

Public Document Pack

Cabinet

Tuesday, 18th June, 2019
at 4.30 pm

PLEASE NOTE TIME OF MEETING

Council Chamber - Civic Centre

This meeting is open to the public

Members

Leader – Councillor Hammond
Adult Care - Councillor Fielker
Aspiration, Children & Lifelong Learning –
Councillor Paffey
Healthier and Safer City – Councillor Shields
Resources - Councillor Barnes-Andrews
Green City & Environment – Councillor Leggett
Homes & Culture - Councillor Kaur
Place and Transport - Councillor Rayment

(QUORUM – 3)

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BACKGROUND AND RELEVANT INFORMATION

The Role of the Executive

The Cabinet and individual Cabinet Members make executive decisions relating to services provided by the Council, except for those matters which are reserved for decision by the full Council and planning and licensing matters which are dealt with by specialist regulatory panels.

The Forward Plan

The Forward Plan is published on a monthly basis and provides details of all the key executive decisions to be made in the four month period following its publication. The Forward Plan is available on request or on the Southampton City Council website, www.southampton.gov.uk

Implementation of Decisions

Any Executive Decision may be “called-in” as part of the Council’s Overview and Scrutiny function for review and scrutiny. The relevant Overview and Scrutiny Panel may ask the Executive to reconsider a decision, but does not have the power to change the decision themselves.

Mobile Telephones – Please switch your mobile telephones to silent whilst in the meeting.

Use of Social Media

The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair’s opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council’s Standing Orders the person can be ordered to stop their activity, or to leave the meeting.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public. Any person or organisation filming, recording or broadcasting any meeting of the Council is responsible for any claims or other liability resulting from them doing so. Details of the Council’s Guidance on the recording of meetings is available on the Council’s website.

The Southampton City Council Strategy (2016-2020) is a key document and sets out the four key outcomes that make up our vision.

- Southampton has strong and sustainable economic growth
- Children and young people get a good start in life

Executive Functions

The specific functions for which the Cabinet and individual Cabinet Members are responsible are contained in Part 3 of the Council’s Constitution. Copies of the Constitution are available on request or from the City Council website, www.southampton.gov.uk

Key Decisions

A Key Decision is an Executive Decision that is likely to have a significant:

- financial impact (£500,000 or more)
- impact on two or more wards
- impact on an identifiable community

Procedure / Public Representations

At the discretion of the Chair, members of the public may address the meeting on any report included on the agenda in which they have a relevant interest. Any member of the public wishing to address the meeting should advise the Democratic Support Officer (DSO) whose contact details are on the front sheet of the agenda.

Fire Procedure – In the event of a fire or other emergency, a continuous alarm will sound and you will be advised, by officers of the Council, of what action to take.

Smoking policy – The Council operates a no-smoking policy in all civic buildings.

Access – Access is available for disabled people. Please contact the Cabinet Administrator who will help to make any necessary arrangements.

Municipal Year Dates (Tuesdays)

2019	2020
18 June	21 January
16 July	11 February
20 August	18 February (Budget)
17 September	17 March
15 October	21 April
19 November	
17 December	

- People in Southampton live safe, healthy, independent lives
- Southampton is an attractive modern City, where people are proud to live and work

CONDUCT OF MEETING

TERMS OF REFERENCE

The terms of reference of the Cabinet, and its Executive Members, are set out in Part 3 of the Council's Constitution.

RULES OF PROCEDURE

The meeting is governed by the Executive Procedure Rules as set out in Part 4 of the Council's Constitution.

DISCLOSURE OF INTERESTS

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

DISCLOSABLE PECUNIARY INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

(i) Any employment, office, trade, profession or vocation carried on for profit or gain.

(ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

(iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

(iv) Any beneficial interest in land which is within the area of Southampton.

(v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

(vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

(vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

- a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

Other Interests

A Member must regard himself or herself as having an, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

BUSINESS TO BE DISCUSSED

Only those items listed on the attached agenda may be considered at this meeting.

QUORUM

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the “rationality” or “taking leave of your senses” principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, ‘live now, pay later’ and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

1 APOLOGIES

To receive any apologies.

2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

EXECUTIVE BUSINESS

3 STATEMENT FROM THE LEADER

4 RECORD OF THE PREVIOUS DECISION MAKING (Pages 1 - 4)

Record of the decision making held on 16th April, 2019, attached.

