outline the duties of the post. The person specification gives details of the qualifications, knowledge, experience, skills and competencies required to do the job.
- 6.2 All selection and short listing will be made against the person specification and Managers must therefore ensure that the job description and person specification are up to date and fit for purpose prior to the role being advertised.
- 6.3 All grades and associated salaries will be determined using an agreed job evaluation scheme. Scale 1 to Principal Officer 2 posts will be evaluated using the GLEA scheme. Assistant Directors/Heads of Service, Director and Chief Executive posts will be evaluated using the HAY scheme. Craft employees' grades and associated salaries are assessed as part of the Craft Development Scheme.
- 6.4 All new posts are required to go through the Job Evaluation process prior to advertisement unless they are red book positions.

7. Application forms

- 7.1 The Council will only accept applications on the Council's own application form. Curriculum vitae will not be accepted either with an application form or instead of an application form. This should be highlighted to applicants on the job advert.
- 7.2 Unsolicited applications will receive a standard response from HR advising the individual where they can find information on current vacancies and explaining that waiting lists of prospective employees are not maintained.
- 7.3 Applicants are asked to sign the following declaration as part of their application.

'I declare that the information I have given in this application is accurate and true. I understand that providing misleading or false information will disqualify me from appointment OR, if appointed, may result in my dismissal. I understand that I must not use any friendship or relationship with any Councillors or employees of the City of Lincoln Council to assist me in obtaining employment'.

- 7.4 In order to comply with Safer Recruitment requirements, if an application form shows a gap in employment, Managers must query the reasoning for that with the Applicant at interview, and note down the reasons for any gap.

8. Short-Listing

- 8.1 All interview panel members should short-list individually and in private before meeting as a panel to discuss and agree the final short-listing and reasons for not shortlisting unsuccessful candidates.
- 8.2 Only those applicants who show on their application form that they have met all the essential criteria can be short-listed.
- 8.3 If too many candidates meet the essential criteria, Managers should use the desirable criteria to make the list more manageable or consider using an assessment centre as part of the interview process.

9. Interviews

- 9.1 Directors and Assistant Directors/Heads of Service will be recruited by an appointments panel of elected members in accordance with the Council's constitution. It is recommended that an HR Associate supports interviews for Service Manager Posts and above.
- 9.2 Service Managers will be recruited by an appointment panel comprising of at least one Assistant Director.
- 9.3 At least two Officers must be on the interview panel for all other recruitment, one of whom will normally be the Line Manager for the post being recruited to.
- 9.4 At least one Interview Panel Member must have attended recruitment training with HR within 3 years of sitting on any interview panel.
- 9.5 All interviews, irrespective of post or grade, must include a test appropriate to the post being recruited to as part of the interview process and the interview panel will therefore need to consider what type of testing is appropriate for the role. HR advice can be sought if needed. A face-to-face interview should also form part of each selection process.
- 9.6 Managers must ensure they do not discriminate against Applicants, either directly or indirectly, during the application and interview process e.g. if English is not a first language, and written skills are not necessary for the post, any spelling errors could be discounted.
- 9.7 Prior to the interview date, the recruiting panel will need to set the minimum benchmark an applicant would need to pass in order to be considered for the role, e.g. an applicant must achieve over 60% in the test and 70% at interview, ensuring that the weight given to particular facets of the candidates' abilities reflect the requirements of the job in a non-discriminatory way.
- 9.8 Psychometric Testing – For positions at Service Manager or above levels, recruiting Managers may require Applicants undertaking Psychometric Testing

as part of the recruitment process. HR should be contacted in this instance. All psychometric testing costs must be met out of the recruiting Managers budget.

10 Unsuccessful Candidates

- 10.1 HR will notify all unsuccessful candidates that they can request written or verbal feedback in relation to their interview. The recruiting Panel must notify HR of which name and contact details are to be given to the Applicant.
- 10.2 Feedback should highlight areas for improvement moving forward, as well as highlighting those areas where the candidate performed well.

11 Data Protection

- 11.1 The information provided on an application form and any other relevant information will be used to process the job applications for purposes of employment and where there is a complaint or legal challenge relevant to that particular recruitment process. All personal information will be kept confidential and will be used by the Council to monitor its recruitment process.
- 11.2 Any information collected during the recruitment process can be checked for accuracy with third parties such as referees. The Council has the right to give certain information to third parties to prevent or detect crime, to protect public funds or in other ways as permitted by law.
- 11.3 All applicants will be given a copy of the Council's Data Protection Statement with their application form and signing the application means that the applicant agrees to it.
- 11.4 If an applicant is successful in getting the job, the information they have given will be used in the administration of their employment.

12 Qualifications

- 12.1 All qualifications, relevant training and licenses must be checked and verified preferably at interview stage, but prior to any job offer being confirmed.
- 12.2 Where a job requires the employee to be professionally recognised in order to practice, evidence must be produced of current registration.

13 Minimum Standards of English in Customer Facing roles

- 13.1 The Immigration Act 2016, Part 7, makes it a legal requirement for public authorities to ensure that any of their workers in a customer-facing role speaks sufficient English to undertake that role. A list of roles to which this applies can be found on City People. This requirement should be included in the Job Description when recruiting to the role to make it clear to the applicant.
- 13.2 Recruiting Managers will need to arrange a suitable test during the recruitment process to determine whether or not applicants have the required standard of English to carry out the role. Recruiting Managers will also need to consider if any reasonable adjustments need to be implemented to enable an applicant to

reach the required standard of English. Further guidance is available on City People.

14 Disclosure and Barring and Disclosure Scotland checks

- 14.1 Some jobs within the Council are subject to a Disclosure and Barring check, a Disclosure Scotland check or an enhanced vetting check. Where this is the case applicants will be told in advance. A current list of such posts can be obtained from HR.
- 14.2 Where any such check is required, only a conditional job offer will be made until the check is complete.

15 Working with Children and Vulnerable Adults

- 15.1 All new employees who work with children and/or adults at risk will have an enhanced Disclosure and Barring check before they are appointed to the role. Where this is the case applicants will be told in advance. A current list of such posts can be obtained from HR.
- 15.2 All existing employees who work with children and/or adults at risk must have their enhanced Disclosure and Barring check renewed every three years. A current list of such posts can be obtained from HR.
- 15.3 Where an enhanced Disclosure and Barring check is required, only a conditional job offer will be made until the check is complete.
- 15.4 As part of any recruitment interview the applicant must be asked questions with the aim of exploring motives, attitudes, skills and experience in relation to working with Children and/or adults at risk.

16 Criminal Convictions

All applicants will be asked to declare if they have been convicted of a criminal offence which is not spent under the Rehabilitation of Offenders Act 1974. Whether any unspent conviction will affect any employment offer will depend on the circumstances and HR advice should be sought prior to making any decision in relation to this.

17 References

- 17.1 The Council will check at least 3 years of previous employment and/or training. References will only be sought once a conditional offer has been made.
- 17.2 All applicants will be asked to provide details of two referees as part of their job application. One referee will normally be the applicant's current or last employer.
- 17.3 Internal applicants will only be required to provide one reference which will be from their current Line Manager.
- 17.4 For external applicant employment references the Council will be requesting the applicant's sickness record for the last 12 months. The Recruiting Manager

can review this to assess if it is a satisfactory attendance record and/or to assess if any steps need to be taken to assist the candidate in the role for which they have applied. If there are concerns with the amount of previous sickness absences the Recruiting Manager should discuss that with HR.

17.5 Students and school leavers can get an educational reference.

17.6 People who have been out of work for a period of time can get a character reference.

17.7 An offer of employment will not be made until satisfactory references have been received. Any offer must specify it is a provisional offer subject to receipt of satisfactory references.

18 Pre-Employment Health Questionnaire check

18.1 Following interview, and prior to the applicant being formally offered a role, the applicant will be required to complete a pre-employment health questionnaire. Only a conditional job offer can be made until the questionnaire process is complete.

19. Politically Restricted and Politically Sensitive Posts

19.1 If a job is deemed to be politically restricted or sensitive this will form part of the person specification.

19.2 Any candidate who is offered employment to a politically restricted or politically sensitive post will be asked to sign an acknowledgment stating they have read and understood these restrictions.

20. Other employment

20.1 All new employees will be asked whether they have any other form of employment. It is not the Council's intention to prevent employees from taking additional employment but the Council must make sure that:

- this employment does not conflict with the post being appointed to
- the individual will not breach the Working Time Regulations.

20.2 An Assistant Director must approve any additional employment and the prospective employee and an Assistant Director must sign and complete the declaration form.

20.3 All current employees who already have or are intending to undertake additional employment must also notify and obtain approval from their Assistant Director and complete the relevant form.

21. Eligibility to work in the UK

21.1 All UK employers are required to make sure new employees are entitled to work in the UK.

- 21.2 All offers of employment will be conditional upon prospective employees providing the necessary documentation to HR that shows they are entitled to work in the UK. . Those documents will be physically checked and verified by an appropriately trained HR officer.

22 Register of interests

- 22.1 All new employees are asked to declare any interest they have which might conflict with their employment.
- 22.2 New employees are asked to sign a declaration saying they have read the declaring an interest guidance and if they need to declare an interest or not.

23 Relocation

- 23.1 The Council offers Relocation costs, which are at the Council's discretion. A guidance on what may be claimed can be found in the Relocation Policy.

24 Probation

- 24.1 All new employees to the Council will be subject to a six month probation period. This includes employees with continuous service from other Councils. Recruiting Managers should make applicants aware of the probation period at interview.
- 24.2 Internal transfers will not be subject to the formal probation period but should still have their first six months in a new role monitored and reviewed.
- 24.3 Probation periods allows both the Line Manager and the employee to decide if the role is suitable for them.

25 Monitoring

- 25.1 HR will monitor recruitment to ensure compliance with this policy.
- 25.2 All applicants can complete an equal opportunities monitoring form, which is attached to the application form.
- 25.3 This form will be used by HR for the purposes of monitoring compliance with the Council's Equality and Diversity Policy and in meeting the Council's duties under the Equality Act 2010 Public Sector Equality Duty. The information will not be used as part of the recruitment process.

26. Review of Policy

- 26.1 This policy will be reviewed at intervals of three years, or earlier at the request of either the management or staff side.

Approving Body & Date

September 2017
Reviewed Aug 2021

EXTRACT FROM COMMITTEE

City of Lincoln Council and Employee Joint
Consultative Committee

16 January 2024

19. Recruitment Policy Changes

Ali Thacker, HR and Payroll Team Leader:

- a) presented a report to request comments from Members on the proposed changes to the Council's recruitment policy
- b) advised that in November 2022, the Council commenced a recruitment trial whereby managers advertised roles internally and externally at the same time, once the roles had been advertised to redeployment, without the need to seek approval
- c) summarised that it was envisaged that this enabled the Council to reach out to a wider market for a larger pool of applicants and ensured that the most suitable candidate was selected for a given role, whether that be internally or externally
- d) added that managers supported the proposed changes which was in line with best practice
- e) highlighted that comments received from Trade Unions with regard to the proposed changes could be viewed at paragraph 5.4, respectively.
- f) invited comments and questions from Members of the Committee.

Question: How much had the recruitment time reduced by on average and had the percentage changed between internal to external applicants?

Response: Prior to the trial, the average recruitment time had been approximately 82 days. After the trial, statistics showed the average recruitment time had reduced to approximately 47 days. In terms of vacancies filled, prior to the trial the external appointment percentage was approximately 50%. After the trial, statistics showed approximately 65% of vacancies which were advertised and appointed were filled externally.

Comment: It was important that potential development or opportunity for staff to further themselves was not weighted towards external candidates.

Response: The proposed changes did not discriminate against internal candidates; all applicants were treated equally. Both internal and external applicants would be expected to meet the essential criteria for a given post and the highest scoring candidate would be appointed to the role. It was important to note that the statistics were dependent on the role being advertised/appointed to at the time.

Question: Would there be a discussion with principal and relevant Unions prior to the advertisement of a post or would it be solely based on a manager's discretion? It needed to be ensured that any discretion was objective and not subjective.

Response: Proposals did not include the provision of consultation with Unions. Instead, the decision remained the responsibility of the recruiting manager of a given role. If there were concerns raised regarding discretion, Human Resources (HR) could look into that on a case-by-case basis. No concerns had been raised.

Comment: It was proactive for the relevant and principal Unions to be consulted and ensured a process of openness and transparency.

Comment: It was important to set the recruitment policy changes in a wider context as a common endeavour was shared. Staff that already worked for the Council should be given the best possible opportunity to progress and it was a retention strategy and a motivator if skills were valued. It was important to strike a balance that ensured the correct and best candidate was appointed which enabled the best equipped work force. The recruitment policy was only a narrow focus. Consultation with Unions with each case could potentially draw the recruitment process out. Consideration should be given to wider HR policies.

Comment: The trail was agreed as there were issues with recruitment and retention. Unions raised concerns that opportunities may be removed from internal employees.

Comment: The recruitment time of 82.4 days would be affected if an internal employee could not be released from their current position without the sufficient notice period. When considered from an internal applicant perspective, the time period would be different when compared to that of an external applicant.

Response: The recruitment time of 82.4 days did not include notice periods as everyone's notice period was different. The recruitment time of 82.4 days was from advert to offer stage.

Comment: Another issue that arose from recruitment was retention. If an internal applicant was not successful in appointment to a role, it may be the case that they looked externally elsewhere. It could then become a position that recruitment was required for two positions instead of one.

Response: It was important to ensure the correct and most suitable candidate was selected for a role.

Comment: Recruitment was a significant issue for all organisations. Members were elected to provide the most effective, efficient and best possible administration. It was important to remain equally fair to individuals that applied for jobs as they had rights also.

RESOLVED that:

- 1) The proposed changes to the Recruitment Policy, as set out in the report, be supported for formal approval of the Executive.
- 2) The Executive be appraised of the context of discussions and concerns be transmitted.

SUBJECT: STRATEGIC PERFORMANCE MEASURES & TARGETS 2024/25

DIRECTORATE: CHIEF EXECUTIVE AND TOWN CLERK

REPORT AUTHOR: GRAHAM ROSE, SENIOR STRATEGIC POLICY OFFICER

1. Purpose of Report

- 1.1 To present the strategic performance measures and their targets for 2024/25 to Executive for final approval.

2. Executive Summary

- 2.1 Strategic performance measures are reviewed on an annual basis. This ensures the measures being reported to senior management and members on a quarterly basis continue to provide a clear picture of the council's service area performance. Additionally, all performance measure targets are reviewed annually to ensure the targets remain achievable but suitably challenging.
- 2.2 The target setting element of this work for 2024/25 has focused largely on the analysis of the council's performance outturn trend over recent quarters / years, alongside considering the expected impacts over the coming year. Benchmarking data has been used by service areas in this process, however, the availability of this data is limited due to local authorities reporting on the measures most relevant to their own authority and services, rather than there currently being a requirement for all local authorities to report on all measures in the same way.
- 2.3 As with previous years, some measures have seen their targets relaxed due to increasing financial pressures on the council, resource impacts, recruitment pressures and the cost-of-living crisis - all of which will inevitably continue to impact on performance. However, in some cases the targets have been made more stretching where some improvement in performance is expected.

3. Background

- 3.1 The council currently has a set of strategic performance measures in place used to monitor performance. These measures include a mix of targeted quarterly and annual measures, together with a number of volumetric measures, which are used for contextual purposes.
- 3.2 All targeted performance measures have both a high and a low target allocated to them. Where a performance outturn falls between the high and the low target, performance is considered to be acceptable and not of concern. Where the outturn is equal to or above the high target, the level of performance is considered to be at or above target. Where the outturn falls below the low target, the performance outturn is considered to be performing below target.

- 3.3 Those measures performing above or below target are highlighted within the quarterly Operational Performance Report as success stories or measures of concern requiring monitoring / action.

4. Performance Measure Review and Target Setting for 2024/25

- 4.1 Between December 2023 and February 2024, Directors, Assistant Directors and Service Managers, working with Portfolio Holders, were asked to review the existing strategic performance measures and their targets to ensure they remained suitable for monitoring service performance during 2024/25.
- 4.2 The performance measures, their high and low targets and details of the removed / new measures for 2024/25 are provided at Appendix A. Justifications for changes to measures and targets have been provided by the service area within this appendix.
- 4.3 It is important to note that the Office for Local Government (Oflog) is developing a new tool named the Local Authority Data Explorer, which will bring together a selection of existing performance measures to enable improved benchmarking to take place for different levels of local authorities in the future. At this stage there are a limited number of measures included within the trial system. All measures which are relevant to district councils are already included within the existing performance measure set for City of Lincoln Council and will therefore continue to be monitored during 2024/25. An ongoing review of the performance measures available within the new Local Authority Data Explorer system will take place throughout 2024/25 to ensure the measures being monitored by the council continue to be the most appropriate measures to monitor performance.

5. Summary of Changes for 2024/25

- 5.1 In total there are **63** targeted and **30** volumetric measures within the strategic performance measure set for 2024/25 (total of 93 measures).

5.2 New Performance Measures for 2024/25

14 performance measures have been added to the measure set for 2024/25 (see sections 5.2 & 5.3).

Chief Executive Directorate (CX)

- Corporate Policy & Transformation – Number of internal safeguarding concerns received
- Customer Services - Footfall into City Hall reception desk
- Audit - Completion of the Internal Audit Annual Plan

Directorate for Housing & Investment (DHI)

- Housing Solutions - Number of rough sleepers
- Housing Maintenance - Satisfaction with Repairs (Regulator of Social Housing Tenant Satisfaction Measure – TP02)

5.3 Directorate for Major Developments Measures

Together with the performance measures above for the directorates of CX, Communities and Environment (DCE) and DHI, from quarter 1 2024/25 the Directorate

for Major Development will report on a range of measures to provide members with an insight into the progress being made on the key work programmes within the directorate. These measures are expected to include:

Town Deal

- Percentage spend on Town Deal programme
- Percentage / number of Town Deal projects on target

UK Shared Prosperity Fund (UKSPF)

- Percentage spend on UKSPF programme
- Percentage / number of UKSPF projects on target
- Number of businesses receiving business support utilising the UKSPF fund

The performance status of the above measures will be determined by an external partner, working alongside the Major Developments Team, and will take into consideration a range of factors impacting on programme delivery such as milestone performance, financial performance and associated risks, amongst other factors.

In addition to the above measures, a range of other measures will also be reported each quarter for contextual purposes. These measures will include:

- Percentage occupancy of Greetwell Place
- Percentage occupancy of The Terrace
- Unemployment rate within Lincoln
- Average wage in Lincoln

In 2024/25 measures will also be introduced to inform members on the progress of the Western Growth programme of works. Members will be notified of these measures once they have been agreed by the directorate and Portfolio Holder.

5.4 Performance Measures Removed from the Measure Set for 2024/25

9 performance measures have been removed from the measure set due to them no longer being the most appropriate measures to report through the quarterly reporting process. The rationale for these changes are detailed in Appendix A.

The performance measures removed from the measure set include:

Chief Executive Directorate (CX)

- COM 1 - Percentage of media enquiries responded to within four working hours or within requested response time
- CS 1 - Number of face to face enquiries in customer services
- PRO 2 - Percentage value of the top 10 spend contracts that have been sub-contracted (wholly or partly) to "local" suppliers to deliver
- PRO 3 - Percentage of total contract spend that is with an SME (Small and Medium-sized Enterprise)
- PRO 4 - Percentage of total contract spend that is with an SME who meets the "local" definition

Directorate for Communities & Environment (DCE)

- CON 1 - Area of sites of potential concern (in m2) made suitable for use in the year (contaminated land)
- PPASB 4 - Satisfaction of complainants relating to how their ASB complaint was handled

Directorate for Housing & Investment (DHI)

- HV 2 - Average re-let time calendar days for all dwellings - standard re-lets
- HM 3 - Percentage of tenants satisfied with repairs and maintenance

5.5 Performance Measures with Revised Targets for 2024/25

17 continuing performance measures have had their targets revised to reflect the current and expected impacts over the next 12 months. The rationale for these changes are detailed in Appendix A. These measures include:

Chief Executive Directorate (CX)

- ACC 1 - Average return on investment portfolio
- ACC 2 - Average interest rate on external borrowing
- DCT 2 - Percentage of invoices that have a Purchase Order completed
- BE 1 - Average days to process new housing benefit claims from date received (cumulative)
- BE 2 - Average days to process housing benefit claim changes of circumstances from date received (cumulative)
- BE 3 - Number of Housing Benefits / Council Tax support customers awaiting assessment
- REV 3 - Number of outstanding customer changes in the Revenues team

Directorate for Communities & Environment (DCE)

- FHS 1 - Percentage of premises fully or broadly compliant with Food Health & Safety inspection
- FHS 2 - Average time from actual date of inspection to achieving compliance
- FHS 3 - Percentage of food inspections that should have been completed and have been in that time period
- FHS 4 - Percentage of Citizens' Panel respondents who are satisfied with the standard of hygiene in restaurants / cafes / shops and takeaways in Lincoln
- AM 1 - Percentage occupancy of allotment plots
- GM 1 - Contractor points recorded against target standards specified in contract - Grounds Maintenance
- WM 3 - Satisfaction with refuse service (collected via Citizens' Panel)
- WM 4 - Satisfaction with recycling service (collected via Citizens' Panel)

Directorate for Housing & Investment (DHI)

- HV 3 - Average re-let time calendar days for all dwellings (including major works)
- HM 4 - Appointments kept as a percentage of appointments made (priority and urgent repairs) - HRS only

5.6 Performance Measures with Name Amendments / a Change of Focus

1 continuing performance measure has had its name amended / focus changed.

Chief Executive Directorate (CX)

- CS 2 - Number of telephone enquiries answered in Customer Services (removed focus on channel shift areas only)

5.7 Performance Measure with Reporting Frequency Changed for 2024/25

1 continuing performance measure has had its reporting frequency changed from annual to quarterly for 2024/25.

Chief Executive Directorate (CX)

- PRO 1 - Percentage spend on contracts that have been awarded to "local" contractors (as the primary contractor)

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5.8 Performance Measures with No Changes for 2024/25

60 continuing performance measures across the three directorates will continue without any changes for 2024/25 and will retain their existing targets.

6. Strategic Priorities

6.1 City of Lincoln Council's Vision 2025 priorities are:

- Let's drive inclusive economic growth.
- Let's reduce all kinds of inequality.
- Let's deliver quality housing.
- Let's enhance our remarkable place.
- Let's address the challenge of climate change.

Performance measures and their targets are set with the aim of improving performance and, therefore, could result in positive effects on all priorities.

7. Organisational Impacts

7.1 Finance (including whole life costs where applicable)

There are no direct financial implications because of this report.

7.2 Legal Implications including Procurement Rules

There are no direct legal implications as a result of this report.

7.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

This report has no direct effect on equality in itself, but through accurate measurement of service performance we are constantly able to review the quality of services for all recipients.

8. Risk Implications

8.1 (i) Options Explored – N/A

8.2 (ii) Key Risks Associated with the Preferred Approach – N/A

9. Recommendations

9.1 Executive is asked to review and approve the strategic performance measures and their targets for 2024/25.

Is this a key decision?

No

Do the exempt information categories apply?

No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?

No

How many appendices does the report contain?

One

List of Background Papers:

None

Lead Officers:

Graham Rose - Senior Strategic Policy Officer
Graham.rose@lincoln.gov.uk

PERFORMANCE MEASURE REVIEW AND TARGET SETTING 2024/25 - QUARTERLY MEASURES

Directorate	Service Area	Measure ID	Measure	Assistant Director	Portfolio Holder	Quarterly, Cumulative or Seasonal	High or Low is good	Unit	Low Target 2023/24	High Target 2023/24	Q4 - 2022/23 outturn	Q1 2023/24 outturn	Q2 2023/24 outturn	Q3 2023/24 outturn	Measure being retained for 2024/25?	Low Target 2024/25	High Target 2024/25	Change for 2024/25	Service area comments
CX	Work Based Learning	WBL 1	Percentage of apprentices completing their qualification on time	City Solicitor	Our people and resources	Quarterly	High is good	%	95.00	100.00	100.00	50.00	67.00	50.00	Y	95.00	100.00	No change	Measures to remain in strategic measure set. Targets continue to be appropriate.
CX	Work Based Learning	WBL 2	Percentage of apprentices moving into Education, Employment or Training	City Solicitor	Our people and resources	Quarterly	High is good	%	90.00	95.00	100.00	100.00	100.00	100.00	Y	90.00	95.00	No change	
CX	Communications	COM 1	Percentage of media enquiries responded to within four working hours or within requested response time.	Assistant Director - Strategic Development	Our people and resources	Quarterly	High is good	%	78.00	90.00	84.00	86.00	82.00	67.00	N	N/A	N/A	Measure removed	Measure to be removed from strategic measure set. To provide more detailed information that reflects the wider spectrum of communications activity, the team will produce a quarterly communications highlight report, which will contain information on the communications activity undertaken during the quarter, covering areas such as media enquiries, social media engagement, communication campaigns and website hits.
CX	Corporate Policy & Transformation	CPT 1	Number of internal safeguarding referrals received	Assistant Director - Strategic Development	Reducing Inequality	Quarterly	N/A	Number	Volumetric	Volumetric	-	-	-	-	NEW	Volumetric	Volumetric	New measure	New measure added to provide members with an insight into the number of safeguarding referrals received each quarter.
CX	Customer Services	CS 1	Number of face to face enquiries in customer services	Assistant Director - Strategic Development	Customer experience and review	Quarterly	N/A	Number	Volumetric	Volumetric	36	22	20	9	N	N/A	N/A	Measure removed	Measure to be removed as no longer the most relevant measure to report via the corporate reporting process. Numbers will continue to be monitored internally by the team. New measure to be added to the set in place of this, which will monitor footfall into the City Hall reception. The reasons for visits to the reception desk will be included within the supporting commentary for the new measure.
CX	Customer Services	To become CS 1	Footfall into City Hall reception desk	Assistant Director - Strategic Development	Customer experience and review	Quarterly	N/A	Number	Volumetric	Volumetric	-	-	-	-	NEW	Volumetric	Volumetric	New measure	New measure will help to provide CMT and members with an insight into the footfall into City Hall reception each quarter and the key reasons as to why people are visiting / the services they are requesting.
CX	Customer Services	CS 2	Number of telephone enquiries answered in Customer Services	Assistant Director - Strategic Development	Customer experience and review	Quarterly	N/A	Number	Volumetric	Volumetric	30,819	27,860	26,804	24,512	Y	Volumetric	Volumetric	Measure name revision / change of focus	Measure to be retained, however the focus on channel shift areas has been removed from the measure to ensure total call volumes are being reported each quarter. Details will be provided in the commentary on service area call demand.
CX	Customer Services	CS 3	Average time taken to answer a call to customer services	Assistant Director - Strategic Development	Customer experience and review	Quarterly	Low is good	Seconds	600	300	469	458	327	471	Y	600	300	No change	Measures to be retained and targets continue to be relevant.
CX	Customer Services	CS 4	Average customer feedback score (telephone, face to face and e-mail enquiries)	Assistant Director - Strategic Development	Customer experience and review	Quarterly	High is good	%	75.00	90.00	93.30	87.60	82.06	83.60	Y	75.00	95.00	No change	
CX	IT	ICT 1	Number of calls logged to IT helpdesk	Assistant Director - Strategic Development	Customer experience and review	Quarterly	N/A	Number	Volumetric	Volumetric	1,084	869	909	907	Y	Volumetric	Volumetric	No change	Measure being retained to provide a clear view of the number of calls being received by the IT helpdesk within the quarter.
CX	IT	ICT 2	Percentage of first time fixes	Assistant Director - Strategic Development	Customer experience and review	Quarterly	N/A	%	Volumetric	Volumetric	60.20	66.10	70.00	65.20	Y	Volumetric	Volumetric	No change	Measure to be retained to show the first time fix rate within the IT service.
CX	Accountancy	ACC 1	Average return on investment portfolio	Chief Finance Officer	Our people and resources	Quarterly	High is good	%	1.50	2.75	3.72	4.32	5.14	5.54	Y	3.50	4.50	Target change	Both high and low targets have been revised as increases in Bank of England base rate is bringing higher yields, although likely to be less than end of 23/24.
CX	Accountancy	ACC 2	Average interest rate on external borrowing	Chief Finance Officer	Our people and resources	Quarterly	Low is good	%	5.25	3.75	3.08	3.10	3.20	3.26	Y	5.50	3.50	Target change	As above, Bank of England base rate pushing up cost of borrowing. Targets have been amended to take this into consideration.
CX	Internal Audit	AUD 1	Completion of the Internal Audit Annual Plan	Chief Finance Officer	Customer experience and review	Cumulative	High is good	%	-	-	-	-	-	-	NEW	Q1 - 5 Q2 - 20 Q3 - 55 Q4 - 85	Q1 - 15 Q2 - 35 Q3 - 65 Q4 - 95	New measure	Measure added to ensure wider reporting of the measure to increase awareness of the progress of Internal Audit work.
CX	Debtors & Creditors	DCT 1	Percentage of invoices paid within 30 days	Chief Finance Officer	Our people and resources	Quarterly	High is good	%	95.00	97.00	98.45	96.61	96.58	96.42	Y	95.00	97.00	No change	Targets are reasonable – unlikely to be able to regularly exceed paying 97% of invoices within 30 days. A drop below 95% would indicate potential service performance processing issues that should be addressed urgently.
CX	Debtors & Creditors	DCT 2	Percentage of invoices that have a Purchase Order completed	Chief Finance Officer	Our people and resources	Quarterly	High is good	%	60.00	70.00	61.00	57.00	71.00	78.00	Y	65.00	75.00	Target change	Reasonable to increase target by 5% due to increased purchase order use across service areas. This follows an ongoing campaign to encourage service areas to raise more purchase orders (in line with financial procedure rules). NB this performance measure is unlikely to ever exceed 80%-85% due to processing limitations.
CX	Debtors & Creditors	DCT 3	Average number of days to pay invoices	Chief Finance Officer	Our people and resources	Quarterly	Low is good	Days	20	15	19	19	13	18	Y	20	15	No change	Targets are reasonable. Unlikely that it would be possible to reduce average number of days below 15 days.
CX	Housing Benefit Administration	BE 1	Average days to process new housing benefit claims from date received (cumulative)	Assistant Director - Shared Revenues & Benefits	Reducing Inequality	Cumulative	Low is good	Days	Q1 - 20.00 Q2 - 19.00 Q3 - 18.50 Q4 - 18.00	Q1 - 18.00 Q2 - 17.50 Q3 - 16.50 Q4 - 16.00	15.85	16.55	16.61	15.24	Y	Q1 - 21.00 Q2 - 20.00 Q3 - 19.50 Q4 - 19.00	Q1 - 19.00 Q2 - 18.50 Q3 - 17.50 Q4 - 17.00	Target change	Minor changes to targets. Impacts of Universal Credit managed migration, reduced DWP funding, as well as additional demands from cost of living may have a slightly detrimental impact on performance in this area.
CX	Housing Benefit Administration	BE 2	Average days to process housing benefit claim changes of circumstances from date received (cumulative)	Assistant Director - Shared Revenues & Benefits	Reducing Inequality	Cumulative	Low is good	Days	Q1 - 9.50 Q2 - 8.50 Q3 - 7.50 Q4 - 6.00	Q1 - 7.00 Q2 - 6.50 Q3 - 6.00 Q4 - 4.50	3.08	5.97	6.25	5.52	Y	Q1 - 10.50 Q2 - 9.50 Q3 - 8.50 Q4 - 7.00	Q1 - 8.00 Q2 - 7.50 Q3 - 7.00 Q4 - 5.50	Target change	
CX	Housing Benefit Administration	BE 3	Number of Housing Benefits / Council Tax support customers awaiting assessment	Assistant Director - Shared Revenues & Benefits	Reducing Inequality	Quarterly - individual quarter targets	Low is good	Number	Q1 - 2,400 Q2 - 1,900 Q3 - 1,650 Q4 - 1,400	Q1 - 1,900 Q2 - 1,700 Q3 - 1,500 Q4 - 1,300	1,792	2,622	1,156	1,481	Y	Q1 - 2,500 Q2 - 2,000 Q3 - 1,750 Q4 - 1,500	Q1 - 2,000 Q2 - 1,800 Q3 - 1,600 Q4 - 1,400	Target change	
CX	Housing Benefit Administration	BE 4	Percentage of risk-based quality checks made where Benefit entitlement is correct (cumulative)	Assistant Director - Shared Revenues & Benefits	Reducing Inequality	Cumulative	High is good	%	Q1 - 88.00 Q2 - 89.00 Q3 - 90.00 Q4 - 91.00	Q1 - 91.00 Q2 - 92.00 Q3 - 93.00 Q4 - 94.00	95.26	87.85	89.87	92.29	Y	Q1 - 88.00 Q2 - 89.00 Q3 - 90.00 Q4 - 91.00	Q1 - 91.00 Q2 - 92.00 Q3 - 93.00 Q4 - 94.00	No change	High standard already being achieved, and the aim is to retain this high standard of performance in this area.
CX	Housing Benefit Administration	BE 5	The number of new benefit claims year to date (Housing Benefits/Council Tax Support)	Assistant Director - Shared Revenues & Benefits	Reducing Inequality	Quarterly	N/A	Number	Volumetric	Volumetric	4,606	1,130	2,371	3,255	Y	Volumetric	Volumetric	No change	Measure continues to be important to monitor and is to remain in strategic measure set.
CX	Revenues Administration	REV 1	Council Tax - in year collection rate for Lincoln (cumulative)	Assistant Director - Shared Revenues & Benefits	Our people and resources	Cumulative	High is good	%	Q1 - 25.00 Q2 - 50.00 Q3 - 75.00 Q4 - 95.10	Q1 - 26.00 Q2 - 51.50 Q3 - 77.00 Q4 - 96.10	94.15	26.30	50.46	76.11	Y	Q1 - 25.00 Q2 - 50.00 Q3 - 75.00 Q4 - 95.10	Q1 - 26.00 Q2 - 51.50 Q3 - 77.00 Q4 - 96.10	No change	In the current and foreseeable economic climate, with cost of living challenges, it is not proposed to change the current low and high targets in place from 2023/24.
CX	Revenues Administration	REV 2	Business Rates - in year collection rate for Lincoln (cumulative)	Assistant Director - Shared Revenues & Benefits	Our people and resources	Cumulative	High is good	%	Q1 - 29.00 Q2 - 54.00 Q3 - 81.00 Q4 - 97.10	Q1 - 32.00 Q2 - 57.00 Q3 - 84.00 Q4 - 98.10	99.19	35.61	59.56	85.60	Y	Q1 - 29.00 Q2 - 54.00 Q3 - 81.00 Q4 - 97.10	Q1 - 32.00 Q2 - 57.00 Q3 - 84.00 Q4 - 98.10	No change	In the current and foreseeable economic climate, with cost of living challenges, it is not proposed to change the current low and high targets in place from 2023/24 targets. A high level of performance is normally anticipated for in-year Business Rates collection.
CX	Revenues Administration	REV 3	Number of outstanding customer changes in the Revenues team	Assistant Director - Shared Revenues & Benefits	Our people and resources	Quarterly - individual quarter targets	Low is good	Number	Q1 - 1,300 Q2 - 1,200 Q3 - 1,100 Q4 - 1,000	Q1 - 1,200 Q2 - 1,100 Q3 - 1,000 Q4 - 950	1,476	1,114	1,120	907	Y	Q1 - 1,800 Q2 - 1,700 Q3 - 1,600 Q4 - 1,500	Q1 - 1,700 Q2 - 1,600 Q3 - 1,500 Q4 - 1,450	Target change	Performance for this measure has historically (and for 2023/24) included only items outstanding in the electronic Document Management System (DMS). However, from 2024/25, reporting of this measure is to include items in DMS, but also outstanding customer items from the Citizens Access Revenues (self-serve) portal to give a more accurate reflection of overall outstanding correspondence in the Revenues Team. Therefore, the low and high targets have been increased to reflect the additional items being added into this measure from 2024/25.
CX	Revenues Administration	REV 4	Number of accounts created for the My Lincoln Accounts system (to date)	Assistant Director - Shared Revenues & Benefits	Our people and resources	Quarterly	N/A	Number	Volumetric	Volumetric	No data	2,149	2,713	3,760	Y	Volumetric	Volumetric	No change	Measure to be retained to monitor accounts created for the My Lincoln Accounts system.

PERFORMANCE MEASURE REVIEW AND TARGET SETTING 2024/25 - QUARTERLY MEASURES

Directorate	Service Area	Measure ID	Measure	Assistant Director	Portfolio Holder	Quarterly, Cumulative or Seasonal	High or Low is good	Unit	Low Target 2023/24	High Target 2023/24	Q4 - 2022/23 outturn	Q1 2023/24 outturn	Q2 2023/24 outturn	Q3 2023/24 outturn	Measure being retained for 2024/25?	Low Target 2024/25	High Target 2024/25	Change for 2024/25	Service area comments
DCE	Affordable Housing	AH1	Number of affordable homes delivered (cumulative)	Assistant Director - Planning	Quality Housing	Cumulative	High is good	Number	Q1 - 5 Q2 - 10 Q3 - 15 Q4 - 20	Q1 - 25 Q2 - 50 Q3 - 75 Q4 - 100	32	13	17	17	Y	Q1 - 5 Q2 - 10 Q3 - 15 Q4 - 20	Q1 - 25 Q2 - 50 Q3 - 75 Q4 - 100	No change	Measure continues to be relevant and is to remain in the strategic measures set. The targets continue to be appropriate taking into consideration the current economic climate and the slowdown in delivery rates due to a significant increase in raw material costs.
DCE	Development Management (Planning)	DM 1	Number of applications in the quarter	Assistant Director - Planning	Inclusive Economic Growth	Quarterly	N/A	Number	Volumetric	Volumetric	201	195	224	191	Y	Volumetric	Volumetric	No change	Measure continues to be important to give a clear view of the applications being received and is to remain in the strategic measure set.
DCE	Development Management (Planning)	DM 2	End to end time to determine a planning application (Days)	Assistant Director - Planning	Inclusive Economic Growth	Quarterly	Low is good	Days	85.00	65.00	81.46	64.19	74.67	73.96	Y	85.00	65.00	No change	Measures continue to be relevant and are to remain in the strategic measures set to provide a clear view of how the Development Management Team is performing. Targets continue to be appropriate based on current and expected performance.
DCE	Development Management (Planning)	DM 3	Number of live planning applications open	Assistant Director - Planning	Inclusive Economic Growth	Quarterly	Low is good	Number	180	120	132	127	146	115	Y	180	120	No change	
DCE	Development Management (Planning)	DM 4	Percentage of applications approved	Assistant Director - Planning	Inclusive Economic Growth	Quarterly	High is good	%	85.00	97.00	90.00	95.00	97.00	93.00	Y	85.00	97.00	No change	
DCE	Development Management (Planning)	DM 5	Percentage of total decisions made in the quarter that have subsequently been overturned at appeal	Assistant Director - Planning	Inclusive Economic Growth	Quarterly	Low is good	%	10.00	5.00	1.00	1.44	1.70	0.00	Y	10.00	5.00	No change	
DCE	Development Management (Planning)	DM 5a	Number of decisions appealed in the quarter	Assistant Director - Planning	Inclusive Economic Growth	Quarterly	Low is good	Number	5.00	1.00	2	4	1	2	Y	5.00	1.00	No change	
DCE	Development Management (Planning)	DM 5b	Number of appealed decisions in the quarter overturned by the inspectorate	Assistant Director - Planning	Inclusive Economic Growth	Quarterly	Low is good	Number	5.00	1.00	1	2	0	0	Y	5.00	1.00	No change	Measures continue to be relevant and are to remain in the strategic measures set. Measures are both nationally reported measures. Targets continue to be appropriate based on current and expected performance.
DCE	Development Management (Planning)	DM 6	Percentage of Non-Major Planning Applications determined within the government target (70% in 8 weeks) measured on a 2 year rolling basis (including extensions of time)	Assistant Director - Planning	Inclusive Economic Growth	Quarterly	High is good	%	70.00	90.00	86.00	85.00	73.00	85.00	Y	70.00	90.00	No change	
DCE	Development Management (Planning)	DM 7	Percentage of Major Planning Applications determined within the government target (60% in 13 weeks) measured on a 2 year rolling basis (including extensions of time)	Assistant Director - Planning	Inclusive Economic Growth	Quarterly	High is good	%	60.00	90.00	67.00	100.00	100.00	70.97	Y	60.00	90.00	No change	
DCE	Parking Services	PS 1	Overall percentage utilisation of all car parks	Assistant Director - Planning	Inclusive Economic Growth	Quarterly	High is good	%	50.00	60.00	46.00	48.00	53.00	56.00	Y	50.00	60.00	No change	No change to these measures and how they are collected. Both measures continue to be important in accurately monitoring the performance of the Parking Service.
DCE	Parking Services	PS 2	Sessional car parking income as a percentage of budget requirement	Assistant Director - Planning	Inclusive Economic Growth	Quarterly	High is good	%	91.00	96.00	No data	102.59	106.41	113.18	Y	91.00	96.00	No change	
DCE	Food and Health & Safety Enforcement	FHS 1	Percentage of premises fully or broadly compliant with Food Health & Safety inspection	Assistant Director - Health & Environmental Services	Remarkable Place	Quarterly	High is good	%	95.00	97.00	98.73	99.99	99.99	98.78	Y	95.00	99.00	Target change	Retaining measure. Increasing high target to 99% from 97% to ensure that the service is being stretched.
DCE	Food and Health & Safety Enforcement	FHS 2	Average time from actual date of inspection to achieving compliance	Assistant Director - Health & Environmental Services	Remarkable Place	Quarterly	Low is good	Days	20.00	10.00	11.42	10.06	8.26	6.20	Y	15.00	10.00	Target change	Retaining measure. Low target reduced to 15 days (low is good).
DCE	Food and Health & Safety Enforcement	FHS 3	Percentage of food inspections that should have been completed and have been in that time period	Assistant Director - Health & Environmental Services	Remarkable Place	Quarterly	High is good	%	85.00	97.00	100.00	58.91	80.00	94.24	Y	90.00	97.00	Target change	Retaining measure, however, we are content with increasing the low target upwards. Retaining the high target at 97% even though performance over the past reporting period has been 100% - this was due to the FSA recovery programme, which had a reduced number of planned inspections in the programme and this will not be the case for the next reporting period.
DCE	Licensing	LIC 1	Percentage of premises licences issued within 28 days of grant	Assistant Director - Health & Environmental Services	Remarkable Place	Quarterly	High is good	%	80.00	100.00	100.00	97.85	100.00	94.44	Y	80.00	100.00	No change	Retaining measures with no changes. Targets for measure LIC 1 continue to be suitable.
DCE	Licensing	LIC 2	Total number of active premises licences	Assistant Director - Health & Environmental Services	Remarkable Place	Quarterly	N/A	Number	Volumetric	Volumetric	405	409	407	405	Y	Volumetric	Volumetric	No change	
DCE	Licensing	LIC 3	Total number of active private hire / hackney carriage licences (operators, vehicles and drivers)	Assistant Director - Health & Environmental Services	Remarkable Place	Quarterly	N/A	Number	Volumetric	Volumetric	785	794	811	828	Y	Volumetric	Volumetric	No change	
DCE	Private Housing	PH 1	Average time in weeks from occupational therapy notification to completion of works on site for a DFG grant (all DFG's exc. extensions)	Assistant Director - Health & Environmental Services	Quality Housing	Quarterly	Low is good	Weeks	26.00	19.00	31.00	27.00	29.90	36.00	Y	26.00	19.00	No change	This measure is being retained and the high and low targets are to remain the same even though over the last reporting period the performance of the service has not met the target. The service area is undergoing some redesign of processes and it is envisaged that this could help improve the ongoing performance.
DCE	Private Housing	PH 2	Average time from date of inspection of accommodation to removing a severe hazard to an acceptable level	Assistant Director - Health & Environmental Services	Quality Housing	Quarterly	Low is good	Weeks	20.00	12.00	17.50	21.20	21.00	11.00	Y	20.00	12.00	No change	Retaining measure with no changes. This is a useful measure of the work that is undertaken on housing conditions/standards. Targets continue to be relevant.
DCE	Private Housing	PH 3	Number of empty homes brought back into use (cumulative)	Assistant Director - Health & Environmental Services	Quality Housing	Cumulative	High is good	Number	Q1 - 1 Q2 - 8 Q3 - 11 Q4 - 15	Q1 - 8 Q2 - 18 Q3 - 23 Q4 - 30	31	8	20	34	Y	Q1 - 1 Q2 - 8 Q3 - 11 Q4 - 15	Q1 - 8 Q2 - 18 Q3 - 23 Q4 - 30	No change	Retaining measure with no changes. Targets continue to be relevant.