5 MATTERS REFERRED BY THE COUNCIL OR BY THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE FOR RECONSIDERATION (IF ANY)

There are no matters referred for reconsideration.

6 REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (IF ANY) (Pages 5 - 52)

To receive the report of the Chair of the Reducing and Preventing Domestic Abuse in Southampton.

ITEMS FOR DECISION BY CABINET

7 EXECUTIVE APPOINTMENTS 2019/20 (Pages 53 - 66)

To consider the report of the Service Director, Legal and Governance seeking approval for the Executive Appointments in the 2019/20 Municipal Year.

8 HOUSEHOLD WASTE AND RECYCLING CENTRE PERMITTING SCHEME (Pages 67 - 72)

To consider the report of the Cabinet Member for Place and Transport seeking a decision to introduce a permit scheme for the use of the Household Waste and Recycling Centre.

9 KENTISH ROAD RESPITE SERVICE - EXTENDING HOURS OF OPERATION □
(Pages 73 - 86)

To consider the report of the Cabinet Member for Adult Care proposing to extend the hours of operation of the Learning Disability Respite Service at Kentish Road.

10 TRADING STANDARDS, PORT HEALTH & PARKING FRAUD INVESTIGATIONS ENFORCEMENT POLICY. □ (Pages 87 - 114)

To consider the report of the Cabinet Member for Place and Transport seeking approval of the draft Trading Standards, Port Health & Parking Fraud Investigations Enforcement Policy.

11 OPERATION ALBACORE (MULTI COUNCIL CRIMINAL PROSECUTIONS) - RECEIPT OF COMPENSATION PAYMENT AND URGENT ACTION TAKEN BY THE DIRECTOR OF LEGAL AND GOVERNANCE (Pages 115 - 118)

To consider the report of Service Director Legal and Governance seeking approval agreed voluntary payment following case of R V ASHFORD and Others

12 EXCLUSION OF THE PRESS AND PUBLIC - EXEMPT PAPERS INCLUDED IN THE FOLLOWING ITEM

To move that in accordance with the Council's Constitution, specifically the Access to Information Procedure Rules contained within the Constitution, the press and public be excluded from the meeting in respect of any consideration of the exempt appendices to the following Item

The appendices are considered to be exempt from general publication based on Category 3 of paragraph 10.4 of the Council's Access to Information Procedure Rules. It is not in the public interest to disclose this because doing so could put the Council or other parties at commercial disadvantage.

13 NELSON GATE □ (Pages 119 - 140)

To consider the report of the Leader seeking approval to commercial terms for re-structuring of existing leases and completion of the necessary documentation required in order to progress regeneration of the Nelson Gate site.

Monday, 10 June 2019

Director of Legal and Governance

SOUTHAMPTON CITY COUNCIL
EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 16 APRIL 2019

Present:

Councillor Hammond	-	Leader of the Council, Clean Growth and Development
Councillor Rayment	-	Cabinet Member for Transport and Public Realm
Councillor Fielker	-	Cabinet Member for Adult Care
Councillor Jordan	-	Cabinet Member for Children and Families
Councillor Kaur	-	Cabinet Member for Homes and Culture
Councillor Leggett	-	Cabinet Member for Green City
Councillor Dr Paffey	-	Cabinet Member for Aspiration, Schools and Lifelong Learning
Councillor Shields	-	Cabinet Member for Community Wellbeing

Apologies: Councillor Chaloner

50. RECORD OF THE PREVIOUS DECISION MAKING

Record of the Previous Decision Making on 19th March 2019 approved as a correct record.

51. MATTERS REFERRED BY THE COUNCIL OR BY THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE FOR RECONSIDERATION (IF ANY)

Call-in of Executive Decision CAB 18/19: 23514 – A Green City Charter for Southampton.

Decision of 19th March 2019 confirmed. Recommendations 1-9 from Overview and Scrutiny Committee call-in meeting 4th April 2019 rejected.

52. REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (IF ANY)

Cabinet received the Scrutiny Inquiry Panel – The Future of Work in Southampton in order to formulate their response to the recommendations contained within it, in order to comply with the requirements set out in the Council's Constitution.