PERFORMANCE MEASURE REVIEW AND TARGET SETTING 2024/25 - QUARTERLY MEASURES

Directorate	Service Area	Measure ID	Measure	Assistant Director	Portfolio Holder	Quarterly, Cumulative or Seasonal	High or Low is good	Unit	Low Target 2023/24	High Target 2023/24	Q4 - 2022/23 outturn	Q1 2023/24 outturn	Q2 2023/24 outturn	Q3 2023/24 outturn	Measure being retained for 2024/25?	Low Target 2024/25	High Target 2024/25	Change for 2024/25	Service area comments
DCE	Public Protection and Anti-Social Behaviour Team	PPASB 1	Number of cases received in the quarter (ASB cases only)	Assistant Director - Health & Environmental Services	Reducing Inequality	Quarterly	N/A	Number	Volumetric	Volumetric	115	115	120	111	Y	Volumetric	Volumetric	No change	Retaining all PPASB measures 1, 2 & 3 as these continue to be important to monitor the performance of the service. For PPASB 3 targets continue to be suitable.
DCE	Public Protection and Anti-Social Behaviour Team	PPASB 2	Number of cases closed in the quarter (across full PPASB service)	Assistant Director - Health & Environmental Services	Reducing Inequality	Quarterly	N/A	Number	Volumetric	Volumetric	833	1,003	964	1,006	Y	Volumetric	Volumetric	No change	
DCE	Public Protection and Anti-Social Behaviour Team	PPASB 3	Number of live cases open at the end of the quarter (across full PPASB service)	Assistant Director - Health & Environmental Services	Reducing Inequality	Quarterly	Low is good	Number	240	200	163	211	240	226	Y	240	200	No change	
DCE	Public Protection and Anti-Social Behaviour Team	PPASB 4	Satisfaction of complainants relating to how their ASB complaint was handled	Assistant Director - Health & Environmental Services	Reducing Inequality	Quarterly	High is good	%	75.00	85.00	71.43	100.00	100.00	100.00	N	N/A	N/A	Measure removed	Measure to be removed. The satisfaction surveys for this measure only go out where there is a customer and a case to investigate. That is further complicated by the fact that we piggy back onto a large amount of Housing cases (such as noise investigations). Housing send a survey out when the joint case is closed, as the customer began the journey with them. If we sent a survey, the customer would then get two satisfaction surveys. The above coupled with very low return numbers means we end up with a negligible amount of completed surveys.
DCE	Sport & Leisure	SP 1a	Quarterly visitor numbers to Birchwood Leisure Centre	Assistant Director - Health & Environmental Services	Remarkable Place	Quarterly	N/A	Number	Volumetric	Volumetric	35,483	38,209	42,118	38,687	Y	Volumetric	Volumetric	No change	Measures to be retained to provide visitor number performance on a quarterly basis at Birchwood and Yarborough Leisure Centres.
DCE	Sport & Leisure	SP 1b	Quarterly visitor numbers to Yarborough Leisure Centre	Assistant Director - Health & Environmental Services	Remarkable Place	Quarterly	N/A	Number	Volumetric	Volumetric	73,612	99,520	103,392	98,617	Y	Volumetric	Volumetric	No change	
DCE	Sport & Leisure	SP 2	Artificial Grass Pitch usage at Yarborough Leisure Centre & Birchwood Leisure Centre	Assistant Director - Health & Environmental Services	Remarkable Place	Quarterly	High is good	Hours	520	700	728.00	760.50	663.00	858.00	Y	520	700	No change	Measure to remain to provide a clear picture of Artificial Grass Pitch Usage each quarter. Targets continue to be appropriate.
DCE	Sport & Leisure	SP 3a	Birchwood Leisure Centre - Number of net promoter score points above or below the average Net Promoter Score for England	Assistant Director - Health & Environmental Services	Remarkable Place	Quarterly	High is good	Number	0	2	No data	30.0	58.0	11.0	Y	0	2	No change	Measures to remain. Continues to monitor customer satisfaction in line with national approach. Targets continue to be appropriate.
DCE	Sport & Leisure	SP 3b	Yarborough Leisure Centre - Number of net promoter score points above or below the average Net Promoter Score for England	Assistant Director - Health & Environmental Services	Remarkable Place	Quarterly	High is good	Number	0	2	No data	-31.0	17.0	5.3	Y	0	2	No change	
DCE	Allotments	AM 1	Percentage occupancy of allotment plots	Assistant Director - Communities & Street Scene	Remarkable Place	Quarterly	High is good	%	86.00	94.00	95.00	91.00	95.00	95.00	Y	90.00	95.00	Target change	Average for this year 94.5%. No significant changes expected in service next year, so increased target should be achievable, but can be subject to external factors such as weather and economy, so a little margin has been retained to take account of this.
DCE	CCTV	CCTV 1	Total number of incidents handled by CCTV operators	Assistant Director - Communities & Street Scene	Reducing Inequality	Quarterly	N/A	Number	Volumetric	Volumetric	2,584	2,661	2,396	2,887	Y	Volumetric	Volumetric	No change	A volumetric measure. Changes in service delivery and demands on service expected this year, so probability is that more activity will be recorded, but numbers cannot be forecast or controlled.
DCE	Grounds Maintenance	GM 1	Contractor points recorded against target standards specified in contract - Grounds Maintenance	Assistant Director - Communities & Street Scene	Remarkable Place	Quarterly	Low is good	Number	150	50	50	55	70	85	Y	200	75	Target change	Remains a key part of contract performance measuring. Service has been poor in places, and as a consequence monitoring activity increased. Both factors lead to the expectation of an increase in the scores for next year. Targets have been revised.
DCE	Street Cleansing	SC 1	Contractor points recorded against target standards specified in contract - Street Cleansing	Assistant Director - Communities & Street Scene	Remarkable Place	Quarterly	Low is good	Number	150	50	95	170	70	60	Y	150	50	No change	Remains a key part of performance management. Targets to remain the same and continue to be appropriate.
DCE	Waste & Recycling	WM 1	Percentage of waste recycled or composted (seasonal)	Assistant Director - Communities & Street Scene	Remarkable Place	Seasonal	High is good	%	Q1 - 26.00 Q2 - 34.00 Q3 - 32.50 Q4 - 30.50	Q1 - 30.00 Q2 - 37.00 Q3 - 38.00 Q4 - 35.00	30.76	28.00	35.54	34.95	Y	Q1 - 26.00 Q2 - 34.00 Q3 - 32.50 Q4 - 30.50	Q1 - 30.00 Q2 - 37.00 Q3 - 38.00 Q4 - 35.00	No change	Note outturns are lagged by one quarter. No changes to service forecast in this period. Targets to remain the same and continue to be relevant.
DCE	Waste & Recycling	WM 2	Contractor points recorded against target standards specified in contract - Waste Management	Assistant Director - Communities & Street Scene	Remarkable Place	Quarterly	Low is good	Number	150	50	110	95	125	40	Y	150	50	No change	Remains a key part of performance management. Targets to remain the same and continue to be appropriate.

PERFORMANCE MEASURE REVIEW AND TARGET SETTING 2024/25 - QUARTERLY MEASURES

Directorate	Service Area	Measure ID	Measure	Assistant Director	Portfolio Holder	Quarterly, Cumulative or Seasonal	High or Low is good	Unit	Low Target 2023/24	High Target 2023/24	Q4 - 2022/23 outturn	Q1 2023/24 outturn	Q2 2023/24 outturn	Q3 2023/24 outturn	Measure being retained for 2024/25?	Low Target 2024/25	High Target 2024/25	Change for 2024/25	Service area comments
DHI	Control Centre	CC 1	Percentage of customers satisfied with their new Lincare Housing Assistance service connection to the control centre	Assistant Director - Housing Management	Quality Housing	Quarterly	High is good	%	90.00	95.00	100.00	94.74	97.56	95.92	Y	90.00	95.00	No change	These are Telecare Services Association targets so would only change if altered by the Telecare Services Association.
DHI	Control Centre	CC 2	Percentage of Lincare Housing Assistance calls answered within 60 seconds	Assistant Director - Housing Management	Quality Housing	Quarterly	High is good	%	97.50	98.00	97.17	97.63	97.33	97.77	Y	97.50	98.00	No change	
DHI	Housing Solutions	HS 1	The number of people currently on the Housing Register	Assistant Director - Housing Management	Quality Housing	Quarterly	N/A	Number	Volumetric	Volumetric	1,730	1,786	1,912	1,998	Y	Volumetric	Volumetric	No change	Measures are being retained as volumetric measures.
DHI	Housing Solutions	HS 2	The number of people approaching the council as homeless	Assistant Director - Housing Management	Quality Housing	Quarterly	N/A	Number	Volumetric	Volumetric	309	365	378	334	Y	Volumetric	Volumetric	No change	
DHI	Housing Solutions	HS 3	Successful preventions and relief of homelessness against total number of homelessness approaches	Assistant Director - Housing Management	Quality Housing	Quarterly	High is good	%	45.00	50.00	35.90	33.80	27.86	50.37	Y	45.00	50.00	No change	Consideration has been given to increasing this target as our current prevention work is on the increase due to recent changes to working practices. However, although Q3 showed improvement, it still did not meet the lower target and the YTD is still some distance from target. This measure will be further reviewed for 25/26 when it is hoped the targets can be increased.
DHI	Housing Solutions	HS 4	Number of rough sleepers	Assistant Director - Housing Management	Quality Housing	Quarterly	N/A	Number	Volumetric	Volumetric	-	-	-	-	NEW	Volumetric	Volumetric	New measure	The inclusion of this measure will give a clearer picture of the impacts on the Housing Solutions Team when used alongside the other homelessness indicators.
DHI	Housing Voids	HV 1	Percentage of rent lost through dwelling being vacant	Assistant Director - Housing Management	Quality Housing	Quarterly	Low is good	%	1.10	1.00	1.07	1.29	1.03	1.07	Y	1.10	1.00	No change	Measure to remain and targets continue to be suitable following review.
DHI	Housing Voids	HV 2	Average re-let time calendar days for all dwellings - standard re-lets	Assistant Director - Housing Management	Quality Housing	Quarterly	Low is good	Days	34.00	32.00	44.40	43.70	40.48	38.43	N	N/A	N/A	Measure removed	Indicator HV2 is to be removed as the data measured within the indicator reflects the number of days that a property is void if there have only been standard / minor repairs completed. This measure has historically been monitored as it used to reflect the majority of voids but approximately half of all voids now require major works to be completed. We will continue to monitor this in the service and via the departmental management team. Additionally, Housemark benchmarking data shows that in 2022/23 for standard re-lets / minor repairs City of Lincoln Council performed within the top benchmarking quartile when compared to other providers. Subsequently, the focus moving forward needs to be on ensuring members are provided with void time of all properties (measure HV 3) regardless of the type of repairs required, so is more reflective of the void loss and the affect this has on the loss of revenue to the HRA.
DHI	Housing Voids	HV 3	Average re-let time calendar days for all dwellings (including major works)	Assistant Director - Asset Management	Quality Housing	Quarterly	Low is good	Days	40.00	38.00	55.90	48.06	49.61	45.50	Y	45.00	42.00	Target change	Targets have been amended to reflect a more realistic expectation of performance considering that there are several factors that are having an effect on the performance of this measure. Changes to policies and the voids process are hoped to improve the performance in future years. The proposed targets are in line with the void loss allowance within the HRA Business Plan and also takes into consideration recently collated benchmarking data from authorities within the North Notts & Derby Benchmarking Group and local to Lincoln.
DHI	Rent Collection	RC 1	Rent collected as a proportion of rent owed	Assistant Director - Housing Management	Quality Housing	Quarterly	High is good	%	96.50	97.50	98.36	96.81	97.67	108.05	Y	96.50	97.50	No change	Targets remain suitable and allow us to be in the upper quartile for Housemark.
DHI	Rent Collection	RC 2	Current tenant arrears as a percentage of the annual rent debit	Assistant Director - Housing Management	Quality Housing	Quarterly	Low is good	%	4.15	4.00	3.40	3.83	4.25	2.86	Y	4.15	4.00	No change	
DHI	Housing Investment	HI 1	Percentage of council properties that are not at the 'Decent Homes' standard (excluding refusals)	Assistant Director - Asset Management	Quality Housing	Quarterly	Low is good	%	1.20	1.00	0.81	1.35	1.09	0.86	Y	1.20	1.00	No change	Measure being retained and targets continue to be relevant following review.
DHI	Housing Investment	HI 2	Number of properties 'not decent' as a result of tenants refusal to allow work (excluding referrals)	Assistant Director - Asset Management	Quality Housing	Quarterly	N/A	Number	Volumetric	Volumetric	227	232	237	232	Y	Volumetric	Volumetric	No change	Measure being retained as a volumetric measure.
DHI	Housing Investment	HI 3	Percentage of dwellings with a valid gas safety certificate	Assistant Director - Asset Management	Quality Housing	Quarterly	High is good	%	98.60	99.00	98.97	98.50	98.54	97.83	Y	98.60	99.00	No change	Measure being retained and targets continue to be appropriate following review.
DHI	Housing Maintenance	HM 1a	Percentage of reactive repairs completed within target time (priority 1 day only)	Assistant Director - Asset Management	Quality Housing	Quarterly	High is good	%	98.50	99.50	99.79	99.55	99.75	99.04	Y	98.50	99.50	No change	Measures being retained and targets continue to be appropriate following review.
DHI	Housing Maintenance	HM 1b	Percentage of reactive repairs completed within target time (urgent 3 day repairs only)	Assistant Director - Asset Management	Quality Housing	Quarterly	High is good	%	95.00	97.50	90.18	92.06	94.22	83.28	Y	95.00	97.50	No change	
DHI	Housing Maintenance	HM 2	Percentage of repairs fixed first time (priority and urgent repairs) - HRS only	Assistant Director - Asset Management	Quality Housing	Quarterly	High is good	%	90.00	92.00	92.39	91.52	93.52	94.32	Y	90.00	92.00	No change	
DHI	Housing Maintenance	HM 3	Percentage of tenants satisfied with repairs and maintenance	Assistant Director - Asset Management	Quality Housing	Quarterly	High is good	%	90.00	95.00	79.35	72.73	78.69	83.95	N	N/A	N/A	Measure removed	Measure is to be removed and replaced with a new satisfaction measure, which all registered providers are required to collect. It is expected this new measure will provide a more accurate reflection of tenant satisfaction with repairs to their council property.
DHI	Housing Maintenance	To become HM 3	Satisfaction with Repairs (Regulator of Social Housing Tenant Satisfaction Measure – TP02)	Assistant Director - Asset Management	Quality Housing	Quarterly	N/A	N/A	Volumetric	Volumetric	-	-	-	-	NEW	Volumetric	Volumetric	New measure	This measure will replace the existing HM 3 above. This new measure is a Regulator of Social Housing Tenant Satisfaction Measure, which all registered providers must collect. Feedback is collected via telephone calls direct to tenants. Targets to be allocated once baseline has been established. This is due to collection method being different to previous measure being removed.
DHI	Housing Maintenance	HM 4	Appointments kept as a percentage of appointments made (priority and urgent repairs) - HRS only	Assistant Director - Asset Management	Quality Housing	Quarterly	High is good	%	95.00	98.00	97.60	97.32	96.60	96.24	Y	96.00	98.00	Target change	Measure is being retained. The low target for this measure has been increased by 1% taking recent outturns into consideration. The high target remains appropriate at 98%. Alongside recent outturns the year-end 2022/23 Housemark benchmarking data (latest available) has also been taken into consideration, which showed Lincoln's 2022/23 outturn of 98.28% was within the second highest quartile. The top quartile had an upper limit of 98.58% also confirming the high target of 98% remains appropriate.

PERFORMANCE MEASURE REVIEW AND TARGET SETTING 2024/25 - QUARTERLY MEASURES

Directorate	Service Area	Measure ID	Measure	Assistant Director	Portfolio Holder	Quarterly, Cumulative or Seasonal	High or Low is good	Unit	Low Target 2023/24	High Target 2023/24	Q4 - 2022/23 outturn	Q1 2023/24 outturn	Q2 2023/24 outturn	Q3 2023/24 outturn	Measure being retained for 2024/25?	Low Target 2024/25	High Target 2024/25	Change for 2024/25	Service area comments
DM	Major Developments	DMD 1	Percentage spend on Town Deal programme	Assistant Director - DMD	Inclusive Economic Growth	Quarterly	N/A	N/A	Volumetric	Volumetric	-	-	-	-	NEW	Volumetric	Volumetric	New measure	Measures added to provide senior management and members with an insight into the progress of the key work programmes being delivered by the Directorate for Major Developments. For some of these measures the progress status will not be calculated against a specific target but through taking a range of factors into consideration such as milestone progress, financial performance and associated risks, amongst other factors. Subsequently these measures have been included as volumetric, however a RAG status will be provided where appropriate when reporting on these measures each quarter based on the considerations above.
DMD	Major Developments	DMD 2	Percentage / number of Town Deal projects on target	Assistant Director - DMD	Inclusive Economic Growth	Quarterly	N/A	N/A	Volumetric	Volumetric	-	-	-	-	NEW	Volumetric	Volumetric	New measure	
DM	Major Developments	DMD 3	Percentage spend on UKSPF programme	Assistant Director - DMD	Inclusive Economic Growth	Quarterly	N/A	N/A	Volumetric	Volumetric	-	-	-	-	NEW	Volumetric	Volumetric	New measure	
DM	Major Developments	DMD 4	Percentage / number of UKSPF projects on target	Assistant Director - DMD	Inclusive Economic Growth	Quarterly	N/A	N/A	Volumetric	Volumetric	-	-	-	-	NEW	Volumetric	Volumetric	New measure	
DMD	Major Developments	DMD 5	Number of businesses receiving business support utilising the UKSPF fund	Assistant Director - DMD	Inclusive Economic Growth	Quarterly	N/A	N/A	Volumetric	Volumetric	-	-	-	-	NEW	Volumetric	Volumetric	New measure	
DM	Major Developments	DMD 6	Percentage occupancy of Greetwell Place	Assistant Director - DMD	Inclusive Economic Growth	Quarterly	N/A	N/A	Volumetric	Volumetric	-	-	-	-	NEW	Volumetric	Volumetric	New measure	Measures added to provide senior management and members with an insight into occupancy levels at Greetwell Place and The Terrace managed workspaces.
DM	Major Developments	DMD 7	Percentage occupancy of The Terrace	Assistant Director - DMD	Inclusive Economic Growth	Quarterly	N/A	N/A	Volumetric	Volumetric	-	-	-	-	NEW	Volumetric	Volumetric	New measure	
DM	Major Developments	DMD 8	Unemployment rate within Lincoln	Assistant Director - DMD	Inclusive Economic Growth	Quarterly	N/A	N/A	Volumetric	Volumetric	-	-	-	-	NEW	Volumetric	Volumetric	New measure	Measures added for contextual purposes. Data sources will be provided alongside reported outturns.
DM	Major Developments	DMD 9	Average wage in Lincoln	Assistant Director - DMD	Inclusive Economic Growth	Quarterly	N/A	N/A	Volumetric	Volumetric	-	-	-	-	NEW	Volumetric	Volumetric	New measure	

PERFORMANCE MEASURE REVIEW AND TARGET SETTING 2024/25 - ANNUAL MEASURES

	Service Area	Measure ID	Measure	Assistant Director	Portfolio Holder	Collection frequency	High or low is good	Unit	Low Target 2023/24	High Target 2023/24	2021/22 outturn	2022/23 outturn	2023/24 outturn	Measure being retained for 2024/25?	Low Target 2024/25	High Target 2024/25	Change for 2024/25	Service area comments
CX	Democratic Services	DEM 1	The number of individuals registered on the electoral register as at 1st December (local elections)	City Solicitor	Customer experience and review	Annual Q3	N/A	Number	Volumetric	Volumetric	62,292	61,778	62,045	Y	Volumetric	Volumetric	No change	Measure to be retained. We published the register of electors on 1 December 2023, as required, following the Annual Canvass.
CX	Procurement Services	PRO 1	Percentage spend on contracts that have been awarded to "local" contractors (as the primary contractor)	City Solicitor	Our people and resources	Annual Q3	High is good	%	20	45	45.00	44.15	50.25	Y	20	45	Reporting frequency change	Note outturn is lagged by one year (2023/24 outturn is for 2022/23).Targets continue to be appropriate. Whilst we have a "local" policy for under threshold procurement exercises and endeavour to invite suppliers, which align to the policy, it is not possible to take this approach where the procurement exercise is in respect of above threshold tender exercises (£213k in respect of goods and services inc VAT or £5.3m inc VAT for works). The reason for this is that we have to comply with Public Contract Regulations 2015, which is embedded in UK law. We are looking to remove the other Procurement related measures - PRO 2, 3 & 4 with a view to PRO 1 being available on a quarterly basis thus providing more relevant and timely information.
CX	Procurement Services	PRO 2	Percentage value of the top 10 spend contracts that have been sub-contracted (wholly or partly) to "local" suppliers to deliver	City Solicitor	Our people and resources	Annual Q3	N/A	%	Volumetric	Volumetric	23.60	20.20	31.30	N	N/A	N/A	Measure removed	Measures to be removed. See above (PRO 1).
CX	Procurement Services	PRO 3	Percentage of total contract spend that is with an SME	City Solicitor	Our people and resources	Annual Q3	High is good	%	20	40	42.10	51.18	65.50	N	N/A	N/A	Measure removed	
CX	Procurement Services	PRO 4	Percentage of total contract spend that is with an SME who meets the "local" definition	City Solicitor	Our people and resources	Annual Q3	High is good	%	20	40	48.20	58.80	57.70	N	N/A	N/A	Measure removed	
DCE	Contaminated Land	CON 1	Area of sites of potential concern (in m2) made suitable for use in the year	Assistant Director Health & Environmental Services	Inclusive Economic Growth	Annual Q4	N/A	Number	Volumetric	Volumetric	29,260	43,731	Collected in April 2024	N	N/A	N/A	Measure removed	Measure to be removed. It is a volumetric measure that is primarily based on the type and volume of planning applications coming through the system that require some type of contaminated land clean up. This throughput of work is completely outside of the service area. Additionally measuring the work undertaken purely in terms of square metres does not reflect the variation in complexity of the investigation and clean up required from site to site, nor the value of site once it has been 'cleaned up' and developed. It is therefore not a real measure of the performance of the service.
DCE	Food and Health & Safety Enforcement	FHS 4	Percentage of Citizens' Panel respondents who are satisfied with the standard of hygiene in restaurants/cafes/shops and takeaways in Lincoln	Assistant Director Health & Environmental Services	Remarkable Place	Annual Q3	High is good	%	80.00	85.00	87.80	87.50	90.70	Y	85.00	90.00	Target change	Measure continues to be important to monitor the satification levels of residents. Targets have been increased slightly taking into consideration the most recent outturn.
DCE	Grounds Maintenance	GM 2	Satisfaction with our public open spaces overall (collected via Citizens' Panel)	Assistant Director Communities & Street Scene	Remarkable Place	Annual Q2	High is good	%	80.00	90.00	77.80	80.00	83.50	Y	80.00	90.00	No change	Performance measures can be influenced by national issues, but targets remain relevant.
DCE	Street Cleansing	SC 2	Satisfaction that public land and public highways are kept clear of litter and refuse (Street Cleansing) (collected via Citizens' Panel)	Assistant Director Communities & Street Scene	Remarkable Place	Annual Q2	High is good	%	68.00	78.00	62.50	72.80	69.50	Y	68.00	78.00	No change	
DCE	Waste & Recycling	WM 3	Satisfaction with refuse service (collected via Citizens' Panel)	Assistant Director Communities & Street Scene	Remarkable Place	Annual Q3	High is good	%	90.00	96.00	97.00	95.30	94.80	Y	94.00	97.00	Target change	Increased targets based on scores for last 3 years. Performance will be impacted IF changes are introduced to services.
DCE	Waste & Recycling	WM 4	Satisfaction with recycling service (collected via Citizens' Panel)	Assistant Director Communities & Street Scene	Remarkable Place	Annual Q3	High is good	%	90.00	96.00	94.50	93.60	94.10	Y	92.00	97.00	Target change	

SUBJECT: AIDS AND ADAPTATIONS POLICY

DIRECTORATE: HOUSING AND INVESTMENT

REPORT AUTHOR: AMY LARDER – INTERIM MAINTENANCE MANAGER

1. Purpose of Report

- 1.1 This report is to seek approval for the implementation of a new Aids and Adaptations policy and to advise on the key areas within the policy.

2. Executive Summary

- 2.1 The purpose of this report is to provide Information and guidance on our Aids and Adaptations service and to seek approval for the introduction of the Aids and Adaptations Policy to provide clarity for the service providers and users.
- 2.2 The policy identifies regulatory requirements, who is eligible to use the service, and types of adaptations that can be provided through the service. It identifies the approvals process and timescales for approved works.
- 2.3 The key aims of the policy are to enable the provision of a high quality and cost-effective adaptations service. It will assist those in need of adaptations to make informed choices about their housing options, raise awareness of the service and identify our approach in handling requests for adaptations.

3. Background

- 3.1 The City of Lincoln Council offers tenants permanent and temporary adaptations to their homes to ensure their homes remain suitable for their individual needs. We work with partners and agencies, including Lincolnshire County Council to provide adaptations to our housing stock.
- 3.2 Within the last financial year 2022/2023 we received 221 referrals for adaptation to properties. 95 of those referrals were for major adaptations to our properties including wet room installations.
- 3.3 We are committed to ensuring council tenants and their immediate family who have a disability can as far as possible continue to live safely and independently and able to carry out day to day activities.

4. Policy Details

- 4.1 The policy provides clarity, information, and awareness of the availability of the aids and adaptations service.

The policy identifies the regulatory requirements as well as the legal framework and who is considered within the policy.

4.2 Requests for aids and adaptations will normally only be considered, if the person(s) is named in the tenancy, their dependant, or a permanent member of the household.

4.3 **Minor Adaptations**

Involve small scale, non-structural alterations, or additions to a property some examples may include:

- Lever operated taps.
- Handrails
- Grab-Rails
- Mixer showers
- Additional external Lighting
- Concrete half steps to front or rear doors.

4.4 **Major Adaptations**

Involve larger works and will involve structural alterations including:

- Ramps
- Stairlifts
- Low level access showers and over bath showers
- Property alterations for example to widen doors.
- Extensions to the family Home
- Vehicle hard standing and dropped curbs.

4.5 **Referral Process**

Tenants and members of their household can apply for adaptations for themselves but there must be proven need. Referrals can also be received through a hospital referral from an occupational therapist or from Lincolnshire County Council Occupational Therapy as well as disability specific key workers.

4.6 **Approvals**

The policy clearly identifies the considerations that we will be taken prior to approval of works commencing, including the likely availability of more appropriate property, tenants or members needs that demonstrate a need to remain in existing accommodation well as considering PEEPS and evacuation processes.

4.7 **Funding**

We have a set Aids and Adaptations budget per year currently at £511,880, this may mean that it is necessary on occasion to prioritise referrals received that could lead to waiting lists for some cases.

We will not fund adaptations where a right to buy application exists, there is a transfer application in place or where there is a breach of tenancy and proceedings against the tenant(s) have commenced.

Funding for applications where a more suitable property has been identified will also not be funded. Non fixed equipment such as specialist furniture or hoists are also not funded.

We will endeavour to fund adaptations up to the value of £10,000. On occasions works may need to be declined or prioritised on a need's basis due to budget constraints. Where the value of works is more than £10,000 then this value must be approved by the Assistant Director of Asset Management.

We will meet the costs of all routine repairs and maintenance to any equipment we supply through the policy.

4.8 Performance

The policy details the performance measures that will be recorded. This includes:

- The number of adaptations Installed.
- Number and type of adaptations rejected and why.
- Percentage of minor and major adaptations completed within target

4.9 Communication of the Policy

Briefings of the policy will take place within Maintenance and Investment teams as well as customer services and tenancy services to ensure all officers are aware of the policy and its contents. The policy will be available on our website for customers, and we will also look to produce further information videos that will be available online and accessed through QR codes on business cards highlighting the process for customers wishing to use the service.

5. Strategic Priorities

5.1 Let's reduce all kinds of inequality

The provision of the policy reduces all kinds of inequality allowing tenants and household members to continue to live safely and independently, allowing them to still carry out essential day to day activities.

5.2 Let's deliver quality housing

The provision of this policy enables us to provide housing that meets the varied needs of our residents, improves housing standards for all and allows tenants and household members to have a sense of belonging allowing them where possible to continue to live safely and independently to carry out day to day activities.

6. Organisational Impacts

6.1 Finance (Including Whole Life Costs where Applicable)

No finance implications are expected because of the introduction of this policy. The policy does identify that works more than £10,000 must be approved by the Assistant Director of Asset Management for Funding from the Contingency Reserve of the Housing Investment Programme.

6.2 Legal Implications including Procurement Rules

All works required where not undertaken in house will be procured in accordance with the Council's Contract Procedure Rules and ultimately, Public Contract Regulations 2015.

6.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination.
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities.

The principles of equality, diversity and Inclusion are integral in the Business planning and delivery of the aids and adaptations service. The Aids and adaptations service is committed to delivering its service in a way that meets the diverse needs of local communities and will achieve this by treating people fairly and taking the nine protected characteristics of the equality Act 2010 into consideration in all aspects of the Aids and Adaptations Policy, including access to the service.

6.4 Human Resources

N/A

6.5 Land, Property and Accommodation

N/A

6.6 Significant Community Impact &/or Environmental Impact

Please see the Council's [Environmental Policy \(sharepoint.com\)](#) for further guidance

6.7 Corporate Health and Safety Implications

The policy identifies that we will meet all applicable statutory requirements that are provided to meet the health and safety of occupants in their homes.

7. Risk Implications

7.1 (i) Options Explored

7.2 (ii) Key Risks Associated with the Preferred Approach

It is not considered that there are any risks identified with the implementation of this policy.

8. Recommendation

- 8.1 To agree and implement the policy for Aids and Adaptations to provide clarity of the Aids and Adaptations service provision and Processes for officers and service users, and to communicate the policy as identified in section 4.9 of this report.

Is this a key decision? No

Do the exempt information categories apply? No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does the report contain? 2

List of Background Papers: None

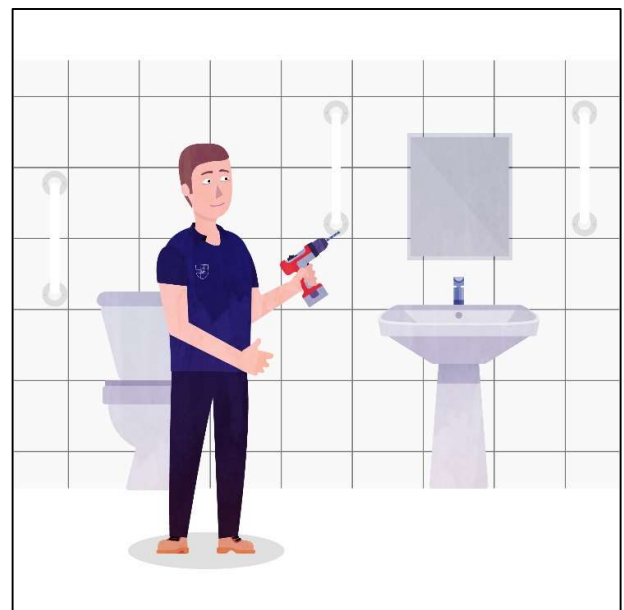
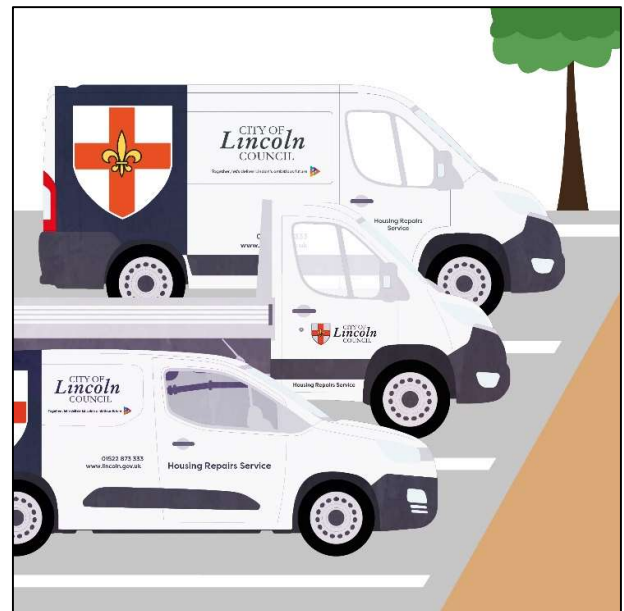
Lead Officer: Amy Larder Maintenance Manager
Email address: amy.larder@lincoln.gov.uk

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Housing Repairs Service

Aids and Adaptions Policy



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Introduction

At the City of Lincoln Council (CoLC), we understand everyone's housing needs are different. The CoLC offers our tenants with permanent and temporary adaptations to their homes to ensure that they are suitable for their individual needs. The CoLC works with partners and agencies, including Lincolnshire County Council (LCC) to provide adaptations to its housing stock. If an adaptation is assessed as being necessary and appropriate by an Occupational Therapist it will be referred to the CoLC who will determine whether the request is "reasonable and practicable." If it is, the CoLC will install the adaptation.

This document sets out the City of Lincoln Council's policy for the provision of aids and adaptations to the homes of tenants living in Council accommodation.

Aims and objectives of the policy

The City of Lincoln Council is committed to ensuring that Council tenants and their immediate families who have a disability can, as far as possible, continue to live safely and independently and carry out essential day-to-day activities.

Let's deliver quality housing

- ▶ **Let's provide housing which meets the varied needs of our residents**
- ▶ **Let's work together to tackle homelessness in Lincoln**
- ▶ **Let's improve housing standards for all**
- ▶ **Let's build thriving communities**
- ▶ **Let's help people have a sense of belonging**



The key objectives of this policy are to:

- Provide a high-quality aids and adaptation service to enable tenants with a disability and their immediate families to live safely and independently in their own homes.
- Provide an efficient and cost-effective adaptations service making the best use of the Council housing stock and the budget available, whilst ensuring value for money.
- Assist those in need of adaptations to make informed choices about their housing options, facilitating transfers to more appropriate accommodations where required.
- Raise awareness of the availability of the aids and adaptations service.
- Set out the Council's approach on effectively and consistently handling requests for aids and adaptations.

Diversity and inclusion

The CoLC will ensure that the principles of equality, diversity, and inclusion are integral in the business planning and delivery of the Aids and Adaptations service. The CoLC is committed to delivering its Aids and Adaptations service in a way that meets the diverse needs of local communities and will achieve this by treating people fairly and taking the nine protected

characteristics of the Equality Act 2010 into consideration in all aspects of the Aids and Adaptations service including access to the service.

Regulatory requirements

In July 2023, the Social Housing (Regulation) Act received Royal Assent in Parliament making a host of reforms to sector law. One of these reforms will be to empower the Regulator of Social Housing to proactively monitor and drive landlords' compliance with enhanced consumer standards.

A consultation was published seeking input on a set of consumer standards that are likely to apply from April 2024 ([Consumer standards consultation publishing.service.gov.uk](https://www.service.gov.uk/publications/consumer-standards-consultation)). The four standards are below:

- **The Safety and Quality Standard** - requires landlords to provide safe and good quality homes and landlord services to tenants.
- **The Transparency, Influence and Accountability Standard** - requires landlords to be open with tenants and treat them with fairness and respect so that tenants can access services, raise complaints, when necessary, influence decision making and hold their landlord to account.
- **The Neighbourhood and Community Standard** - requires landlords to engage with other relevant parties so that tenants can live in safe and well-maintained neighbourhoods and feel safe in their homes.
- **The Tenancy Standard** - sets requirements for the fair allocation and letting of homes and for how those tenancies are managed and ended by landlords.



Further information on the home standard is available at-
<https://www.gov.uk/government/publications/home-standard>



Our responsibilities

Registered providers shall:

- Provide a cost-effective repairs and maintenance service to homes and communal areas that responds to the needs of, and offers the choice to, tenants and has the objective of completing repairs and improvements "right first time".
- Meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes.

Specific expectations relating to the repair and maintenance are that:

- Registered providers shall ensure a prudent, planned approach to repairs and maintenance of homes and communal areas. This should demonstrate an appropriate balance of planned and responsive repairs and value for money. The approach should include responsive and cyclical repairs, planned and capital work, work on empty properties, and adaptations.
- Registered providers shall cooperate with relevant organisations to provide an adaptation service that meets the tenant's needs.

Definition of aids and adaptations

For the purpose of this policy, an aid or adaptation is defined as the provision of fixed equipment and/or modification to the property (or associated land) which enables tenants or other members of the household to continue to live independently and safely in their home.

Minor adaptations

Involve small-scale, usually non-structural, alterations or additions to a property. Examples of this type of work include:

- ▶ Lever operated taps
- ▶ Handrails
- ▶ Grab-rails
- ▶ Mixer showers
- ▶ Concrete half-steps
- ▶ Additional external lighting

Major adaptations

Involve larger schemes of work and will often involve structural alterations. Types of major adaptations include:

- ▶ Ramps
- ▶ Stairlifts
- ▶ Low level access showers (wet room) and over bath showers
- ▶ Extensions to the family home
- ▶ Hard standing and dropped kerbs
- ▶ Property alterations, for example to widen doorways and alterations to kitchens

Service Delivery

How to get an aids and adaptations referral

Tenants of any age (or members of their household) can apply for an adaptation for themselves. However, there must be a proven need. If it is considered that the scope of the work required is more complex and a full assessment of need is required, then the case will be referred to the Occupational Therapy service for that area for a full assessment. Upon receipt of an Occupational Therapist referral, the Aids and Adaptations Team Leader will write to the tenant confirming receipt of the referral and provide a point of contact for the case. If more than one member of the household is disabled and requires adaptations to meet their needs. Each person will need a separate Occupational Therapy assessment.

The policy and procedure recognise the following referral routes:

Hospital referral - Adaptation works recommended by a hospital Occupational Therapist, resulting from a full property assessment as part of discharge planning, will be considered by the Council.

LCC occupational therapy referral - This will be the principal referral route for all major adaptations. The Occupational Therapy service will assess the requirements and needs of the tenant, using the recognised Adult Social Care and Health eligibility criteria and associated Policy and Procedural Guidance. The Council will then consider the referral.

Disability - Specific key workers - Where the Council receives a request directly through an organisation representing a person with a specific disability / sensory impairment to supply and fit

specialist equipment, the CoLC will decide if the works can proceed in accordance with the provisions of this policy. Such organisations include the Deaf and Visual Impairment Team from LCC.

The Council will reserve the right in some cases to refer the request directly to an appropriate agency for further assessment.

Approval of work

In all cases, the Council will consider the following before approving a scheme based on the Occupational therapists advice:

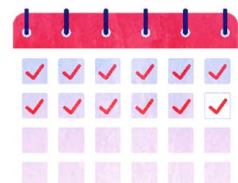
- If the requested, adaptation is reasonable and practicable, having regard to the age and character of the property.
- The likely medical prognosis and the long-term usability of the proposed adaptation(s).
- The needs of the tenant, or member of the household and any personal factors that demonstrate a need to remain in their existing accommodation.
- The cost of the adaptations necessary to the current property.
- Any under-occupation of the present accommodation.
- Property type and demand.
- The likely availability of more appropriate alternative accommodation.
- Assessments of properties above the ground floor. Where Occupational Therapy recommendations are for properties above ground floor level, consideration should be made by the relevant housing officers. Any additional needs of the householder are recognised, and an assessment is made of any other measures that may need to be taken.
- Consideration of PEEPS and evacuation processes should also be considered.

Approval of major adaptations will be made on the condition that:

- An Occupational Therapist completes an 'Assessment of Need' which outlines clear recommendations that the work is necessary to sustain independent living.
- An assessment is carried out with the tenant to check whether a move to a more suitable property may resolve the need for adaptations and present a better long-term solution to their household's circumstances; the proposed works comply with all Planning Permission and Building Regulations requirements.
- If major adaptation works are not reasonable or practicable for a tenant's home, the Council will work closely with the tenant and other agencies to find a more suitable property to ensure the best use of the housing stock, whilst considering the needs of the household

Timescales of work

All works are dealt with on a referral date order basis. However, if the occupational therapist assesses the priority need as urgent, this assessment will influence the priority given to the works. In addition, the Council may prioritise works when the availability of resources is a factor in order to maximise the Council's resources.



The tenant will be given an indication of the timescale in which it is anticipated the works will start and be completed, the name of the contractor, and the contact telephone number for the Aids and Adapts Team Leader.

The Council will endeavour to ensure that procedures do not add unnecessary delays during the consideration of a referral for aids and adaptations. In addition, the undertaking of works is subject to the availability of funding.

Tenant liaison

The CoLC will aim:

- To arrange suitable appointments for contractors to gain entry and proceed with the works.
- To notify the tenant that they may be considered for a transfer to a more suitable property that would better meet their needs.
- To publicise the adaptations service by giving information packs to all tenants using or planning to use the service.
- To consult with and notify all tenants at key stages throughout the adaptation process.
- To advise the tenant as to the extent of the work to be undertaken.
- To advise the tenant of the timescale for the work and update them if this changes
- To notify the tenant of which contractor has been instructed to do the work
- To ensure the tenant is satisfied with the adaptation completed.

Performance management

There are a number of indicators recorded in respect of repairs and maintenance. Performance figures are presented to Housing Services Team, Lincoln Tenants Panel, Performance Scrutiny Committee and Housing Scrutiny Sub Committee. Targets for the aids and adaptations team in 2023/24 are as follows:

- ▶ 8-week average time to complete major works.
- ▶ 4-week average time to complete minor works.



Funding

The CoLC will usually fund works up to the value of £10,000. Work that is in excess of this value must be approved by the Assistant Director of Housing and investment to allow for a budget to be allocated from within the Contingency Reserve of the Housing Investment Programme.

Work that will not be funded

The Council will not adapt a property when:

- A tenancy does not exist
- The tenant is seeking to move or transfer on the grounds the property is not suitable for their needs.
- A breach of the tenancy agreement exists and possession proceedings against the tenancy have commenced. Unless authority has been granted by Housing Management.
- Where a Right to Buy application has been made.

The Council will not fund non-fixed equipment, including:

- Powered bath-hoists
- Commode chairs
- Specialist toilet seats
- Specialist furniture
- Induction loops
- Mobility scooters



Budget monitoring and review

The Aids and Adaptations budget is managed within the Housing Repairs Account and authorised by the Director of Housing.

The following information will be recorded and retained by the CoLC:

- Number of adaptations installed
- Number and type of adaptations rejected and the reasons why
- Percentage of minor and major adaptations completed within target.

Details of spend and budget commitment will be reported to the Director of Housing by the Housing Repairs Service Manager(HRSM). Any request for budget increases will be made by the HRSM. The Council will aim to ensure that adequate resources are provided to meet the adaptation needs of its tenants and to make the best use of any adapted properties that become vacant.

Servicing and maintenance of equipment

The CoLC will meet the costs of all routine repairs and maintenance to any equipment it supplies through this policy. The tenant must allow access to any serving or repairs of equipment. If equipment is wilfully damaged by the tenant, members of their household, or anyone else visiting the property, the CoLC will recharge the tenant for any repairs required (Please refer to the rechargeable repairs policy for more information).

A programme will be in place to undertake annual servicing and maintenance of stair lifts and lifting equipment and assisted door openers.

Installation of aids and adaptations by tenants

A tenant wishing to undertake an adaptation at their own expense is required to make a written request to the CoLC via their Housing Officer (HO) stating the adaptation they wish to carry out. Any adaptation to the property will need written consent from the Council before the work is started.

Following Council approval any installations made by the tenant will be the responsibility of the tenant to maintain and/or remove at the end of the tenancy. Alternatively, if the Council agrees to take responsibility for the alterations the tenant will be required to relinquish ownership at no expense to the CoLC. If the CoLC agrees to the future responsibility of an adaptation this will be stated in the conditions should permission be granted to the tenant to undertake the adaptation.

Alternative solutions

If it is considered by the CoLC that a tenant's needs would be best met through a move to a more suitable property, a priority transfer within the Council's stock will be sought. Alternatively, a priority move to another Registered Social Landlord's property could also be negotiated.

Where a decision is made that a tenant's needs can be best met through a move to a more suitable property, the aids and adaptations officer will liaise with the Housing Officer regarding a management transfer. the tenant can then apply for rehousing through the Homefinder system and submit the relevant case information to support their application. The application will then be assessed and awarded a housing priority in accordance with the allocations policy.



Removal of adaptations

Any adaptation funded or part funded by the CoLC will remain in the property and should not be removed by the tenant or anyone acting on their behalf without the written permission of the CoLC.

Where adaptations have been carried out to a property designated for elderly or disabled people, these will not normally be reversed unless the adaptation has come to the end of its life. For example, if a bath has been replaced with a level access shower.

Where 'General Need's' accommodation has been adapted, the CoLC will seek to find a suitable applicant using the council's approved allocations policy, who will benefit from such adaptations. However, CoLC will consider any application made by a new tenant for the removal of equipment in order to make the property, more habitable.

Transfers after adaptations have been carried out

Following a major adaptation, the CoLC will permit a housing transfer if the individual's needs have changed, and the Occupational Therapist and the CoLC agree a move is necessary. Such as, if the family size changes or there is a need to move into supported housing. Then, if the new home requires any adaptations, the Occupational Therapist and the CoLC will assess any appropriate adaptations, and these will be considered in accordance with this policy. In the event that the person whom the adaptations were installed for is no longer residing in the property, the Council may use discretion and offer the tenant the option of relocating to an un-adapted property.

Letting adapted properties

The Council recognises that the void time is a key stage in the successful delivery of the adaptation process. In order to ensure properties are allocated to make efficient and effective use of the housing stock and reduce costs in delivering adaptations, it is important that key issues have been considered prior to re-letting. The Council will identify details of any major adaptations for all properties that become vacant and will allocate properties to make the most appropriate use of any existing adaptation.