53. HRA CAPITAL DIGITAL IMPROVEMENTS

DECISION MADE: (CAB 18/19 23630)

On consideration of the report of the Director Adults, Housing & Communities, Cabinet agreed the following:

- (i) To approve the use of £800,000 of HRA Capital funding for digital improvements for housing including:
 - the procurement and implementation of a new mobile platform
 - the procurement and implementation of a new test system for Northgate housing
 - the procurement and implementation of 250 new mobile devices for housing operations staff
- (ii) To delegate authority to the Service Director, Adults, Housing and Communities, following consultation with the Cabinet Member for Homes and Culture, to make any necessary amendments to the plans set out here as the procurement and implementation is undertaken.

54. CONTROLLING STREET DRINKING USING PUBLIC SPACES PROTECTION ORDERS

DECISION MADE: (CAB18/19 23753)

On consideration of the report of the Director Transactions and Universal Services, Cabinet agreed the following:

- (i) To note the representations received in relation to this matter in response to the consultation carried out between 25 February and 24 March 2019 as set out in Appendix 1 and Appendix 4.
- (ii) To vary and extend the five Public Spaces Protection Orders to control street drinking in the localities shown in the maps at Appendix 2.
- (iii) To remove controls on begging in the Public Spaces Protection Orders.

55. SOLENT EMPLOYMENT SUPPORT

DECISION MADE: (CAB 18/1923727)

On consideration of the report of the Interim Director for Growth, Cabinet agreed the following:

Having complied with paragraph 15 of the Council's Access to Information Procedure Rules.

- (i) To delegate authority to the Service Director, Growth to take all actions necessary to accept the grant and deliver the project until September 2021.
- (ii) To accept, in accordance with Financial Procedure Rules, a grant of £566,583 from the European Structural & Investment Funds (ESIF) Growth Programme as match funding towards a total project budget of £1,133,165
- (iii) To approve, in accordance with Financial Procedure Rules, revenue expenditure of £1,133,165 for the Solent Employment Support project over

2019/20, 2020/21 and 2021/22 and the Council's individual financial contribution of £260,716

- (iv) To approve the Council to act as Accountable Body for the administration of grant funding and Solent Employment Support Project Partnership.

56. WESTON SHORE INFANT SCHOOL - ROOF WORKS

DECISION MADE: (CAB 18/19 23757)

On consideration of the report of the Director of Children and Families, Cabinet agreed the following:

Having complied with paragraph 15 of the Council's Access to Information Procedure Rules

- (i) Approve the addition and spend of £712K in 2019/20 to the Aspiration, Schools and Lifelong Learning programme; to be funded from capital receipts to undertake the necessary replacement to the roof at the school.
- (ii) Enter into a Financial Agreement with Hamwic Education Trust for the £712k funding to be transferred to the Trust in order for the works to be completed by the Trust in accordance with an agreed schedule of works to an agreed standard; in order for the Conversion Date of May 1st 2019 to be achieved.

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Agenda Item 6

DECISION-MAKER:	CABINET		
SUBJECT:	SCRUTINY INQUIRY PANEL – REDUCING AND PREVENTING DOMESTIC ABUSE IN SOUTHAMPTON		
DATE OF DECISION:	18 JUNE 2019		
REPORT OF:	CHAIR OF THE SCRUTINY INQUIRY PANEL		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Mark Pirnie	Tel: 023 8083 3886
	E-mail:	Mark.pirnie@southampton.gov.uk	