Significantly adapted properties such as properties with internal lifts, wet rooms, or low-level kitchens fitted may be advertised with the adaptations listed to allow the most appropriate applicant to let the property. Where a new tenant who is not disabled accepts an offer to move into an adapted property, adaptations such as level access showers will not usually be removed. In cases where a bath can be fitted over a level access shower consideration will be given.

Recycling adaptations

Where possible, adaptations will be “recycled” on re-letting a property by allocating the adapted property to a person needing the adaptation. If this is not possible, the CoLC has a process to consider removing adaptations from locations where they are no longer required. Examples of equipment that may be removed and recycled include:

- Stairlifts
- Hoists
- Through floor lifts
- Modular ramps

Structural adaptations that have been carried out to a property, such as concrete ramps and level access showers will not be removed. If a new tenant accepts a property that has been adapted, they must accept that the adaptations remain in situ. All adaptations of this nature will be classed as an attribute to the property and treated as such.

Appeals

If a tenant wishes to appeal against any decision taken regarding their requested adaptation, they should contact CoLC asking to request an appeal on the decision, using one of the following methods:

▶ By email to: customerservices@lincoln.gov.uk

▶ By telephoning: 01522 881188

▶ By letter to: Housing Services

City of Lincoln Council,
City Hall,
Beaumont Fee,
Lincoln, LN1 1DD



Upon receipt of the appeal, the maintenance manager will aim to acknowledge the request within 5 working days. The maintenance manager will then consider the appeal and consult with the Aids and Adapts Team Leader and any relevant healthcare professional or other relevant organisations. The maintenance manager will subsequently inform the tenant of their decision within 20 working days of the appeal being lodged.

Complaints

The Aids and Adaptation Policy will aim to bring consistency to the management of adaptations within Council properties. However, if a tenant feels they have cause to complain, procedures are in place to put things right as quickly as possible. If a tenant wishes to register a complaint, they are

encouraged, in the first instance, to contact the Aids and Adapts Team Leader, to allow us to attempt to resolve the situation informally.

If the tenant remains dissatisfied, they can register their complaint through the Council's Corporate Complaints Procedure, using one of the following methods:

- ▶ Online at: www.lincoln.gov.uk/complaints
- ▶ By email to: complaints@lincoln.gov.uk
- ▶ By telephoning: 01522 881188
- ▶ By letter to: Housing Services

City of Lincoln Council,
City Hall,
Beaumont Fee,
Lincoln, LN1 1DD



We aim to acknowledge and respond to complaints within 10 working days. Further information is available at-
<https://www.lincoln.gov.uk/council/compliments-compliments-feedback/3>





Further information

If you have any comments on what you read in this policy, or any service that you receive from the City of Lincoln Council, please let us know. We are interested in any suggestions that you have on how to make this a more user-friendly document.

Email customer.services@lincoln.gov.uk

Tel 01522 873333

Website www.lincoln.gov.uk

Write to DHCS, City of Lincoln Council
City Hall, Beaumont Fee, LN1 1DD

EXTRACT FROM COMMITTEE

Housing Scrutiny Sub-Committee

1 February 2024

37. Aids and Adaptations Policy

Amy Larder, Interim Maintenance Manager:

- a) presented a report to provide information and guidance on our Aids and Adaptations service, providing clarity for service providers and users, and to seek approval for the introduction of the Aids and Adaptations Policy attached at Appendix A
- b) reported that the policy identified regulatory requirements, who was eligible to use the service, and types of adaptations that could be provided through the service, together with the approvals process and timescales for approved works
- c) described the key aims of the policy to enable the provision of a high quality and cost-effective adaptations service to assist those in need of adaptations to make informed choices about their housing options, raise awareness of the service and identify our approach in handling requests for adaptations
- d) advised that the City of Lincoln Council offered tenants permanent and temporary adaptations to their homes to ensure their homes remained suitable for their individual needs, working with partners and agencies, including Lincolnshire County Council to provide adaptations to our housing stock
- e) highlighted that within the last financial year 2022/2023 we received 221 referrals for adaptation to properties, 95 of those referrals were for major adaptations to our properties, including wet room installations
- f) emphasised that the Council was committed to ensuring council tenants and their immediate family who had a disability could as far as possible continue to live safely and independently and be able to carry out day to day activities
- g) described in further detail the contents of the aids and adaptations policy, which identified the regulatory and legal framework for who was considered for the policy, covering the following main topic areas:
 - Minor Adaptations
 - Major Adaptations
 - Referral Areas
 - Approval
 - Funding
 - Performance Monitoring
 - Communications

- h) requested agreement for implementation of the policy for Aids and Adaptations to provide clarity and to communicate the policy as identified in section 4.9 of the officer's report.

Members discussed the content of the report in further detail.

The following questions/comments emerged from the discussions held:

- Question: Was it possible for items such as lever operated water taps and handrails on both sides of internal staircases to be installed as standard in council dwellings?
- Response: A new tap design was in the process of being sourced, however, lever taps were specifically designed to an individual's medical needs and could not be installed as standard. The standard issue was for one handrail to be installed, however, bespoke rails were also added to dwellings to suit individual medical needs.
- Comment: It would be helpful to include the availability of aids and adaptations in the Tenancy Agreement so that residents knew there was an option to offer assistance in later life.
-

RESOLVED that the policy for Aids and Adaptations, including communication as identified in section 4.9 of the officer's report be agreed and progressed to Executive for formal approval.

SUBJECT: TENANCY POLICY

DIRECTORATE: HOUSING AND INVESTMENT

REPORT AUTHOR: PAULA BURTON, ASSISTANT DIRECTOR OF HOUSING MANAGEMENT

1. Purpose of Report

- 1.1 For Executive to consider the contents of the City of Lincoln Council's Tenancy Policy and approve its implementation and publication.

2. Background

- 2.1 It is a requirement under the Localism Act 2011 for each local authority to produce a Tenancy Strategy and all Registered Providers must publish a Tenancy Policy that aligns with the Tenancy Strategy. As the Housing Revenue Account is a Registered Provider the Council is required to produce and publish a Tenancy Policy.

3. City of Lincoln Council Tenancy Policy

- 3.1 The Tenancy Policy specifies the different types of tenancies, licences and non-secure tenancies to be granted to new and existing Council tenants. The policy provides a framework of which tenancies the Council will grant and the exceptions to granting the most secure form of tenure.
- 3.2 The policy ensures that the tenancy granted is compatible with the purpose of the accommodation provided, considering the housing needs of individuals and households, sustainability of the community and making best use of housing stock.
- 3.3 The policy outlines the following detail:
- Introductory tenancies
 - Secure tenancies
 - Non-secure tenancies
 - The use of Licenses
 - The use of Demoted tenancies
 - The use of Family Intervention tenancies
 - Granting of joint tenancies, succession and assignments
 - New tenancy process
- 3.4 The draft tenancy policy is attached as Appendix 1 for reference.

4. Strategic Priorities

4.1 Let's reduce all kinds of inequality

This policy will support tenants, potential applicants and applicants on the housing register to obtain suitable accommodation and reduce inequalities in regards to the financial, physical, and mental impact of living in housing that does not meet their needs.

4.2 Let's deliver quality housing.

The Tenancy Policy states the different tenancy types and the security of tenure attached to each. Publishing this information empowers tenants and potential applicants when making decisions about where they want to live and which housing may be the most suitable for them.

5. Organisational Impacts

5.1 Finance

There are no direct financial implications relating to this policy.

5.2 Legal Implications Including Procurement Rules

There are no legal implications specifically for the implementation of this policy, however it should be noted that the tenant will sign up to the terms set out in their tenancy or licence, and any variations should be explained and understood before the tenancy or licence is signed.

There are no procurement implications with the introduction of this policy.

5.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

The introduction of the Tenancy Policy helps to ensure fair access to housing based on individual/ family need whilst also meeting the Council's statutory duty.

Equality, Diversity and Human Rights form part of the processes being followed and the specific housing teams involved within the assessment and award of tenancies and licences. Upon assessment each applicant will be considered against a set criteria based on their current need in line with the Lincs Homefinder Policy.

A combined Equalities Impact Assessment has been completed for both the Tenancy Policy and Tenancy Strategy and no impacts in regard to Equality, Diversity and Human Rights have been identified.

5.4 Human Resources

This scheme will be managed by existing staff within the Directorate of Housing and Investment. The policy will form part of the core landlord services that existing staff carry out.

5.5 Land, Property and Accommodation

The policy will advise tenants and applicants of tenancy types and licences granted and the properties will remain owned and managed by the Housing Revenue Account.

5.6 Corporate Health and Safety Implications

The scheme does not have any corporate health and safety implications. Any work and processes followed will be in line with existing corporate working practice.

6. Risk Implications

6.1 (i) Options Explored

No Introduction of a Tenancy Policy

The City of Lincoln Council would not meet the requirements of the Localism Act 2011.

Implementation of Tenancy Policy (Preferred Option)

The introduction of the Tenancy Policy provides a clear and useful policy to guide tenants on the tenancy types and any considerations provided by City of Lincoln Council (CoLC). It also ensures CoLC are meeting the requirements of the Localism Act 2011.

7. Recommendation

7.1 For Executive to approve the implementation and publication of the City of Lincoln Council's Tenancy Policy.

Is this a key decision?	No
Do the exempt information categories apply?	No
Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?	No
How many appendices does the report contain?	3
List of Background Papers:	None
Lead Officer:	Paula Burton Housing Strategy and Investment Manager Paula.burton@lincoln.gov.uk

City of Lincoln Council Tenancy Policy



Let's deliver
quality
housing

January 2024

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Purpose

The purpose of this policy is to set out how the City of Lincoln Council will use the range of options that are available as a result of the Localism Act 2011 and the changes to the regulatory standards that all social landlords are expected to meet.

The policy therefore sets out:

- The type of tenancies City of Lincoln Council will grant and the circumstances in which we will grant tenancies of a particular type and to set out those exceptions to us granting the most secure form of tenure.
- To ensure that the tenancy granted is compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community and the efficient use of our housing stock.
- To comply with legislation, regulation, and good practice in the granting of tenancies, including the revised regulatory framework for social housing.
- To clarify the council's position on succession, assignments (including mutual exchanges) and joint tenancies.

Policy objectives

To achieve the Council's Corporate Plan, Vision 2025 identifies the following 5 strategic priorities:

- **Let's drive inclusive economic growth.**
- **Let's reduce all kinds of inequality.**
- **Let's deliver quality housing.**
- **Let's enhance our remarkable place.**
- **Let's address the challenge of climate change.**

This policy supports the **Let's deliver quality housing** priority key in by stating how it intends to meet the aspiration of **Let's provide housing which meets the varied needs of our residents** by:

- Ensuring that we continue to house those households that are deemed to be in housing need.
- Making the best use of social housing stock including reducing overcrowding, tackling under occupation, and making best use of adapted housing for those with a disability.
- Providing support to tenants when they need it to enable them to sustain their tenancies.
- Supporting the development of new homes and sustainable communities across the city.



Types of Tenancies Granted

Introductory Tenancies

For new tenants, City of Lincoln Council will grant a 12-month introductory tenancy which is managed and reviewed regularly, during the introductory period. At the end of the introductory period, a decision is taken on whether the tenancy should be extended or ended as a result of tenancy breaches. If no such decision is warranted or taken, the tenancy will automatically become secure at the end of the introductory period. For extended introductory tenancies, there will be a further review of the conduct of the tenancy to determine whether there have been any further breaches before expiry of the introductory period.

Introductory tenants will not have the same statutory rights as secure tenants. They will not have the right to:

- Buy their council property (though it will count towards the qualifying period).
- The same protection from eviction for any breach of their tenancy agreement
- Assign or transfer the tenancy (some exceptions may apply)
- Take in lodgers.
- Carry out improvements or mutually exchange with another tenant.

An introductory tenant will have the right of appeal if we intend to end the tenancy.

Operational procedures will provide for a suitable appeal/review mechanism to challenge the decision to terminate via the City of Lincoln Council Housing Appeal Panel.

In considering an appeal against the termination of an introductory tenancy and reaching a decision the panel will consider the tenant and their family's circumstances, including their age, disabilities, medical conditions, vulnerabilities, and dependants.

Secure Tenancies

Introductory tenants whose tenancies have not been ended will be granted a secure tenancy automatically after a period of 12 months or – if the introductory tenancy is extended – 18 months.

Secure tenancies are granted to existing Council tenants who are already secure or assured tenants from other registered providers. This tenancy is not time-limited and may only be terminated on the grounds set out in the Housing Act 1985 (as amended) and if judged reasonable by a Court.

Non-Secure Tenancies

In some limited circumstances it is possible for the Council, at its discretion, to grant a tenancy which is neither an introductory nor a secure tenancy. This is a non-secure tenancy and the circumstances in which such a Council tenancy will apply, are set within Schedule 1



of the Housing Act 1985 (as amended). We will grant non secure tenancies where short-term accommodation is required. An example of this, is where the Council is obliged to provide accommodation as part of the Next Steps Accommodation Programme (NSAP), which is temporary accommodation for applicants who are homeless or threatened with homelessness, requiring additional support to sustain future independent accommodation. As a non-secure tenant, they will not have the right to:

- Buy their Council property through the Right to Buy scheme.
- The same protection from eviction for any breach of their tenancy agreement
- Assign or transfer the tenancy through mutual exchange.
- Take in lodgers.
- Succession of tenancy to someone else

There is no requirement to prove a statutory ground for possession of a non-secure tenancy. This tenancy can be ended after four weeks following issue of a valid Notice to Quit.

Licences

City of Lincoln Council will grant licences for lettings where there is not exclusive possession of a dwelling or part of a dwelling and/or for temporary accommodation when discharging our homelessness duty. We will also grant licences of properties into which an existing tenant moves temporarily because they cannot remain in their permanent home for reasons including:

- Planned major repairs/improvements.
- Fire, flood, natural disaster, or similar event.

Demoted Tenancies

City of Lincoln Council may grant a secure tenant a demoted tenancy through a demotion order granted by a court as an alternative to eviction, in circumstances involving anti-social behaviour or some similar breach of tenancy. A demoted tenancy is an assured shorthold tenancy that will, after twelve months, revert automatically to a secure tenancy unless terminated by the tenant or rescinded by order of the court. We will only terminate a demoted tenancy because of continued anti-social behaviour or similar breach of tenancy. City of Lincoln Council uses demoted tenancies as a positive tool that will enable us to deal effectively with incidents of anti-social behaviour in a targeted and supportive way as part of our approach to dealing with anti-social behaviour.

Family Intervention Tenancies

City of Lincoln Council may grant a family intervention tenancy under the Housing and Regeneration Act 2008 if a secure or introductory tenant agrees to it. This will follow breaches of tenancy for anti-social behaviour or some similar breach and where, in all parties' opinions, such a tenancy would be beneficial and where intensive support will be given to the tenants through a family intervention project. Family intervention tenancies will only be offered if the tenant is to be transferred to alternative dispersed or purpose-built accommodation.

Family intervention tenancies will not last normally for more than two years. We may agree to offer a family intervention tenancy an introductory tenancy through a transfer back to



mainstream housing. We may terminate a family intervention tenancy by Notice to Quit after having served notice of intent and having fulfilled our obligations to offer a review process of that notice of intent to terminate the agreement. Further operational guidance will be issued separately.

Joint tenancies

Joint tenancies are only issued at the start of a tenancy by City of Lincoln Council. There is no specific provision in law that governs the granting of joint tenancies, nor to add a joint tenant during the duration of the tenancy.

However, If a tenant requests a joint tenancy the request will be considered and is at the discretion of the City of Lincoln Council, Tenancy Management Team.

Succession and Assignment of Tenancies

A tenant may be eligible to succeed to an existing tenancy which may be introductory, secure, or demoted. Succession will be considered via succession rights, there can be no succession to a non-secure, licence or a family intervention tenancy. If someone who was not the tenant's spouse (husband, wife, or civil partner) succeeds to a tenancy we may assist in rehousing the successor, if the home is too big for their needs. In those circumstances we will always offer suitable alternative accommodation to the successor.

A spouse who is not a joint tenant may succeed to the tenancy upon the tenant's death provided they were living with the tenant immediately prior to death.

Someone who is not the tenant's spouse may only succeed to the tenancy if they had been living with the tenant for over a year before the tenant's death. Requests for such succession will be considered on their individual merits as is currently the case.

Normally there can be only one statutory succession to a secure, introductory, or demoted tenancy. However, we may consider granting a second succession where the existing tenant is a successor themselves by granting a discretionary succession to people who would not normally be eligible to succeed to a tenancy. Circumstances where we would consider this include:

- where the would-be successor is vulnerable through age, disability, illness, or some other similar reasons.
- where there are no practical alternative options for the would-be successor to consider in terms of re-housing.

Mutual exchanges will take effect through the assignment of the existing tenancy. Mutual exchanges are not permitted for introductory, non-secure tenants, demoted tenants, licensees, or family intervention tenants.

New Tenancy Process

The Council recognises the importance of establishing a good landlord/tenant relationship at the start of a new tenancy and we will conduct a comprehensive sign-up meeting that will



address all likely needs of a new tenancy, particularly for those who require additional support.

At the sign-up meeting, the Void Support Team will ensure that:

- The tenant clearly understands the terms and conditions of the tenancy agreement.
- They will clarify methods and frequencies for paying their rent and accessing benefits.
- They will check to see if the tenant or anyone in the household has any particular support needs.

All new tenants will be visited by their Housing Officer within 3 weeks of the start of their tenancy and this will provide an opportunity to:

- Clarify any tenancy information and household details.
- Identify any property issues (such as repairs)
- Identify any other issues such as support needs or vulnerabilities and provide relevant signposting/ completing referrals to support the tenant in sustaining their tenancy.

The Tenancy Agreement sets out the core responsibilities of the Council and the tenant, this will include an explanation of the introductory tenant process. We will ensure tenants are aware of these responsibilities during the initial sign up meeting and New Tenancy Visit. We will also consult with tenants about any proposed significant changes to the Tenancy Agreement.

We will maintain good quality tenancy records and will comply with the General Data Protection Regulations. Please see our data protection and privacy policies for more information. These can be found here <https://www.lincoln.gov.uk/privacy-policy/data-protection-privacy-policy>.

We will ensure all new tenants are provided with clear information regarding the terms of their tenancy and the consequences of failing to keep to those terms. If a tenant breaches a condition of their tenancy agreement, we will provide appropriate and accurate information to any tenant where there has been a tenancy breach to explain what action will be taken by us. We will be clear about any action a tenant is required to take to rectify any breaches where appropriate.

Equality and Diversity

We aim to ensure that our policies and procedures are fair and transparent; and we work towards achieving balanced and sustainable communities in accordance with our equality and diversity policy and strategy. The award and type of tenancy or licence issued to a tenant is considered, determined, and allocated in line with the Lincs Homefinder Allocations policy.

Monitoring and Review

This policy will be reviewed every three years unless required through legislative or regulatory changes.

References:

In developing this policy, City of Lincoln Council has had regard to:

- City of Lincoln Council Tenancy Strategy.
- City of Lincoln Council Mutual Exchange Policy
- Lincs Homefinder Allocation Policy (City of Lincoln Council choice based letting scheme)
- City of Lincoln Council Homelessness Strategy.
- City of Lincoln Council Vision 2025.
- Equality and diversity policy and strategy
- Anti-social behaviour, harassment and hate crime policies.
- Safeguarding vulnerable adults and children from abuse policies.

Legal Framework

- Localism Act 2011
- Homelessness Act 2002
- Homelessness Reduction Act 2017
- Housing Act 1996
- Housing Act 1988
- Housing Act 1985
- Equality Act 2010

Regulatory Framework

- Allocation Code of Guidance 2012
- Homelessness Code of Guidance
- Regulatory Framework for Social Housing 2012 - Tenancy Standard

Equality with Human Rights Analysis Toolkit



Appendix 2

The Equality Act 2010 and Human Rights Act 1998 require us to consider the impact of our policies and practices in respect of equality and human rights.

We should consider potential impact before any decisions are made or policies or practices are implemented. This analysis toolkit provides the template to ensure you consider all aspects and have a written record that you have done this.

If you need any guidance or assistance completing your Equality and Human Rights Analysis contact:

Corporate Policy Team - Email: policy@lincoln.gov.uk

Legal Services – Email: louise.simpson@lincoln.gov.uk

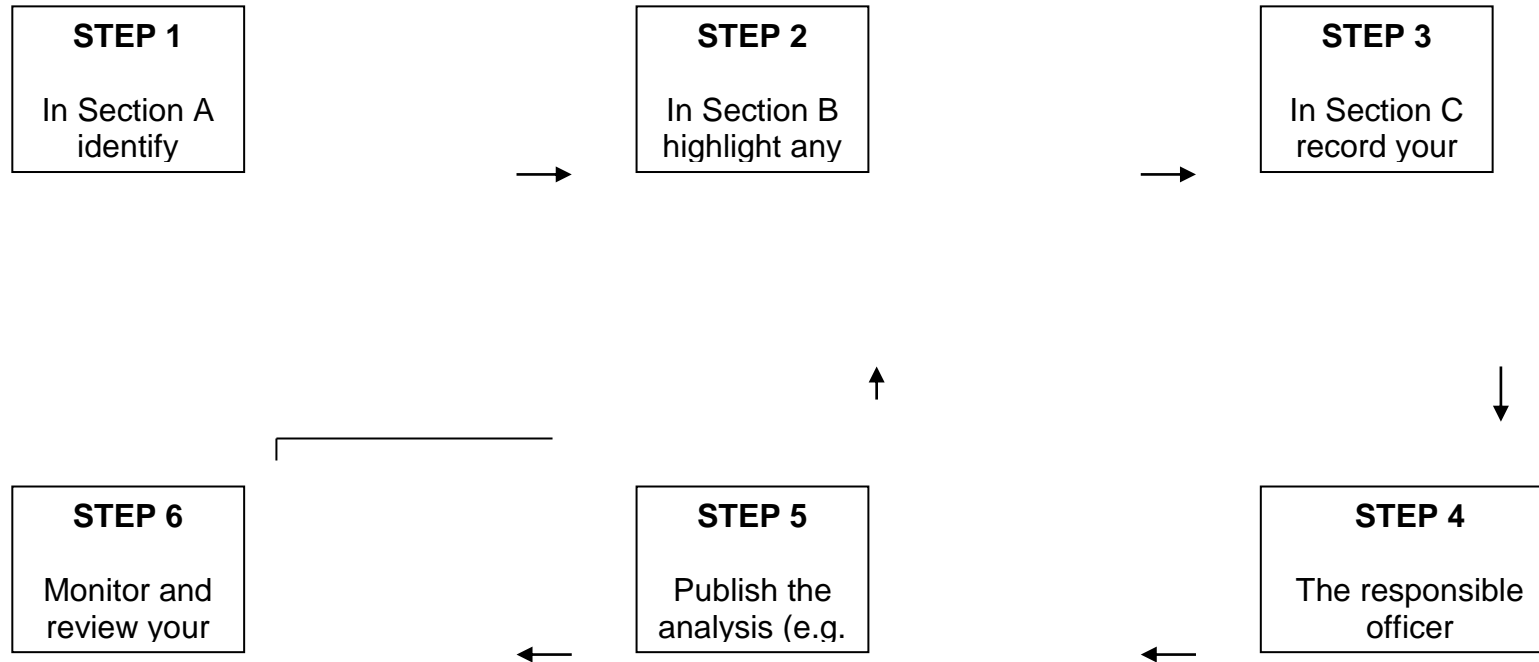
A diagram of the process you should follow is on page 2, and glossary and guidance to help you complete the toolkit can be found on pages 6-9.

109 Even after your policy, project or service has been implemented; it is recommended that analysis is undertaken every three years, and that this analysis is updated at any significant points in between. The purpose of any update is that the actual effects will only be known after the implementation of your policy, project or service. Additionally, area demographics could change, leading to different needs, alternative provision can become available, or new options to reduce an adverse effect could become apparent.

Useful questions to consider when completing this toolkit

1. What is the current situation?
2. What are the drivers for change?
3. What difference will the proposal make?
4. What are the assumptions about the benefits?
5. How are you testing your assumptions about the benefits?
6. What are the assumptions about any adverse impacts?
7. How are you testing your assumptions about adverse impacts?
8. Who are the stakeholders and how will they be affected?
9. How are you assessing the risks and minimising the adverse impacts?
10. What changes will the Council need to make as a result of introducing this policy / project / service / change?
11. How will you undertake evaluation once the changes have been implemented?

STEP BY STEP GUIDE TO EQUALITY ANALYSIS



* Evidence could include information from consultations.

SECTION A

Name of policy / project / service	City of Lincoln Council Tenancy Policy & Tenancy Strategy
Background and aims of policy / project / service at outset	<p>All registered providers including City of Lincoln Council are required to publish a tenancy policy to set out the types of tenancies being used when letting homes in line with the Localism Act 2011. This is to ensure tenancy types are known/transparent, comply with legislation, regulation and good practice. The City of Lincoln Council Tenancy Policy includes all tenure types currently being provided by City of Lincoln Council.</p> <p>City of Lincoln Council is a Local Housing Authority and in line with the Localism Act 2011 section 150, has a duty to also produce a tenancy strategy. The legislation clearly states that Registered Providers should “have regard” to the Local Authority Strategies when developing their own Tenancy Policies. However, the Strategy has no statutory weight, but can help to guide Registered Providers to achieve a consistent approach across the sector to ensure best use of housing tenures.</p> <p>The Tenancy Strategy is an informative guidance document, publishing tenancy types being used by Registered Providers and listing registered providers operating within the City of Lincoln</p> <p>The City of Lincoln Council Tenancy Strategy is intended to set out Council’s preferred approach to managing existing registered providers housing stock and to validate that the registered providers are issuing the correct tenure types within their registered provider status and terms. Copies of tenancy policies from the registered providers help to inform and shape this strategy. Annual asset portfolio details are also requested from registered provider to ensure up to date records are maintained on numbers of housing registered provider housing and tenure types these has been let on.</p> <p>This tenancy strategy replaces the joint Central Lincolnshire Tenancy Strategy which was published in 2013 due to each District now introducing its own strategy due to the differing operating environments across the district and not all being stock holding authorities.</p>
Person(s) responsible for policy or decision, or advising on decision, and also responsible for equality	The responsible person for the City of Lincoln Tenancy Policy, EIA review and validation is the Tenancy Services Manager in conjunction with Area Housing Managers, Housing Solutions Manager and the Housing Strategy and Investment Manager.

analysis	The responsible person for the Tenancy Strategy, EIA review and validation is the Housing Strategy and Investment Manager in conjunction with the Housing Solutions Manager.
Key people involved <i>i.e. decision-makers, staff implementing it</i>	Housing Strategy and Investment Manager, Tenancy Services Manager

SECTION B

This is to be completed and reviewed as policy / project / service development progresses

	Is the likely effect positive or negative? (please tick all that apply)			Please describe the effect and evidence that supports this and if appropriate who you have consulted with*	Is action possible to mitigate adverse impacts?	Details of action planned including dates, or why action is not possible
	Positive	Negative	None			
Age			x	No Identified impacts	NA	
Disability including carers (see Glossary)			x	No identified impacts	NA	
Gender re-assignment			x	No identified impacts	NA	
Pregnancy and maternity			x	No identified impacts	NA	
Race			x	No identified impacts	NA	
Religion or belief			x	No identified impacts	NA	
Sex			x	No identified impacts	NA	
Sexual orientation			x	No identified impacts	NA	
Marriage/civil partnership			x	No identified impacts	NA	
Human Rights (see page 8)			x	No identified impacts	NA	

**Evidence could include information from consultations; voluntary group feedback; satisfaction and usage data (i.e. complaints, surveys, and service data); and reviews of previous strategies*

Did any information gaps exist?	Y/N/NA	If so what were they and what will you do to fill these?
None at this stage	N/A	<p>The CoLC tenancy policy is to be published to offer transparency and guidance on tenure types provided by the council.</p> <p>The Tenancy Strategy has no statutory weight, but is to be used to help guide Registered Providers to achieve a consistent approach across the sector to ensure best use of housing tenures.</p>

SECTION C

Decision Point - Outcome of Assessment so far:

Based on the information in section B, what is the decision of the responsible officer (please select one option below):

- | | |
|---|------------------|
| | Tick here |
| • No equality or human right Impact (your analysis shows there is no impact) - sign assessment below | [x] |
| • No major change required (your analysis shows no potential for unlawful discrimination, harassment)- sign assessment below | [] |
| • Adverse Impact but continue (record objective justification for continuing despite the impact)-complete sections below | [] |
| • Adjust the policy (Change the proposal to mitigate potential effect) -progress below only AFTER changes made | [] |
| • Put Policy on hold (seek advice from the Policy Unit as adverse effects can't be justified or mitigated) -STOP progress | [] |

Conclusion of Equality Analysis (describe objective justification for continuing)	No negative E&D impacts identified. The strategy sets out the terms of tenure types and which registered providers are operating in the area. The award and type of tenancy/ licence issued to a tenant will be determined and allocated in line with the registered providers tenancy policy. It should also be noted that prior to the award of a tenancy this often includes nominations via the Lincs Homefinder Allocations policy which also has its own policy and EIA. Neither the Tenancy Strategy nor the Tenancy Policy actually change the Council's approach to allocating or managing tenancies in the city.
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When and how will you review and measure the impact after implementation?	EIA to be revisited every 3 years in conjunction with the Tenancy Strategy Review and City of Lincoln Tenancy Policy. Should any legislative changes occur during this time further reviews may take place earlier than the stated 3 years.
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Checked and approved by responsible officer(s) (Sign and Print Name)	A Ripley	Date	11/01/2024
Checked and approved by Assistant Director (Sign and Print Name)	P Burton	Date	11/01/2024

When completed, please send to policy@lincoln.gov.uk and include in Committee Reports which are to be sent to the relevant officer in Democratic Services

The Equality and Human Rights Commission guidance to the Public Sector Equality Duty is available via: www.equalityhumanrights.com/new-public-sector-equality-duty-guidance/

City of Lincoln Council Equality and Human Rights Analysis Toolkit: Glossary of Terms

Adult at Risk - an adult at risk is a person aged 18 years or over who is or may be in need of community care services by reason of mental health, age or illness, and who is or may be unable to take care of themselves, or protect themselves against significant harm or exploitation.

Adverse Impact. Identified where the Council's operations has a less favourable effect on one or more groups covered by the Equality Act 2010 than it has on other groups (or a section of a group)

Carer - see also disability by association. A carer is a person who is unpaid and looks after or supports someone else who needs help with their day-to-day life, because of their age, long-term illness, disability, mental health problems, substance misuse

Disability by association. Non disabled people are also protected from discrimination by association to a disabled person. This might be a friend, partner, colleague or relative. This applies to carers who have a caring responsibility to a disabled person.

Differential Impact. Identified where a policy or practice affects a given group or groups in a different way to other groups. Unlike adverse impact, differential impact can be positive or negative.

Disability. It is defined under the Equality Act 2010 as 'having a physical or mental impairment which has a substantial and adverse long term effect on a person's ability to carry out normal day to day activities'.

Physical impairment is a condition affecting the body, perhaps through sight or hearing loss, a mobility difficulty or a health condition.

Mental impairment is a condition affecting 'mental functioning', for example a learning disability or mental health condition such as manic depression

Diversity. Diversity is about respecting and valuing the differences between people. It is also recognising and understanding the mix of people and communities who use services and their different needs.

Discrimination. Discrimination has been defined as 'the unequal treatment of individuals or groups based on less because of a protected characteristic – see protected characteristic. This includes discrimination by association, perception, direct and indirect discrimination.

Example of discrimination: An employer does not offer a training opportunity to an older member of staff because they assume that they would not be interested, and the opportunity is given to a younger worker

Equality. The right of different groups of people to have a similar social position and receive the same treatment:

Equality Analysis. This is a detailed and systematic analysis of how a policy, practice, procedure or service potentially or actually has differential impact on people of different Protected Characteristics

Equality Objectives. There are specific strategic objectives in the area of equalities and should set out what services are seeking to achieve in each area of service in terms of Equality.

Equality of Opportunity. Equality of opportunity or equality opportunities may be defined as ensuring that everyone is entitled to freedom from discrimination. There are two main types of equality encompassed in equal opportunities:

1. Equality of treatment is concerned with treating everyone the same. Thus, in an organisational context it recognises that institutional discrimination may exist in the form of unfair procedures and practices that favour those with some personal attributes, over others without them. The task of equal opportunities is therefore concerned with the elimination of these barriers.
2. Equality of outcome focuses on policies that either have an equal impact on different groups or intend the same outcomes for different groups.

Evidence. Information or data that shows proof of the impact or non impact - evidence may include consultations, documented discussions, complaints, surveys, usage data, and customer and employee feedback.

Foster good relations. This is explicitly linked to tackling prejudice and promoting understanding.

General Equality Duty. The public sector equality duty on a public authority when carrying out its functions to have 'due regard' to the need to eliminate unlawful discrimination and harassment, foster good relations and advance equality of opportunity.

Gender reassignment. The process of changing or transitioning from one gender to another – for example male to trans-female or female.

Harassment. This is unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment.

Human Rights – Human rights are the basic rights and freedoms that belong to every person in the world - **see below**

Marriage and Civil Partnership. Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters. Single people are not protected. Discrimination on grounds of marriage or civil partnership is prohibited under the Act. The prohibition applies only in relation to employment and not the provision of goods and services.

Pregnancy and Maternity. Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Protected Characteristics. These are the grounds upon which discrimination is unlawful. The characteristics are:

- | | | |
|-----------------------|--|----------------------------------|
| • Age | • Race | • Marriage and civil partnership |
| → Disability | • Religion and belief (including lack of belief) | • Pregnancy and maternity |
| → Gender reassignment | • Sex/gender | • Sexual orientation |

Public functions. These are any act or activity undertaken by a public authority in relation to delivery of a public service or carrying out duties or functions of a public nature e.g. the provision of policing and prison services, healthcare, including residential care of the elderly, government policy making or local authority services.

Race. This refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion or belief. Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Section 11 of the Children Act. This duty is a duty under the Children Act 2004 that requires all agencies with responsibilities towards children to discharge their functions with regard to the need to safeguard and promote the welfare of children. They must also ensure that any body providing services on their behalf must do the same. The purpose of this duty is that agencies give appropriate priority to safeguarding children and share concerns at an early stage to encourage preventative action.

Sex. It refers to whether a person is a man or a woman (of any age).

Sexual Orientation. A person's sexual attraction is towards their own sex; the opposite sex; or to both sexes: *Lesbian, Gay or Bisexual*

Victimisation. Victimisation takes place where one person treats another less favourably because he or she has exercised their legal rights in line with the Equality Act 2010 or helped someone else to do so.

Vulnerable Adult. A Vulnerable Adult is defined as someone over 16 who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or exploitation'

Human Rights

Human rights are the basic rights and freedoms that belong to every person in the world. They help you to flourish and fulfill your potential through:

- being safe and protected from harm
- being treated fairly and with dignity
- living the life you choose
- taking an active part in your community and wider society.

The Human Rights Act 1998 (also known as the Act or the HRA) came into force in the United Kingdom in October 2000. It is composed of a series of sections that have the effect of codifying the protections in the European Convention on Human Rights into UK law.

The Act sets out the fundamental rights and freedoms that individuals in the UK have access to. They include:

- Right to life
- Freedom from torture and inhuman or degrading treatment
- Right to liberty and security
- Freedom from slavery and forced labour
- Right to a fair trial
- No punishment without law
- Respect for your private and family life, home and correspondence
- Freedom of thought, belief and religion
- Freedom of expression
- Freedom of assembly and association
- Right to marry and start a family
- Protection from discrimination in respect of these these rights and freedoms
- Right to peaceful enjoyment of your property
- Right to education
- Right to participate in free elections

Many every day decisions taken in the workplace have no human rights implications. However, by understanding human rights properly you are more likely to know when human rights are relevant and when they are not. This should help you make decisions more confidently, and ensure that your decisions are sound and fair.

44. Tenancy Policy

Paula Burton, Acting Assistant Director, Housing Management:

- a) presented at Appendix 1 to her report, the contents of the City of Lincoln Council's (CoLC's) Tenancy Policy for members consideration prior to its implementation and publication
- b) reported that it was a requirement under the Localism Act 2011 for each local authority to produce a Tenancy Strategy, also all Registered Providers must publish a Tenancy Policy that aligned with the Tenancy Strategy; the Council as a Registered Provider was required to produce and publish a Tenancy Policy
- c) advised that the Tenancy Policy specified the different types of tenancies, licences and non-secure tenancies to be granted to new and existing Council tenants and provided a framework for which tenancies the Council would grant and the exceptions to granting the most secure form of tenure
- d) highlighted that the policy ensured the tenancy granted was compatible with the purpose of the accommodation provided, considered the housing needs of individuals and households, sustainability of the community and made best use of housing stock
- e) referred to the main content of the policy which the following areas:
 - Introductory tenancies
 - Secure tenancies
 - Non-secure tenancies
 - The use of Licenses
 - The use of Demoted tenancies
 - The use of Family Intervention tenancies
 - Granting of joint tenancies, succession and assignments
 - New tenancy process
- f) requested members consideration of the Tenancy Policy prior to implementation and publication.

Members discussed the content of the report in further detail.

Members queried how many non-secure tenancies were in existence?

Officers advised that non-secure tenancies were given for a temporary period and therefore did not have the rights of secure tenancies. The number of non-secure tenancies would be reported back to members under separate cover.

RESOLVED that the Tenancy Policy be agreed and forwarded to Executive for approval prior to publication.

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EXECUTIVE**18 MARCH 2024**

SUBJECT:	TENANCY STRATEGY
DIRECTORATE:	HOUSING AND INVESTMENT
REPORT AUTHOR:	PAULA BURTON, ASSISTANT DIRECTOR OF HOUSING MANAGEMENT

1. Purpose of Report

- 1.1 For Executive to consider the contents of this report and approve the publication of City of Lincoln Councils Tenancy Strategy.

2. Background

- 2.1 The Localism Act 2011 introduced a number of changes for social housing, including the requirement for local authorities to produce and publish a Tenancy Strategy for their area.
- 2.2 The main purpose of a Tenancy Strategy is to make best use of existing housing stock with mechanisms such as flexible tenancies, succession rights and affordable rented tenures.
- 2.3 The strategy sets out City of Lincoln Council's preferred approach to managing existing registered providers housing stock. The legislation clearly states that Registered Providers should "have regard" to the Local Authority Strategies when developing their own Tenancy Policies. However, the Strategy has no statutory weight, but can help to guide Registered Providers to achieve a consistent approach across the sector to ensure best use of housing tenures.
- 2.4 In 2013, City of Lincoln Council, North Kesteven District Council and West Lindsey District Council produced a joint Central Lincolnshire Tenancy Strategy. This strategy set out the differing approaches across each district and aligned the authorities across the housing market area within one strategy.
- 2.5 After discussions with North Kesteven District Council and West Lindsey District Council it was agreed that each local authority would introduce individual Tenancy strategies due to the variety of registered providers operating across the districts and that each Local Authority may need to take differing approaches due to not all being stock holding authorities.
- 2.6 This review provides City of Lincoln Council the opportunity to reflect the previous strategy and ensure the right tenancy strategy and variances based on housing need is in place for the City of Lincoln.
- 2.7 The Localism Act 2011 states that new strategies must be consulted with known registered providers with housing stock within the area. A consultation of the draft strategy was sent out to all known Registered Providers operating within the City

during December 23. This approach is to assist with comparing the previous strategy, but also to validate that Registered Providers have been all operating in a similar way for a consistent approach across the sector.

- 2.8 Responses received as part of the consultation are within Appendix 2. It should be noted that only certain providers have responded and we will continue to chase for feedback leading up to the final draft strategy being presented to Executive.

3. City of Lincoln Council Tenancy Strategy

- 3.1 The Tenancy Strategy specifies the different registered providers operating within the City and the types of tenures which are being used when housing tenants. The strategy provides a framework of which tenancies Registered Providers will grant and the exceptions to granting, for example a licence to occupy.
- 3.2 The strategy ensures that Registered Providers are providing tenancies compatible with the purpose of the accommodation provided, considering the housing needs of individuals and households, sustainability of the community and making best use of housing stock.
- 3.3 This strategy takes a simpler approach to the mechanisms available within the Localism Act 2011 and focuses on the following areas:
- Fixed/Flexible Tenancies
 - Reviewing fixed tenancies
 - Starter/ Introductory tenancies
 - Assured Tenancies
 - Secure tenancies
 - Non-secure tenancies
 - Licenses
 - Family Intervention tenancies
 - The use of Demoted tenancies
 - Existing social tenants, security of tenure
 - Succession
 - Affordable Rent
 - Intermediate Rent
 - Tenancy reviews
- 3.4 The draft tenancy strategy is attached as Appendix 1 for reference.
- 3.5 The Tenancy Strategy will be reviewed every three years to ensure compliance with current legislation and as part of a validation exercise to ensure Registered Providers are letting homes in line with the Tenancy Strategy. This three year review will include checking Registered Providers policies to ensure they meet the Housing Strategy. If there are minor housekeeping changes, it is suggested, that these be delegated to the Director for Housing and Investment and the Housing Portfolio member for approval. The strategy can also be updated at any time through the usual governance process should new legislation or guidance be issued that would have an impact on the strategy.

4. Strategic Priorities

4.1 Let's reduce all kinds of inequality

This Strategy will support registered providers, tenants and potential applicants on the housing register to be aware of the types of tenure available to them.

Reducing inequality forms part of the processes being followed by the Local Authority and Registered Providers when allocating housing via Lincs Homefinder.

4.2 Let's deliver quality housing.

The Tenancy Strategy states the different tenancy types and the security of tenure attached to each which would be expected of a registered provider. Publishing this information enables registered providers, applicants and tenants to be clear on the tenure types which should be used. This strategy also sets out how City of Lincoln Council would like to see Registered Provider partners making best use of their existing housing stock and in turn going some way to meeting the housing need of the residents.

5. Organisational Impacts

5.1 Finance

There are no direct financial implications relating to this strategy.

5.2 Legal Implications Including Procurement Rules

There are no legal implications specifically for the implementation of this strategy, However, it should be noted that a tenant will sign up to the terms set out in their tenancy or licence, and any variations should be explained by the registered provider to the tenant and understood before the tenancy or licence is signed.

There are no procurement implications with the introduction of this policy.

5.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

This Tenancy Strategy details the tenure types available across the City by which Registered Providers and how these tenures are managed. Equality, Diversity and Human Rights form part of the processes being followed and housing is based on

criteria set out within Lincs Homefinder based on housing need or internal policies and processes where direct lettings may take place.

An Equalities Impact Assessment has been completed for this strategy and is attached as appendix 4. No negative impacts have been identified.

5.4 Human Resources

No known staffing impacts. This strategy is for Registered Providers to “have regard to” when implementing their own Tenancy Policies as per the Localism Act 2011 and so no resource is required to deliver this strategy. Reviewing the strategy when required will be delivered within the Housing Strategy and Investment Manager role.

5.5 Land, Property and Accommodation

The strategy advises registered providers, tenants and applicants of the tenancy types and licences operating within the City.

5.6 Corporate Health and Safety Implications

The strategy does not have any known corporate health and safety implications.

6. Risk Implications

6.1 (i) Options Explored

Revised Tenancy Strategy not Introduced

The Central Lincolnshire Tenancy Strategy is no longer updated centrally and therefore should not be relied upon. Failure to introduce a revised strategy could result in City of Lincoln Council (CoLC) not meeting all terms of the Localism Act 2011.

Implement Tenancy Strategy (Preferred Option)

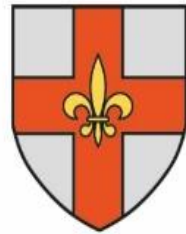
The introduction of the revised Tenancy Strategy provides a clear and useful strategy for all Registered Providers operating within the City to ‘have regard’ to the CoLC’s strategies when delivering their tenancy policies.

7. Recommendation

7.1 For Executive to approve the publication of City of Lincoln Councils Tenancy Strategy.

Is this a key decision?	No
Do the exempt information categories apply?	No
Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?	No
How many appendices does the report contain?	4
List of Background Papers:	None
Lead Officer:	Paula Burton Housing Strategy and Investment Manager Paula.burton@lincoln.gov.uk

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CITY OF
Lincoln
COUNCIL

Tenancy Strategy 2024

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1. Introduction

The Tenancy Strategy provides a framework for tenancies provided by the Council and guides the individual tenancy policies adopted by Registered Providers operating within the City of Lincoln.

City of Lincoln Council is a Local Housing Authority and in line with the Localism Act 2011 section 150, has a duty to produce a tenancy strategy.

The Localism Act 2011 introduced reform of social housing, which included:

- Registered Providers to be able to offer Fixed Term Tenancies
- Councils able to devise their own Allocations Policies to meet local needs
- The ability for Councils to place homeless households in suitable private rented accommodation
- New social housing developments to include Affordable Rent of up to 80% market rent
- Registered Providers being required to adopt and publish a Tenancy Policy
- Councils being required to consult on, adopt and publish a Tenancy Strategy
- The introduction of Affordable Rents and Fixed Term Tenancies has implications for tenants who wish to Mutual Exchange
- Changes to the rights of Succession limiting those able to succeed to a Tenancy on the death of the tenant.

This City of Lincoln Council Tenancy Strategy replaces the Central Lincolnshire Tenancy Strategy published in 2013. A review of the previous strategy has been completed and can be found in appendix 1.

This City of Lincoln Tenancy Strategy sits alongside the Housing Strategy, Homelessness Strategy, and the Lincs Homefinder Policy. In the context of meeting housing need, it sets out the matters to which the Council and Registered Providers will have regard to when preparing their policies relating to:

- The type of tenancies they grant.
- The circumstances in which they will grant different types of tenancy.
- The length of any fixed term tenancies.
- The circumstances in which a further tenancy may be granted at the end of a fixed term tenancy.

The Tenancy Strategy applies to Social and Affordable Rent housing and does not cover non-rental forms of affordable housing or homes in the private rented sector.

2. Aims and Objectives

The three main aims of the strategy are:

- To make the best use of the affordable housing stock
- To reduce under-occupancy
- To reduce overcrowding

The Tenancy Strategy is aimed at providing clarity on the Council's expectations when determining the types of tenancy offered by Registered Providers and in what circumstances particular tenancy options may be chosen.

The strategy provides Registered Providers with guidance to inform their policies and practices. It also contributes to meeting the identified housing need within the City. The key objective of the strategy is to ensure the social housing stock is used in the best possible way to provide homes for those households who are unable to secure or afford a home that meets their needs in the private sector.

Registered Providers in the past have been required to offer the most secure form of tenure to their tenants, with a variety of tenancies being used, none of which had a fixed term.

Under the government reform in 2011, it was recognised that these tenancies are not always appropriate as people's circumstances often change. This led to the introduction of flexible tenancies whereby a Registered Provider can determine the length of a tenancy given to a new tenant.

Registered Providers must have in place a tenancy policy which sets out what type of tenancies they will offer, how they will be managed and if they are offering fixed-term tenancies, how they will either be renewed or terminated at the end of the fixed term.

Each Registered Provider must have regard to this strategy when formulating and applying their own tenancy policies.

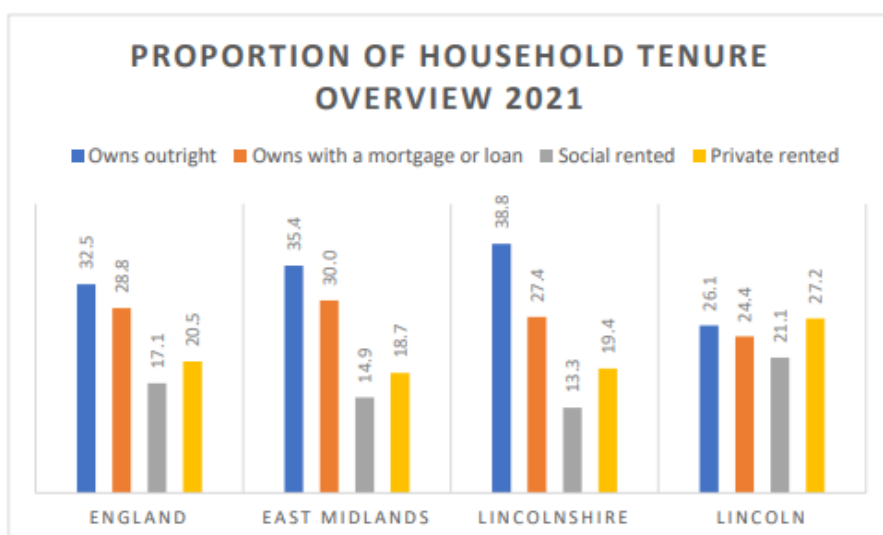
3. Why is it important to make best use of existing social housing stock?

Access to the private rented sector has become more restrictive for people on low incomes and benefits since changes to the Local Housing Allowance and wider welfare and policy reform. This has led to higher demand for social rented properties and in turn leads to the supply of affordable housing being limited. For this reason, it is important that the stock that is available is being used to its full potential in order to assist those people who are not able to afford to rent or buy in the private sector.

For example, if used effectively, flexible tenancies can give housing providers more scope to better manage under-occupancy within their stock. This can be achieved through supporting households to move to more appropriately sized accommodation if they are suitable to be moved.

4. City of Lincoln Council Environment - Local Context

In order to inform the tenancy strategy, how to implement the Localism Act 2011 within City of Lincoln, local context needs determining to ensure maximum impact can be achieved. The below table highlights the percentage of social housing available in City of Lincoln and assists in highlighting the importance of making the best use of the limited social housing stock available.



	Lincoln	CIPFA Mean
<i>Owns outright</i>	26.1	32.0
<i>Owns with a mortgage or loan</i>	24.4	27.5
<i>Social rented</i>	21.1	17.5
<i>Private rented</i>	27.2	22.2

City of Lincoln has 45,870 dwellings (2023 Valuation Office Agency) and 42,510 households (2021 census). Lincoln has a population of 103,813 people and its population has grown by 1% per annum since 2011, which is almost double than the national growth rate. With the increase in population, housing demand will continue to rise.

Lincoln also has a significantly higher proportion of social rented (second highest at 21.1%) and private rented (27.2%) households than the average of all CIPFA comparators (17.5% for social rented and 22.2% for private rented).

The Council has a total rented housing stock of 7,800 dwellings which is 17% of housing within the City. This makes the City of Lincoln Council the majority stock holder for social housing in the City. The remaining 4.1% social housing provision is provided by registered providers and whom play an important part in the supply and delivery of future affordable housing within the City.

Although City of Lincoln Council have a higher proportion of LA properties compared to nationally, we have a higher demand for people to access affordable and social housing due to lower wage, higher deprivation and limited access to purchasing own home. High levels of student accommodation increase the private rented level compared to nationally however, this often limits availability of private sector rents and pushes rent levels higher than other local districts and the LHA.

5. Overcrowding and Under-occupancy:

The Central Lincolnshire Housing Needs Assessment 2020 suggested only 2% of people across the Housing Market Area live in an overcrowded household. In contrast, 43% of people live in a home, which has an excess of two or more bedrooms.

Due to the Welfare Reform Act 2012, families are no longer supported with the rent due on accommodation larger than they require through housing benefit. However, as this does not apply to people of a pensionable age, it is assumed under occupancy in affordable housing is within the older age bracket.

Ensuring that people are suitably housed can free up larger family properties within the area and go some way to meeting the housing need. City Of Lincoln Council will be working with Registered Providers to encourage downsizing scheme opportunities.

6. Affordable housing need

The Housing Needs Assessment commissioned during 2023 identified there is a requirement for an additional 164 affordable homes each year across City of Lincoln. Tenure split of 80% rented and 20% affordable home ownership products including First Homes.

Tenure	CITY OF LINCOLN	Central	North	South
Social/Affordable rented	80.8%	78.7%	82.2%	81.0%
Affordable home ownership	19.2%	21.3%	17.8%	19.0%
Total	100.0%	100.0%	100.0%	100.0%
Annual net need	164	57	83	24

7. Consultation

The strategy has been prepared in line with Section 152 of the Localism Act in consultation with Registered Providers and other key stakeholders. Every Registered Provider has been sent a copy of the proposed strategy and given the opportunity to give their views for consideration before the Strategy was adopted. Appendix 2 provides details on the consultation response from registered providers.

The Strategy will be published on the Councils website for anyone wishing to view it.

8. Objectives of the Tenancy Strategy

This strategy will be delivered through City of Lincoln Council working together with Registered Providers and other stakeholders to ensure the key principles of the strategy are embedded in order to address the issues raised.

Registered providers must have in place a tenancy policy which sets out what type of tenancies they will offer, how they will be managed and if offering fixed-term tenancies, how they will either be renewed or terminated at the end of the fixed term.

There are a range of tenancy types available providing varying degrees of security for tenants whilst ensuring effective use of the social housing stock to meet local housing need. A summary of the differences between the various tenancy types is included at appendix 3. The main types of tenancies used by Registered providers in Lincoln include:

Fixed Term (Flexible) Tenancies

A flexible tenancy is a tenancy that has a fixed term. These will be longer than private rented tenancies offered to tenants who rent in the private sector but are different from lifetime tenancies, which were previously in place for tenants of social housing.

Tenants with a flexible tenancy will maintain the same rights as secure tenants including right to buy (following qualifying period, as with secure tenants) but gives opportunity to review tenancies to ensure the property is still meeting the tenants needs.

City of Lincoln Council supports the use of fixed term tenancies to ensure social housing stock is available for those who need it most should a households circumstances change.

Where Registered Providers decide to use fixed term tenancies the following should be taken into account.

- Fixed Term Tenancies should be for a minimum of 5 years, with consideration given for longer periods of time in specific circumstances. In particular, longer Fixed Term Tenancies should be considered for families with young children, older households and for vulnerable tenants who would benefit from the increased stability offered.
- Shorter Term Tenancies (2 years) should only be used in exceptional circumstances, for example; where the accommodation is only intended to be short term or where there have been significant previous tenancy breaches
- All prospective tenants should be given clear information on the type of tenancy that is being offered, the reasons for offering that type of tenancy and how the process for reviewing fixed term tenancies.

Reviewing Fixed Term Tenancies

If Registered providers are offering fixed term tenancies, their tenancy policies should include the process for reviewing a fixed term tenancy, detailing how frequently a fixed term tenancy will be reviewed and what factors will be considered as part of that review.

Reviews should include information on the tenants:

- Financial situation
- Conduct
- Employment
- Need for adaptations
- Type and suitability of property

- Over or under occupation.

Extensions to tenancies should be for at least 5 years. Where a review has taken place and the decision is taken for the tenancy to be terminated, the Registered Provider must:

- Give the tenants a minimum of 6 months' notice.
- Inform the tenants of the reasons why a new tenancy is not being granted.
- Inform the tenant of their right to a review of the decision.

Registered Providers are also expected to:

- Inform their housing team of the termination and work with them to put a move-on plan in place.
- Assist the household to find suitable alternative accommodation.
- If alternative accommodation cannot be sought, the RP must inform City of Lincoln Council Housing Solutions Team of the termination and this must be no less than 56 days before the termination.

Circumstances that would trigger an early Tenancy Review include:

- A change in the household that results in a person who is named on the tenancy no longer residing in the property. The review will need to assess the suitability of the property;
- If a request for an adaptation to the property is received. The review will highlight if the property is no longer suitable for the household and if finding alternative accommodation would be a better solution.
- A breach in the tenancy conditions by the tenant

Starter (Assured Shorthold – Housing Association) & Introductory (Local Authority) Tenancies

Introductory or starter tenancies should be provided to all new social housing tenants and should be for at least a 12 month period and for up to two years with a view to extending or reverting to an assured tenancy if there has been no tenancy breaches within that time period. This includes where the tenant has not held a tenancy with the Registered Provider before or it is deemed appropriate due to other reasons e.g. previous anti-social behaviour problems or rent arrears.

They should not be used where a tenant is transferring within RP stock or from RP to RP housing. The starter / introductory tenancies offer greater security of tenure than an assured shorthold tenancy, which are offered for 6 months as standard.

Assured Periodic Tenancies

Assured Periodic Tenancies which are offered by Registered Providers are like the secure tenancies offered by the Council in many respects. Assured periodic tenants do not have the same extent of rights enshrined in law that secure tenants do.

These are the equivalent of lifetime tenancies for other registered providers including a housing association and are given to most tenants at the end of their starter

tenancy. There are specific requirements to comply with if the Registered Provider wanted to recover possession of the home which they would only do for good reason. There are several mandatory and discretionary grounds for possession.

Assured tenancies should be provided for existing tenants of social housing (tenancies starting before 1 April 2012) when moving within the social sector.

Assured tenancies should also be provided for:

- Sheltered, warden assisted or Extra Care accommodation designated for older people;
- People who have reached state retirement age who occupy a general needs property;

Assured tenancies should be offered when the need of the tenant is seen as lifelong and no change would come from reviewing the tenancy at any point. If other tenancy types other than the above are to be offered, they must be explicitly listed within the Registered Provider tenancy policies and they should adhere to those policies at all times.

Secure 'lifetime' tenancies

Secure tenancies can only be offered by a Local Authority. Where the local authority has decided to introduce an introductory tenancy scheme the tenant must, (unless immediately prior to their new Council tenancy they were either a secure tenant with another council or an assured tenant of another social housing provider), complete an initial 12-month probationary tenancy satisfactorily, before being granted a secure tenancy.

Secure tenancies are the most common form of tenancies provided by Local Authorities. The definition of a secure tenancy and the rights of secure tenants is derived from Part 4 of the Housing Act 1985 (HA 1985)

Secure tenants have an extended range of rights which are enshrined in law and they can remain in their home for as long as they wish. The Council can only secure possession of the property on certain specific grounds for possession. The Council would need to prove the ground for possession and the Court would have to be satisfied on the balance of probabilities that the ground had been proven and, in most circumstances, that it was reasonable to grant a possession order. In some instances, the granting of a possession order would be subject to suitable alternative accommodation being made available.

Non -Secure Tenancies

The Council can create non-secure tenancies to deliver their homelessness duties under Part 7 of the Housing Act 1996 (paragraph 4, schedule 1, Housing Act 1985).

Non-secure tenancies are given by the Council when a homeless household is placed in temporary accommodation owned by the Council by virtue of Homelessness legislation.

Non-Secure tenancies do not have all the rights that secure tenants have including the Right to Buy, Right to Exchange, Right to Succession, Right to Take in Lodgers or to Sublet.

Licences

Registered Providers may grant licences for lettings where there is not exclusive possession of a dwelling or part of a dwelling and/or for temporary accommodation is required. They may also grant licences of properties into which an existing tenant moves temporarily because they cannot remain in their permanent home for reasons including:

- Planned major repairs/improvements.
- Fire, flood, natural disaster, or similar event.

This strategy supports the use of licences by registered providers when temporary or move on accommodation is required.

Family Intervention Tenancies

Family Intervention Tenancies may be granted in certain circumstances where the tenant requires behaviour support services. These are issued as part of a package of measures to prevent and tackle anti-social behaviour and promote community sustainability to families who would otherwise face eviction from their existing tenancies

Demoted tenancies

Demoted Tenancies were introduced in the Anti-Social Behaviour Act 2003, enabling housing providers to demote a tenancy to help manage and control the antisocial behaviour.

The creation of a demoted tenancy is an alternative to eviction and the Council and Registered Providers use demoted tenancies as a positive tool to deal effectively with incidents of anti-social behaviour in a targeted and supportive way.

The tenancy will normally remain demoted for a period of one year and will then revert to a periodic secure or assured tenancy. If there are any further breaches during the 12 months demotion, and the landlord issues possession proceedings, the tenancy will remain demoted until one of the events in subsection 143B (4) of the Anti-Social Behaviour Act 2003 occurs.

Domestic Abuse Act 2021

The Domestic Abuse Act 2021 places a duty on local housing authorities in England to offer secure tenancies to lifetime secure tenants who are changing tenancy for reasons connected to domestic abuse.

Registered Providers must have regard to this legislation when producing or reviewing their Tenancy Policies.

Tenancies and Minors

A person under the age of 18 years cannot hold a legal tenancy. In these circumstances where accommodation is essential, the Council and Registered Providers will need to make special arrangements depending upon the individuals concerned, their age and the circumstances they have.

Existing Social Housing Tenants

One of the main objectives of this strategy is to address under-occupancy in social housing by encouraging existing tenants to transfer and exchange, as appropriate. City of Lincoln already encourage people to move, such as incentive schemes and giving applicants who are under-occupying additional priority for rehousing. Mobility amongst tenants is also promoted where they need to move to give or receive support or to obtain employment. However, we do not want to deter people from obtaining a more suitable property due to the threat of a 'less secure tenancy.'

Existing social housing tenants should not be deterred from transferring to accommodation that is more suitable so existing tenants should be given the same security of tenure when transferring between properties.

Succession

The Localism Act gave Registered Providers increased discretion regarding the succession of tenancies. Previously, any family member living at the property for more than 12 months could succeed to the tenancy. However, tenancies created after the Localism Act came into force led to no family member right of succession unless expressly stated in the tenancy agreement.

City of Lincoln Council recommend one succession per tenancy for spouse or civil partner, or person living with them as their spouse or civil partner.

Should an RP wish to offer succession to others outside of the requirements set out in the act, this must be within their policies. Alongside that, it would also be recommended to RP's that exceptional circumstances can be accounted for to give flexibility if it is required and where there is a risk of homelessness should a succession not be granted.

Affordable Rent

Affordable rent was introduced as an alternative to social rent to help fund new development. Social rented housing has a rent level determined through the National Rent Regime. Affordable rented housing is not subject to the new National Rent Regime and rents can be set at a level of up to 80% of the market rent.

The concept of affordable rent was introduced as an alternative to social rent to help fund development of new affordable housing.

All Registered Providers who have entered into a contract with the Homes England will be able to charge affordable rents. City of Lincoln Council through the Central Lincolnshire Local Plan support the delivery of affordable rented properties on all new build affordable housing.

Alongside this, as Registered Providers can raise additional capital to invest in new affordable housing on units that are affordable rent, conversion of properties from social rent to affordable rent is also supported, as long as this does not breach existing S106 agreements already in place for specific developments.

Intermediate Rents

Where a Registered Provider wishes to charge an intermediate rent, it will be discussed and agreed as part of the negotiations for Section 106 obligations. Part of these negotiations will require the City of Lincoln Council to consider whether it is appropriate to charge this level of rent for the type of development and its location.

Tenancy Reviews

It is expected that where flexible tenancies are given the housing provider should expect to renew or extend the tenancy unless the household does not meet the criteria. It is not the intention of the local authority to increase the churn in the housing stock: it is more sustainable to keep households in a settled environment and allow them to engage and develop established communities.

Tenancies should only be ended if there has been a significant change in circumstances for the household or there has been a breach of the tenancy agreement whereby all other options for dealing with the breach have been exhausted. When a fixed-term tenancy is in place, we would expect a review to take place 12 months prior to the end of the tenancy. This review must include the following:

- Financial assessments of the household to decide if they would be able to afford housing the private sector. This assessment needs to ensure that it doesn't discourage the household from working.
- The conduct of the tenant, including if they have integrated into the community successfully, have they caused any anti-social behaviour? Do they have any rent arrears?
- Are there any children living in the property? Are these of school age? Do they attend the local school?
- The let ability of the property and if the house is in what is considered as a hard to let area.
- The current need of the household and if the property is still suitable for the household. Is the property now too big or too small for the household?
- The availability of housing in the appropriate area for the household.
- The consideration of any Section 106 agreements or local lettings policies directly related to their current dwelling or development.

If the review has highlighted that the household require an extension to the tenancy, we would recommend another five-year tenancy be put in place.

9. Monitoring and Review

To ensure the correct governance is in place, the strategy will be reviewed every three years with a new version adopted at review.

City of Lincoln Council will work in partnership with Registered Providers to ensure best use is made of housing stock, new affordable housing is developed and affordable housing options are available for residents of City of Lincoln.

10. Equality Impact Assessment

Equality and inclusion are at the heart of City of Lincoln Councils vision and core values. We recognise that inequality continues to affect different people and communities in different ways. We are committed to creating and sustaining a modern and supportive working environment for our tenants and employees

The Tenancy Strategy is supported by accompanying procedures including Lincs Homefinder which consider protected characteristics and equality of opportunity when assessing an applicant for housing.

11. Registered Providers Policies

The list below shows the registered housing providers operating within the City of Lincoln. They can be contacted for copies of their individual tenancy policies.

- Acis Group - www.acisgroup.co.uk
- Abbeyfield www.abbeyfield.com
- Bespoke Supportive Tenancies - [Bespoke Supportive Tenancies \(bestha.co.uk\)](http://Bespoke Supportive Tenancies (bestha.co.uk))
- Derwent Living - www.derwentliving.com
- City of Lincoln Council - www.lincoln.gov.uk
- Framework - [Framework Housing Association | For Your Future \(frameworkha.org\)](http://Framework Housing Association | For Your Future (frameworkha.org))
- Inclusion - [Home - Inclusion Housing \(inclusion-group.org.uk\)](http://Home - Inclusion Housing (inclusion-group.org.uk))
- Lace Housing - www.lacehousing.org.uk
- Leap - www.leap.uk.com
- Longhurst Group - www.longhurst-group.org.uk
- Ongo - www.ongo.co.uk
- Places for People - www.placesforpeople.co.uk
- Platform Housing Group - www.platformhg.com
- Progress - [Progress Housing Group | Progress Housing Group \(progressgroup.org.uk\)](http://Progress Housing Group | Progress Housing Group (progressgroup.org.uk))
- Sanctuary Housing - www.sanctuary-housing.co.uk
- Nacro – www.nacro.org.uk
- YMCA - www.lincsymca.co.uk

12. Risks

This section highlights possible risks that will arise from the implementation of this strategy and how we intend to manage those risks.

When a fixed term tenancy is being terminated and the tenants are given notice, there is a risk that a suitable property is not found. We have suggested a minimum 6 month period as this is seen as a long enough period to assist with finding a new home.

There is a risk that levels of homelessness would increase if reviews of tenancies are not done correctly. To ensure Registered Providers carry out reviews comprehensively and have procedures in place to maintain a constant approach to reviews.

Copies of all Registered Providers review procedures will be obtained. Good relationships with the City of Lincoln Council and communication throughout a review process is also essential.

13. Glossary

Term	Explanation
Affordable Housing	Housing options available to residents who cannot afford to rent or buy a home in the open market. Includes social rented housing, affordable rent housing and intermediate housing solutions, such as shared ownership. Affordable Rents offered by Registered Providers of social housing at up to 80% of the rent that would be charged if the property were let in the open market.
Affordable Housing Fixed-Term Tenancy	A tenancy with a fixed start and finish date.
Affordable Rent	Rents offered by Registered Providers of social housing at up to 80% of the rent that would be charged if the property were let in the open market.
Homes England	The national housing and regeneration agency for England, responsible for allocating funding for new affordable housing. Homes England is also the regulator of social housing providers.
Local Housing Allowance	The current form of housing benefit paid to people with low income who are renting in the private sector.
Local Housing Authority	The Council operating and providing housing with area i.e. City of Lincoln Council Housing Directorate.
Market Rent	The rental income that a property would command on the open market
Registered Providers	Organisations that provide affordable (of social housing) housing to those in need. Often these providers are housing associations.
Section 106 Agreement	Legal agreements made under Section 106 (S106) of the Town and Country Planning Act 1990. These agreements are used to enhance the quality of development, enabling proposals to go ahead where they might otherwise have been refused. They can include an obligation for a developer to deliver affordable housing.
Social Rent	Housing for which guideline target rents are determined through the National Rent Regime, aimed at helping people in housing need. Rents are usually significantly lower than market levels.
Strategic Housing Market Assessment	An assessment of how housing markets operate in defined areas, used to identify housing needs within that area.
Tenancy Policy	A Registered Provider's policy that defines how the provider will make decisions about the types of tenancy they will provide to tenants.

Appendix 1 – Review of previous Central Lincolnshire Strategy to inform CoLC Tenancy Strategy

Strategy Area	Included in RP Policies	To be included in new strategy Y/N	Rationale for Inclusion / removal
Flexible tenancies	Not all	Yes	Flexible tenancies are not included in all RP's policies. This is believed to be due to the amount of resource, management and reviews for these tenancies. CoLC support the use of these tenancies however allow RP's to determine the most appropriate mechanism for the control of flexible tenancies and reviews of those tenancies.
Starter / Introductory Tenancies	Yes	Yes	Starter tenancies are included in the majority of the RP policies. CoLC recognises the importance and need for these types of tenancies and supports the continued use.
Assured Tenancies	Yes	Yes	Assured tenancies are included in the majority of the RP policies. CoLC supports the continued use of these tenancies.
Existing Social Housing Tenants	Yes	Yes	Existing tenants have rights through the law if they remain in their properties. However, this strategy, reinforces the need to allow tenants to move to more suitable accommodation whilst maintaining security of tenure.
Succession	Yes	Yes	The right to succeed is included within the localism act. All RP's should include succession in their tenancy policies.
Affordable Rents	Yes	Yes	CoLC realise that affordable rents are more favourable to RP's due to the revenue it can bring in for maintenance and capital for future developments.

			Affordable rent is the most appropriate type of new affordable housing and the majority of RP's within in City of Lincoln will use this type of rent on all new build developments.
Adapted properties	No	No	RP's do not always hold a register and even though it would be preferred, it is understood this would be a huge task that may not hold as much value. When properties are relet homes should be reissued to make the best use out of adapted properties by incoming tenants. E.g. level access/wet rooms etc
Disposals	No	No	Not under the jurisdiction of CoLC to determine through this strategy and not required under the Localism Act. RP's would be recommended to hold a disposals policy and contact the LA first for any disposals for first consideration.
Discharging of homelessness duty	No	No	Legislation gives powers for this, no need to stipulate within this strategy.
Access to Housing Register	No	No	Captured within The Lincs Homefinder Policy
Intermediate Rents	No - Not Used by RP's	No	Intermediate rent is not acknowledged as a rent anymore within the new NPPF.

**Appendix 2 - City of Lincoln Tenancy Strategy – Registered Provider Consultation responses:**

<u>Registered Provider</u>	<u>Fixed Term Tenancies</u>	<u>Starter/Introductory Tenancies</u>	<u>Assured Tenancies</u>	<u>Secure Tenancies</u>	<u>Affordable Rent</u>	<u>Succession</u>	<u>Existing Social Housing Tenants</u>	<u>Other tenancies used/Comments</u>
Acis Group Limited	Acis no longer offer fixed term tenancies. A number of fixed term tenancies remain in place, upon expiry new tenancies will be offered in line with our Tenancy Management Policy	Acis offer starter tenancies where the existing customer does not have a current tenancy with us. These tenancies are for an initial 12 month period, with the option to extend for a further 6 months where appropriate	Acis offers Assured tenancies on new tenancies where the customer is an existing tenant with an Assured tenancy. Successful starter tenancies convert to assured	No	Yes	Yes	Acis offer the same tenure security to existing customers moving to another property. Starter tenancies are offered where the customer is not an existing AGL customer.	
City of Lincoln Council	Not offered	Offered on all new tenancies, and roles to a secure tenancy after 12 months in no enforcement action has been taken or extension to the Introductory Tenancy	No	Yes	Affordable rent is used on new build stock and Property acquisitions subject to grant terms	Yes	Security of tenure is offered for existing secure tenants and assured tenants moving to CoLC housing	Licences for temporary accommodation Non-secure tenancies Demoted tenancies Family Intervention Tenancies



<u>Registered Provider</u>	<u>Fixed Term Tenancies</u>	<u>Starter/Introductory Tenancies</u>	<u>Assured Tenancies</u>	<u>Secure Tenancies</u>	<u>Affordable Rent</u>	<u>Succession</u>	<u>Existing Social Housing Tenants</u>	<u>Other tenancies used/Comments</u>
Framework	Assured Shorthold Tenancies (for a fixed term of at least six months)	Not stated in policy	Where the stated aim of the scheme is to offer long-term housing, Framework reserves its discretion to grant an Assured Tenancy	No	Yes – where subject to grant terms	No	No	Licences
Inclusion Housing group	Assured Shorthold Tenancies (for a fixed term)	No	Yes	No	No	No	No	Supported provider
Lace Housing	Not Offered	Not Offered	Assured Shorthold Tenancies offered to all new tenants	No	Offered on all new properties on Assured Shorthold tenancies.	Yes – subject to tenancy and scheme details	Assured shorthold tenancies offered	Home ownership products offered in certain schemes with support if required.
LEAP	No	No	No	No	No			Excluded licences - LEAP considers excluded licence agreements as the preferred form of agreement as it gives the most flexible type of tenure allowing for a controlled move on from the service



<u>Registered Provider</u>	<u>Fixed Term Tenancies</u>	<u>Starter/Introductory Tenancies</u>	<u>Assured Tenancies</u>	<u>Secure Tenancies</u>	<u>Affordable Rent</u>	<u>Succession</u>	<u>Existing Social Housing Tenants</u>	<u>Other tenancies used/Comments</u>
Longhurst Group	Not offered for social housing stock, but used where Longhurst manage for-profit organisations	Offered on all new tenancies, after 12 months, reverts to assured tenancy if no action has had to be taken.	Assured tenancies issued	No	Offered on all new build properties where it isn't specified as different in a S106.	Yes	Assured shorthold tenancies offered. Note - Protected assured tenancies in place for large scale voluntary stock transfer. These are no longer issued but in existence.	Equitable AST's for tenants under 18. AST's are also used where Longhurst manage the properties on behalf of someone else.
ONGO	Included in the policy but not used as standard, will only use in conjunction with LA area and their relevant tenancy strategy.	Offered on all new tenancies, after 12 months, reverts to assured tenancy if no action taken.	Assured tenancies issued	No	New properties are charged at affordable rent.	Yes	Assured shorthold tenancies offered	Family intervention tenancies to help tackle anti-social behaviour. AST fixed term tenancies. Most properties already let are at social rent levels due to historic stock transfer agreement with NLC
Sanctuary Housing	Not detailed	Offered on new tenancies, after 12 months, reverts to assured tenancy if no action taken.	Assured tenancies issued (lifetime tenancy)	No	Yes	Yes	Not detailed	Lifetime tenancies offered on some units

Appendix 3 - Summary of Tenancy Rights

There are some differences in the types of tenancy offered depending on the type of Registered Provider you rent your home from and whether you are a new tenant or not.

	Introductory Tenancies	Periodic Secure Tenancies	Fixed Term Secure Tenancies	Starter Tenancies	Assured Tenancies
Term	New council tenants for 12 Months but can be extended for 6 months. Providing tenancy conditions met and possession proceedings have not been commenced before the end of the term then a Periodic Secure tenancy will normally be granted.	Providing you comply with your tenancy conditions you can normally live in your property for the rest of your life	Recommended term of 5 years could be shorter at the discretion of the Landlord	Applies to New housing association tenants for 12 Months after which an assured or fixed term tenancy will be granted unless possession proceedings have been commenced or the starter tenancy has been extended	Providing you comply with your tenancy conditions you can normally live in your property for the rest of your life
Rent	Social Rents based on a national formula set by Government. Rent. Rent increases subject to 4 weeks' notice and a limit of CPI plus 1% per annum. Newer homes may be set at affordable rent at 80% of the market rent. Social Rents based on a national formula set by Government. Rent.	Social Rents based on a national formula set by Government. Rent. Rent increases subject to 4 weeks' notice and a limit of CPI plus 1% per annum. Newer homes may be set at affordable rent at 80% of the market rent.	Rent increases subject to 4 weeks' notice and a limit of CPI plus 1% per annum. Newer homes may be set at affordable rent at 80% of the market rent.	Rent rates are regulated by Regulator for Social Housing and may be social rent or affordable rent in line with the Rent Standard. Newer homes may be set at affordable rent at 80% of the market rent.	Rent rates are regulated by Regulator for Social Housing and may be social rent or affordable rent in line with the Rent Standard. Newer homes may be set at affordable rent at 80% of the market rent
Right to Exchange	None	Statutory right to exchange tenancies. Can only be refused on certain grounds and	Statutory right to exchange tenancies. Can only be refused on certain grounds and	None	You can swap your home with another council or housing association tenant with 19 can be approved subject to conditions can be approved subject to conditions the permission of your landlord

	Introductory Tenancies	Periodic Secure Tenancies	Fixed Term Secure Tenancies	Starter Tenancies	Assured Tenancies
Right to Take in Lodgers	None	Statutory right to take in lodgers providing overcrowding doesn't occur	Statutory right to take in lodgers providing overcrowding doesn't occur	Assured tenants can take in a lodger with consent.	Assured tenants have the right to take in a lodger
Right to Sublet	None	Statutory right to sublet part of the property providing overcrowding doesn't occur.	Statutory right to sublet part of the property providing overcrowding doesn't occur.	You may be able to sublet part of your home with consent from your landlord.	You may be able to sublet part of your home with consent from your landlord.
Right to Repair	Statutory Right to carry out certain specified repairs if they aren't completed within prescribed timescales. Compensation may be payable for ongoing delays.	Statutory Right to carry out certain specified repairs if they aren't completed within prescribed timescales. Compensation may be payable for ongoing delays.	Statutory Right to carry out certain specified repairs if they aren't completed within prescribed timescales. Compensation may be payable for ongoing delays.	You have a right to have certain repairs carried out within a reasonable timescale.	You have a right to have certain repairs carried out within a reasonable timescale.
Right to Consultation	Tenants consulted if Landlord is considering changing their landlord or changing the management arrangements of their homes.	Statutory right to be consulted on matters of housing management and views considered before changes are made.	Statutory right to be consulted on matters of housing management and views considered before changes are made.	Tenants consulted if Landlord is considering changing their landlord or changing the management arrangements of their homes.	Tenants consulted if Landlord is considering changing their landlord or changing the management arrangements of their homes
Right to Buy	None, but length of tenancy as an introductory tenant counts towards qualification period and discount.	Statutory Right to Buy your home with discount after 3 years tenancy with some exceptions including those relating to special needs accommodation	Statutory Right to Buy your home with discount after 3 years tenancy with some exceptions including those relating to special needs accommodation	N/A	The Right to Acquire allows some housing association tenants to buy their home at a discount. You can apply to buy your housing association home if you've had a public sector landlord for 3 years. There are some exceptions.

	Introductory Tenancies	Periodic Secure Tenancies	Fixed Term Secure Tenancies	Starter Tenancies	Assured Tenancies
Right to Succession	One statutory right to succession of the secure tenancy. Alternative accommodation may be offered in limited circumstances.	One statutory right to succession of the secure tenancy. Alternative accommodation may be offered in limited circumstances.	One statutory right to succession of the secure tenancy. Alternative accommodation may be offered in limited circumstances.	Normally one statutory succession. Check terms of tenancy which may vary.	Normally one statutory succession. Check terms of tenancy which may vary.
Right to Improve	No statutory right but may be allowed to carry out small improvements with landlord's consent	Statutory right to carry out certain improvements. Consent can be withheld in certain circumstances of granted subject to conditions.	Statutory right to carry out certain improvements. Consent can be withheld in certain circumstances of granted subject to conditions.	No statutory right but may be allowed to carry out small improvements with landlord's consent	Right to carry out certain improvements. Consent can be withheld in certain circumstances of granted subject to conditions.
Right to Compensation for Improvements	None	Statutory right to compensation for improvements the tenant has carried out in certain circumstances	Statutory right to compensation for improvements the tenant has carried out in certain circumstances	None	Right to compensation for improvements the tenant has carried out in certain circumstances

Equality with Human Rights Analysis Toolkit



Appendix 4

The Equality Act 2010 and Human Rights Act 1998 require us to consider the impact of our policies and practices in respect of equality and human rights.

We should consider potential impact before any decisions are made or policies or practices are implemented. This analysis toolkit provides the template to ensure you consider all aspects and have a written record that you have done this.

If you need any guidance or assistance completing your Equality and Human Rights Analysis contact:

Corporate Policy Team - Email: policy@lincoln.gov.uk

Legal Services – Email: louise.simpson@lincoln.gov.uk

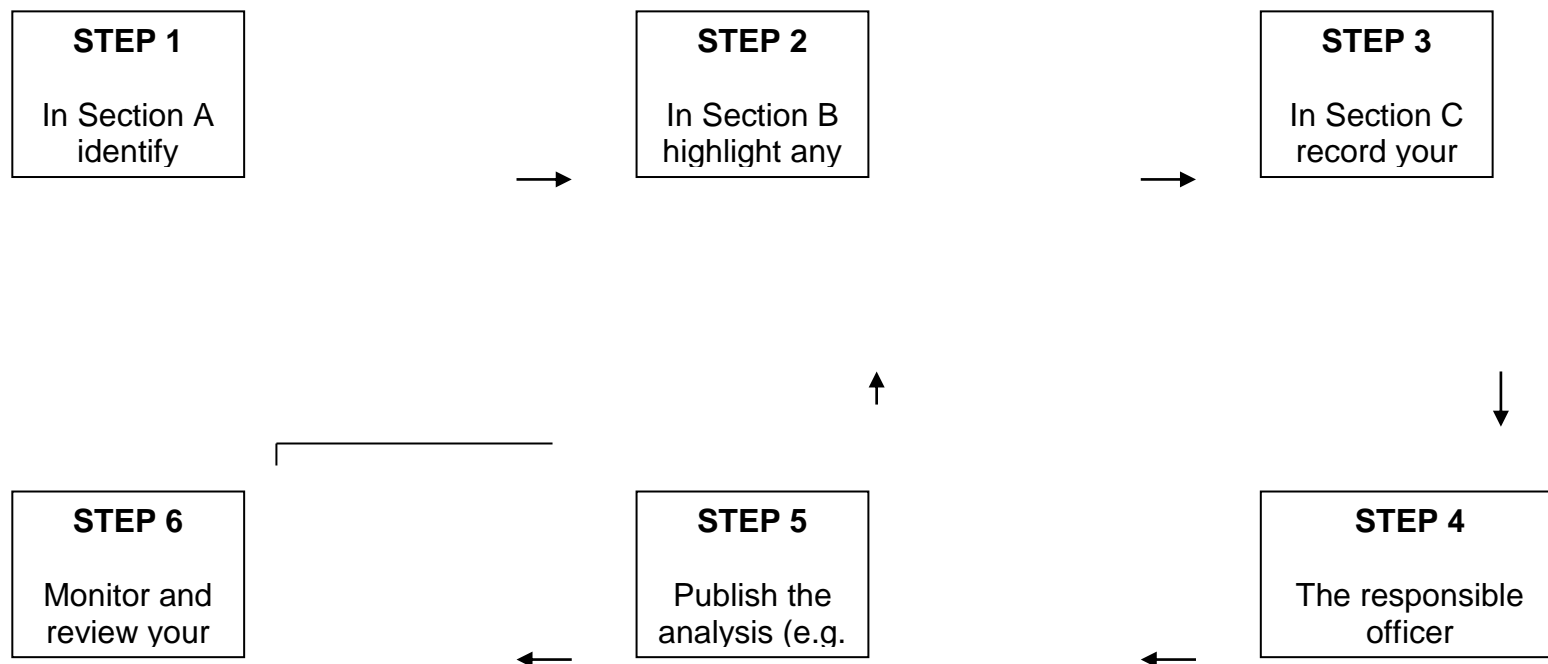
A diagram of the process you should follow is on page 2, and glossary and guidance to help you complete the toolkit can be found on pages 6-9.

143 Even after your policy, project or service has been implemented; it is recommended that analysis is undertaken every three years, and that this analysis is updated at any significant points in between. The purpose of any update is that the actual effects will only be known after the implementation of your policy, project or service. Additionally, area demographics could change, leading to different needs, alternative provision can become available, or new options to reduce an adverse effect could become apparent.

Useful questions to consider when completing this toolkit

1. What is the current situation?
2. What are the drivers for change?
3. What difference will the proposal make?
4. What are the assumptions about the benefits?
5. How are you testing your assumptions about the benefits?
6. What are the assumptions about any adverse impacts?
7. How are you testing your assumptions about adverse impacts?
8. Who are the stakeholders and how will they be affected?
9. How are you assessing the risks and minimising the adverse impacts?
10. What changes will the Council need to make as a result of introducing this policy / project / service / change?
11. How will you undertake evaluation once the changes have been implemented?

STEP BY STEP GUIDE TO EQUALITY ANALYSIS



* Evidence could include information from consultations.

SECTION A

Name of policy / project / service	City of Lincoln Council Tenancy Policy & Tenancy Strategy
Background and aims of policy / project / service at outset	<p>All registered providers including City of Lincoln Council are required to publish a tenancy policy to set out the types of tenancies being used when letting homes in line with the Localism Act 2011. This is to ensure tenancy types are known/transparent, comply with legislation, regulation and good practice. The City of Lincoln Council Tenancy Policy includes all tenure types currently being provided by City of Lincoln Council.</p> <p>City of Lincoln Council is a Local Housing Authority and in line with the Localism Act 2011 section 150, has a duty to also produce a tenancy strategy. The legislation clearly states that Registered Providers should “have regard” to the Local Authority Strategies when developing their own Tenancy Policies. However, the Strategy has no statutory weight, but can help to guide Registered Providers to achieve a consistent approach across the sector to ensure best use of housing tenures.</p> <p>The Tenancy Strategy is an informative guidance document, publishing tenancy types being used by Registered Providers and listing registered providers operating within the City of Lincoln</p> <p>The City of Lincoln Council Tenancy Strategy is intended to set out Council’s preferred approach to managing existing registered providers housing stock and to validate that the registered providers are issuing the correct tenure types within their registered provider status and terms. Copies of tenancy policies from the registered providers help to inform and shape this strategy. Annual asset portfolio details are also requested from registered provider to ensure up to date records are maintained on numbers of housing registered provider housing and tenure types these has been let on.</p> <p>This tenancy strategy replaces the joint Central Lincolnshire Tenancy Strategy which was published in 2013 due to each District now introducing its own strategy due to the differing operating environments across the district and not all being stock holding authorities.</p>
Person(s) responsible for policy or decision, or advising on decision, and also responsible for equality	The responsible person for the City of Lincoln Tenancy Policy, EIA review and validation is the Tenancy Services Manager in conjunction with Area Housing Managers, Housing Solutions Manager and the Housing Strategy and Investment Manager.

analysis	The responsible person for the Tenancy Strategy, EIA review and validation is the Housing Strategy and Investment Manager in conjunction with the Housing Solutions Manager.
Key people involved <i>i.e. decision-makers, staff implementing it</i>	Housing Strategy and Investment Manager, Tenancy Services Manager

SECTION B

This is to be completed and reviewed as policy / project / service development progresses

	Is the likely effect positive or negative? (please tick all that apply)			Please describe the effect and evidence that supports this and if appropriate who you have consulted with*	Is action possible to mitigate adverse impacts?	Details of action planned including dates, or why action is not possible
	Positive	Negative	None			
Age			x	No Identified impacts	NA	
Disability including carers (see Glossary)			x	No identified impacts	NA	
Gender re-assignment			x	No identified impacts	NA	
Pregnancy and maternity			x	No identified impacts	NA	
Race			x	No identified impacts	NA	
Religion or belief			x	No identified impacts	NA	
Sex			x	No identified impacts	NA	
Sexual orientation			x	No identified impacts	NA	
Marriage/civil partnership			x	No identified impacts	NA	
Human Rights (see page 8)			x	No identified impacts	NA	

**Evidence could include information from consultations; voluntary group feedback; satisfaction and usage data (i.e. complaints, surveys, and service data); and reviews of previous strategies*

Did any information gaps exist?	Y/N/NA	If so what were they and what will you do to fill these?
None at this stage	N/A	<p>The CoLC is to be published to offer transparency and guidance on tenure types provided by the council.</p> <p>The Tenancy Strategy has no statutory weight, but is to be used to help guide Registered Providers to achieve a consistent approach across the sector to ensure best use of housing tenures.</p>

SECTION C

Decision Point - Outcome of Assessment so far:

Based on the information in section B, what is the decision of the responsible officer (please select one option below):

- | | |
|---|------------------|
| | Tick here |
| • No equality or human right Impact (your analysis shows there is no impact) - sign assessment below | [x] |
| • No major change required (your analysis shows no potential for unlawful discrimination, harassment)- sign assessment below | [] |
| • Adverse Impact but continue (record objective justification for continuing despite the impact)-complete sections below | [] |
| • Adjust the policy (Change the proposal to mitigate potential effect) -progress below only AFTER changes made | [] |
| • Put Policy on hold (seek advice from the Policy Unit as adverse effects can't be justified or mitigated) -STOP progress | [] |

Conclusion of Equality Analysis (describe objective justification for continuing)	No negative E&D impacts identified. The strategy sets out the terms of tenure types and which registered providers are operating in the area. The award and type of tenancy/ licence issued to a tenant will be determined and allocated in line with the registered providers tenancy policy. It should also be noted that prior to the award of a tenancy this often includes nominations via the Lincs Homefinder Allocations policy which also has its own policy and EIA.
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When and how will you review and measure the impact after implementation?*	EIA to be revisited every 3 years in conjunction with the Tenancy Strategy Review and City of Lincoln Tenancy Policy. Should any legislative changes occur during this time further reviews may take place earlier than the stated 3 years.
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Checked and approved by responsible officer(s) (Sign and Print Name)	A Ripley	Date	11/01/2024
Checked and approved by Assistant Director (Sign and Print Name)	P Burton	Date	11/01/2024

When completed, please send to policy@lincoln.gov.uk and include in Committee Reports which are to be sent to the relevant officer in Democratic Services

The Equality and Human Rights Commission guidance to the Public Sector Equality Duty is available via: www.equalityhumanrights.com/new-public-sector-equality-duty-guidance/

City of Lincoln Council Equality and Human Rights Analysis Toolkit: Glossary of Terms

Adult at Risk - an adult at risk is a person aged 18 years or over who is or may be in need of community care services by reason of mental health, age or illness, and who is or may be unable to take care of themselves, or protect themselves against significant harm or exploitation.

Adverse Impact. Identified where the Council's operations has a less favourable effect on one or more groups covered by the Equality Act 2010 than it has on other groups (or a section of a group)

Carer - see also disability by association. A carer is a person who is unpaid and looks after or supports someone else who needs help with their day-to-day life, because of their age, long-term illness, disability, mental health problems, substance misuse

Disability by association. Non disabled people are also protected from discrimination by association to a disabled person. This might be a friend, partner, colleague or relative. This applies to carers who have a caring responsibility to a disabled person.

Differential Impact. Identified where a policy or practice affects a given group or groups in a different way to other groups. Unlike adverse impact, differential impact can be positive or negative.

Disability. It is defined under the Equality Act 2010 as 'having a physical or mental impairment which has a substantial and adverse long term effect on a person's ability to carry out normal day to day activities'.

Physical impairment is a condition affecting the body, perhaps through sight or hearing loss, a mobility difficulty or a health condition.

Mental impairment is a condition affecting 'mental functioning', for example a learning disability or mental health condition such as manic depression

Diversity. Diversity is about respecting and valuing the differences between people. It is also recognising and understanding the mix of people and communities who use services and their different needs.

Discrimination. Discrimination has been defined as 'the unequal treatment of individuals or groups based on less because of a protected characteristic – see protected characteristic. This includes discrimination by association, perception, direct and indirect discrimination.

Example of discrimination: An employer does not offer a training opportunity to an older member of staff because they assume that they would not be interested, and the opportunity is given to a younger worker

Equality. The right of different groups of people to have a similar social position and receive the same treatment:

Equality Analysis. This is a detailed and systematic analysis of how a policy, practice, procedure or service potentially or actually has differential impact on people of different Protected Characteristics

Equality Objectives. There are specific strategic objectives in the area of equalities and should set out what services are seeking to achieve in each area of service in terms of Equality.

Equality of Opportunity. Equality of opportunity or equality opportunities may be defined as ensuring that everyone is entitled to freedom from discrimination. There are two main types of equality encompassed in equal opportunities:

1. Equality of treatment is concerned with treating everyone the same. Thus, in an organisational context it recognises that institutional discrimination may exist in the form of unfair procedures and practices that favour those with some personal attributes, over others without them. The task of equal opportunities is therefore concerned with the elimination of these barriers.
2. Equality of outcome focuses on policies that either have an equal impact on different groups or intend the same outcomes for different groups.

Evidence. Information or data that shows proof of the impact or non impact - evidence may include consultations, documented discussions, complaints, surveys, usage data, and customer and employee feedback.

Foster good relations. This is explicitly linked to tackling prejudice and promoting understanding.

General Equality Duty. The public sector equality duty on a public authority when carrying out its functions to have 'due regard' to the need to eliminate unlawful discrimination and harassment, foster good relations and advance equality of opportunity.

Gender reassignment. The process of changing or transitioning from one gender to another – for example male to trans-female or female.

Harassment. This is unwanted behaviour that has the purpose or effect of violating a person's dignity or creates a degrading, humiliating, hostile, intimidating or offensive environment.

Human Rights – Human rights are the basic rights and freedoms that belong to every person in the world - **see below**

Marriage and Civil Partnership. Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters. Single people are not protected. Discrimination on grounds of marriage or civil partnership is prohibited under the Act. The prohibition applies only in relation to employment and not the provision of goods and services.

Pregnancy and Maternity. Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Protected Characteristics. These are the grounds upon which discrimination is unlawful. The characteristics are:

- | | | |
|-----------------------|--|----------------------------------|
| • Age | • Race | • Marriage and civil partnership |
| • Disability | • Religion and belief (including lack of belief) | • Pregnancy and maternity |
| • Gender reassignment | • Sex/gender | • Sexual orientation |

Public functions. These are any act or activity undertaken by a public authority in relation to delivery of a public service or carrying out duties or functions of a public nature e.g. the provision of policing and prison services, healthcare, including residential care of the elderly, government policy making or local authority services.

Race. This refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion or belief. Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Section 11 of the Children Act. This duty is a duty under the Children Act 2004 that requires all agencies with responsibilities towards children to discharge their functions with regard to the need to safeguard and promote the welfare of children. They must also ensure that any body providing services on their behalf must do the same. The purpose of this duty is that agencies give appropriate priority to safeguarding children and share concerns at an early stage to encourage preventative action.

Sex. It refers to whether a person is a man or a woman (of any age).

Sexual Orientation. A person's sexual attraction is towards their own sex; the opposite sex; or to both sexes: *Lesbian, Gay or Bisexual*

Victimisation. Victimisation takes place where one person treats another less favourably because he or she has exercised their legal rights in line with the Equality Act 2010 or helped someone else to do so.

Vulnerable Adult. A Vulnerable Adult is defined as someone over 16 who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or exploitation'

Human Rights

Human rights are the basic rights and freedoms that belong to every person in the world. They help you to flourish and fulfill your potential through:

- being safe and protected from harm
- being treated fairly and with dignity
- living the life you choose
- taking an active part in your community and wider society.

The Human Rights Act 1998 (also known as the Act or the HRA) came into force in the United Kingdom in October 2000. It is composed of a series of sections that have the effect of codifying the protections in the European Convention on Human Rights into UK law.

The Act sets out the fundamental rights and freedoms that individuals in the UK have access to. They include:

- Right to life
- Freedom from torture and inhuman or degrading treatment
- Right to liberty and security
- Freedom from slavery and forced labour
- Right to a fair trial
- No punishment without law
- Respect for your private and family life, home and correspondence
- Freedom of thought, belief and religion
- Freedom of expression
- Freedom of assembly and association
- Right to marry and start a family
- Protection from discrimination in respect of these these rights and freedoms
- Right to peaceful enjoyment of your property
- Right to education
- Right to participate in free elections

Many every day decisions taken in the workplace have no human rights implications. However, by understanding human rights properly you are more likely to know when human rights are relevant and when they are not. This should help you make decisions more confidently, and ensure that your decisions are sound and fair.

EXECUTIVE**18 MARCH 2024**

SUBJECT: RENEWAL OF REGULATION 7 DIRECTION ON LETTINGS BOARDS

DIRECTORATE: COMMUNITIES AND ENVIRONMENT

REPORT AUTHOR: DONNA MORRIS, PLANNING ENFORCEMENT OFFICER

1. Purpose of Report

- 1.1 To provide an update on the Regulation 7 Direction on lettings boards in certain areas of the City which removed deemed consent for lettings boards on residential properties.
- 1.2 To decide whether to apply to the Secretary of State for a renewal of the Regulation 7 Direction which expires in April 2024.

2. Executive Summary

- 2.1 Approval was given by the Secretary of State on 8 April 2019 to implement a restriction under Regulation 7 of the Town and Country Planning (Control of Advertisements) Regulations 2007. This removed deemed consent for lettings boards usually given under Class 3(A) of the regulations and meant that express advertisement consent would be required for lettings boards in the specific areas covered by the Regulation 7. This restriction requires renewal after a period of five years.
- 2.2 The areas covered by the Direction are the Monks Road area, West End area, Sincil Bank area, Union Road and Waterloo Street (Appendix A). These areas were identified, through enforcement complaints from residents and Councillors and by officers of the Council as being the areas where the most lettings boards were being displayed. It is worth noting that some parts of the Monks Road, West End and Sincil Bank areas are within Conservation Areas. Union Road is within a Conservation Area and is also covered by an Article Direction which removes permitted development rights to carry out alterations to the exterior of the properties.

3. Background

- 3.1 The Town and Country Planning (Control of Advertisements) Regulations 2007 currently gives deemed consent for residential sale and lettings boards provided they meet the following criteria:
 - It must not exceed 0.5 of a square metre for a single board
 - It must not exceed 0.6 of a square metre for two boards joined together
 - It must not extend outwards from a building by more than 1 metre
 - Only one board may be displayed on a property

- It must be removed not later than 14 days after completion of a sale or granting of a tenancy

3.2 Boards which do not meet the criteria for deemed consent were dealt with using Planning Enforcement powers under the Town and Planning (Control of Advertisements) Regulations 2007. However, due to the proliferation of lettings boards in certain areas where there are a high number of houses in multiple occupation, this became increasingly difficult to enforce. The main issue was the continuous display of many boards and the difficulty in establishing if these properties did have rooms available to rent. The proliferation of lettings boards were harmful to visual amenity and to the overall residential amenity of the areas in question.

3.3 A consultation took place between 16 October and 30 November 2017 as part of the application for the Regulation 7 Direction. This consultation was open to everyone regardless of where they lived. An explanatory leaflet and questionnaire was made available in the Council's Reception area and a dedicated page created on the Council's website with a link to the online questionnaire. The consultation also targeted stakeholders in the following ways:

- Article placed in the Council's newsletter 'Your Lincoln' which is distributed City wide
- Article placed in Sincil Bank newsletter
- 82 letters and emails were sent out to letting agents, landlord associations and signage installers with a link to the questionnaire
- Affected Residents Associations were emailed and 150 paper copies of the information leaflet sent out where required
- 8 site notices were posted around the proposal areas
- Ward Councillors were emailed and encouraged to discuss the proposal with their constituents in order to encourage participation in the consultation
- The City's two universities and the College within one of the proposed areas was consulted by email; emails were sent to Accommodation Officers and/or Student Union Presidents where direct email addresses were known.

3.4 The consultation highlighted the following:

- 134 responses were received; of these responses 61% considered the display of lettings boards to be a very serious problem and almost 18% considered them to be a fairly serious problem

- 85 of the respondents supported a complete ban on lettings boards
 - 91% of respondents agreed with restriction being implemented on the areas proposed
 -
- 3.5 Following on from this, an application was made to the Secretary of State to implement a Regulation 7 Direction in the most problematic areas of the City. The Direction was approved and came in to force on 8 April 2019.
- 3.6 Since the implementation of the Direction in 2019, 55 complaints have been made to Planning Enforcement regarding the display of unauthorised lettings boards. Of these 55, 100% of them were removed upon request by the Planning Enforcement Officers once the offender was made aware of the Regulation 7 Direction in place. To date, no further action has been necessary.
- 3.7 Five years have now passed since the implementation of the Regulation 7 Direction and it is necessary to decide whether to begin the process for renewal of the current Direction which will expire on 8 April 2024. Following the success of the current Direction, we are now seeking to agree a ten year Direction.
- 3.8 The character of the areas covered by the Direction has not changed since the original application. The Sincil Bank, West End and Monks Road areas have a high density of properties, many of which are occupied as houses in multiple occupation resulting in a transient community. The streets in these areas exhibit a repeated pattern of vertical facades and a strong, singular building line which means that the proliferation of lettings boards was very apparent. Should the Regulation 7 Direction be removed it is likely that the proliferation of boards would recur, causing significant visual harm in this area.
- 3.9 Union Road and Wellington Street were previously recognised as a problem due to the high number of boards on such a small number of properties on these streets. This again caused significant visual harm which is likely to recur if the Regulation 7 Direction is not renewed.

4. Survey Results

- 4.1 A survey of the five areas currently covered by the Regulation 7 Direction was carried out on 15 January 2024. During the course of the survey, only two lettings board were identified within the restricted areas. The letting agents were contacted and reminded of the Direction and these were removed.
- 4.2 The photographs included as Appendix B were taken before and after the implementation of the current Regulation 7 Direction and illustrate the improvement made to the visual amenity of the areas.

5. Organisational impacts

5.1 Finance

There are no financial impacts arising from this report.

5.2 Legal implications

There are no legal impacts arising from this report.

5.3 Equality, Diversity and Human Rights

Consideration has been given to the impact on equality, diversity and human rights and the Equality Impact Assessment toolkit has been reviewed. The original consultation provided an opportunity for residents and tenants to raise any concerns, and the consultation response from the Students' Union did suggest a potential positive impact on student properties. Otherwise, it was concluded that there are no direct impacts to be assessed.

6. Risk Implications

A risk assessment has been produced and is included as Appendix C.

7. Recommendation

- 7.1 Executive is asked to approve the recommendation that the City Council apply to the Secretary of State for a renewal of the Regulation 7 Direction to remove deemed consent for the display of lettings boards in the Monks Road area, West End area, Sincil Bank area, Union Road and Waterloo Street, Lincoln.

Is this a key decision?

No

Do the exempt information categories apply?

No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?

No

How many appendices does the report contain?

3

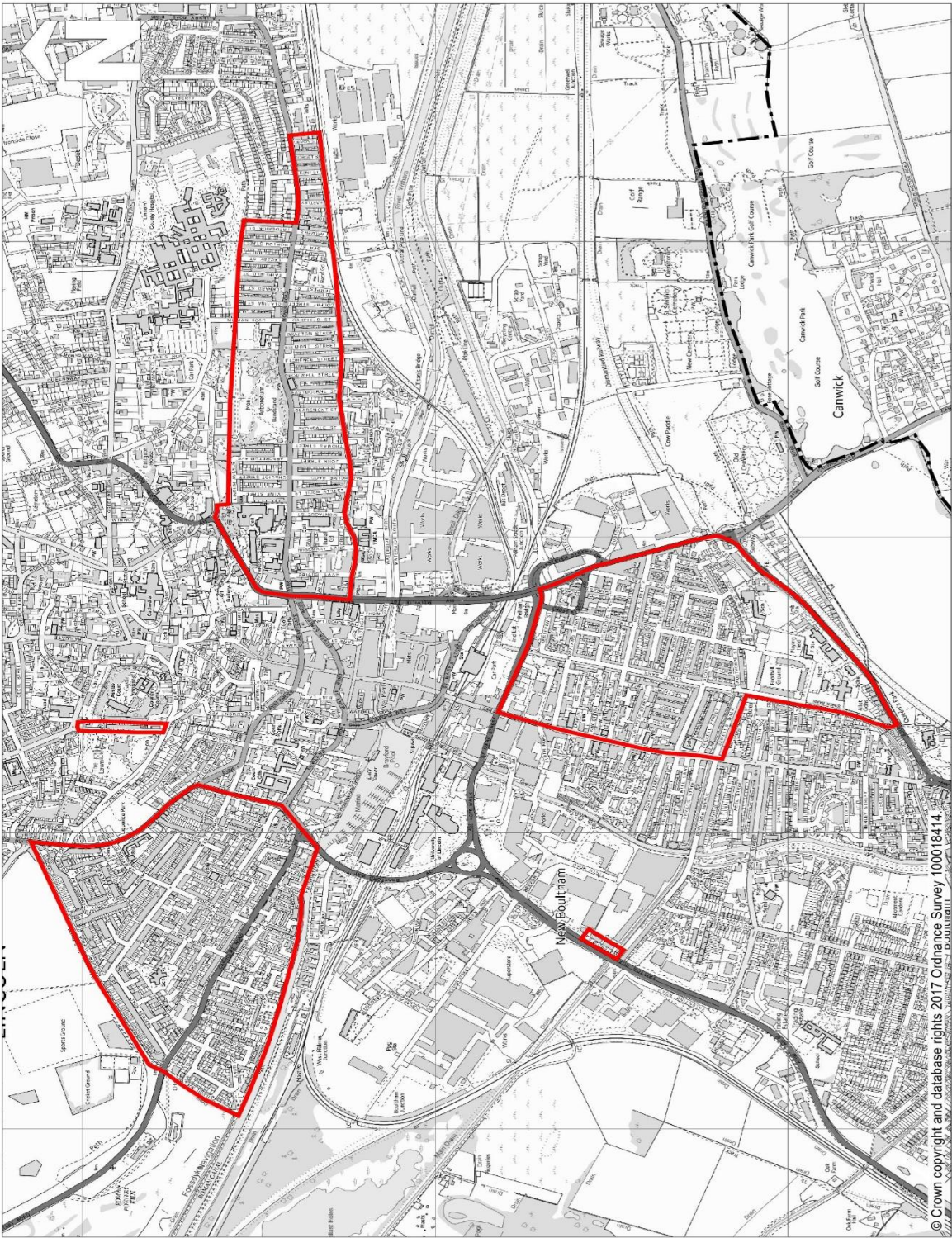
List of Background Papers:

None

Lead Officer:

Donna Morris
Planning Enforcement Officer
Donna.morris@lincoln.gov.uk

Appendix A



Proposed Regulation 7 Direction Areas
Scale: 1:15000 at A4
Version 2: 28-Sep-2017

Appendix B

Newland St West - Before



Newland St West – After



Baggholme Road - Before



Baggholme Road – After





RISK REGISTER TEMPLATE

162

Likelihood		A Almost Certain	Retain	Transfer Modify Retain	Avoid Transfer Modify	Avoid Transfer Modify	<i>Occurs several times per year. It will happen.</i>
		B Probable	Retain	Prioritise for Modifying Retain	Transfer Modify Retain	Avoid Transfer Modify	<i>It has happened before and could happen again.</i>
		C Possible	Retain	Prioritise for Modifying Retain	Prioritise for Modifying	Transfer Modify Retain	<i>It may happen but it would be unusual.</i>
		D Hardly Ever	Retain	Retain	Retain	Prioritise for Modifying Retain	<i>Never heard of it occurring. We can't imagine it occurring.</i>
			4 Negligible	3 Minor	2 Major	1 Critical	
			Impact				

RISK REGISTER FOR: Regulation 7 Direction applications
VERSION: 1
REVIEWED FEBRUARY 2024
OWNER: D Morris

Risk No:	Risk Description: Risk, cause, and consequence	Risk Owner Job title or initials	Risk Appetite 1. Hungry; 2.Creative & aware; 3.Cautious; 4.Averse	Controls/Actions Actions that have or can be taken to reduce the likelihood and/or impact		Current Risk Score	Target Risk Score at end of January 2018	Assurance – status (tool 9) (Full, Substantial, Limited, Inadequate)	Assurance – Direction of Travel (Improving, Static, Declining)
				Current/Already in Place	Required Mitigation (inc timescales)				
1	Refusal of application to Secretary of State	DM	2	1. Comprehensive board surveys 2. Evidence of success of current Direction					
2	Negative publicity for the Council	DM	2	1. Previous Consultation with stakeholders 2. Evidence of success of current Direction					

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EXECUTIVE

18 MARCH 2024

SUBJECT:	SAFEGUARDING & PROTECTING VULNERABLE PEOPLE POLICY 2024
DIRECTORATE:	CHIEF EXECUTIVE & TOWN CLERK
REPORT AUTHOR:	EMILY KATE HOLMES – ASSISTANT DIRECTOR – TRANSFORMATION & STRATEGIC DEVELOPMENT

1. Purpose of Report

- 1.1 To present the revised Safeguarding & Protecting Vulnerable People Policy to Executive Committee for approval.

2. Executive Summary

- 2.1 Safeguarding is a statutory duty for the council. It encompasses a range of legal duties and responsibilities designed to protect people's health, wellbeing, and human rights, and support them in preventing problems from escalating and enabling them to live free from harm, abuse, and neglect. This report provides an overview of the policy to support the council to fulfil its statutory responsibilities and to demonstrate safeguarding competence and compliance.
- 2.2 City of Lincoln's existing safeguarding policy was already aligned to agreed county multi-agency policy and practices. Safeguarding compliance is audited and checked through a process of self-assessment and external audit by the respective safeguarding boards.
- 2.3 This report presents the updated safeguarding policy and procedures which have been amended as part of the full review which is required every three years. The key changes are summarised in the report.

3. Background

- 3.1 The Council has statutory duties to undertake in relation to safeguarding and to promote the wellbeing of individuals and communities. Safeguarding covers a range of legal duties and responsibilities to protect people's health, wellbeing and human rights, to prevent problems from escalating and enabling households and individuals to live free from harm, abuse and neglect.
- 3.2 To safeguard residents, the council works collaboratively with other statutory services including Lincolnshire Police, Adult Social Care and Children's Services. The way agencies work together is shaped through countywide strategic partnerships including Lincolnshire Safeguarding Children's Partnership, Lincolnshire Safeguarding Adults Board, Safer Lincolnshire Partnership and Domestic Abuse Strategic Partnership.

4. Safeguarding and Protecting Vulnerable People Policy and Procedures

- 4.1 The Safeguarding and Protecting Vulnerable Policy and Procedures supports the Council to protect those who need safeguarding by providing a reference point and guidance for staff, elected members, volunteers and commissioned services acting on behalf of the Council. This document seeks to provide practical guidance to ensure the Council undertakes its duties and promotes the wellbeing of residents and communities.
- 4.2 Safeguarding responsibilities are broadly consistent across the different areas of protecting vulnerable people. This includes;
- Having effective policy and procedures in place with clear roles and responsibilities
 - Recognising abuse or knowing how to recognise concerns
 - Training and safely recruiting a capable workforce
 - Reporting concerns to partner agencies
 - Working closely with partners such as social care services, health agencies, Lincolnshire Police and other local authorities
 - Responding to allegations
 - Undertaking and participating in regular audit and scrutiny for continuous improvement
- 4.3 This report provides an updated version of existing policies and framework to fulfil statutory duties and demonstrate safeguarding competence and compliance following a full review.
- 4.4 The key policy changes in the document can be summarised;
- Updated Policy title to include Protecting Vulnerable People
 - Roles and responsibilities updated to reflect change in personnel
 - Sectioned the policy into parts for ease of navigation and to enable clear version control and updates for topics
 - Updated guidance on domestic abuse to reflect the implementation of the Domestic Abuse Act 2021 and joint multi-agency domestic abuse protocol
 - Updated to reflect multi-agency working practices including the joint agency escalation protocol, self-neglect protocol and joint multi-agency domestic abuse protocol
 - Updates to Prevent to reflect the updated statutory guidance and Venue Hire Policy
 - Refreshed and updated links to external resources and guidance

5. Strategic Priorities

- 5.1 Consideration and support for vulnerable residents is an integral part of the council's strategic plan, Vision 2025, and particularly the priority 'Let's reduce all kinds of inequality'. The remit covered through the Safeguarding & Protecting Vulnerable People Policy and Procedures demonstrate how the Council provides help and support to the most vulnerable in the city. This is delivered by making sure vulnerable residents have access to advice and services, working closely with partners to ensure that correct support is in place.

6. Organisational Impacts

6.1 Finance (including whole life costs where applicable)

There are no direct financial implications arising from this report.

6.2 Legal Implications including Procurement Rules

Maintaining appropriate Safeguarding Policy & Procedures, the council ensures that any legal requirements and duties are being met including;

- The Children Act 1989 and 2004
- The Safeguarding Vulnerable Groups Act 2006
- Care Act 2014
- Counter-Terrorism and Security Act 2015
- Domestic Abuse Act 2021
- Working Together to Safeguard Children 2023 statutory guidance
- Prevent Duty Guidance (updated 2023)

6.3 Equality, Diversity and Human Rights

The policy and procedures provides information to protect vulnerable individuals from significant harm. There is a responsibility to protect children and young people until they reach their 18th birthday and adult safeguarding responsibilities are in place for vulnerable individuals from the age of 18 onward. The policy highlights the need to have specific regard to individuals with disabilities, be aware of additional care needs and mental capacity at a given time. The policy refers to cultural abuse and also protection of harm for those individuals impacted by Hate Crime and Mate Crime. A person is not defined as vulnerable because of a single characteristic however some characteristics may be a contributing factor in putting an individual at risk.

7. Risk Implications

- 7.1 (i) Alternative options considered were that the policy is not updated or that the council has 8 separate policies and procedures for Safeguarding Children, Safeguarding Adults at Risk, Domestic Abuse, Stalking, Hate Crime & Mate Crime, Modern Slavery & Human Trafficking, County Lines & Cuckooing and Preventing Violent Extremism. This is not recommended.
- 7.2 (ii) Key Risks Associated with the Preferred Approach – “Failure to protect the vulnerable in relation to the Council’s PREVENT and compliance with safeguarding and domestic abuse duties” is a risk identified in the Council’s strategic risk register. Having an up-to-date policy and procedure that is relevant, current and simple to understand helps mitigate against this risk.

8. Recommendations

- 8.1 That feedback from the meeting of Policy Scrutiny Committee dated 12 March 2024 (*Minute ‘To Follow*) on the adoption of the revised Safeguarding and Protecting Vulnerable People Policy and Procedures be reviewed.
- 8.2 That the content of the report and the updated policy and procedures be approved.

Is this a key decision?	No
Do the exempt information categories apply?	No
Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?	No
How many appendices does the report contain?	9
List of Background Papers:	None
Lead Officers:	<p>Emily Kate Holmes, Assistant Director Transformation & Strategic Development and Joanne Smith, Safeguarding Lead Officer Emily.kate.holmes@lincoln.gov.uk Joanne.smith@lincoln.gov.uk</p>



Safeguarding & Protecting Vulnerable People Policy and Procedures 2024

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INTRODUCTION

Safeguarding encompasses a range of legal duties and responsibilities designed to protect people's health, wellbeing, and human rights, and support them in preventing problems from escalating and enabling them to live free from harm, abuse, and neglect.

The Council has a range of statutory duties to carry out in relation to safeguarding and promoting the wellbeing of individuals and communities. This policy has been written to support the Council in protecting those who need safeguarding by providing a reference point and guidance for staff, elected members, volunteers, key contractors, consultants and directly commissioned providers acting on behalf of the Council. It seeks to provide practical guidance to ensure that the Council plays its full part in safeguarding and promoting the wellbeing of its individuals and communities at all times.

Safeguarding involves a number of key agencies including; Lincolnshire County Council's Children's Services and Adult Social Care, Health Agencies including GPs, mental health services and commissioned services in the county and Criminal Justice Agencies including Lincolnshire Police and Probation. Our duties do not extend to areas which would be considered the responsibility of our partners, but there are duties to cooperate and to have effective processes in place with regard to collaboration.

A consistent and effective approach is needed across the Council to ensure that statutory responsibilities are met, to protect the community, and protect the reputation of the Council. Safeguarding responsibilities of the Council include:

- Having effective safeguarding policies and procedures in place;
- Recognising signs of abuse or safeguarding concerns;
- Effective training of staff, safe recruitment and capable workforce
- Referring concerns to partner agencies;
- Working closely with partners such as the police, social care, health agencies, probation and other local authorities;
- Undertaking and participating in regular audit and scrutiny for assurances.

OVERVIEW AND POLICY COMMITMENT

This Policy aims to protect: children, young people and adults who need safeguarding, including employees, volunteers, apprentices and students; those who use our services or are cared for by others who use our services; and those with whom our staff, elected members, volunteers, key contractors and directly commissioned providers acting on behalf of the Council have contact.

It aims to:

- Ensure that the Council plays its full role in safeguarding and promoting the health, welfare and wellbeing of children, young people, and adults at risk, at all times;
- Raise awareness of the duty of care and responsibilities relating to safeguarding throughout the Council;
- Ensure a person-centred approach which puts people's own needs and wishes first, hears their voice, respects their views, and upholds their human rights;
- Achieve the best possible outcomes for all individuals, including enabling all children and young people to 'Stay Safe, Be Healthy, Enjoy and Achieve, make a Positive Contribution and

Achieve Economic Wellbeing' (Children Act 2004), promoting the wellbeing of adults who have care or support needs and safeguarding vulnerable groups to avoid harm;

- Secure stable relationships with professionals built on trust, with consistent support to meet their individual needs and with all decisions taken in line with the Mental Capacity Act (MCA) 2005;
- Ensure that everyone involved gets the support they need before a problem escalates;
- Provide a proportionate, timely, supportive, informed, and professional response to anyone experiencing abuse or neglect;
- Actively encourage good practice amongst staff and promote wider awareness where possible (for example partner organisations, service user groups and community);
- Create a safe and healthy environment within all of our services, avoiding situations where abuse or allegations of abuse may occur;
- Ensure that we safely recruit, train, supervise and support staff, elected members and volunteers appropriately and in accordance with Disclosure and Barring Service (DBS) guidance.
- Ensure commitment to working in partnership with other agencies at both a strategic and operational level

ROLES AND RESPONSIBILITIES

Safeguarding is everyone's business. This policy provides guidance for anyone working on behalf of the Council who may come into contact with children, young people, vulnerable adults, and their families. This policy affects every Council staff member, elected member, volunteer and anyone working on behalf of and / or representing the Council.

All individuals to whom this policy and procedures apply must know where and how to access it, have a clear understanding of how, why and who to contact with their concerns and complete appropriate training in order to fulfil their responsibility in being able to identify and respond to wellbeing concerns, abuse or alleged abuse and poor practice. All officers who visit people's homes must be particularly alert to signs of abuse or neglect. All officers must always report and respond to concerns, doing so swiftly to ensure the safety and wellbeing of anyone at risk or suspected of being at risk. All employees should discuss concerns with the appropriate person or organisation as set out throughout this policy and its associated procedures.

It is the responsibility of those who have a role in engaging services to ensure that volunteers, key contractors, consultants and directly commissioned providers acting on behalf of the Council meet these requirements.

If anyone subject to this policy finds, for whatever reason, they do not believe that they can fully comply with all requirements they must notify the Designated Safeguarding Officer or a Deputy Designated Safeguarding Officer immediately:

Safeguarding Lead & Deputy Designated Safeguarding Officer

Jo Smith, joanne.smith@lincoln.gov.uk 01522 873 834

Designated Safeguarding Officer

Emily Kate Holmes, Assistant Director – Transformation & Strategic Development, emily.kate.holmes@lincoln.gov.uk 01522 873 277

Whilst safeguarding is everyone's business, the Council has named officers who take specific responsibility for:

- Supporting staff to report concerns;
- Developing and reviewing policies and procedures;
- Working in partnership with other organisations to develop best practice and shared learning
- Providing, coordinating, and monitoring training for staff and elected members;
- Providing training to all new staff and elected members as part of the council's induction process;
- Ensuring engagement and compliance with audit frameworks;
- Implementing audit recommendations and changes to legislation;
- Engaging in serious case reviews and domestic homicide reviews;
- Co-ordinating a corporate safeguarding group to ensure that protecting vulnerable people is embedded across the organisation.

The Councils corporate safeguarding roles and responsibilities are set out below:

Corporate Safeguarding Role	Overview of Responsibilities	Corporate Lead Officer(s)
Designated Safeguarding Officer (DSO)	The Designated Safeguarding Officer has overall responsibility for safeguarding and will: Represent the council on safeguarding matters at an external and strategic level and have overall responsibility for ensuring the council is meeting its safeguarding requirements; Review the safeguarding policy and procedures; Represent the council in the instance of any serious case review or domestic homicide review; Be the council spokesperson in the event of any public / media enquiries;	Assistant Director – Transformation & Strategic Development
Lead Safeguarding Officer and Deputy DSO	Lead Safeguarding Officer will: Deputise for the Designated Safeguarding Officer as required; Advise staff on responding to and referring safeguarding concerns; Represent the council at multi-agency case management meetings, and support and guide officers presenting cases when needed Maintain communication channels with outside agencies including attending strategic partnership meetings Ensure that all cases are collated, recorded, reported, and reviewed, and all requests for information are responded to within the required timescales to support case reviews and inspections Advise on policy updates and learnings from case reviews Provide professional advice and expertise on policy and procedure matters and develop and implement new policies Advise on training requirements and briefings Be the Council's point of contact for external agencies for case work	Safeguarding Lead Officer

Senior Safeguarding Officers and Deputy Safeguarding Officers	<p>Senior Safeguarding Officers will:</p> <p>Deputise for the Lead Safeguarding Officer as required</p> <p>Represent the council at multi-agency case management meetings on occasion</p> <p>Advise staff on responding to and referring safeguarding concerns</p> <p>Be a point of contact for safeguarding within their directorate</p>	PPASB & Licensing Services Manager, Business Manager – Corporate Policy & Transformation Customer Services Team Leader Housing
Prevent Lead	<p>The Prevent Lead will:</p> <p>Represent the Council at relevant meetings;</p> <p>Ensure that the website, intranet and Safeguarding Policy contain up-to-date information and advice</p> <p>Recommend training for staff and elected members</p> <p>Provide advice to Safeguarding Officers on Prevent/Channel referrals</p>	PPASB & Licensing Services Manager
Protecting Vulnerable People Group	<p>The Protecting Vulnerable People group will:</p> <p>Ensure that safeguarding is effectively managed and understood across the organisation and that safeguarding responsibilities are complied with</p> <p>Be responsible for delivering safeguarding actions and sharing learning across the organisation.</p>	
Corporate Leadership Team – CMT & ADs	<p>CLT will:</p> <p>Be responsible for ensuring safeguarding is embedded and prioritised throughout directorates</p> <p>Seek assurances through annual reporting</p> <p>Monitor strategic corporate risks regarding safeguarding</p>	
Portfolio Holder and Member Safeguarding Champion	<p>The Portfolio Holder and Member Safeguarding Champion;</p> <p>Will encourage and promote member training and awareness on safeguarding topics and emerging issues</p> <p>Will receive relevant briefings from officers and provide annual updates to members to give assurance that the council is compliant with safeguarding duties.</p>	
Safer Recruitment	<p>Employers need to identify candidates who may be unsuitable for certain jobs, especially work that involves vulnerable groups including children.</p> <p>Ensure that the Council makes safe recruitment decisions in line with the requirements of the Disclosure and Barring Service (DBS)</p> <p>Ensure that the Council's DBS policy is up to date and reviewed in line with any legislative changes.</p> <p>HR will:</p> <p>Support safeguarding leads to identify posts that need DBS clearance;</p>	Service Managers, Human Resources

	Undertake DBS checks for all identified posts; Advise management of strategic risks relating to people; Maintain records to demonstrate current compliance of DBS for identified posts.	
Service Managers and Line Managers	Service Managers and Line Managers are responsible for increasing safeguarding awareness in their services. Dealing with abuse and neglect can be stressful and distressing and staff can be left feeling concerned about a situation or case they have experienced. They will: Support and supervise staff appropriately; Ensure that their team members complete all relevant training requirements; Share safeguarding information throughout teams, supported by the protecting vulnerable people group; Respond promptly to requests for information regarding specific cases and maintain clear communication with the safeguarding officers, and good working relationships with other agencies to address any difficulties between front line staff; Support the review of this policy and its procedures where required; Ensure that all concerns and cases are reported, logged and responded to appropriately.	

TRAINING AND DEVELOPMENT

It is essential that everyone to whom this safeguarding policy applies is able to recognise and respond to possible safeguarding risks and concerns across all relevant policy areas. The level of training and knowledge required by each person is determined by their role and their level of contact with vulnerable customers – all roles within the organisation will be categorised using the requirements of the National Competencies Framework (NCF) for Children and Adults.

All training is delivered either face to face, via workshops or via e-learning modules which are either delivered in partnership with, or endorsed by the respective safeguarding, domestic abuse, prevent boards and strategic groups. **Safeguarding training is mandatory.** Training is undertaken during induction to the organisation and then on a six-year rolling programme. This follows the Lincolnshire Safeguarding Adult Board 6 Year Safeguarding Adult Training Pathway and the Lincolnshire Safeguarding Children Partnership 6 Year Safeguarding Children Training Pathway. E-Learning modules are reviewed and updated quite regularly as courses must be updated to meet the changing needs. The e-learning modules are accessed through the Lincolnshire Safeguarding Children Partnership and Lincolnshire Safeguarding Adults Board [learning platform](#).

The table below outlines the training groups. If you are unsure which level of training is relevant to your role or if you have any questions, please contact the Safeguarding Lead Officer for advice or email safeguarding@lincoln.gov.uk

Training Group	Definition for Grouping	Who is this?
1	Those with infrequent contact with children, young people and vulnerable adults who may become aware of possible abuse, neglect, or maltreatment.	All staff, volunteers, general contractors, consultants
2	Those with regular contact or periods of intense but irregular contact with children, young people, and vulnerable adults who may be in a position to identify concerns regarding abuse, neglect, or maltreatment.	Key contractors, housing, homelessness, PPASB, community safety, communities, leisure and culture and staff involved in home visits
3	Operational Managers at all levels. Senior managers responsible for strategic management of services. Those with oversight of systems, policies, and procedures in their department.	Service managers, senior officers, Assistant Directors of relevant services.
4	Designated lead professionals in TAC, child protection, MAPPA, and MARAC work. Those responsible for ensuring their organisation is at all levels fully committed to safeguarding and have appropriate systems and resources in place.	Defined roles in housing, homelessness, PPASB, community safety, safeguarding, designated safeguarding officer, deputy designated safeguarding officer,
5	Staff without IT access	Staff without IT will be trained through briefings

Elected Members: All elected members will be offered safeguarding training when they are elected, as part of the induction process. They will also be required to complete the e-learning induction module 'Introduction to Safeguarding Everyone in Lincolnshire' during their first year in office. Elected Members will be offered opportunities to increase their safeguarding awareness through e-learning modules and thematic training and briefings.

Staff without IT access: All staff without IT access will need to attend safeguarding briefing sessions. The briefing will cover general safeguarding principles, personal responsibilities and who to contact with any concerns. These may be delivered face to face, or virtually.

Multi-agency face to face training: certain role, predominantly those in training group 4 will require more in-depth face to face training. These are accessed via the

SUPERVISION AND APPRAISAL

People work best when they are well informed, trained and supported. Supervision should improve the quality of practice, support the development of integrated working and ensure continuing professional development. Effective supervision involves regular face-to-face discussion with skilled managers, including reflective practice, to enable staff to work confidently and competently with difficult and sensitive situations.

This includes:

- Ensuring that service users and their carers receive a quality service
- Enabling understanding and implementation of policies and procedures
- Supporting staff to be clear about their responsibilities and accountabilities
- Giving staff opportunities to reflect on, analyse and evaluate practice
- Giving staff opportunities to discuss best practice and safeguarding concerns
- Providing personal support when dealing with difficult cases.

Staff leading on Team Around the Child (TAC) cases, MARAC, dealing directly with complex or distressing cases, involved in case reviews or court cases, will need and should receive appropriate support from their manager, the Safeguarding Lead Officer, Designated Safeguarding Officer or their deputies. This may include regular and ad hoc de-briefs, and opportunities to seek external support for their wellbeing if required. Appraisals should always include discussion of the safeguarding responsibilities of the role and training and development needs.

To support personal development and professional competence, managers can identify good practice through:

- Direct observation of the activity or service
- Undertaking case file audits, where appropriate
- Reviewing service user's feedback on the activities or services

Team Meetings should also include regular agenda items to share safeguarding information, concerns and best practice.

REPORTING CONCERNS AND RECORD KEEPING

If you feel that a child, young person, or vulnerable adult is at immediate risk of significant harm, then call Lincolnshire Police on 999. If however, you think they are at risk but that risk is not immediate, you must take appropriate action, calling 101 if you think a crime has been committed. You can contact the Safeguarding Lead Officer for advice and may also need to report the matter to the LCC Customer Services Centre (CSC) on 01522 782111 for children, 01522 782155 for adults, or emergency out of hours 01522 782333.

In all cases you should report the incident to the Safeguarding Lead Officer through the [Internal Safeguarding Online Form](#) or by emailing safeguarding@lincoln.gov.uk

For staff without IT access, please speak to your supervisor/line manager to report a concern.

Customer facing, front line services are most likely to come across safeguarding concerns in their day-to-day roles and will have an enhanced level of awareness. These staff groups/services will be more experienced in engaging with external agencies to report safeguarding concerns – as referrals or through multi-agency case management procedures such as Early Help, ASBRAC, VAP, MARAC. If you are aware that a case is already open and external services are aware of the child, family or vulnerable adult you can contact the relevant officer through LCC Customer Services Centre.

If you need advice on the most appropriate course of action, please speak with your line manager, Designated Safeguarding Officer or Deputy Safeguarding Officer.

If you have concerns – share them. For further guidance refer to Appendix A: Safeguarding Incident Flow Chart

Records must always be made with great care. They will almost always be open to inspection by others, including those about whom they are made; they may be required as evidence in case reviews of legal proceedings. Good records are factual, accurate, legible, comprehensive and made as soon after the incident as possible. They include direct evidence, such as the words used by individuals themselves, and specific information, such as the exact location of an injury (e.g. bruising 'on the left lower forearm just above the wrist', rather than 'on the arm'). Diagrams which explain family relationships, layouts of locations, or locations of injuries are helpful.

When making records, do not:

- Make value judgements about those involved
- Criticise those involved for their behaviours, attitudes, beliefs or actions
- Use jargon, slang, derogatory or negative language about victims or perpetrators
- Use abbreviations which are not explained
- Speculate or make assumptions about someone's explanations or actions.
- Speculating makes assumptions; professional curiosity teases out concerns and prevents assumptions being made.

Always record:

- The date and time of the incident
- The person's name, address and date of birth if known
- The nature of the allegation or incident and, if possible, the name, address, date of birth or any others involved, including the employer of anyone alleged to have caused the harm.
- Factual observations: visible injuries, the person's behaviour / physical / emotional state, etc.
- Exactly what they said, using their own words, and exactly what you said.
- Their consent to share the information.
- All actions you took: who you spoke to and all resulting actions so far. Include names, addresses and telephone numbers wherever possible.
- Date your record and store the information securely.

Consider whether a person involved needs adding to the Council's Exercise with Caution Register. If you feel that staff, councillors, volunteers, contractors or consultants may be at risk of harm from a person involved in a safeguarding incident or concern, seek advice from the Safeguarding Lead Officer, Designated Safeguarding Officer.

Where there is a case file for the person, your record should be stored securely on their file. Staff without IT access should telephone the Safeguarding Lead Officer.

CONFIDENTIALITY AND INFORMATION SHARING

Every effort should be made to ensure that confidentiality is maintained for all concerned. Information should be handled and disseminated on a need-to-know basis only. It is extremely important that allegations or concerns are not discussed, as any breach of confidentiality could be damaging to the child, young person, or vulnerable adult, to their family and any child protection, adult safeguarding or police investigations that may follow.

Informing the parents of a child or young person you have concerns about needs to be dealt with in a sensitive way and should be done in consultation with children's services / police. Any individual under

suspicion has the right to be notified about the cause for concern. It is important that the timing of this does not prejudice any investigation.

Recorded information (both paper and electronic) should be stored in a secure place, with access limited to officers named within the corporate safeguarding structure, in line with data protection laws.

If enquiries arise from the public (including parents) or any branch of the media, it is vital that staff, elected members, volunteers and anyone working for or on behalf of the Council are briefed as required so that they do not make any comments regarding the situation. The Designated Safeguarding Officer will be the designated spokesperson in the event of any public / media enquiries. In the absence of the Designated Safeguarding Officer, the query should be escalated to the Strategic Director of Housing and Investment or the Chief Executive.

Information Sharing: The Council is signed up to the Safer Lincolnshire Partnership Information Sharing Agreement, allowing full sharing of information between signatories, with the constraints of the GDPR. The Council is also signed up to specific information sharing agreements referring to Multi-Agency Risk Assessment Conference (MARAC), Anti-Social Behaviour Risk Assessment Conference (ASBRAC), ECINS and others. These agreements are updated annually.

As partnership approaches develop, case management forums or referral processes could be created or amended and as part of this, information sharing will be considered.

The Seven Golden Rules of Information Sharing

The following 'golden rules' have been taken directly from the [government guidance](#), "Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers" HM Government, July 2018

1. Remember that the General Data Protection Regulation (GDPR), Data Protection Act 2018 and human rights law are not barriers to justified information sharing but provide a framework to ensure that personal information about living individuals is shared appropriately.
2. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
3. Seek advice from other practitioners, or your information governance lead, if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.
4. Where possible, share information with consent, and where possible, respect the wishes of those who do not consent to having their information shared. Under the GDPR and Data Protection Act 2018 you may share information without consent if, in your judgement, there is a lawful basis to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be clear of the basis upon which you are doing so. Where you do not have consent, be mindful that an individual might not expect information to be shared.
5. Consider safety and well-being: base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.

6. Necessary, proportionate, relevant, adequate, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely (see principles).

7. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

CURIOSITY AND UNCERTAINTY

Professional Curiosity has previously been a recurring theme in Serious Case Reviews (SCR) across Lincolnshire. Professional curiosity is about having the capacity and communication skills to explore and understand what is happening with an individual or family. It is about enquiring more deeply and using proactive questioning and challenge. It is about challenging your own responsibility and knowing when to act rather than making assumptions or taking things at face value. The LSCP have published a [Professional Curiosity Resource Pack](#) which provides further information and guidance.

Respectful Uncertainty is about considering and where necessary challenging responses, looking beneath the surface and testing the facts and ‘gut feelings’ rather than accepting an explanation, however plausible.

INTER-AGENCY DISPUTES AND ESCALATION POLICIES

When working in the arena of safeguarding, it is inevitable that at times there will be professional disagreement. Whilst this is accepted, it is vital that such differences do not affect the outcomes for children, young people and vulnerable adults or detract from ensuring that they are safeguarded.

Disagreements could arise in a number of areas of multi-agency working as well as within single agency working, but are most likely to arise in relation to:

- Criteria for referrals;
- Outcomes of assessments;
- Roles and responsibilities of workers;
- Service provision;
- Information sharing and communication.

Having an Escalation Policy became a statutory requirement following a number of Serious Case Reviews.

If you are concerned or unhappy with the decisions or action/lack of action of another agency when referring a case or securing their involvement in supporting an individual, issues can be escalated through the Designated Safeguarding Officer or their Deputy, as they are required to challenge the managers within that partner agency by using the escalation policies set out by the LSCP or LSAB or other overarching body. Escalation actions can also be discussed and agreed through internal case meetings. The [Lincolnshire Joint Professional Escalation & Resolution Protocol](#) provides further advice and guidance.

If you feel that you need to use this process, please speak to the Lead Safeguarding Officer or Designated Safeguarding Officer before making a referral.

WHISTLE BLOWING

All staff, elected members, volunteers, key contractors and directly commissioned providers acting on behalf of the Council should refer to the Council's [Whistleblowing Policy](#) if they are concerned about how a safeguarding issue **has been dealt with**.

The Council will always adhere to the procedures set out by the LSCP, LSAB or other overarching body in such event. In addition, the NSPCC Whistleblowing Advice Line offers free advice and support to professionals with concerns about how child protection issues are being handled in their own or another organisation. They can be contacted on 0800 028 0285 or by emailing help@nspcc.org.uk

AUDIT AND QUALITY ASSURANCE

As a statutory agency, District Councils are subject to a number of internal and external audits and quality assurance mechanisms to ensure compliance and effective practices in each of the areas covered by this policy and associated procedures. All audit recommendations will be integrated into the Protecting Vulnerable People Development Plan. Regular updates will be monitored via the Protecting Vulnerable People Group with briefings provided to the Portfolio Holder and member Safeguarding Champion.

An annual report will be provided to members to provide assurance that the council continues to be vigilant on safeguarding matters, fulfilling its legal duties.

Ideas for improvement on response to safeguarding in any way, from changing the way we communicate through to adapting working practices, are always welcome. Feedback will always be taken on board and where we can make changes or improvements, we will do so. Initial suggestions can be emailed to safeguarding@lincoln.gov.uk for further discussion at Protecting Vulnerable People Group.

SAFER RECRUITMENT

It is the duty of employers to identify candidates who may be unsuitable for certain jobs, especially jobs that involve working with vulnerable groups such as children. The Human Resources team offers advice and support to the Council to enable relevant officers to make safer recruitment decisions in line with the requirements of the Disclosure and Barring Service (DBS). Council officers are responsible for the recruitment and management of staff within their service areas, but the Human Resources service provides support, guidance, and direction in terms of good practice and best approach.

MONITORING AND REVIEW

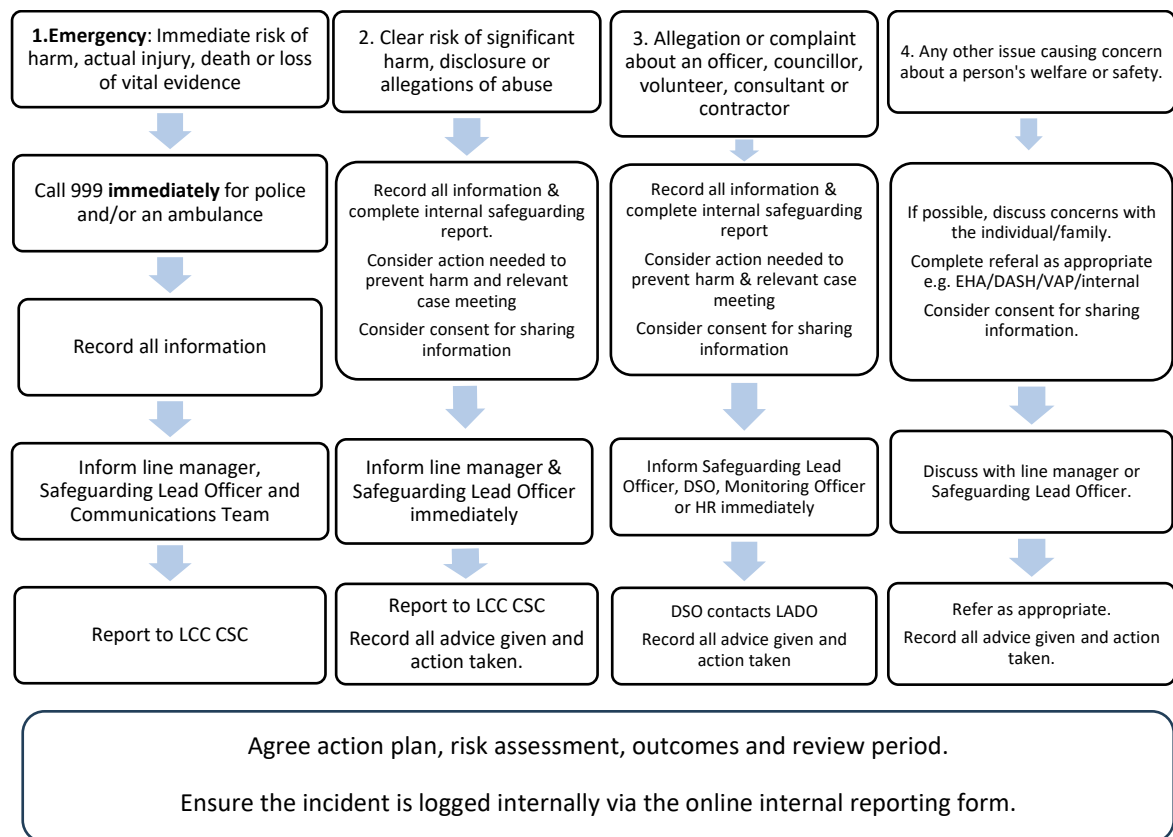
This Policy and its Procedures will be fully reviewed every three years. The revised policy will be discussed at Policy Scrutiny Committee and then approved by the Executive. The Policy will also be reviewed on an annual basis and updated where appropriate. If a weakness is identified in procedures or if national guidelines change between reviews, the policy will be reviewed and revised by the Designated Safeguarding Officer.

Changes to the policy or procedures will be reviewed via Protecting Vulnerable People Group and communicated via CLT and Service Managers across the organisation with briefings and information provided on the intranet.

All policy revisions will be dated and recorded in the table below.

Version	Reason	Amended	Approved	Published
1.0	Full 3 year review	Rebecca James Safeguarding Co-ordinator ELDC & Paula Burton, Housing Solutions Manager City of Lincoln Council September 2019	Daren Turner, Safeguarding Champion and Executive Committee	October 2019
2.0	Annual Review and updated Job Titles	Paula Burton, Safeguarding Officer	Protecting Vulnerable People Group December 2020	December 2020
3.0	Full 3 year review	Emily Kate Holmes, Assistant Director – Transformation & Strategic Development (DSO) January 2024	Executive 18.03.24 TBC	

Appendix A: Safeguarding Incident Flow Chart



Appendix B EXTERNAL LINKS AND INFORMATION

Safeguarding is complex and wide ranging. Given the breadth of importance of the areas contained within this policy, it cannot and must not be read and taken in isolation. Links to important external procedures and processes are included throughout the document and must be followed. The principle external links are:

Lincolnshire Safeguarding Children Partnership (LSCP)	https://www.lincolnshire.gov.uk/safeguarding/lscp https://www.lincolnshirescp.org.uk/ (April 2024)
Working together to safeguard children 2023 statutory guidance 2023	Working together to safeguard children 2023: statutory guidance (publishing.service.gov.uk)
Lincolnshire Safeguarding Adults Board (LSAB) Multi Agency Policy and Procedures	https://www.lincolnshire.gov.uk/safeguarding/lsab
Lincolnshire Multi Agency Domestic Abuse Guidance	https://www.lincolnshire.gov.uk/crime-prevention/domestic-abuse
Lincolnshire Domestic Abuse Specialist Service	Lincolnshire Domestic Abuse Specialist Service (ldass.org.uk)
Lincolnshire Prevent/Channel Guidance	https://www.lincolnshire.gov.uk/crime-prevention/preventing-extremism Prevent Lincolnshire Police (lincs.police.uk) Prevent duty guidance: England and Wales (2023) - GOV.UK (www.gov.uk)
Hate Crime Information and Guidance	http://www.stophateuk.org https://www.lincs.police.uk/advice/advice-and-information/hco/hate-crime/
Modern Slavery and National Referral Mechanism	https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales Modern slavery Lincolnshire Police (lincs.police.uk)
Human Trafficking	https://www.gov.uk/government/publications/victims-of-human-trafficking https://www.lincs.police.uk/advice/advice-and-information/ms/human-trafficking/
Online Training - Enable	https://safeguardinglincolnshire.vc-enable.co.uk/Login/Login
Disclosure and Barring Service	https://www.gov.uk/government/organisations/disclosure-and-barring-service

Appendix C

GLOSSARY OF TERMS

Anti-Social Behaviour	ASB	Behaviour causing or likely to cause harassment, alarm, and distress.
Anti-Social Behaviour Risk Assessment Conference	ASBRAC	Multi-agency risk assessment conference for victims of anti-social behaviour. Targeting high end ASB to protect the most vulnerable.
CHANNEL		Multi-agency approach to protect people at risk from radicalisation.
CONTEST		The Governments counter terrorism strategy.
Customer Service Centre	CSC	Lincolnshire County Council mechanism to make safeguarding referrals or raise safeguarding queries.
Domestic Abuse, Stalking & Harassment and Honour Based Violence risk assessment	DASH	Approved risk assessment tool used by professionals to identify risk of domestic abuse and to inform future safety planning and referrals to MARAC. http://www.dashriskchecklist.co.uk
Domestic Abuse Partnership	DAP	A formal partnership to meet the statutory duties within the Domestic Abuse Act 2021. The Lincolnshire Domestic Abuse Strategy sets out the key areas of action to tackle domestic abuse – relevant to all victims of domestic abuse. https://www.lincolnshire.gov.uk/crime-prevention/domestic-abuse
Disclosure and Barring Service	DBS	The DBS helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children.
Early Help Assessment	EHA	A template to facilitate a meaningful assessment with the participation of a child, young person and their parents or carers. This is undertaken by a professional who is best placed for the family. Social care – Early help assessments - Lincolnshire County Council
Independent Domestic Violence Advisor	IDVA	IDVA's support high risk domestic abuse victims at a point of crisis, supporting them to plan appropriate safety management strategies.
Independent Sexual Violence Advisor	ISVA	Similar to the role of an IDVA but supporting victims of sexual violence to access support and safety planning.
Lincolnshire Safeguarding Adults Board	LSAB	A statutory multi-agency partnership, comprising of a range of organisations that all have stakeholder interest in the safeguarding adult's agenda. https://www.lincolnshire.gov.uk/lsab
Lincolnshire Safeguarding Children Partnership	LSCP	A statutory multi-agency board made up of representatives from the Local Authority, Police, Health Service, Probation Trust, Youth Offending Service, the Voluntary Sector, and others. Soon to change from Board to Partnership. https://www.lincolnshire.gov.uk/safeguarding/lscp

Multi-Agency Risk Assessment Conference	MARAC	Multi-agency meetings where information about high risk domestic abuse victims (those at risk of murder or serious harm) is shared to develop a risk focussed, coordinated safety plan to support the victim.
Mental Capacity Act (2015)	MCA	The Mental Capacity Act 2005 covers people in England and Wales who cannot make some or all decisions for themselves. The ability to understand and make a decision when it needs to be made is called 'mental capacity'.
National Referral Mechanism	NRM	The National Referral Mechanism (NRM) is a framework for identifying and referring potential victims of modern slavery and ensuring they receive the appropriate support.
PREVENT		A key strand of the Government's counter-terrorism strategy. Its main objective is to stop people becoming terrorists or supporting violent extremism.
Safer Lincolnshire Partnership	SLP	A statutory multi-agency board focussed on reducing crime and promoting community safety in Lincolnshire. https://www.lincolnshire.gov.uk/safer-lincolnshire-partnership/
Vulnerable Adult Panel	VAP	A local multi-agency panel to identify and progress and support solutions for individuals with complex needs.

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PART A – SAFEGUARDING CHILDREN AND YOUNG PEOPLE

INTRODUCTION

“Protecting children from abuse, neglect and exploitation requires multi-agency join up and co-operation at all levels. Local organisations and agencies that work with children and families play a significant and often statutory roles when it comes to safeguarding children.”

Working Together (2023)

This section applies to all situations within the council’s operation, which could potentially involve children or young people. This ranges from children in council office receptions, attending our venues or projects to participate to home visits where children or young people are present.

Although your work may not directly impact on or relate to children or young people, you have a duty to recognise and respond to child protection situations and concerns appropriately and you must be aware of this policy and its procedures.

Young people (under 18) may also be working within the Council’s buildings or services; either as members of staff, or as part of apprenticeships or work experience schemes. All staff must remember that these individuals are children and, as such, are protected by this policy and associated procedures.

The **Children Act (2004)** places a duty on key statutory agencies to safeguard and promote the welfare of children. The Act embodies five principles that are key to wellbeing in children and young people:

- Being healthy;
- Staying safe;
- Enjoying and achieving;
- Making a positive contribution;
- Achieving economic wellbeing.

To assist us all in our duty of care of children and young people, this policy and its associated procedures reflect the principles and practices promoted in the most recent Government ‘Working Together’ guidance, which sets out key principles of safeguarding and promoting the welfare of children as:

- Protecting children from maltreatment;
- Preventing impairment of children’s health or development;
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
- Taking action to enable all children to have the best outcomes.

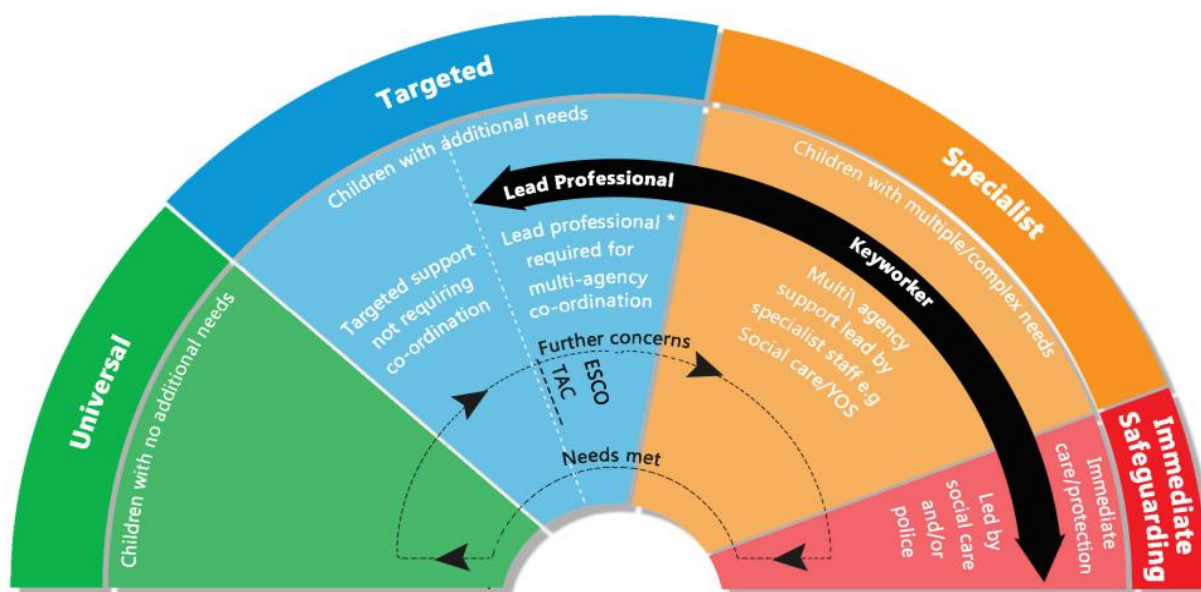
You should always exercise professional curiosity and respectful uncertainty, looking beneath the surface, testing the facts and also use your ‘gut feelings’ rather than accepting explanations, however plausible.

UNDERSTANDING SAFEGUARDING THRESHOLDS

“No single practitioner can have a full picture of a child’s needs and circumstances so effective sharing of information between practitioners, local organisations and agencies is essential for early identification of need, assessment, and service provision to keep children safe”

Working Together (2023)

Children and family needs are constantly changing and at different times in their lives they will have differing levels of involvement from a range of services, from universal, targeted and specialist support services. It is important that professionals work together effectively to ensure that families experience smooth transition between services and that all services supporting the family remain focused on the needs of the child. It is also critical that all professionals remain aware of their responsibilities in relation to safeguarding and protecting children. The support and services available to children, young people and families are defined according to their needs at any given time and are set out in the diagram below:



Threshold	Overview	Details
Universal services	For children with no additional needs.	Available to all children, young people, and families, working with families to promote positive outcomes for everyone, by providing access to education, health services and other positive activities. It is important that all practitioners can identify where children and families would benefit from extra help at an early stage.
Targeted services	For children with additional needs.	Children, young people, and families who may need support either through a single service or through an integrated multi-agency response. There may be signs that without support a child may not achieve good outcomes and fulfil their potential. Targeted services can prevent escalation into specialist services and can assist with continuing lower level support once a higher-level intervention has been completed.
Specialist services	For children with multiple / complex needs	Families with individual or multiple complex needs or where a specific disability or condition is diagnosed.

Immediate Safeguarding	For immediate care/protection	To protect children and young people at immediate risk. Professionals have a duty to recognise and report safeguarding concerns.
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The Lincolnshire Safeguarding Children Partnership Manual has further details on the [Thresholds model](#) providing information on the different levels of support available and the situations where appropriate support is needed. The model is based on the principle that services should be provided as soon as possible (The Early Help Offer), at the lowest level proportionate to the assessed needs of the child or young person. The model identifies levels of need and how to meet them, rather than levels of service. The document covers;

- Child Developmental Needs
- Parenting Capacity
- Family/Environmental Factors
- Significant Harm

EARLY INTERVENTION – EARLY HELP

“Early help means providing support as soon as a problem emerges, at any point in a child’s life, from the foundation years through to the teenage years”

Working Together (2018)

Lincolnshire’s Early Help Offer can be simply described as early intervention to ensure that children and families get the support they need before a problem escalates.

Early Help aims to identify the need for help for children and families as soon as problems start to emerge, or when there is a strong likelihood that problems will emerge in the future. The Early Help Offer is available at any point throughout childhood and adolescence. Early Help builds on what is working well and involves action planning for what needs to change and who will take what action, enabling everyone involved to own the solutions.

Other than when there is an immediate risk of serious harm, an Early Help assessment should be completed whenever there is a concern about a child by the person who has contact with them and their family, to identify specific actions with those involved and to determine whether the issue needs further escalation and referral to social care. Where possible, the assessment should be undertaken with the agreement of the child and their parents/carers. It should involve the child and family as well as all the professionals who are working with them. Full details of Lincolnshire’s Early Help Offer can be found [here](#). If you are unsure about making an Early Help Assessment, please speak to the Designated Safeguarding Officer or a Deputy Safeguarding Officer.

Please Note - Early Help Assessments are not an alternative to formal safeguarding referrals.

RECOGNISING ABUSE AND NEGLECT

There are many ways in which children and young people can be harmed. A person may abuse or neglect a child or young person by inflicting harm, or by failing to act to prevent harm. Children and young people may be abused in a family, or in an institutional or community setting. Children and young people may be abused by someone known to them or, more rarely, by a stranger. Children and young people can be subjected to more than one form of abuse at any one time. Children and young people may also be perpetrators of abuse against other children or against adults. In such cases, they may still also require safeguarding themselves.

Sometimes a child ‘fails to thrive’ and they do not achieve the expected growth and development for their age. Although there may be a medical cause, most children who fail to thrive have no organic disorders. Failure to thrive often occurs on the overall context of emotional deprivation and neglect; the child not only fails to grow but fails to develop intellectually and emotionally.

Types of Abuse
<p>Physical Abuse: This can include, hitting, shaking, throwing, poisoning, burning, or scalding, drowning, suffocating or otherwise causing physical harm. Physical abuse, as well as being a result of a deliberate act, can also be caused through omission or failure to act to protect. Physical harm may also be caused when a parent or carer fabricates symptoms or deliberately causes ill health to a child, young person, or vulnerable adult.</p>
<p>Emotional Abuse: This is the persistent emotional maltreatment of a child, young person, or vulnerable adult such as to cause severe and persistent adverse effects on their emotional development. It may involve conveying to them that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person.</p> <p>Emotional abuse may feature age or developmentally inappropriate expectations being imposed on children or young people. It may also involve causing children or young people to frequently feel frightened or in danger, or the exploitation or corruption of a child or young person. It can include the seeing or hearing of ill-treatment of others, for example through domestic abuse. It may also include the over-protection and limitation of exploration and learning or preventing the child from participating in normal social interaction.</p>
<p>Sexual Abuse: This involves forcing or enticing a child, young person, or vulnerable adult to take part in sexual activities, whether they are aware of or consent to what is happening. The activities may involve physical contact, including penetrative acts such as prostitution, rape, buggery or oral sex or non-penetrative acts such as fondling.</p> <p>Sexual abuse may also include non-contact activities, such as involvement in looking at, or in the production of, indecent material or watching sexual activities or encouraging them to act in sexually inappropriate ways. Boys and girls can be sexually abused by males and/or females, by adults and/or by other young people.</p> <p>Child Sexual Exploitation (CSE) is a form of sexual abuse that is based on an ongoing exploitative relationship between perpetrator(s) and child/children.</p>
<p>Neglect: Neglect is the persistent failure to meet a child or young person’s basic physical and/or psychological need, likely to result in the serious impairment of health or development. It may also include neglect of, or unresponsiveness to, a child or young person’s basic emotional needs. Neglect may:</p> <ul style="list-style-type: none"> • Involve a parent or carer failing to provide adequate food, clothing or shelter including exclusion from home or abandonment; • Involve failing to protect from physical and emotional harm or danger; • Occur during pregnancy as a result of maternal substance abuse or self-harm (please refer to the Lincolnshire Safeguarding Children Board pre-birth protocol for more information).

Recognising child abuse is not easy. It is not your responsibility to decide whether child abuse has taken place or if a child or young person is at significant risk. You do however have a responsibility to

act if you have concerns and to pass on information. Many safeguarding concerns arise on a day to day basis, and often they will not develop into abuse or neglect. If you have any concerns or questions, please speak to the Safeguarding Lead Officer or Deputy Safeguarding Officer as soon as possible. The role of staff, elected members, volunteers and others working for or on behalf of the Council is to help identify concerns and pass them on to the relevant agency. It is the role of Children's Services, Adult Services and/or the Police to investigate allegations or concerns.

REMEMBER: It is not your role to judge or investigate, but to inform and share your concerns.

Every child and young person is unique and it is difficult to predict how their behaviour will change as a result of their experience of abuse. The table below outlines some physical signs and behavioural indicators that may be associated with a risk of abuse. It is important to remember that many children and young people will exhibit some of these signs and indicators at some time, but the presence of one or more should not be taken as proof that abuse is occurring. There may be other reasons for changes in behaviour, for example: bereavement, the birth of a new baby in the family, relationship problems between parents/carers.

Type of abuse	Physical Indicator	Behavioral Indicator
Physical	<ul style="list-style-type: none"> • Frequent or unexplained bruising, marks, or injury • Bruises which reflect hand marks or shapes of articles e.g. belts • Cigarette burns • Bite marks • Unexplained broken or fractured bones • Scalds • Female Genital Mutilation 	<ul style="list-style-type: none"> • Fear of parent being contacted • Behavioral extremes – aggressive / angry outbursts or withdrawn • Fear of going home • Flinching when approached/touched • Depression • Keeping arms/legs covered • Reluctance to change clothes • Panics in response to pain • Reports injury caused by parents
Emotional	<ul style="list-style-type: none"> • Delays in physical development or progress • Sudden speech disorders • Failure to thrive • Bedwetting and/or diarrhoea • Frequent psychosomatic complaints, headaches, nausea, abdominal pains 	<ul style="list-style-type: none"> • Mental or emotional development lags • Behaviours inappropriate for age • Fear of failure, overly high standards, reluctance to play • Fears consequences of actions, often leading to lying • Extreme withdrawal or aggressiveness, mood swings • Overly compliant, too well-mannered • Excessive neatness and cleanliness • Extreme attention-seeking behaviours • Poor peer relationships • Severe depression, may be suicidal • Runaway attempts • Violence is a subject for art/writing • Complains of social isolation • Forbidden contact with other children

Sexual	<ul style="list-style-type: none"> • Pain/itching in the genital area • Bruising/bleeding near genital area • Sexually transmitted disease • Vaginal discharge/infection • Frequent unexplained abdominal pains • Discomfort when walking/sitting • Bed wetting • Excessive crying 	<ul style="list-style-type: none"> • Inappropriate sexual behavior or knowledge for the child's age • Promiscuity • Sudden changes in behaviour • Running away from home • Emotional withdrawal through lack of trust in adults • Unexplained money or 'gifts' • Inappropriate sexually explicit drawings or stories • Bedwetting or soiling • Overeating or anorexia • Sleep disturbances • Secrets which cannot be told • Substance/drug misuse • Reports of assault
Neglect	<ul style="list-style-type: none"> • Constant hunger • Poor hygiene • Weight loss/underweight • Inappropriate dress • Consistent lack of supervision/abandonment • Unattended physical problems or medical needs 	<ul style="list-style-type: none"> • Begging/stealing food • Truancy/late for school • Constantly tired/listless • Regularly alone/unsupervised • Poor relationship with care giver

All children, regardless of background, should be given the same level of support and protection. It is important to have an understanding and awareness that some children and young people are potentially more vulnerable and may have additional care needs. This could include children young people and vulnerable adults from families affected by domestic abuse, substance misuse and mental illness as well as those from ethnic minority backgrounds, migrant and travelling communities, those with a disability or learning difficulty, those living away from home, unaccompanied asylum seeking children (UASC), children or young people in care or other temporary accommodation, as well as those who are in custody or have run away from home. Regard should always be given to a young person's religion or belief.

Additional guidance is available in the Policy and Procedures Manual of the Lincolnshire Safeguarding Children Partnership, found [here](#).

CHILD EXPLOITATION

The Lincolnshire Safeguarding Children Partnership [Child Exploitation Policy](#) outlines the support for children or young people where it is expected that they may be at risk of, or suffering harm through, exploitation. This includes criminal exploitation, sexual exploitation, trafficked children or those in modern slavery situations. Child exploitation results in cruel or harmful treatment of the child, as the activities they may be forced to take part in can cause emotional, physical, and social problems. Child Exploitation:

- Can affect any child or young person under the age of 18 years. In relation to sexual exploitation, 16 and 17 year olds who can legally consent to sex can be impacted.

- Can still be exploitation even if the activity appears consensual;
- Can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence;
- Can be perpetrated by individuals or groups, of any gender, and young people or adults; and
- Is typified by some form of power imbalance in favour of those perpetrating the exploitation. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources;
- Can occur within the context of teenage relationship abuse
- Can take place in person and via technology, or a combination of both;
- Doesn't stop when a child turns 18;
- Can be intra- and extra-familiar.

Child Sexual Exploitation

The sexual exploitation of children and young people is both a child protection issue and a complex crime. The [Child Sexual Exploitation definition and guide for practitioners](#) defines child sexual exploitation as '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.'

Sexually exploitative relationships are characterised by an imbalance of power and the use of controlling behaviours to keep the victim in a dependent position. A child or young person may not recognise the level of risk or harm that they are exposed to. It is particularly important that professionals exercise judgment when assessing a child or young person's circumstances.

Survivors of Child Sexual Abuse, The REIGN Collective challenges the concept of there being an exchange as it suggests that there is agreement to the abuse as they receive something in return. Perpetrators use their power and any form of trickery possible to ensure the victim acts as the perpetrator wishes. This power and trickery may involve giving the victim items such as food, money, accommodation, drugs etc. but may also involve controlling elements of their lives such as accessing the bathroom or seeing family or friends. By using this trickery, the victims are forced into being sexually abused by violence, coercion or intimidation.

You should be aware of the following when considering the risks of a young person experiencing or being at risk of Child Sexual Exploitation:

- Boys and girls are equally vulnerable to being victims of child sexual exploitation;
- Coercers and perpetrators are usually adults, of either gender, in a position of power, but can be other children and young people;
- Young people may exchange or sell sex as a result of constrained choices such as poverty, isolation, and historic abuse;
- Parents/carers may be involved in the sexual exploitation of their children, or fail to prevent/protect them from it;

- Groups of children and young people and multiple perpetrators may be involved;
- No child under 13 years or with a learning disability will be assessed as Low Risk if their behaviours indicate involvement in CSE;
- Children and young people with additional needs up to and including those aged 24 years require special consideration;
- Disclosure of information may take time and evident risks may only emerge during on-going assessment, support, and interventions with the young person and/or their family.

Grooming: Child sexual exploitation usually involves a ‘grooming’ stage. Grooming describes the variety of methods that are used to manipulate and control victims including:

- The giving of gifts or presents;
- The giving of rewards – like mobile phone top-ups or games credits;
- False promises of love and/or affection;
- The supply of alcohol and/or drugs

It is very common for the grooming of children and young people to take place online. Children and young people can make themselves vulnerable through their online activities and abusers are quick to exploit this. Victims may have been persuaded or coerced into posting indecent images or performing sexual acts on webcam. Online grooming can also progress to meeting face to face.

Grooming is a way of developing an exclusive bond with the victim. Adolescents are particularly vulnerable to grooming where the abuser deceptively constructs a connection between sought after love or affection. As a result, the child or young person will believe that this person is actually their boyfriend or girlfriend – having no prior experience of sex or love against which to measure the relationship.

Gang Activity: Children and young people associating with or targeted by gang members are at particular risk of being sexually exploited and abused. All agencies working with young people need to ensure that they work together to prevent young people being drawn into gangs, to support those who have been drawn into the margins of gangs and to protect those who are at immediate risk of harm from gangs.

Impact of Sexual Exploitation on Children & Families: As a result of the grooming process, children and young people will rarely recognise the coercive and abusive nature of the relationship they are involved in and will often prioritise their attachment or loyalty to the offender over their own safety.

Perpetrators of sexual exploitation are very skilled at driving a wedge between a child and their family and will also isolate them from their usual friends and support networks. Sexually exploited children also suffer physical, psychological, behavioural, and attitudinal changes, all of which present severe challenges to their parents and carers.

While there is some evidence that an unstable home life can increase the vulnerability of child sexual exploitation, the grooming process can bring chaos to a formerly ‘stable’ household. Further information about child sexual exploitation can be found [here](#).

For officers with concerns about child exploitation, please report these internally and discuss with the Safeguarding Lead Officer or Designated Safeguarding Officer and further [Lincolnshire guidance and support](#) is available. This includes the [Lincolnshire Child Sexual Abuse Strategy 2023-2026](#).

Child Criminal Exploitation

While there is no legal definition of Child Criminal Exploitation (CCE), it is increasingly being recognised as a major factor behind crime in communities across the UK, while also simultaneously victimising vulnerable young people and leaving them at risk of harm. The Children's Society offers the following definition: (When) a person or persons manipulate, deceive, coerce or control the person to undertake activity which constitutes a criminal offence where the person is under the age of eighteen. This could include county lines and other drug related offences, financial fraud or stealing. As with other types of exploitation, criminal exploitation can occur through the use of technology.

CCE often occurs without the victim being aware that they are being exploited and involves young people being encouraged, cajoled, or threatened to carry out crime for the benefit of others. In return they are offered friendship or peer acceptance, but also cigarettes, drugs (especially cannabis), alcohol or even food and accommodation.

Children as young as 10 or 11 are being groomed to enter gangs and commit crime on behalf of older criminals. These young people are being exploited and, by being persuaded or lured into carrying out illegal activities, often with the promise of something they desire as a reward, they become incredibly vulnerable.

Victims of CCE are often fearful of getting into trouble themselves – for the very actions they have been exploited into carrying out – so it can also be difficult to get these young people to come forward and speak out about their situation.

[Lincolnshire has Multi Agency Child Exploitation \(MACE\)](#) arrangements which contribute to the delivery of the child exploitation strategic priority and outcome. Professionals concerned that a child is being sexually or criminally exploited should use the [Multi-Agency Child Exploitation Screening Tool](#). Please contact the Safeguarding Lead Officer to report your concerns and for further advice.

Operation Insignia

In Lincolnshire there is a multi-agency system for sharing information with Lincolnshire Police to help support vulnerable children and adults when there is no clear route to inform police of information. This information can help form a picture around a situation and may allow the police to take further action in investigating an issue. This could include but is not limited to information that is indicating;

- Child exploitation (criminal and sexual)
- Human trafficking
- Modern slavery
- County lines
- Cuckooing
- Knife crime

Please report and discuss your concerns with the Safeguarding Lead Officer who can advise on completing a [Partnership Information Report](#).

More information on one of the main types of criminal exploitation can be found in **PART G – County Lines and Cuckooing**. Child Exploitation can also include Modern Slavery and Human Trafficking which is covered in **PART F** of the Council's Safeguarding & Protecting Vulnerable People Policy and Procedures.

CONTEXTUAL SAFEGUARDING

Contextual Safeguarding is an approach to safeguarding children and young people, which aims to understand and respond to young people's experiences of significant harm beyond their families. It recognises that the different relationships that young people form in their neighbourhoods, schools and online can feature violence and abuse. Parents and carers have little influence over these contexts, and young people's experiences of extra-familial abuse can undermine parent-child relationships.

Contextual Safeguarding aims to ensure that children's social care practitioners engage with individuals and sectors who do have influence over/within extra-familial contexts, and recognises that assessment of, and intervention with, these spaces is a critical part of safeguarding practices. Contextual Safeguarding, therefore, expands the objectives of child protection systems in recognition that young people are vulnerable to abuse in a range of social contexts. The approach is built on three core ideas:

1. That it is possible to change contexts in which harm can occur;
2. That inequality is both the cause and the consequence of contextual harm as not everyone experiences a context in the same way;
3. That harm occurs in an interaction between individual choice and structural/environmental constraints

The Lincolnshire Children Safeguarding Partnership (LSCP) is committed to using a Contextualised Safeguarding Model in response to Child Exploitation. Working with victims alone is not effective in reducing exploitation. By agencies working together to disrupt exploitation, the safety and wellbeing of all young people within Lincolnshire is improved.

IMPACT OF SUSTAINED ABUSE AND NEGLECT

The sustained abuse or neglect of children physically, emotionally, or sexually can have long-term effects on the child's health, development, and well-being. It can impact significantly on their self-esteem, self-image and on their perception of self and of others. The effects can also extend into adult life and lead to difficulties in forming and sustaining positive and close relationships. In some situations, it can affect parenting ability and can lead to the perpetration of abuse on others.

The context in which the abuse takes place may also be significant. The interaction between a number of different factors can serve to minimise or increase the likelihood or level of significant harm. Relevant factors will include the individual child's coping and adapting strategies, support from family or social network, the impact and quality of professional interventions and subsequent life events.

Physical Abuse: can lead directly to neurological damage, as well as physical injuries, disability or at the extreme, death. Harm may be caused to children, both by the abuse itself, and by the abuse taking place in a wider family or institutional context of conflict and aggression. Physical abuse has been linked to aggressive behaviour in children, emotional and behavioural problems, and educational difficulties.

Severe Neglect: associated with major impairment of growth and intellectual development. Persistent neglect can lead to serious impairment of health and development, and long-term difficulties with social functioning, relationship, and educational progress. Neglect can also result in extreme cases in death.

Sexual Abuse: can lead to disturbed behaviour including self-harm, inappropriate sexualised behaviour and adverse effects which may last into adulthood. The severity of impact is believed to increase the longer the abuse continues, the more extensive the abuse and the older the child. A number of features of sexual abuse have also been linked with the severity of impact, including the extent of premeditation, the degree of threat and coercion, sadism and bizarre or unusual elements. A child's ability to cope with the experience of sexual abuse, once recognised or disclosed, is strengthened by the support of a non-abusive adult or carer who believes the child, helps the child to understand the abuse and is able to offer help and protection.

Emotional Abuse: There is increasing evidence of the adverse long-term consequences for children's development where they have been subject to sustained emotional abuse. Emotional abuse has an important impact on a developing child's mental health, behaviour, and self-esteem. It can be especially damaging in infancy. Underlying emotional abuse may be as important, if not more so, than other more visible forms of abuse in terms of its impact on the child. Domestic abuse, adult mental health problems and parental substance misuse may be features in families where children are exposed to such abuse.

SIGNIFICANT HARM

The Children Act 1989 introduced significant harm as the threshold that justifies compulsory intervention in family life in the best interest of the child. It gives Local Authorities a duty to make enquiries to decide whether they should take action to safeguard or promote the wellbeing of a child who is suffering, or likely to suffer significant harm.

There are no absolute criteria to rely on when judging what constitutes significant harm, but considerations should include:

- the severity of ill-treatment;
- the degree and the extent of physical harm;
- the duration and frequency of abuse and neglect;
- the extent of premeditation;
- the degree of threat, coercion, sadism.

Each of these is associated with more severe effects on the child and/or relatively greater difficulty in being able to overcome their impact. Sometimes a single traumatic event may constitute significant harm, e.g. a violent assault, suffocation, or poisoning. More often, suffering significant harm is a compilation of significant events, both acute and long-standing, which interrupt, change or damage the child's physical and psychological development.

Some children live in family and social circumstances where their health and development are neglected. For them, it is the corrosiveness of long term emotional, physical, or sexual abuse that causes impairment to the extent of constituting significant harm. In each case, it is necessary to consider any ill-treatment alongside the families' strengths and supports.

The child's reactions, his or her perceptions, and wishes and feelings should be ascertained and given due consideration, so far as is reasonably practicable and consistent with the child's welfare and having regard to the child's age and understanding.

The following considerations may indicate that further enquiry is needed and should be considered when assessing risks to a child. Some of these have arisen from learning from serious case reviews following incidents of significant harm:

- An unexplained delay in seeking treatment that is obviously needed;
- An unawareness or denial of any injury, pain, or loss of function;
- Incompatible explanations offered or several different explanations given for a child's illness or injury;
- A child reacting in a way that is inappropriate to his/her age or development;
- Reluctance to give information or failure to mention previous known injuries;
- Frequent attendances at Accident and Emergency Departments or use of different doctors and Accident and Emergency Departments;
- Frequent presentation of minor injuries (which if ignored could lead to a more serious injury);
- Unrealistic expectations/constant complaints about the child;
- Alcohol and/or drug misuse or other substance misuse;
- A parent's request to remove a child from home or indication of difficulties in coping with the child;
- Domestic abuse;
- Parental mental ill health;
- The age of the child and the pressures of caring for a number of children in one household;
- Parental conflict about separation and contact with serious threats to harm the children.

RESPONDING TO DISCLOSURES, CONCERNS OR ALLEGATIONS

These procedures are intended as a guide to help you understand what action should be taken if you have concerns about or encounter a case of alleged or suspected child abuse.

Responding to a child or young person making an allegation of abuse

Abused children and young people will only tell people they trust and with whom they feel safe. By listening and taking seriously what the child or young person is saying, you are already helping the situation. The following points are a guide to help you respond appropriately:

- Stay calm;
- **Listen** carefully to what is said;
- Find an appropriate early opportunity to explain that the information may need to be shared with others – **do not promise to keep secrets**;
- Allow the child or young person to continue at their own pace;
- Ask questions for clarification only, and **avoid asking questions that suggest a particular answer**;
- Reassure them that they have done the right thing in telling you;
- Tell them what you will do next and with whom the information will be shared;
- Record in writing all the details that you are aware of and what was said using the child or young person's own words, as soon as possible. In your record you should include:
 - The date and time;
 - The child or young person's name, address, and date of birth;
 - The nature of the allegation or incident;
 - A concise, factual description of any visible injuries, including a diagram if possible;
 - Your observations e.g. a description of the child or young person's behaviour and physical and emotional state;
 - Exactly what the child or young person said and what you said. Record the child or young person's account of what has happened as closely as possible;
 - Any action you took as a result of your concerns e.g. who you spoke to and resulting actions. Include names, addresses and telephone numbers;

- Sign and date your record (signature not required with electronic form);
- Store the information in accordance with relevant procedures, e.g. GDPR.
- Follow the Council's reporting procedures or speak to the Designated Safeguarding Officer for advice.

In all cases, the incident should be reported to the Lead Safeguarding Officer so that this can be logged.

The Council's Safeguarding Lead Officer should, where there is felt to be no immediate risk to the child, be consulted prior to the referral being made. Where it is not possible to do this the same working day, then an appropriate referral should be made by the individual with the concern, supported by their line manager. Safeguarding referrals do not need consent from the child or their family, but it is best practice to seek this wherever possible.

When a safeguarding referral is made, the referral will be screened in order to decide on the best course of action. LCC has one working day to decide on the response needed. If a referral meets the threshold for a social work assessment under the Children Act (1989), the referrer will be informed by letter and Social Care colleagues will take the case forward. If the referral does not meet the threshold, the referrer should also be informed of this by letter. At this point, individuals may be advised to consider Early Help support and/or to set up a Team around the Child (TAC) case. In such cases, individuals should discuss this with a Safeguarding Officer or seek advice from the Early Help Advisors regarding their next steps.

Officers should be aware that in the case of professional referrals relating to child protection, the assumption of the Lincolnshire Safeguarding Children Partnership (LSCP) is that the family may be told where the referral has come from by Children's Services officers. Any referral made by an officer of the Council is regarded as a professional referral but can be made in the name of the Designated Safeguarding Officer or Safeguarding Lead Officer.

You must be aware that if there is a need by Children's Social Care or the Lincolnshire Safeguarding Children Partnership to open a Child Protection Plan or Serious Case Review, you may be called to give evidence. In these instances, you will be supported by the Safeguarding Lead Officer or Deputy Safeguarding Officer.

It is possible that the Council will have allegations referred to them by third parties. For example, neighbours may contact staff to advise they suspect the welfare of a child or young person is suffering. Under these circumstances staff should be encouraged to ring the customer services centre themselves directly (members of the public can report anonymously).

Responding to allegations or concerns against a member of staff, elected member, volunteer or any other person

- Take the allegation or concern seriously;
- Consider any allegation or concern to be potentially dangerous to the child or young person;
- Record in writing all the details that you are aware of as soon as possible.

If an allegation of abuse is made against a member of staff, elected member or volunteer, the Designated Safeguarding Lead must be informed immediately.

The Designated Safeguarding Officer will inform the Chief Executive (providing that the allegation is not against them) and Local Authority Designated Officer for Allegations (LADO) and consideration will be given to suspending the member of staff from work or moving them to alternative duties not

involving contact with children, young people, or adults at risk – in accordance with the Council's Disciplinary Procedure. If the Designated Safeguarding Officer is the subject of the suspicion/allegation, the report must be made directly to the Chief Executive.

If it is necessary to investigate events surrounding the complaint, this will be done in accordance with advice from the Local Authority Designated Officer (LADO), and through the Council's Disciplinary Policy and Procedure, and will include any further procedures as set out by the Lincolnshire Safeguarding Children Board.

If the complaint is against someone other than a member of staff, elected member, volunteer, contractor or consultant i.e. parent, carer, other service user, etc., then Designated Safeguarding Officer must be informed in line with the Council's reporting procedures.

It is important to remember that the language used in recording safeguarding concerns should remain objective and those making records should not use negative or inflammatory language to describe children and young people.

GOOD PRACTICE GUIDANCE

It is possible to limit the situations where the abuse of children, young people or adults may occur. These guidelines aim to promote positive practice and are examples to help safeguard children, young people, and vulnerable adults. They will also protect staff, elected members, volunteers and anyone working for or on behalf of the Council.

Staff, elected members, volunteers and contractors should always remember:

- Avoid situations where they and an individual child or young person are alone and unobserved;
- Ensure that children or young people are not left unattended. For example, it is the parents/carers responsibility to supervise any children in their care whilst visiting Council offices, or when an employee, elected member, volunteer or contractor is carrying out a home visit;
- Respect the individual and provide a safe and positive environment;
- If any form of physical contact is required it should be provided openly and according to appropriate guidelines, i.e. National Governing Body of Sport Guidelines;
- If supervision in changing rooms or similar environments is required, ensure you work in pairs and never enter opposite sex changing rooms;
- With mixed groups, supervision should be by a male and female member of staff where possible;
- Staff, elected members, volunteers and contractors must respect the rights, dignity and worth of every person and treat everyone equally within the context of the activity;
- Every assessment should reflect the unique characteristics of the child within their family and community context. The Children Act (1989) promotes the view that a; children and their parents should be considered as individuals and that family structures, culture, religion, ethnic origins, and other characteristics should be respected;
- Where appropriate, use a simple Equality Monitoring form for Children and Young People to help you assess how accessible our services are to children and young people;
- Staff, elected members, volunteers and contractors must place the well-being and safety of the child or young person above the development of performance;
- If a child or young person is: accidentally injured as the result of a staff member, elected member, volunteer or contractor action; seems distressed in any way; appears to be sexually

aroused by your actions; misunderstands or misinterprets something you have done; always report such incidents as soon as possible to a Safeguarding Officer and make a written report;

- If a child or young person arrives at the activity or service showing any signs or symptoms that give you cause for concern, you must act appropriately and follow the safeguarding reporting procedures;
- Staff must avoid being left alone with a child. This may happen if the adult present is distracted by, for example, a telephone call in another room. Under such circumstances, the member of staff must mention the situation to the adult concerned and if the adult is intent on leaving the member of staff alone with a child, the member of staff must leave the property.

It is **not** good practice for staff, elected members, volunteers or contractors to:

- Spend unreasonable amounts of time alone with children or young people away from others;
- Take children or young people alone on a car journey, however short;
- Take children or young people to your home where they will be alone with you;
- Arrange to meet children or young people outside an organized activity or service;
- Agree to 'look after' or be left in sole charge of children, even for short periods of time during the course of your duties;
- Knowingly visit or enter a property unless in the company of an adult who resides at the property. No member of staff should enter a property where only a child is present. If a child left alone is suspected of being below an age when an adult should supervise them, a Safeguarding Officer should be contacted;
- Ask children to leave a message for their guardian (direct contact must be made with the guardian before it can be assumed that a message has been received). Similarly, children should not be asked to interpret for their guardian.

If these situations are unavoidable, they should ONLY occur with the full prior knowledge and consent of your line manager and the child or young person's parent/carer.

Staff, elected members, volunteers and contractors should **never**:

- Engage in rough physical games including horseplay;
- Engage in sexually provocative games;
- Allow or engage in inappropriate touching of any form;
- Allow anyone to use inappropriate language unchallenged, or use it yourself;
- Make sexually suggestive comments about or to a child or adult, even in fun;
- Let any allegation a child or adult makes be ignored or go unrecorded;
- Do things of a personal nature for children or adults that they can do for themselves, e.g. assist with changing;
- Enter areas designated only for the opposite sex without appropriate warning (e.g. cleaning staff for toilets etc.);
- Share a room with a child or young person (e.g. overnight accommodation);
- Take a child to the toilet, unless this is an emergency and a second, same-sex member of staff is present;
- Use a mobile phone, camera or other recording device in any changing area or other single sex location such as toilets. Exceptions to this may arise, for example where a photographic record of vandalism to a changing room is required. In such circumstance's customers should be temporarily excluded from the location.

PHOTOGRAPHY AND PORNOGRAPHY

There is increasing evidence that some people have used children's and young persons' activities and events as an opportunity to take inappropriate photographs or video footage of children and young people. Staff, elected members, volunteers and contractors should be vigilant at all times, and any person using cameras or videos within the Council services and events or activities that involve children and young people should be approached and asked to complete a consent form for the use of cameras and other image recorders.

When commissioning professional photographers or inviting the press to cover Council services, events, or activities you must ensure that you make your expectations clear in relation to child protection. Remember:

- Check credentials of any photographers and organisations used;
- Ensure identification is worn at all times. If they do not have their own, provide it;
- Do not allow unsupervised access to children or young people or one-to-one photographic sessions;
- Do not allow photographic sessions outside of the activities or services, or at a child or young person's home;
- Parents must be informed that photographs of their child or young person may be taken during Council services, activities or events and parental consent forms need to be signed agreeing to this. This must include information about how and where these photographs will be used;
- It is recommended that the names of children or young people should not be used in photographs or video footage

PART B – SAFEGUARDING ADULTS AT RISK

INTRODUCTION

Safeguarding adults is “protecting an adult’s right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and stop both the risk and experience of abuse and neglect whilst at the same time making sure that the adult’s wellbeing is being promoted”.
The Care Act (2014)

This section applies to all situations within the Council’s operation which could potentially involve contact with adults at risk. It applies to all staff, elected members, volunteers and anyone else working for or on behalf of and/or representing the Council who may come into contact with adults at risk in the course of their work/duties, whether in someone’s home, on Council premises or in the community. It should be a priority of all of the above to ensure the safety and protection of adults at risk and to fulfil their duty to act in a timely manner regarding any concern or suspicion that an adult is being, or is at risk of being abused, neglected or exploited.

The Lincolnshire Safeguarding Adults Board (LSAB) is responsible for developing the multi-agency policy and procedures that all relevant organisations in Lincolnshire need to follow. The LSAB has a [policy](#) and [procedures](#) to support and guide staff from across partner agencies to respond to safeguarding concerns. The Lincolnshire Safeguarding Adults Board has a [Strategic Plan](#) which sets out the mission to oversee and co-ordinate the effective delivery of safeguarding arrangements across the county with partner agencies.

Safeguarding adults requires people and organisations to work together to prevent and stop abuse or neglect, and make sure that the adult’s wellbeing is promoted, taking account of their views, wishes, feelings and beliefs in deciding on any action.

The aims of adult safeguarding are to:

- Stop abuse or neglect wherever possible;
- Prevent harm and reduce the risk of abuse or neglect to adults with care and support needs;
- Support vulnerable adults in making choices and having control about how they want to live;
- Focus on improving life for the adults concerned;
- Raise public awareness so that communities play their part in preventing, identifying, and responding to abuse and neglect;
- Provide accessible information so people understand the types of abuse, how to stay safe and how to raise a concern about someone’s safety or wellbeing;
- Address what has caused the abuse or neglect.

To achieve these aims, it is necessary to:

- Ensure that everyone is clear about their roles and responsibilities;
- Create strong multi-agency partnerships that provide timely and effective prevention of, and responses to abuse and neglect;
- Develop a positive learning environment to break down cultures that are risk-averse and seek to scapegoat or blame practitioners;
- Enable access to community resources (e.g. leisure facilities, town centre, community groups) that can reduce social and physical isolation which may increase the risk of abuse or neglect;

- Clarify how responses to safeguarding concerns arising from poor quality and inadequate service provision should be responded to.

MAKING SAFEGUARDING PERSONAL

Making Safeguarding Personal is a Department of Health initiative which primarily engages the second Care Act objective which is about **engaging** the person in a **conversation** about how best to respond to their safeguarding situation in a way that enhances their involvement, choice and control as well as improving their quality of life, wellbeing and safety. People's lives and relationships are complex, and they may be ambivalent, unclear, or unrealistic about their own circumstances. Being safe is only one of the things people need, and agencies should work with the adult to establish what being safe means to them and how that can be achieved, taking account of their individual wellbeing.

Statutory safeguarding duties apply to any adult who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs;
- Is experiencing, or at risk of, abuse or neglect;
- As a result of those care and support needs, is unable to protect themselves from either the risk of or the experience of abuse or neglect.

Local authority statutory adult safeguarding duties apply to adults with care and support needs regardless of whether those needs are being met, irrespective of whether the adult lacks mental capacity or not and regardless of setting – other than for prisons and approved premises (bail hostels) and include anyone who:

- Is frail due to age, ill-health, physical disability or cognitive impairment, or a combination of these;
- Has a learning disability, a physical disability and/or a sensory impairment;
- Has mental health needs including dementia or a personality disorder;
- Has a long-term illness or condition;
- Misuses substances or alcohol;
- Is a carer who provides assistance to adults and is subject to abuse;
- Is unable to demonstrate the capacity to make a decision.

This is supported by the [Making Safeguarding Personal Toolkit](#).

ADULT SAFEGUARDING ENQUIRIES

The Care Act 2014 requires that first tier local authorities (in Lincolnshire this is LCC) **must** make enquiries or direct others to do so, whenever abuse or neglect are suspected in relation to an adult and the local authority thinks it necessary to enable it to decide what (if any) action is needed to help and protect the adult.

The scope of the enquiry, who leads it, its nature and how long it takes, will depend on the specific circumstances. It will usually start with asking the adult their views and wishes to determine the next steps. Everyone involved in an enquiry must focus on improving the adult's wellbeing and work together to that shared aim.

The key objectives of making an enquiry about abuse or neglect are to:

- Establish facts
- Ascertain the adult's views and wishes
- Assess the needs of the adult for protection, support, and redress and how these might be met
- Protect from abuse and neglect, in accordance with the wishes of the adult.
- Make decisions as to what follow-up action should be taken with regard to the person or organisation responsible for the neglect
- Enable the adult to achieve resolution and recovery.

Alongside this, there are **SIX** national principles of good practice in safeguarding adults:

Empowerment	People are supported and encouraged to make their own decisions and involved through informed consent. <i>"I am asked what outcomes I want from the safeguarding process and these directly inform what happens."</i>
Prevention	Action is taken before harm occurs and to prevent a repeat of harm. <i>"I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help."</i>
Proportionality	The least intrusive response appropriate to the risk presented. <i>"I am sure that the professionals will work in my interests as I see them and will only get involved as much as needed."</i>
Protection	People in need are safe and have support and representation. <i>"I get help and support to report abuse and neglect. I am helped to take part in the safeguarding process to the extent to which I want."</i>
Partnership	Local services work together and with their communities to prevent, detect and report neglect and abuse. <i>"I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me."</i>
Accountability	Processes are transparent, consistent, robust, and scrutinised. <i>"I understand the role of everyone involved in my life and so do they."</i>

ABUSE AND NEGLECT

There are different types of abuse and neglect, and different circumstances in which these occur. Incidents may be one-off or multiple, may affect one person or many, and may involve an act of abuse or neglect or a failure to act. The following types of abuse are defined in an adult safeguarding context:

Type of abuse	Physical examples	Behavioural Indicator
Physical	Hitting, slapping, pushing, kicking, misuse of medication, being locked in a room, inappropriate sanctions or force-feeding, inappropriate methods of restraint, unlawfully depriving a person of their liberty.	<ul style="list-style-type: none"> • Unexplained or inappropriately explained injuries • Evidence of untypical self-harm • Unexplained bruising to the face, torso, arms, back, buttocks, thighs, in various stages of healing. Collections of bruises, in regular patterns and/or in the shape of an object and/or appear on several areas of the body • Unexplained burns on unlikely areas of the body (e.g. soles of the feet, palms of the hands, back), immersion burns (from scalding in hot water/liquid), rope burns, burns from an electrical appliance • Unexplained or inappropriately explained fractures at various stages of healing to any part of the body • Untreated medical problems • Sudden and unexplained urinary and/or faecal incontinence • Evidence of over-/under-medication
Sexual	Rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure, sexual assault, sexual acts to which the adult has not consented or was pressured into consenting.	<ul style="list-style-type: none"> • Person has urinary tract infections, vaginal infections or sexually transmitted diseases that are not otherwise explained • Person appears unusually subdued, withdrawn or has poor concentration • Person exhibits significant changes in sexual behaviour or outlook • Person experiences pain, itching or bleeding in the genital/anal area • Underclothing is torn, stained or bloody. • A woman who lacks the mental capacity to consent to sexual intercourse becomes pregnant

Emotional/Psychological	<p>emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation, unreasonable and unjustified withdrawal of services or supportive networks.</p>	<ul style="list-style-type: none"> • Untypical ambivalence, deference, passivity, resignation • Person appears anxious or withdrawn, especially in the presence of the alleged abuser • Person exhibits low self-esteem • Untypical changes in behaviour (e.g. continence problems, sleep disturbance)
Financial or material abuse	<p>Theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, the misuse or misappropriation of property, possessions, or benefits.</p> <p>Financial abuse can seriously threaten an adult's health and wellbeing. The website 'Friends Against Scams' is a National Trading Standards Scams Team initiative which aims to protect and prevent people from becoming victims of scams by empowering people to take a stand against scams. Guidance on financial abuse can be found here.</p>	<ul style="list-style-type: none"> • Change in living conditions • Lack of heating, clothing, or food • Inability to pay bills, unexplained shortage of money or withdrawals from an account, or unexplained loss or misplacement of financial documents • The recent addition of authorised signers on a signature card • Sudden or unexpected changes in a will or other financial documents
Neglect and acts of omission	<p>Ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating, a failure to intervene in situations that are dangerous to the person concerned or to others, particularly when the person lacks the mental</p>	<ul style="list-style-type: none"> • Person has inadequate heating and/or lighting • Person's physical condition / appearance is poor (e.g. ulcers, pressure sores, soiled or wet clothing) • Person is malnourished, has sudden or continuous weight loss and/or is dehydrated • Person cannot access appropriate medication or medical care • Person is not afforded appropriate privacy or dignity • Person and/or a carer has inconsistent or reluctant

	capacity to assess risk for themselves.	<p>contact with health, social services, etc.</p> <ul style="list-style-type: none"> • Callers/visitors are refused access to the person • Person is exposed to unacceptable risk
Discriminatory abuse	Discrimination on the grounds of race, faith or religion, age, disability, gender, sexual orientation, or political views, racist, sexist, homophobic or ageist comments or jokes. It also includes not responding to dietary needs, not providing appropriate spiritual support.	<p>May not always be obvious. May also be linked to acts of physical abuse and assault, sexual abuse and assault, financial abuse, neglect, psychological abuse, and harassment so all the indicators listed above may apply to discriminatory abuse.</p> <p>A person may reject their own cultural background and/or racial origin or other personal beliefs, sexual practices, or lifestyle choices</p>
Organisational Abuse	Includes neglect or poor care in a person's home or in an institution e.g. a hospital or care home; from isolated incidents or ongoing ill treatment; through neglect or poor practice due to an organisations structure, policies, processes, and practices.	
Self-Neglect & Hoarding	<p>Self-Neglect: When a person is unable or unwilling to care for their own essential needs. It covers a range of behaviour including neglecting personal hygiene, health or surroundings and includes refusal of support. The Lincolnshire Multi-Agency Self-Neglect Protocol sets out guidance for intervention and multi-agency working in Lincolnshire to support an individual – balancing their rights with the duties and responsibilities of agencies.</p> <p>Hoarding: Excessive collection and storing of items, often in a chaotic manner, to the point where living space cannot be used for its intended purpose. There are typically 3 types: compulsive hoarding; bibliomania; animal hoarding. A link to the clutter scale for compulsive hoarding can be found here.</p> <p>The Lincolnshire Multi-Agency Hoarding Protocol and guidance for frontline staff is available and should be referred to for appropriate action and support.</p> <p>You can also use the link to make a professional referral for a Safe and Well Check through the SHERMAN campaign which is a free assessment of the fire risks within people's homes should you have concerns about their safety or your own home.</p> <p>The SHERMAN campaign highlights seven factors that put people at greater risk of having a fire, or being less likely to react to a fire.</p> <ul style="list-style-type: none"> Smoking Hoarding Elderly people or those who live alone Reduced mobility, hearing or visual impairments Mental Health issues Alcohol misuse, drugs/medication dependence 	

	Needing care or support
Modern Slavery	Includes slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters coerce, deceive and force individuals into abuse, servitude, and inhumane treatment. For more information please see chapter 7.
Cultural Abuse	<p>Female genital mutilation (FGM): a procedure where the female genitals are deliberately cut, injured, or changed, but where there's no medical reason for this to be done. For more information click here.</p> <p>Forced marriage: A marriage conducted without the valid consent of one or both parties and where duress is a factor. Forced marriage is now a specific offence.</p> <p>Honour based violence: Practices to control behaviour or punish people within families or other social groups, perceived to protect cultural and religious beliefs and/or honour when perpetrators perceive that a relative has shamed the family and/or community.</p>

Criminal Exploitation of Vulnerable Adults: This relates to vulnerable adults who are used, through whatever means, to engage in criminal activity by other adults who are able to coerce them to do so. The coercion is achieved through grooming, intimidation, acts of violence and debt bondage. The individuals involved may not identify themselves as being 'exploited' as such, but it is clearly to their detriment that they are involved in this type of activity. More information on this can be found in **PART G – County Lines and Cuckooing**.

It is vital to begin to establish the facts at the earliest opportunity (for example, the behaviours that are occurring and the circumstances in which they are happening).

Where a concern, complaint or allegation is raised, please discuss this with the Safeguarding Lead Officer to enable them to facilitate an internal exercise to look for:

- Past Incidents
- Concerns
- Risks and
- Patterns

RECOGNISING ABUSE AND NEGLECT

Recognising abuse or neglect is not easy. Abuse can happen anywhere: in someone's own home, in a public place, in a hospital or care home; when an adult lives alone or with others. Anyone can carry out abuse or neglect, including:

- Spouses / partners and other family members;
- Friends and acquaintances;
- Neighbours and local residents;
- People who deliberately exploit adults they perceive as vulnerable to abuse;
- Paid staff or professionals; and
- Volunteers and strangers

The Care Act also identifies self-neglect as a safeguarding adult concern.

Personal characteristics that <u>increase</u> vulnerability may include:	Personal characteristics that <u>decrease</u> vulnerability may include:
<ul style="list-style-type: none"> • Not having mental capacity to make decisions about their own safety including fluctuating mental capacity associated with mental illness and other conditions • Communication difficulties • Physical dependency – being dependent on others for personal care and activities of daily life • Low self-esteem • Experience of abuse • Childhood experience of abuse • Drug/alcohol addiction 	<ul style="list-style-type: none"> • Having mental capacity to make decisions about their own safety • Good physical and mental health • Having no communication difficulties or if so, having the right equipment/support • No physical dependency or, if needing help, able to self-direct care • Positive former life experiences • Self-confidence and high self-esteem
Social/situational factors that <u>increase</u> the risk of abuse may include:	Social/situational factors that <u>decrease</u> the risk of abuse may include
<ul style="list-style-type: none"> • Being cared for in a care setting, i.e. more or less dependent on others • Not receiving the right amount or the right kind of care • Isolation and social exclusion • Stigma and discrimination • Lack of access to information and support • Being the focus of anti-social behaviour 	<ul style="list-style-type: none"> • Good family relationships • Active social life and a circle of friends • Able to participate in the wider community • Good knowledge and access to a range of community facilities • Remaining independent and active • Access to sources of relevant information

While targeted fraud or internet scams are often done by strangers, in most cases of abuse, the abuser is known to the adult and in a position to gain their trust or to exert pressure or have power over them.

Anyone can witness or become aware of abuse and neglect. Everyone has a role in identifying when an adult is at risk. The adult may say or do things that provide a clue e.g. making a complaint, calling for an urgent response, voicing a concern, or issues may emerge during a needs assessment. Regardless of how a concern is identified, you must be vigilant on behalf of those who are unable to protect themselves, knowing what to do and where to get advice.

All adults, regardless of their background, should be given the same level of support and protection.

Always give regard to a person's religion or belief. Those with disabilities or different nationalities, victims of trafficking, domestic abuse and bullying may have additional care needs. Those with autism may be more likely to suffer abuse or neglect.

CARERS AND SAFEGUARDING

Sometimes a carer (e.g. family member or friend) may:

- Witness or speak up about abuse or neglect;
- Experience intentional or unintentional harm from the adult they care for or from professionals and organisations they are in contact with; or,
- Unintentionally or intentionally harm or neglect the adult they support.

The needs of the carer **and** the adult they care for must be considered, including:

- Whether a carer's assessment is needed to explore their individual needs; and whether or not joint assessment is appropriate in each individual case;
- Whether the carer and/or the adult they care for need independent advocacy;
- the risk factors that may increase the likelihood of abuse or neglect occurring;
- Whether a change in circumstance changes the risk of abuse or neglect; a change in circumstance should trigger a review of any care and support plan;
- Where abuse or neglect may be unintentional, whether the carer is struggling, and needs support or help (without losing the focus on safeguarding the adult);
- Where abuse or neglect is deliberately intended to cause harm, whether immediate steps are needed to protect the adult and/or whether a criminal investigation by the police is needed.

Whenever a carer speaks up about abuse or neglect, it is essential that they are listened to and, where appropriate, a safeguarding enquiry is undertaken.

PEOPLE ALLEGED TO BE RESPONSIBLE FOR ABUSE OR NEGLECT

Sometimes the person alleged to have carried out the abuse has care and support needs themselves and/or is unable to understand the significance of questions put to them or their replies. They have a right to support from an 'appropriate' adult if they are questioned in relation to a suspected crime under the Police and Criminal Evidence Act 1984 (PACE). Victims of crime and witnesses may also require the support of an 'appropriate' adult. If those alleged to be responsible for abuse lack capacity, they are entitled to the help of an Independent Mental Capacity Advocate.

CONSENT

It is always essential in safeguarding to consider whether the adult at risk is capable of giving informed consent in all aspects of their life. If they are able, their consent should be sought.

If, after discussion with the adult at risk who has mental capacity, they refuse any intervention, their wishes will be respected *unless*:

- There is an aspect of *public interest* (e.g. not acting will put other adults or children at risk);
- There is a *duty of care on a particular agency* to intervene (for example the police if a crime has been or may be committed);
- Seeking consent is not possible and you have a safeguarding concern;
- Consent has been refused but you feel the referral is reasonable, justified, and proportionate.

MENTAL CAPACITY, CONSENT TO REFER

The Mental Capacity Act 2005 defines capacity as the ability to make a particular decision or take a particular action at the time the decision or action needs to be taken.

The Act applies to everyone aged over 16 and sets out five statutory principles:

1. Always assume a person has capacity to make their own decisions unless it is established that they lack capacity;
2. All practicable steps to help the person decide must have been taken without success;
3. A person must not be treated as lacking capacity and being unable to make a decision merely because they make an unwise decision;
4. Any action taken or decision made on behalf of a person who lacks capacity must be in their "best interests". A record of the action or decision and the reasons for it must be made;

5. An act or decision on behalf of a person who lacks capacity must aim to be the least restrictive of their rights and freedom of action.

Assessing capacity involves a two-stage test:

1. Is there an impairment of or disturbance in the functioning of the person's mind or brain?
2. If so, is the impairment or disturbance sufficient that the person lacks the capacity to make that particular decision? A person is unable to make a decision if they cannot:
 - Understand "relevant information" (e.g. the nature of the decision, why it is needed, the likely effects of deciding one way or another or of making no decision), or
 - Retain the information in their mind, or
 - Use or weigh that information in the process of making the decision, or
 - Communicate their decision to others

Remember – people may make what others consider to be unwise choices, even when they have capacity.

Capacity may vary as a result of illness, injury, medication, or other circumstances. Staff will need to use their professional judgement and seek guidance from Safeguarding Lead Officer or Adult Social Care in order to help adults to manage risk and give them control of making their own decisions.

It is important to note that just because someone is old, frail or has a disability, this does **NOT** mean that they are inevitably 'at risk' or that they lack capacity. A person with a disability who has mental capacity to make decisions about their own safety may be perfectly able to make informed choices and protect themselves from harm. It is equally important to note that people with capacity can also be vulnerable.

It is vital to try and decide whether an adult has the mental capacity to make decisions about their own safety or to give informed consent about:

- a referral being made;
- the actions that may follow under multi-agency policy and procedures;
- their own safety, including understanding the potential for longer-term harm as well as immediate effects;
- what action they need to take to protect themselves from future harm.

For consent to be meaningful and legal, two criteria need to be satisfied:

- The person must have the capacity to consent, AND
- The consent must be their own choice, and must be given freely and not through coercion, intimidation or pressure from family or professionals.

If the person **has** capacity, you must always seek their consent to make a referral.

If you are concerned that the person **does not have** mental capacity, a referral or further action may still be needed. Always do this in the person's best interests. **Please speak to the Safeguarding Lead Officer will assist you to help determine next steps and external advice.** If a decision is needed quickly, make it, recording all actions and decisions and the reasons for these.

ADVOCACY

If there is a concern that an adult at risk of abuse or neglect requires an advocate to help them to understand and make decisions, the County Council has a duty consider whether the adult requires an independent advocate to represent and support the adult in an enquiry.

There are two distinct types of advocacy:

Instructed advocates: they take their instructions from the person they are representing. For example, they will only attend meetings or express views with the permission of that person;

Non-instructed advocates: they work with people who lack the capacity to make decisions about how the advocate should represent them. Non-instructed advocates independently decide how best to represent the adult.

RESPONDING TO AN ADULT WHO IS MAKING A DISCLOSURE

- Stay calm;
- Speak to them in a private and safe place. It is essential that the person alleged to have caused harm is not present;
- Listen carefully to what they are telling you and get as clear a picture as you can. Avoid asking too many questions at this stage unless for clarification;
- Let them talk at their own pace;
- Do not give promises of complete confidentiality – **do not promise to keep secrets**. Explain that you have a duty to tell a designated safeguarding officer and that the adult at risk's concerns may be shared with other professionals who could have a part to play in protecting them;
- Reassure the adult at risk that they have done the right thing in telling you;
- Reassure the adult at risk that they will be involved in decisions about what will happen;
- Explain that you will try to take steps to prevent them from further abuse or neglect;
- If they have specific communication needs, provide support and information in a way that is most appropriate to them;
- Do not be judgemental;
- Do not jump to conclusions;
- Record in writing all the details that you are aware of and what was said, using the person's own words, as soon as possible.

In your record you should include:

- The date and time;
- The person's name, address, and date of birth;
- The nature of the allegation;
- A description of any visible injuries;
- Your observations, for example a description of the person's behaviour and physical and emotional state;
- Exactly what the person said and what you said. Record the person's account of what has happened as soon as possible;
- Any action you took as a result of your concerns, e.g. who you spoke to and resulting actions. Include names, addresses and telephone numbers;
- Date what you have recorded

- Store the information in accordance with relevant procedures, e.g. GDPR;
- Report to relevant person – to the Safeguarding Lead Officer via email or online reporting form or, in an emergency, contact Adult Social Care and/or the Police.

RESPONDING TO ALLEGATIONS OR CONCERNS AGAINST A MEMBER OF STAFF, ELECTED MEMBER, VOLUNTEER OR ANY OTHER PERSON

You should always:

- Take the allegation or concern seriously
- Consider any allegation or concern to be potentially dangerous to the person
- Record in writing all the details that you are aware of as soon as possible

If an allegation of abuse is made against a member of staff, elected member or volunteer, the Designated Safeguarding Officer must be informed immediately. They will inform the Chief Executive (providing that the allegation is not against them) and Local Authority Designated Officer for Allegations (LADO). Consideration will be given to suspending the member of staff or moving them to alternative duties not involving contact with adults at risk, in accordance with the Council's Disciplinary Policy and Procedure. If the Designated Safeguarding Officer is the subject of the suspicion/allegation, the report must be made directly to the Chief Executive.

If the complaint is against someone other than a member of staff, elected member, volunteer, contractor or consultant i.e. parent, carer, other service user, then the Designated Safeguarding Officer must be informed in line with the Council's reporting procedures.

REPORTING CONCERNS

Anybody subject to this policy may witness or be informed of an issue that they feel should be referred to Adult Social Care or other appropriate agencies for support.

The first priority must always be to ensure the safety and wellbeing of the adult. The adult should experience the safeguarding process as empowering and supportive. Practitioners should, wherever practicable, seek the consent of the adult before taking action. However, there may be circumstances when consent cannot be obtained because the adult lacks capacity to give it, but it is in their best interests to undertake an enquiry. Whether or not the adult has capacity to consent, action may need to be taken if:

- Others are or will be put at risk if nothing is done;
- It is in the public interest to take action because a criminal offence has occurred.

If anyone to whom this policy applies thinks an adult is being abused, or that their safety is at risk, they should raise their concerns.

If you have reasonable suspicion (e.g. reasons to suspect that an adult with care or support needs is experiencing or is at risk from abuse or neglect) it is important to tell someone. You do not need to know everything about the situation or what is happening. You may just be worried or feel that something is not right. Please speak to the Safeguarding Lead Officer for advice and report your concern using the online form or emailing safeguarding@lincoln.gov.uk

If you are worried about an adult and think they may be a victim of neglect, abuse or cruelty and have care and support needs you can call the CSC on 01522 782155 or out of hours 01522 782333.

If you believe a crime has been committed and there is an immediate risk of danger, you should telephone the Police on 999. If you believe a crime has been committed but there is no immediate danger, you should call 101 to report your concerns.

Customer facing, front line services are most likely to come across safeguarding concerns in their day to day roles and should have an enhanced level of awareness. These staff groups/services will be more experienced in engaging with external agencies to report safeguarding concerns and should do so wherever possible (this should still be reported internally via email or online form).

When an adult safeguarding referral is made, Lincolnshire County Council will apply the six objectives of the safeguarding enquiry to the discussions with colleagues and although the local authority is the lead agency for making enquiries, it may require others to undertake them.

The specific circumstances will often determine who the right person to begin an enquiry is. Statutory guidance sets out that in many cases a professional who already knows the adult will be the best person; for example, this could be a housing support worker or community safety officer.

It is possible that the Council will have allegations referred to them by third parties. For example, neighbours may contact staff to advise that they suspect that the welfare of an adult at risk is suffering. Under these circumstances staff should encourage those reporting such concerns to contact the police or the CSE for adults accordingly.

Officers should be aware that in the case of professional referrals relating to an adult at risk, the assumption of the Safeguarding Adults Team at Lincolnshire County Council is that the adult at risk may be told where the referral has come from. Any referral made by an officer of the Council is regarded as a professional referral but can be made in the name of the Designated Safeguarding Officer or Safeguarding Lead Officer.

You must be aware that if there is a need by Adult Social Care or the Lincolnshire Safeguarding Adults Board to open an Adult Protection Plan or Serious Case Review you may be called in to give evidence. In these instances, you will be supported by the Designated Safeguarding Officer or Deputy Safeguarding Officer.

WHAT HAPPENS WHEN YOU REPORT ABUSE OR NEGLECT

The Care Act (2014) requires Lincolnshire County Council (LCC) to undertake enquiries, or to cause others (potentially including appropriate Council staff) to do so, if they reasonably suspect an adult who meets the criteria is, or at risk of, being abused or neglected. The purpose of an enquiry is to decide whether LCC or any other agency should do something to help and protect the adult. The adult should always be involved from the start of the enquiry unless that would increase the risk of abuse. If they have severe difficulty in being involved or if there is no one appropriate to support them, LCC must arrange for an independent advocate to represent them. The objectives of an enquiry into abuse or neglect are to:

- establish the facts;
- ascertain the adult's views and wishes;
- assess the need for protection, support, redress, and how this might be met;
- protect the adult from the abuse and neglect, in line with their wishes;
- make decisions about further action against the person or organisation causing the abuse or neglect;

- enable the adult to achieve resolution and recovery.

The first priority is always to ensure the safety and wellbeing of the adult.

The process should be empowering and supportive. Wherever practicable, the consent of the adult will be sought before taking action but action may need to be taken if others are or will be put at risk if nothing is done, or if it is in the public interest because a criminal offence has occurred. Complex cases need to involve a social worker: for example, if abuse or neglect is suspected within a family. In other cases, a professional who already knows the adult or who has specific knowledge may be better placed to do an enquiry e.g. health professionals for medical issues or housing issues. If LCC asks another agency to make the enquiry, they must set timescales and what action will follow if this is not done.

On completion of the enquiry, the outcome should be notified to LCC who must determine with the adult what, if any, further action is needed, agreeing an action plan, to be recorded on their care plan. Agencies must agree:

- what steps are to be taken to assure their safety in future;
- the provision of any support, treatment or therapy including on-going advocacy;
- any modifications to the way services are provided;
- how to support the adult through any action they take to seek justice or redress;
- any on-going risk management strategy as appropriate;
- any action to be taken regarding the person or organisation causing the concern.

Actions could include disciplinary or criminal investigations, supporting the person through mediation, developing safeguarding plans or securing fuller assessments by health and social care agencies. A criminal investigation takes priority over all other enquiries but a multi-agency approach will be agreed to ensure that the interests and wishes of the adult are considered throughout, even if they do not wish to give evidence or support a prosecution. The welfare of the adult and others, including children, requires continued risk assessment to ensure the outcome is in their interests and supports their wellbeing.

ACTING TO PROTECT AN ADULT AT RISK AND DEAL WITH IMMEDIATE NEEDS

In an emergency, or if there is an immediate concern for the person's safety or wellbeing:

- **Call 999** for an ambulance if they are injured and/or for the police if you suspect a crime has been committed;
- Inform the appropriate LCC Customer Service Centre (CSC);
- Take steps to ensure they are not in immediate danger (without risk to yourself);
- Avoid disturbing evidence: try to secure the scene e.g. lock the door;
- Consider the risk to any other adults or children;
- Support the person to contact the police themselves if a crime has been or may have been committed;
- Provide reassurance, whilst being clear that you need to report the issue.

Also, as soon as possible after the emergency has been resolved:

- Record exactly what happened on the relevant safeguarding referral form;
- Notify the Safeguarding Lead Officer or Designated Safeguarding Officer;
- Ensure that your record is dated, reported and securely stored.

If a person is at risk of significant harm, or if they have made a disclosure or a direct or indirect allegation about a person or organisation outside City of Lincoln Council, including a relative, carer or employee of that organisation:

- Take the allegation or concern seriously;
- Speak to them in a private and safe place;
- Ensure that the person alleged to have caused harm is not present;
- Make sure they are and feel safe and know what is happening;
- Evaluate the risk the adult; do this on the same day as the concern is identified;
- **Ask for consent to share the information** (although you may not need consent if there is significant harm, it is still good practice);
- Record the details on the Safeguarding Report Form, using their own words;
- As soon as possible, contact LCC's Customer Service Centre who will tell you what to do next. Write this down;
- Notify the Safeguarding Lead Officer or Designated Safeguarding Officer
- Ensure that your record is reported, dated, and securely stored.

If someone makes allegations against a member of staff, elected member, volunteer, key contractor, consultant or directly commissioned provider acting on behalf of the Council, regardless of your role or status or theirs, **YOU MUST ALWAYS ACT!**

WHAT TO DO IF SOMEONE MAKES A THREAT OF SUICIDE

If someone indicates over the phone that they are going to take their own life offering an opportunity to talk about those thoughts or feelings may reduce the risk that someone may act upon their suicidal feelings.

Start by asking questions.

The first step is to find out whether the person is in danger of acting on suicidal feelings. Be sensitive, but ask direct questions, check details, and give further information such as:

- Check the details of what has been said (explaining again may get them to realise what they said and explain they do not mean it);
- Check their contact number and current location (in case you need to call them back or send someone to the address);
- Ask if they are thinking about committing suicide;
- Ask who is with them (either an adult for support or a child that may need safeguarding);
- Inform them of the Samaritans number 116123
- Inform them of the number for the Lincolnshire NHS 24 helpline 0800 001 4331 for adults or 0800 234 6342 for under 18s
- Advise them they can text SHOUT to 85258
- Recommend they make an appointment with their GP or ask their permission to contact their GP on their behalf.

If the call gets cut off and you are unable to get back in touch or if you have concerns that the person needs medical attention or is at immediate risk to themselves or another person, please call 999.

In all cases you should report the incident to the Safeguarding Lead Officer via email or online report form.

The Lincolnshire Suicide Prevention Strategy can also be referred to for sources of support.

RECORD KEEPING

Good record keeping is essential. Whenever a complaint or allegation is made, all agencies should keep clear and accurate records with all relevant records put into a file to record all action taken. Always and as soon as possible, make a factual record of everything that happened, was said, and was seen, including:

- The date and time and the person's name, address, and date of birth;
- The nature of the allegation or incident and, if possible, the name, address, date of birth, employer of the person alleged to have caused the harm;
- Factual observations e.g. any visible injuries, the person's behaviour, physical/emotional state etc.;
- Exactly what they said, using their own words, and exactly what you said;
- Their consent to share the information;
- All actions you took e.g. who you spoke to and all resulting actions so far. Included names, addresses and telephone numbers wherever possible;
- Date your record and store the information securely.

Where there is a file for the individual, the record should be stored in their file.

REPORTING TO THE POLICE

The police take any crime against an adult at risk seriously, and will investigate it thoroughly, professionally, and compassionately. The police work very closely with partner agencies to ensure effective information sharing, risk assessment and decision-making takes place every time an incident of abuse is reported.

There are now special measures that can be put into place to help vulnerable people through the court process. These measures have allowed many people who may once have been denied access to the criminal justice system the opportunity to give their evidence in court. The police will discuss these special measures with victims at the earliest stage possible in the investigation.

CASE MEETINGS AND TEAM AROUND THE ADULT

Through the work of frontline teams in public service there will be occasions where additional concerns or support needs for residents are identified that do not fall directly under the definition of safeguarding, or meet the threshold for a s42 enquiry. However, individuals may be known to a number of agencies, concerns for their wellbeing raised by practitioners or the local community and a co-ordinated multi-agency response is needed to offer support. These can be complex cases and can sometimes be met with a reluctance to engage with services. A creative or problem solving approach is often needed, or additional support from partner agencies and services. Internal case meetings, Vulnerable Adult Panels and Team Around the Adult are not designed to replace other processes and procedures such as MAPPA, MARAC or Lincolnshire Safeguarding Adults Board procedures. The Vulnerable Adult Panel will co-ordinate a multi-agency response to complex cases to provide access to appropriate support, assistance or accommodation. Team Around the Adult gives district council officers a pathway into additional support and bespoke intervention, where an individual has complex needs and where all traditional methods have been exhausted and were unable to resolve the situation.

WELLBEING LINCS

Wellbeing Lincs is a countywide preventative service aimed at adults 18+. It is designed to promote confidence in living independently. It is funded by Lincolnshire County Council and delivered on contract by the district councils working together. More information can be found [here](#).

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PART C – DOMESTIC ABUSE

INTRODUCTION

Section 1 of the Domestic Abuse Act 2021 creates a statutory definition of domestic abuse.

“Behaviour of a person (A) towards another person (B) is ‘domestic abuse’ if

- a) A and B are each aged 16 or over and are personally connected to each other, and
- b) the behaviour is abusive

Behaviour is ‘abusive’ if it consists of any of the following;

- a) physical or sexual abuse
- b) violent or threatening behaviour
- c) controlling or coercive behaviour
- d) economic abuse
- e) psychological, emotional or other abuse

and it does not matter whether the behaviour consists of a single incident or a course of conduct”

TYPES OF ABUSE

Recognising domestic abuse is not easy. The table below details some of the different types of abuse that may be present in an abusive relationship, but this list is not exhaustive.

Category of Abuse	Examples
Psychological/Emotional	Intimidation, insulting, isolating a person from friends and family, constantly criticising. Denying abuse, treating them as inferior, threatening to harm children or take them away, forced marriage. Swearing, undermining confidence, making racist remarks, making a person feel unattractive, calling them stupid or useless, eroding their independence, threatening suicide if the person leaves them.
Physical	Shaking, smacking, punching, kicking presence of finger or bite marks, starving, tying up, stabbing, suffocation, throwing things, using objects as weapons, female genital mutilation, ‘honour based violence’. Physical effects such as bruises may be on areas of the body that are usually covered and hidden.
Sexual	Forced sex, forced prostitution, ignoring religious prohibitions about sex, refusal to practice safe sex, sexual insults, sexually transmitted diseases, preventing breastfeeding.
Financial	Not letting a person work, undermining their efforts to find work or study, refusing to give them money, asking for an explanation of how every penny is spent, making them beg for money, gambling, not paying bills.

Controlling	A range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of their means needed for independence, resistance and escape and regulating their everyday behaviour.
Coercive	An act or pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten the victim.
Stalking	An activity that is designed to force contact on the subject. The stalker may use a variety of methods to attempt to establish a relationship including calling, emailing, sending letters, waiting in areas where the subject works or lives and attempting to approach or use third parties as intermediaries.
Harassment	Involves behaviour that is threatening and disturbing, conducted with the goal of intimidating, frightening, or irritating someone. A variety of activities can be considered harassment, and some may technically be legal, but when they occur in the context of a pattern of other behaviours, they are considered harassment and can be prosecuted. This activity can include filing false reports against someone and distributing abusive materials designed to malign someone.

LINCOLNSHIRE PREVENTING DOMESTIC ABUSE STRATEGY 2021 - 2024

The [Lincolnshire Preventing Domestic Abuse Strategy 2021 - 2024](#) recognises that each person's experience of domestic abuse will be different. This partnership strategy focuses on four forms of domestic abuse;

Intimate Partner Abuse	It has long been accepted that domestic abuse most commonly takes place in intimate partner relationships, including same sex relationships. Such abuse in intimate relationships can vary in severity and frequency, ranging from a one-off occurrence to a continued pattern of behaviour. Abuse often continues or intensifies when a relationship has ended, which can be a very dangerous time for a victim. Post-separation abuse, including stalking, harassment and forms of physical, emotional, sexual and economic abuse controlling and coercive behaviour often continues and causes ongoing harm
Teenage Relationship Abuse	Young people can experience domestic abuse in their relationships, regardless of whether they are living together. It should be noted that if a young person is under 16 years old, the definition of domestic abuse under the 2021 Act will not apply to them, instead this abuse would be considered as child abuse. Victims under 16 would be treated as victims of child abuse and age appropriate consequences will be considered for perpetrators under 16. Abuse may also arise out of casual relationships. Some perpetrators may deny abuse by stating that they were not in a

	relationship with the victim. Some victims may not self-identify as victims due to the casual nature of their relationship. Some perpetrators may have multiple romantic and sexual partners via dating apps and demonstrate abusive behaviour even though the perception is not one of being in an intimate personal relationship with the victim.
Abuse by Family Members	Abuse by family members can involve abuse by any relative or multiple relatives. A wide range of family members will be considered to be “relatives” that can perpetrate and be victims of abuse, and there is no requirement for the victim and the perpetrator to live together within the 2021 Act. For instance, familial abuse may be perpetrated by children, grandchildren, parents, those with parental responsibility, siblings, or extended families. Abuse by family members also encompasses forced marriage, “honour”-based abuse and female genital mutilation.
Child to Parent/Carer Abuse	It is important to remember that this form of abuse, though commonly referred to as CPCA, can also include parents, those with parental responsibility, siblings, or extended families. There is no specific legal definition of CPCA, but it is important to recognise that CPCA is likely to involve a pattern of behaviour. This can include physical violence from a child towards a parent or other family members such as siblings and a number of different types of abusive behaviours, including damage to property, emotional abuse, and economic/financial abuse. Violence and abuse can occur together or separately. Abusive behaviours can encompass, but are not limited to, humiliating language and threats, belittling, damage to property and stealing and heightened sexualised behaviours. Patterns of coercive control are often seen in cases of CPCA, but some families might experience episodes of explosive physical violence from their child with fewer controlling, abusive behaviours.

WHY DO PEOPLE STAY IN ABUSIVE RELATIONSHIPS?

Making the decision to leave a violent or abusive partner is not easy. There are a number of reasons why people do not leave an abusive relationship. It is important to understand some of these reasons. The table below sets out some of the reasons, but everyone’s circumstances are different, and this is not an exhaustive list.

Fear of further violence: Leaving may end the relationship but may not end the abuse. Many victims are tracked down and further abused when they leave, often for weeks and months afterwards. Research shows that about half of all women murdered by their partners had left or were in the process of leaving when they were killed.

Lack of knowledge and access to help: Despite increased awareness about domestic abuse, many victims do not know how to take advantage of their legal and housing rights. Even if they are aware of these services, some may experience problems due to language difficulties, inappropriate responses from service providers, living in isolated areas or lack of funds.

Economic dependence: If a victim is working, he/she may lose their job due to needing time off work, moving too far away, or staying off work so they cannot be found there. For other victims,

becoming a single parent may mean working is no longer possible; others may face months of legal dispute over property and financial matters.

Staying because of the children: Many abused victims think they should stay in their relationship for the sake of their children.

Social isolation: Most victims experiencing domestic abuse are extremely isolated. Their partner may have deliberately isolated them from sources of support including family and friends, they may be too ashamed or afraid to tell anyone, or they may have told someone whose response has been unhelpful and judgmental.

Emotional dependence: Conflicting feelings of fear, shame, bewilderment, care for the abuser, a hope that things will improve, a commitment to the relationship but not to the abuse, all often contribute to a victim staying in an abusive situation.

Lack of confidence: After living with an abusive partner, the self-esteem of most victims has been eroded to the point where they no longer have confidence in themselves, including their ability to survive alone, and may believe that there are no other options.

Cultural reasons: Many victims and abusers have been brought up to believe that real fulfillment comes from being a husband/wife and mother/father or that divorce is wrong and may even be encouraged to stay in the relationship by family members or religious leaders.

It is important never to judge a person for not leaving an abusive relationship. Support them, regardless of their decision and advise them how to keep safe while living with domestic abuse and when they are ready to move, enable them to do so.

It is not your job to judge or investigate, but to inform and share your concerns.

LINCOLNSHIRE DOMESTIC ABUSE PARTNERSHIP MULTI-AGENCY DOMESTIC ABUSE JOINT PROTOCOL

The [Lincolnshire Multi-Agency Domestic Abuse Joint Protocol](#) sets out how agencies in Lincolnshire work together to support adults and/or children who may be experiencing domestic abuse directly or indirectly. It outlines practical good practice for responding to adults and families who are affected by domestic abuse. This protocol should be read in conjunction with the [Multi-Agency Risk Assessment Conference \(MARAC\) Operating Protocol](#). Officers supporting individuals through MARAC case meetings must follow these protocols and complete the appropriate training.

RESPONDING TO CONCERNS, ALLEGATIONS AND DISCLOSURES

Disclosing domestic abuse is not easy. It is vital that the procedures in this section are understood and applied consistently by all staff, elected members, volunteers and anyone working for or on behalf of the Council.

- At all times the person who has experienced Domestic Abuse must be dealt with in confidence. This is important to maximise the confidence that the individual has in the colleague/manager/practitioner and the organisation;
- At all times take steps to protect the victim, accept their perception of the danger they are in and listen appropriately;

- Permission must be sought to share information. Information should never be discussed with other members of the public and should only be shared with colleagues where it is appropriate (e.g. the [MARAC](#) process)
- A risk assessment (known as a [DASH](#)) should be used in all cases and its use explained to the victim – please contact the Safeguarding Lead Officer, Designated Safeguarding Officer or a Deputy Designated Safeguarding Officer if you need advice or guidance.
- Concerns about the welfare of any children will take precedence over issues of confidentiality and be over-ridden by Child Protection procedures;
- Ensure that at all times the victim is aware of organisational procedures and any action you are taking. Records should be kept of all interviews. This may be important for later evidential purposes. Use the client's exact words to record the abuse. Be as precise as possible e.g. 'my husband hit me with a cricket bat' rather than 'client has been abused';
- Do not insist on joint sessions with the victim and the perpetrator or that they should seek legal remedies if they do not wish to do so;
- If the victim concerned does not want to leave yet, it does not mean they will never leave, nor that they do not require ongoing and continual support.

City of Lincoln Council operates a 'Safe at Home' Scheme also known as the "Sanctuary Offer" which is managed in partnership with the district's Independent Domestic Violence Advisor (IDVA). The scheme is open to all victims of domestic abuse who are in the district, but priority may be given to high risk victims managed under the MARAC arrangements. The scheme can be accessed via self-referral, MARAC referral and professional referral. Most MARAC referrals are managed by the IDVA who holds a stock of equipment. A range of housing options will be discussed and offered as well as the Safe at Home scheme to enable the client to make an informed decision about the options that best suits their needs and circumstances.

REPORTING CONCERNS

Any officer may, in the course of their duties, witness or be informed of an issue that they feel should be referred to a domestic abuse trained officer. Please contact the Safeguarding Lead Officer or Designated Safeguarding Officer for advice using the Internal Online Form or by emailing the safeguarding@lincoln.gov.uk If officers are confident to do, they should complete a DASH risk assessment. Officers completing a risk assessment should discuss the outcome with the Safeguarding Lead Officer.

It is possible that the Council will have allegations referred to them by third parties. For example, neighbours may contact staff to advise that they suspect that somebody is at risk of or is experiencing domestic abuse. Under these circumstances, staff should encourage those reporting such concerns to contact the Police or the CSC for adults accordingly. Advice on how to help someone in an abusive relationship is available [here](#) and this can be shared with third parties.

'ASK FOR ANI'

Ask for ANI (Action Needed Immediately) is a code word scheme developed by the Home Office to provide a discreet way for victims of domestic abuse to signal that they need emergency help from the safety of their local pharmacy.

Victims of domestic abuse will be able to use the code word **ANI** in participating pharmacies (including all Boots stores and participating independent pharmacies) to let staff know that they require an emergency police response or help contacting a helpline or specialist support service.

Participating pharmacies will display posters in their window and around the pharmacy to let customers know that they can approach their staff to seek help. Any information shared will be treated confidentially.

When a victim uses the code word or asks for help, the member of staff will offer to accompany the individual to the consultation room. They will then check whether the victim wants the police to be called. If so, the staff member will offer the use of a phone to dial 999 or make the call on the victim's behalf.

If the victim is not in an emergency situation, the staff member will support the victim to contact a national domestic abuse helpline or local support service. They may also contact the police via 101.

If an employee of the council receives a call from a victim who asks to speak to ANI or a pharmacy requesting help. Please follow the reporting process below or contact the Police if they are in immediate danger.

CLARE'S LAW

Clare's Law - Domestic Violence Disclosure Scheme: This gives individuals a 'right to ask' Police where they have a concern that their partner may pose a risk to them or where they are concerned that the partner of a member of their family or a friend may pose a risk to that individual.

If an application is made under the scheme, Police and partner agencies will carry out checks. If these show that the partner has a record of abusive offences, or there is other information to indicate that there may be a risk from the partner, the Police will consider sharing this information. For more information please contact [Lincolnshire Police](#).

LOCAL SUPPORT

- [Lincolnshire Domestic Abuse Specialist Service](#) 01522 510 041 provides a wide range of information, advice and support to those in Lincolnshire affected by domestic abuse.
- [Andy's Man Club](#) is a men's suicide prevention charity, offering free-to-attend peer-to-peer support groups both locally and nationally.
- [LDASS](#) provides help for women, men and children experiencing domestic abuse in Lincolnshire.
- [H.A.Y. Lincolnshire](#) is a family of websites that bring together everything in the local community that boosts wellbeing.
- [Lincolnshire Rape Crisis](#) supports people of all genders and ages who live or work in Lincolnshire, who have been affected by any form of sexual violence.
- [Mental Health Helplines](#) offers information on Lincolnshire services available for adults and children.
- [Migrant Workers Helpline](#) trained advisors are fluent in Polish as well as being experts in providing all the help you need.
- [SoLDAS - Boston Womens Aid](#) is a South Lincolnshire charity providing support, advice and safe housing for those experiencing domestic abuse.
- [Spring Lodge](#) is a Sexual Assault Referral Centre for children and adults.
- [Safe Spaces locations](#) provides information on businesses where safe and discreet spaces are available for those who need to contact specialist services

PART D – STALKING AND HARASSMENT

INTRODUCTION

Stalking and harassment is when someone repeatedly behaves in a way that makes someone feel scared, distressed or threatened. Stalking and harassment are offences under the Protection from Harassment Act 1997. There are different types of stalking and harassment and anyone can be a victim of this.

HARASSMENT

Harassment is defined as unwanted behaviour that has happened more than once. It may include;

- Sending abusive text messages
- Cyber stalking (using the internet to harass someone)
- Unwanted phone calls, letters, emails or visits
- Sending unwanted gifts
- Anti-social behaviour
- Bullying at school or in the work place

Sexual harassment is unlawful as a form of discrimination under the Equality Act 2010 which says that sexual harassment is unwanted behaviour which;

- Violates someone's dignity
- Creates an intimidating, hostile, degrading, humiliating or offensive environment (including the digital environment online)

STALKING

The Suzy Lamplugh Trust defines stalking as 'a pattern of fixated and obsessive behaviour which is repeated, persistent, and intrusive and causes fear of violence or engenders alarm and distress in the victim.' Stalking is similar to harassment but is more aggressive and the stalker will have an obsession with the person they are targeting.

Stalking can consist of any type of behaviour and can include;

- regularly sending flowers or gifts
- making unwanted or malicious communication
- damaging or interfering with property
- regularly following someone
- repeatedly going uninvited to their home
- checking someone's internet use, email or other electronic communication
- hanging around somewhere they know the person often visits
- watching or spying on someone
- identity theft (signing-up to services, buying things in someone's name)

If the unwanted behaviour has happened more than once and causes fear, distress, or anxiety then it is stalking.

One in two domestic stalkers will carry out the threats to harm their victim. One in ten non domestic stalkers will carry out the threats to harm their victim

About 45% of people who contact the Suzy Lamplugh Trust are being stalked by ex-intimates (i.e. ex partners) and a further third have had some sort of prior acquaintance with their stalker such as having dated, married or been friends with their stalker. Just because a person knows or knew their stalker does not mean that the situation is their fault - it is still stalking, and it is wrong.

Anyone can become a victim of stalking. A report produced by Dr. Lorraine Sheridan and Network for Surviving Stalking, in which 2,292 victims of stalking were surveyed, found that victims' ages ranged from 10 to 73, they were male and female, were spread across the entire socio-economic spectrum and a large proportion (38%) were professionals. Dr. Sheridan concluded that virtually anyone can become a victim of stalking and the only way to avoid doing so would be to avoid the social world. This report found that stalking could last anywhere from 1 month to 43 years. The average length of time was found to be between 6 months and 2 years. Dr. Sheridan also found that the duration of stalking tends to increase as the stalker's emotional investment in the relationship increases. This is one of the reasons ex-intimate stalking is often considered to be the most dangerous. Stalking without violence can cause harm. The absence of violence in a stalking case does not mean the victim is unaffected. Stalking can cause severe psychological distress to a victim. Depression, anxiety, sleep disturbance, paranoia, agoraphobia, and post-traumatic stress disorder are all common side effects of stalking.

There are four warning signs of stalking. If the behaviour an individual is experiencing is;

- **Fixated**
- **Obsessive**
- **Unwanted**
- **Repeated**

It can be reported as a crime. The [National Stalking Helpline](#) has further advice.

RESPONDING TO DISCLOSURES, CONCERNS OR ALLEGATIONS

These procedures are intended as a guide to help understand what action should be taken if you have concerns about or encounter a case of alleged or suspected stalking.

In order to help identify a pattern of behaviour such as turning up at home unannounced, calling a person numerous times, sending gifts etc., best practice is to encourage a log to be kept of all incidents, keep notes regarding anything that could help show a pattern, anything witnessed such as flowers being delivered, an unwanted text message etc. Encourage reporting to police and encourage use of the original police incident number in any future reports in order to show that there is a pattern of behaviour emerging.

Depending on the nature of the disclosure/concern/allegation, different approaches may be needed to get the best outcome. Please complete a [DASH Risk Assessment](#) to check the current level of risk. More information can also be found by ringing the National Stalking Helpline on 0808 802 0300.

Residents can [report stalking or harassment to Lincolnshire Police](#) if they, or someone they know has been a victim of stalking or harassment or they can call 101. If it is an emergency and risk of immediate danger please call 999.

Please contact the Safeguarding Lead Officer for advice and to report and record any concerns internally.

PART E – Hate and Mate Crime

This section sets out the policy for identifying, reporting, and dealing with hate and mate crime in Lincolnshire.

This policy and the commitments made are made in the context of the Equality Act, which requires public authorities to consider how they can take action to eliminate discrimination, advance equality of opportunity and foster good relations in the community. A key part of this is the correct identification and handling of hate and mate crime.

Hate crime can affect all communities, both urban and rural, and it is important that staff and members are aware of hate crime issues and what to do when hate crime is identified, and to be aware of hate crime issues across the city. Furthermore, mate crime is a growing area of concern, and one which is not yet widely recognised, but is prevalent in all areas of society. Employee awareness is a key part of tackling the problem

Hate Crime	<p>A hate crime or hate incident is any crime or incident which is perceived by the victim or any other person to be motivated by hostility or prejudice based on a person's actual or perceived social group. There are common social groups who encounter such prejudice or hostility, and therefore the focus within this chapter is on the following strands:</p> <ul style="list-style-type: none">• Disability;• Race;• Religion or belief;• Sexual orientation;• Transgender. <p>It is worth noting however, that hate crime can be based on any identifying factor, or a combination of 2 or more factors.</p>
Mate Crime	<p>There is currently no formally agreed definition of mate crime. However, the below is a widely accepted description:</p> <p><i>'When a person is harmed or taken advantage of by someone they thought was their friend. It is more common with people with learning disabilities and mental health conditions but not exclusive'.</i></p> <p>Those with substance misuse issues can also be more at risk.</p>

RECOGNISING HATE OR MATE CRIME

A **hate crime** or incident can encompass a large number of actions, directed at a particular person or more generally at a group of people, for the sole reason of their inclusion, or perceived inclusion, in one of the social groups mentioned above. These can include:

- Physical attacks;
- Verbal abuse;
- Offensive graffiti;
- Harassment;
- Damage to property;

- Exclusion from a group or community.

It can be any activity directed at a person or group because of their social group. Usually hate crimes and incidents are easy to recognise for both the victims and the observers due to type of language used, or person targeted. However, not all attacks on minority social groups are because of hate, they may just be randomly targeted, and this must be considered.

Mate crime can be more difficult to recognise as often the victim thinks the perpetrator is their friend and may not perceive themselves as a victim, or what is happening to them as wrong.

Mate crime may include:

- Financial abuse e.g. visiting when the victim has just got their benefit and 'borrowing' money or going out for a drink and getting the victim to buy all the drinks;
- Physical abuse, making a joke of physical abuse, making it part of a 'game';
- Emotional abuse, distancing the victim from their family or other support, manipulating them into doing things they normally would not;
- Sexual abuse, coercion into prostitution, exploitation by their 'friend'.

Mate crime can be very subjective, and it is important to consider the vulnerability of the victim, the incidents occurring and any known background of the alleged perpetrator when dealing with mate crime. If you are unsure, please seek advice from a Safeguarding Officer.

Indicators of a victim of mate crime may be:

- Lack of money shortly after payday;
- Withdrawal from services or family;
- Over reliance on a new friend;
- Changes in behaviour or mood;
- Making excuses for the behaviour or actions of a friend.

Those subject to hate crime may be more at risk of early extremist tendencies, or those perpetrating may be exhibiting extremist views. In such cases Section H – Preventing Violent Extremism, of this policy should be referred to, which will give guidance on who to contact and go to for advice.

RESPONDING TO A REPORT OF HATE CRIME OR MATE CRIME

Across Lincolnshire, partners use [True Vision](#) as the third party reporting centre. If a report is made to a member of staff or elected member, the following process should be followed:

1. Take notes of the incident or allegation;
2. Encourage the person to report the hate or mate crime to Lincolnshire Police;
3. If the victim does not wish to make the report themselves, contact Lincolnshire Police to report the hate or mate crime as a third party. Inform the Safeguarding Lead Officer of the report and any action taken through the internal report form;
4. Consider any additional factors such as Anti-Social Behaviour, Domestic Abuse or Prevent. Where these factors are identified, refer the case to the Safeguarding Lead Officer for further advice;
5. Make any necessary referrals arising from the above risk assessments;
6. Offer the victim appropriate support, giving them a named contact. Identify any additional vulnerabilities including alcohol or substance misuse which may require a referral to substance

misuse services or adult social care. If additional concerns or support needs are identified consider a referral to internal case meetings.

If an allegation is made against a member of staff or elected member, the Designated Safeguarding Officer or Deputy must be informed immediately. The Designated Safeguarding Officer will inform the Chief Executive and the Local Authority Designated Officer for Allegations (LADO) and consideration will be given to suspending the member of staff from work or moving them to alternative duties. If the Safeguarding Officer is the subject of an allegation, the report must be made directly to the Chief Executive. If it is necessary to conduct an investigation into events surrounding the complaint, this will be conducted in accordance with advice from the LADO, and through the Council's Disciplinary Policy and Procedure.

Staff Welfare is a key concern for the Council. If a member of staff or elected member is experiencing hate or mate crime, they will be offered the same support as a member of the public reporting to us, plus any extra support the council can offer such as management support. If the person perpetrating the hate or mate crime is an employee or elected member, the same process as described in the above paragraph will be followed, with serious consideration given to suspension to allow for proper investigation and to safeguard the welfare of staff, guided by the Council's Disciplinary Procedure.

Training is provided to ensure that staff not only know how to respond to a report of hate or mate crime, but also so that they are aware of the assistance they can get from the organisation.

REPORTING CONCERNS ABOUT HATE CRIME OR MATE CRIME

Please contact the Safeguarding Lead Officer or Designated Safeguarding Officer for advice or central recording, using the Internal Online Reporting Form or email safeguarding@lincoln.gov.uk and detail the concerns and action taken so far.

Reporting to the Police: Hate crimes are just that: a crime. Reporting a hate crime to the Police is always the preferred choice so that accurate data can be captured, and the incident dealt with appropriately. There is still a perception that hate crimes will not be taken seriously, which leads to huge under-reporting. A recent report into transgender hate incidents suggested that victims did not know where to go for help as they felt embarrassed to go to the Police and did not believe any action would be taken. The Police can and do take action and victims can be reassured that their complaint will be dealt with, and that they will be treated with dignity.

Third party reporting centres: Where a victim or witness to an incident will not go to the police in person, third party reporting centres can be used. There are various third-party reporting centres which can be accessed in person, by phone or on the internet. Once contacted, the centre can then report an incident to the Police on behalf of the victim or concerned person, provide advice and support and signpost to other agencies as appropriate. Third party reporting provides a safe and confidential environment, with an agency that the individual may have more trust in. Some third-party reporting centres also have specialists in languages and law.

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PART F – Modern Slavery and Human Trafficking

INTRODUCTION

The **Modern Slavery Act**, enacted in March 2015, was an important milestone in the fight against slavery and for social justice. It unified and simplified previous legislation and gave law enforcement new powers, including increased sentencing and protection for survivors. Section 54 of the Modern Slavery Act 2015 requires certain organisations to develop a slavery and human trafficking statement each year. The slavery and human trafficking statement sets out what steps organisations have taken to ensure modern slavery is not taking place in their business or supply chains. The Council's statement can be found on the website.

Modern Day Slavery is a term that covers:

- Slavery
- Servitude
- Human Trafficking

Modern Slavery

Modern slavery is a complex crime, often crossing international borders and involving multiple forms of exploitation. It is usually hidden. The common factors are that a victim is, or is intended to be, used, or exploited for someone else's (usually financial) gain, without respect for their human rights.

Victims may be any age, gender, and ethnicity, may have been brought from overseas or be vulnerable people from the UK. They are usually forced to work illegally against their will in many different sectors. Victims may not be aware that they are being trafficked or exploited and may appear to have consented to elements of their exploitation or accepted their situation.

Modern slavery takes many forms. There are currently four broad ways in which perpetrators may seek to exploit victims:

1. **Labour Exploitation** - exploitation usually involves unacceptably low pay, poor working conditions or excessive wage deduction, but is not solely about this. In order to constitute modern slavery, there will also be some form of coercion meaning that victims cannot freely leave for other employment or exercise choice over their own situation. Where the perpetrator is taking advantage of a child or vulnerable person, an offence can be committed without the element of coercion. Lincolnshire has been the centre of recent, high profile labour exploitation crime;
2. **Domestic Servitude** - typically involves victims working in a private family home where they are ill-treated, humiliated, subjected to unbearable conditions or working hours, working for little or no pay. The victim could be used in this way by their own family members or partner, or by an employer. Again, it is very difficult for them to leave, for example because of threats, the perpetrator holding their passport, or using a position of power over the victim;
3. **Sexual Exploitation** - Victims are coerced into sex work or sexually abusive situations. This includes child sexual exploitation. Victims may be brought to the UK on the promise of legitimate employment or moved around the UK to be sexually exploited. In some cases, they may know they will be involved in sex work but are forced into a type or frequency they did not agree to. Victims are more commonly female but can also be male;

4. **Criminal Exploitation** - Criminal exploitation forces a person to commit a crime for someone else's gain. For example, victims could be coerced into shoplifting, pickpocketing, entering into a sham marriage, benefit fraud, begging or drug cultivation such as cannabis farming.

Human Trafficking

For a person to have been a victim of human trafficking there must have been:

- **Action** – recruitment, transportation, transfer, harbouring or receipt, which can include either domestic or cross-border movement;
- **Means** – threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability – however, there does not need to be a means used for children as they are not able to give informed consent;
- **Purpose of exploitation** – for example sexual exploitation, forced labour or domestic servitude, slavery, financial exploitation, illegal adoption, removal of organs.

Slavery, Servitude And Forced Or Compulsory Labour

For a person to have been a victim of slavery, servitude and forced or compulsory labour there must have been:

- **Means** – being held, either physically or through threat of penalty – e.g. threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability. However, there does not need to be a means used for children as they are not able to give informed consent;
- **Service** – an individual provides a service for benefit, e.g. begging, sexual services, manual labour, or domestic service.

Forced or compulsory labour may be present in trafficking cases. However, not every person who is exploited through forced labour has been trafficked.

There will be cases of exploitation that do not meet the threshold for modern slavery – for example someone may choose to work for less than the national minimum wage, or in undesirable conditions, without being forced or deceived. In these instances, cases should be referred to the Police or Gangmasters & Labour Abuse Authority (GLAA).

Slavery and servitude are more serious versions of forced or compulsory labour. You can find more information on the indicators of modern slavery through [Gangmasters & Labour Abuse Authority](#) or [Lincolnshire Police](#).

The Home Office provided updated [Modern Slavery Statutory Guidance](#) and [The Slavery and Trafficking Survivor Care Standards](#) have been updated by the Human Trafficking Foundation and provides advice when supporting individuals.

RECOGNISING SIGNS OF MODERN SLAVERY

The signs of slavery are often hidden, making it difficult to recognise victims. Here are some of the common signs to be aware of:

- **Physical appearance:** victims may show signs of physical or psychological abuse. They may look malnourished or unkempt, or appear withdrawn.

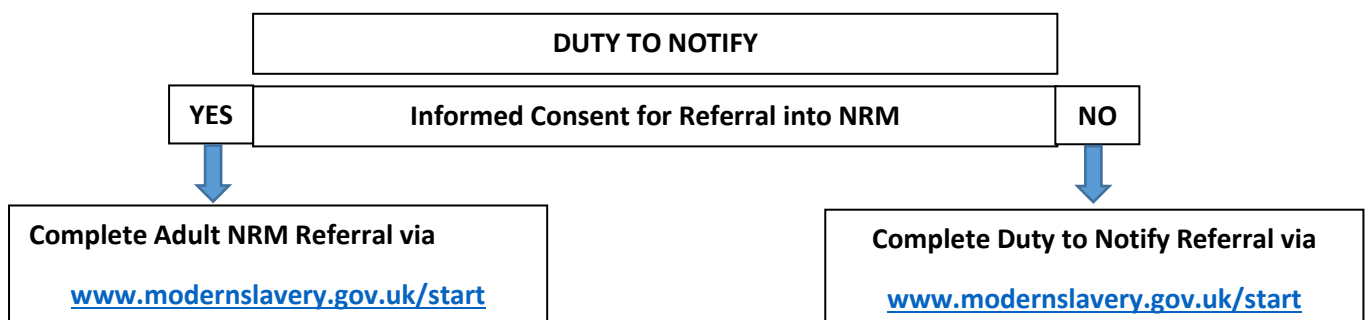
- Isolation: victims may rarely be allowed to travel on their own or seem under the control and influence of others. They may rarely interact or appear unfamiliar with their neighbourhood or where they work.
- Poor living conditions: victims may be living in dirty, cramped or overcrowded accommodation, or living and working at the same address.
- Few or no personal items: victims may have no identification documents, and very few personal possessions. They may always wear the same clothes. What clothes they do wear may not be suitable for the work they do.
- Unusual travel times: they may be dropped off or collected for work on a regular basis either very early or late at night
- Reluctant to seek help: victims may avoid eye contact, or appear frightened or hesitant to talk to strangers. They may fear law enforcers for many reasons, such as not knowing who to trust or where to get help, fear of deportation, fear of violence to them or their family.

The [Unseen mobile app](#) can be downloaded for more information on spotting the signs of slavery and for help to report any concerns.

DUTY TO NOTIFY

In England and Wales, First Responder Organisations have a duty to notify the Secretary of State when they become aware of a potential victim of modern slavery. The 'duty to notify' is set out in Section 52 of the Modern Slavery Act 2015 and a full list of First Responder Organisations can be found [here](#).

In respect of adults, the duty is discharged by referring a potential victim into the National Referral Mechanism (NRM) where they consent, or by completing a 'Duty to Notify' referral where they do not consent. Where there may be concerns about a potential victim's capacity to independently make a decision about whether to consent to entering the NRM steps should be taken to support them to make that decision.



Things to consider prior to completing the NRM referral

- Prior to filling out the referral it's crucial that you adopt a person-centred approach, explaining the purpose of the process and who will have access to the information.
- Consider completing the referral with multi agency input from Police, charities, health teams and other relevant organisations.
- When speaking to the potential victim consider whether any uniform might increase their anxieties, avoid a structured interview format, and try to gather information as part of an organic conversation.
- It is essential that the potential victim is not required to answer any questions in front of other people who may potentially be controlling them or may also be another potential victim. This can

be any other person present including family members or people who the potential victim describes as a friend or partner.

- If English is not the preferred language use an interpreter. Ensure the interpreter has no links with the potential victim and that they understand they are to interpret the potential victim's exact words rather summarise.
- If you do not have access to a computer for the interview, you can download and print the [NRM prompt sheet](#) to help you. The prompt sheet contains the questions you will need to ask and the type of information needed for a referral to be made, however, you will still need to complete the online form after the interview - the potential victim will not be referred until you do.

Things to consider when completing the NRM referral

- The referral should not, unless due to urgent need, be completed over the telephone.
- Disclosing a full history is difficult for any potential victim. There are many reasons for this including fear or the way traumatic events have been processed. Take time to consider an account rather than dismissing anything that is said because it seems flawed.
- If the potential victim is not at urgent risk, it important to send the referral with as much information as is useful to identify them as a potential victim. In most cases it is likely that it will take time to obtain all of the potential victim's information as they are traumatised, and trust needs to be built. Make sure to note on the referral that you may not have obtained all information. As more information is identified it can be sent with the potential victim's consent.
- If the referral is completed urgently it important to note that on the referral, that this should not prejudice the decision and that there are more likely to be inconsistencies as a result.
- Remember that the exploitation does not necessarily fit into one 'type' of exploitation and to disclose relevant indicators disclosed to you.
- You do not need to select a set number of indicators to equate to a person being a potential victim. It could be that just one demonstrates this.
- Summarise the potential victim's vulnerabilities and their needs.

Things to consider when completing the Duty to Notify referral

- It must be anonymised if the potential victim does not consent for their personal details to be used

If it is known that another organisation has already notified the Secretary of State a potential victim by completing a 'Duty to Notify' referral then an additional referral is not required. It would be good practice to seek confirmation in writing from the First Responder who completed the referral if that is the case

National Referral Mechanism (NRM) Frequently Asked Questions

What is the NRM?

The NRM is the framework for recognising potential victims of Modern Slavery and ensuring that they receive the appropriate support.

How to access the support?

Referrals for potential adult victims can only be made – with their consent – and by a person who works for a First Responder Organisation.

Who provides the support?

The current adult Victim Care Contract is provided by the Salvation Army although in some areas of the UK they work closely with other charities that provide support on their behalf.

What support is available?

The support available will depend upon the potential victim's needs and wishes. It could include;

- Access to emergency accommodation or outreach support if already in safe and secure accommodation
- Financial support
- Access to material assistance, medical care, and counselling
- Access to translation and interpretation services
- Access to legal aid for immigration advice
- Assistance to return to their home country if not a UK national

How long will the support last?

If the potential victim receives a positive '*reasonable grounds*' decision, they will be entitled to a minimum of 45 days support.

Following that initial 45-day period of support, if they then receive a positive '*conclusive grounds*' decision they will receive, at a minimum, a further 45 days support. However, that could potentially be longer dependent upon circumstances.

If, following the initial 45-day period of support a negative '*conclusive grounds*' decision is made then support will only be available for a further 9 working days, however, that could potentially be longer dependent upon circumstances.

What support is available if a potential victim decides not to be referred?

Support will very much be dependent upon the potential victim's circumstances as well as support services available locally. However, it's important to note that because someone has initially said 'no' to a referral that they can't change their mind at a later date – there is no time frame for them doing so.

The Modern Slavery Helpline is available for confidential advice 24/7 on 08000 121 700 with further information available [online](#).

The Salvation Army provides specialist support to protect and care for all adult survivors of modern slavery in England and Wales. Their confidential referral helpline is available 24/7 on 0800 808 3733.

Reporting Concerns about Modern Day Slavery or Human Trafficking

Anybody subject to this policy may witness, be informed of, or see during the course of their duties, a modern day slavery or human trafficking concern. The duty to refer applies to everybody to whom this policy applies. If you think that modern slavery has taken place, the case should be referred to the NRM so that a competent authority can fully consider the case. You do not need to be certain that someone is a victim.

Please report and discuss your concerns with the Safeguarding Lead Officer to agree next steps.

Operation Insignia

In Lincolnshire there is a multi-agency system for sharing information with Lincolnshire Police to help support vulnerable children and adults when there is no clear route to inform police of information. This information can help form a picture around a situation and may allow the police to take further action in investigating an issue. This could include but is not limited to information that is indicating;

- Child exploitation (criminal and sexual)
- Human trafficking
- Modern slavery
- County lines
- Cuckooing
- Knife crime

Please report and discuss your concerns with the Safeguarding Lead Officer who can advise on completing a [Partnership Information Report](#).

PART – G County Lines and Cuckooing

INTRODUCTION

‘County Lines’ and ‘Cuckooing’ are forms of criminal exploitation involving children and vulnerable adults. They are geographically widespread forms of harm about which currently relatively little is known or recognised by those best placed to spot its potential victims. This chapter is intended to explain the nature of this harm to enable staff to recognise the signs and respond appropriately so that potential victims get the support and help that they need.

COUNTY LINES

County lines is a major, cross-cutting issue involving drugs, violence, gangs, safeguarding, criminal and sexual exploitation, modern slavery, and missing persons; and the response to tackle it involves the police, the National Crime Agency, a wide range of Government departments, local government agencies and VCS (voluntary and community sector) organisations.

The UK Government defines county lines as follows:

“County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of “deal line”. They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.”

Those who become involved in county lines will almost undoubtedly be caught up in other safeguarding issues, potentially drugs, criminality, trafficking, modern slavery, sexual exploitation, and gangs. It is extremely important that those involved in safeguarding children and vulnerable adults have an understanding of county lines. A typical county lines scenario is defined by the following components:

- A group (not necessarily affiliated as a gang) establishes a network between an urban hub and county location, into which drugs (primarily heroin and crack cocaine) are supplied;
- A branded mobile phone line is established in the market, to which orders are placed by introduced customers. The line will commonly (but not exclusively) be controlled by a third party, remote from the market;
- The group exploits young or vulnerable persons, to achieve the storage and/or supply of drugs, movement of cash proceeds and to secure the use of dwellings (commonly referred to as cuckooing);
- The group or individuals exploited by them regularly travel between the urban hub and the county market, to replenish stock and deliver cash;
- The group is inclined to use intimidation, violence, and weapons, including knives, corrosives, and firearms.

Some potential indicators of county lines involvement and exploitation are listed below, with those at the top of particular concern:

- persistently going missing from school or home and / or being found out-of-area;
- unexplained acquisition of money, clothes, or mobile phones;
- excessive receipt of texts / phone calls and/or having multiple handsets;
- relationships with controlling / older individuals or groups;
- leaving home / care without explanation;

- suspicion of physical assault / unexplained injuries;
- parental concerns;
- carrying weapons;
- significant decline in school results / performance;
- gang association or isolation from peers or social networks;
- self-harm or significant changes in emotional wellbeing.

One of the key factors found in most cases of county lines exploitation is the presence of some form of exchange (e.g. carrying drugs in return for something). Where it is the victim who is offered, promised or given something they need or want, the exchange can include both tangible (such as money, drugs or clothes) and intangible rewards (such as status, protection or perceived friendship or affection). It is important to remember the unequal power dynamic within which this exchange occurs and to remember that the receipt of something by a young person or vulnerable adult does not make them any less of a victim. It is also important to note that the prevention of something negative can also fulfil the requirement for exchange, for example a young person who engages in county lines activity to stop someone carrying out a threat to harm his/her family.

The **National County Lines Coordination Centre (NCLCC)** was established in September 2018 with the aim of developing the national intelligence picture of the complexity and scale of the threat, prioritising action against the most serious offenders, and engaging with partners across government, including in the health, welfare and education spheres, in tackling the wider issues.

CUCKOOING

Cuckooing is a practice where people take over a person's home and use the property to facilitate exploitation. The most common form of cuckooing is where drug dealers take over a person's home and use it to store or distribute drugs.

Drug dealers will often target the most vulnerable in society. They are seeking to establish relationships to access the vulnerable person's home. Once they gain control over the victim, whether through drug dependency, debt or as part of their relationship, larger groups will sometimes move in. The threat of violence is often used to control the victim.

It is common for the drug dealers to have access to several cuckooed addresses at once, and to move quickly between them to evade detection. The victims of cuckooing are most commonly class 'A' drug users, but there are cases of victims with learning difficulties, mental health issues and, to a lesser extent, physical disabilities.

Signs that cuckooing may be going on at a property include:

- An increase in people entering and leaving;
- An increase in cars or bikes outside;
- An increase in anti-social behaviour;
- Increasing litter outside;
- People coming and going at strange times;
- Damage to the door/the door propped open;
- Unknown people pressing buzzers to gain access to the building;
- You haven't seen the person who lives there recently or, when you have, they have been anxious or distracted;

If just one of these is taking place in a property, it may not mean anything. But if three or more of them are taking place, it could indicate that the property is being cuckooed.

LINKS BETWEEN COUNTY LINES AND CUCKOOING

‘The cuckooing model was initially used by county lines groups originating from London. County line dealing ‘franchises’ then spread throughout the country, taking the cuckooing model with them. However, due to the success of this method, cuckooing has now been adopted by other drug supply networks.’

National Police Chiefs Council

In 2017, 77% of police forces documented incidents of cuckooing that were associated to county lines activity. Cuckooing clearly remains the dominant method of obtaining access to suitable premises to operate and deal from. Virtually every force that reported the presence of a county line endpoint reported cuckooing. County lines groups will target new premises by pursuing vulnerable individuals who attend recovery groups, dependency units and areas associated with those experiencing problems. They seek to establish relationships with vulnerable individuals for access to their homes. Once they gain control over the victim, whether through drug dependency, debt or as part of their relationship, groups move in. Once this happens the risk of domestic abuse, sexual exploitation, and violence increases. In some instances, drug users may appear to be complicit in allowing their home to be used, however the issue of true consent is questionable, as many drugs users will not necessarily see themselves as being vulnerable.

Cuckooed addresses have been linked to many county lines, with victims of all ages encountered by law enforcement in such properties. There is an emergence of cuckooed addresses being used by multiple county lines groups simultaneously, although there is currently insufficient detail to confirm how complicit or collaborative groups might be. It is also common for county lines networks to have access to several cuckooed addresses at any one time. They will move quickly between vulnerable peoples’ homes and will stay for just a few hours, a couple of days or sometimes longer. This helps groups evade detection, especially as intelligence gathered by law enforcement is often unclear and is quickly out of date.

In Lincolnshire, an increase of violence has been seen. Warrants executed have revealed weapons such as knives and machetes, and intelligence has been received surrounding access to firearms amongst gang members. In 2018, following a spate of knife related assaults in Lincolnshire, arrests were made which led to child trafficking convictions. It was the first time in UK legal history that child trafficking convictions had been secured under the Modern Slavery Act as part of a ‘county lines’ operation.

Reporting Concerns about County Lines or Cuckooing

Anybody subject to this policy may witness, be informed of, or see during the course of their duties, a county lines or cuckooing concern. The duty to refer applies to everybody to whom this policy applies.

Please report and discuss your concerns with the Safeguarding Lead Officer to agree next steps. This may need a referral into Children’s Services, Adult Services or Lincolnshire Police – or for action to be taken through internal case meetings or through multi-agency case management in MACE or VAP.

Operation Insignia

In Lincolnshire there is a multi-agency system for sharing information with Lincolnshire Police to help support vulnerable children and adults when there is no clear route to inform police of information.

This information can help form a picture around a situation and may allow the police to take further action in investigating an issue. This could include but is not limited to information that is indicating;

- Child exploitation (criminal and sexual)
- Human trafficking
- Modern slavery
- County lines
- Cuckooing
- Knife crime

Please report and discuss your concerns with the Safeguarding Lead Officer who can advise on completing a [Partnership Information Report](#).

PART H – PREVENTING VIOLENT EXTREMISM

INTRODUCTION

Prevent and Channel protect the most vulnerable in our society and prevent them from being drawn into terrorism. Channel panels are there to ensure that individuals receive the support they need in a timely manner to guide them away from such activity.

The **Counter-Terrorism and Security Act**, approved in March 2015, contains a duty on specified authorities to have due regard to the need to prevent people from being drawn into terrorism. This is also known as the Prevent duty. The act ensures that law enforcement and intelligence agencies have the powers they need to help keep the country safe from the threat posed by terrorism and hostile state activity.

In June 2018, a new **Counter-Terrorism and Border Security Act** was introduced to the House of Commons and received Royal Assent on 12th February 2019. The act updates and closes gaps in existing counter-terrorism legislation to ensure that it is fit for the digital age and reflects contemporary patterns of radicalisation.

The Act enables local authorities, in addition to the police, to refer an individual at risk of being drawn into terrorism for discussion at a Channel panel. Previously this power was only available to the Police. To achieve this change, the Act amended sections 36 and 38 of the Counter-Terrorism Act 2015. This will streamline the process of referring individuals by removing some of the existing administrative burden on local authorities and the police and ensure that at risk individuals can be supported in a timely manner.

The Government's counter-terrorism strategy CONTEST has the overall aim to reduce the risk from terrorism to the UK, its citizens and interests overseas, so that people can go about their lives freely with confidence. There are four pillars to the CONTEST strategy;

- Prevent: to stop people becoming terrorists or supporting terrorism
- Pursue: to stop terrorist attacks
- Protect: to strengthen our protection against a terrorist attack
- Prepare: to mitigate the impact of a terrorist attack

PREVENT

PREVENT is a key strand of the Government's counter-terrorism strategy, CONTEST. Its main objective is to stop people becoming terrorists or supporting violent extremism. The revised [Prevent Duty Guidance](#) came into force on 31st December 2023. The [Prevent Duty Toolkit](#) is available to support local authorities.

The Prevent duty requires local authorities, along with other specified authorities to help prevent the risk of people becoming terrorists or supporting terrorism and sits alongside other safeguarding duties to protect people from other harms for example substance abuse, involvement with gangs and exploitation. The duty helps to ensure that people who are susceptible to radicalisation are supported as they would be under safeguarding processes.

The PREVENT duty guidance outlines three objectives to:

1. Tackle the ideological causes of terrorism
2. Intervene early to support people susceptible to radicalisation

3. Enable people who have already engaged in terrorism to disengage and rehabilitate

Prevent is a multi-agency strategy and not solely a Police initiative. It is important everyone works together to disrupt those who promote violent extremism and identify people who are susceptible to radicalisation and providing support to those suitable for intervention. Prevent focuses on reducing the influence of radicalisers on susceptible audiences and takes a partnership approach to disrupting radicalisers.

Prevent operates in the non-criminal space. This means that individuals who are referred to Prevent can be supported to move away from terrorism, rather than being criminalised. This multi-agency process is called 'Channel'. Prevent intervenes early by identifying people who are susceptible to radicalisation and providing support to those suitable for intervention. Where the police assess a radicalisation risk following a Prevent referral, a Channel panel will meet to discuss the referral, assess the risk and decide whether the person should be accepted into Channel. Once accepted, the panel agree a tailored package of support to be offered to the person.

It is important to note that Prevent applies to violent extremism across all groups. Tackling radicalisation relies, to a certain extent, on the vast majority of people who reject violent extremism and are determined to challenge it.

Prevent is **not** about spying on people or stigmatising and criminalising individuals and/or communities. It is about working with communities to identify individuals who may be susceptible to being drawn toward a path of violent extremism. Our aim is to provide support to such individuals to divert them away from violent extremism before they commit any criminal acts.

Experience has shown that results are best achieved through:

- Partnership working and community engagement;
- Understanding the challenge and its context;
- Developing an effective action plan;
- Managing risk;
- Tracking progress and evaluating success;
- Sharing learning.

PREVENT is included within the Council's safeguarding remit. Through awareness and partnership working, PREVENT seeks to safeguard and support vulnerable individuals and protect communities. You can find further information about the PREVENT duty for England and Wales [here](#).

ACT – ACTION COUNTERS TERRORISM

[ACT](#) provides information on the many factors that can make someone vulnerable to radicalisation and gives information on the signs of radicalisation, behaviours and vulnerabilities and what to look for.

CHANNEL

CHANNEL is a key element of the PREVENT strategy. It is a multi-agency approach designed to protect people at risk from radicalisation. It is a voluntary, confidential, early intervention programme that supports people who may be at risk or being drawn into terrorism.

CHANNEL is a voluntary, confidential, early intervention programme that supports people who may be at risk of being drawn into terrorist related activity. It aims to protect and divert people away from the risk they face before illegality occurs.

CHANNEL uses existing collaboration between local authorities, statutory partners, the police, and the local community to:

- Identify individuals at risk of being drawn into terrorism;
- Assess the nature and extent of that risk;
- Develop the most appropriate support plan for the individuals concerned.

Taking part in Channel does not go on someone's criminal record and will not negatively impact future education or career prospects. It means an individual can receive the right support to move away from extremism and may also include help with mental health, substance misuse, education or career advice and mentoring.

KEY DEFINITIONS

- **'Extremism'** is defined in the 2011 Prevent Strategy as vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. Also included in the definition of extremism is calls for the death of members of our armed forces, whether in this country or overseas;
- **'Interventions'** are projects intended to divert people who are being drawn into terrorist activity. Interventions can include mentoring, counselling, theological support, encouraging civic engagement, developing support networks (family and peer structures) or providing mainstream services (education, employment, health, finance, or housing);
- **'Non-Violent Extremism'** is extremism, as defined above, which is not accompanied by violence;
- **'Prevention'** in the context of this work means reducing or eliminating the risk of individuals becoming involved in terrorism. Prevent includes, but is not confined to, the identification and referral of those at risk of being drawn into terrorism into appropriate interventions. These interventions aim to divert vulnerable people from radicalisation;
- **'Safeguarding'** in this context is the process of protecting vulnerable people from crime, abuse or from being drawn into terrorist related activity;
- **'Terrorism'** (UK definition as given in the Terrorism Act 2000) is defined as an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes with or disrupts an electronic system. The use or threat must be designed to influence the Government or to intimidate the public and is made for the purposes of advancing a political, religious, or ideological cause;
- **'Terrorist Related Offences'** are those (such as murder) which are not offences in terrorist legislation, but which are judged to be committed in relation to terrorism;
- **'Vulnerability'** in this context describes the condition of being capable of being injured; difficult to defend; open to moral or ideological attack. Within Prevent, the word describes factors and characteristics associated with being susceptible to radicalisation.

REPORTING CONCERNS

If there are concerns for an individual's immediate safety please call 999.

A referral to Lincolnshire Police Prevent team can be made [online](#).

The national police Prevent advice line can also be called to share concerns in confidence with specially trained officers and for advice on next steps on 0800 011 3764.

Anyone who is referred to Prevent is assessed to see if they are suitable for specialist support through Channel and a referral can be made [online](#)

Please report all concerns or action taken to the Safeguarding Lead Officer or the PPASB & Licensing Services Manager.

VENUE HIRE & EXTERNAL SPEAKER POLICY

Introduction

City of Lincoln Council (the Council) is committed to creating an environment where everyone is treated with dignity and respect and where diversity is valued.

This policy details the Council's approach to ensuring that we protect our staff, elected members and our community whilst following legislation that we are responsible for upholding.

Legal Context

Local authorities operate in a complex legal environment so it is vital that all individuals involved in the venue hire and external speaker process, including the speakers themselves, understand the legal framework and context that governs this area.

Examples of some of the relevant areas of law are given below.

- Prevent Duty contained within Section 26 of the Counter Terrorism and Security Act 2015. The Prevent Duty states that authorities in the exercise of their functions must have "due regard to the need to prevent people from being drawn into terrorism"
- Private rights – people are entitled to protection from harassment, defamation and unlawful breach of their human rights, as well as from unfair treatment under equality law, health and safety law and data protection
- Criminal law – hate crimes, harassment and breach of the peace and terrorism all come under criminal law
- Public law – freedom of speech and some duties under the Equality Act are captured under public law

Objectives

The Council is expected to ensure that publicly owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views. The Council must not allow its venues to be used by those whose views would draw people into terrorism.

The objectives of this policy are:

- To provide an environment where freedom of expression and speech are protected whilst balanced with the need to ensure that our community is free from harm and that incitement to hatred is never acceptable
- To provide a supportive, inclusive and safe environment for staff, elected members and the community
- To provide clearly defined and effective procedures to ensure that the law is upheld

- To provide clear instructions for organising an event with external contribution or using one of the Council's venues

Freedom of speech and expression

This section details the Council's expectations around freedom of speech and expression.

- Freedom of speech and expression are basic human rights that are protected by law
- The Council has a duty to ensure the safety and welfare of staff, elected members and the community.
- The freedom to express views needs to be balanced with the need to secure freedom from harm for staff, elected members and communities
- The Council wants to ensure that all of our events, activities and initiatives are safe, without risk to the Council or wider community, and are within the law

Hiring an External Venue for Council Events

The Council has a duty to ensure that when hiring an external venue for events that Council organisers, volunteers and any participants involved in the organisation of the event are protected from radical and extremist views.

The external venue must not provide a platform for extremists and must not be used to disseminate extremist views. The external venue must not allow its premises to be used by those whose views would draw people into terrorism.

The Council reserves the right to cancel the booking at a Council venue if it finds that the venue is in breach of the law.

City of Lincoln Council Venue Hire

External clients hiring a Council venue will be made aware of this policy and that the Council will not permit its accommodation to be let:

- for political rallies or demonstrations which incite hatred or violence or any breach of criminal law and/or spread hatred and intolerance
- for purposes which are illegal i.e. be they forbidden by law or unauthorised by official or accepted rules
- for functions attended by people whose presence may cause civil unrest or division within the community
- to an organisation or individual which has been banned by law

The Council reserves the right to cancel any booking where it considers:

- such events may be contrary to the interest of the general public or contrary to any law or act of Parliament
- bookings may also be subject to consideration from the police to ensure the safety of the community is assessed against the request for a venue booking

- users of the premises may do something that may cause or pose a risk of loss, damage or significant expense to the Council or harm the reputation of the Council

City of Lincoln Council is committed to creating a community which is safe and inclusive, where facilities and activities are available to diverse groups of people having access to similar life opportunities, knowing their rights and responsibilities and where local institutions act fairly.

To this purpose, no individuals or groups will be denied the opportunity for access to local authority managed properties unless there is a justifiable reason to do so within the spirit of this policy.

External Speakers

The Council expects external speakers to act in accordance with the law and not to breach the lawful rights of others.

Set out below are some of the Council's expectations. Please note that this is not an exhaustive list of unacceptable conduct by external speakers.

The Council reserves the right to not permit an external speaker to speak at or attend an event, to refuse to permit an event and/or to halt an event at any time if it reasonably considers there may be a breach of this policy or of any legal obligation.

During the course of the event at which he or she participates the speaker must not:

- act in breach of criminal law
- incite hatred or violence or any breach of criminal law
- encourage or promote any acts of terrorism or promote individuals, groups or organisations that support terrorism
- spread hatred and intolerance
- discriminate against or harass any person or group on the grounds of their sex, race, nationality, ethnicity, disability, religious or similar belief, sexual orientation or age
- defame any person or organisation
- raise or gather funds for any external organisation or cause without express permission of the Council

SUBJECT:	EXCLUSION OF THE PRESS AND PUBLIC
DIRECTORATE:	CHIEF EXECUTIVE & TOWN CLERK
REPORT AUTHOR:	CAROLYN WHEATER, MONITORING OFFICER

1. Purpose of Report

- 1.1 To advise members that any agenda items following this report are considered to contain exempt or confidential information for the reasons specified on the front page of the agenda for this meeting.

2. Recommendation

- 2.1 It is recommended that the press and public be excluded from the meeting at this point as it is likely that if members of the press or public were present there would be disclosure to them of exempt or confidential information.

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