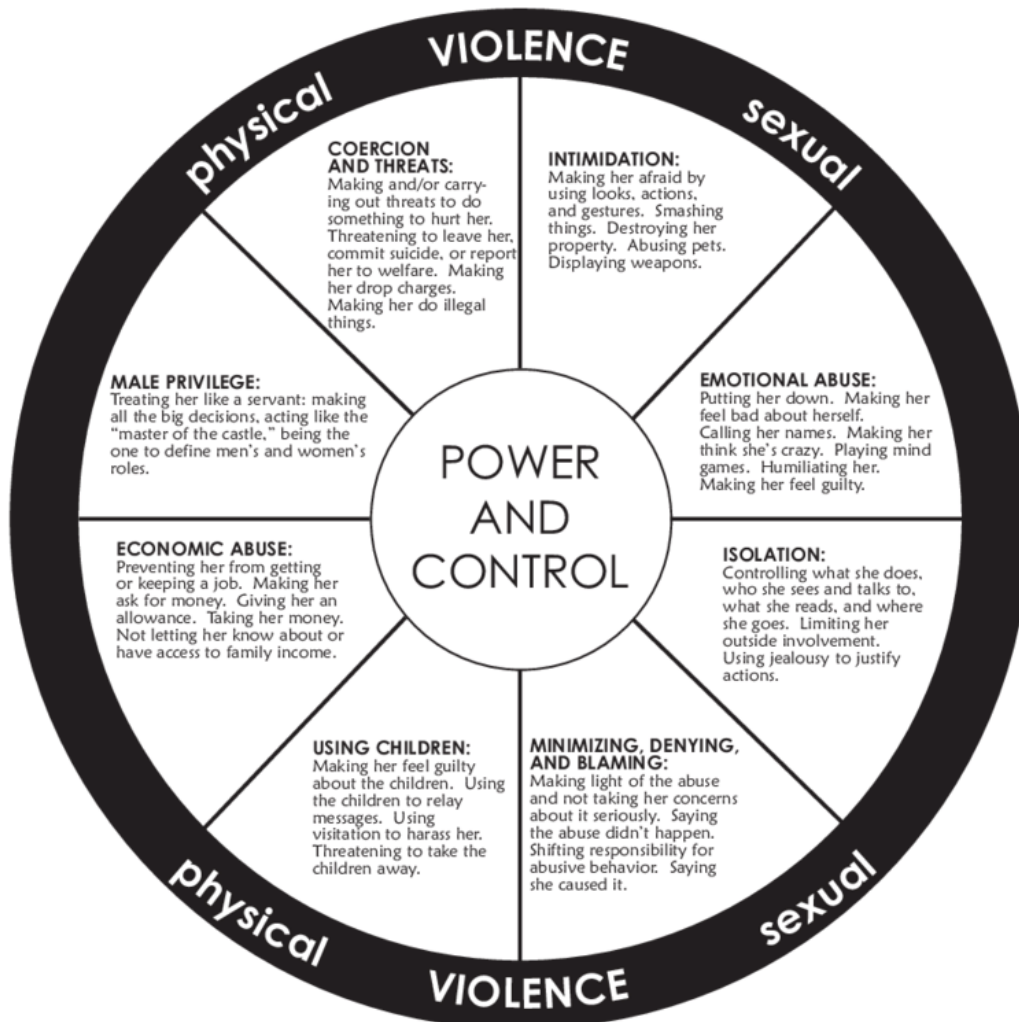
STATEMENT OF CONFIDENTIALITY	
None	
BRIEF SUMMARY	
<p>From January 2019 to April 2019 the Scrutiny Inquiry Panel undertook an inquiry looking at opportunities to reduce and prevent incidents of domestic abuse in Southampton. The Scrutiny Inquiry Panel report contains a number of recommendations which have been summarised in Appendix 2. Subject to the final report, attached as Appendix 1, being agreed at the meeting of the Overview and Scrutiny Management Committee (OSMC) on 13 June 2019, Cabinet needs to formally respond to these recommendations within two months to meet the requirements in the Council’s constitution.</p>	
RECOMMENDATIONS:	
	<p>(i) Subject to the report attached as Appendix 1 being agreed at the meeting of the OSMC on 13 June 2019, Cabinet is recommended to receive the attached Scrutiny Inquiry Panel report to enable the Executive to formulate its response to the recommendations contained within it, in order to comply with the requirements set out in the Council’s Constitution.</p>
REASONS FOR REPORT RECOMMENDATIONS	
1.	The overview and scrutiny procedure rules in part 4 of the Council’s Constitution requires the Executive to consider all inquiry reports that have been endorsed by the Overview and Scrutiny Management Committee (OSMC), and to submit a formal response to the recommendations contained within them within two months of their receipt.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
2.	None.
DETAIL (Including consultation carried out)	
3.	The OSMC, at its meeting on 15 November 2018, requested that the Scrutiny Inquiry Panel undertake an inquiry looking at reducing and preventing domestic abuse in Southampton.
4.	<p>The set objectives of the inquiry were:</p> <p>a. To develop understanding from a national and local level of domestic abuse, patterns of offending, and risk factors associated with perpetrators of domestic abuse.</p>

	<p>b. To consider the prevalence of perpetrating domestic abuse in Southampton; the services that are currently available across the life course in Southampton to reduce the likelihood of people becoming perpetrators of domestic abuse; the effectiveness of the services and gaps in provision.</p> <p>c. To identify what is being done elsewhere in preventing people from being perpetrators of domestic abuse and identify if these principals or initiatives could be introduced in Southampton.</p>
5.	The Scrutiny Inquiry Panel undertook the inquiry over 3 evidence gathering meetings and received information from a wide variety of organisations. This included Respect - the leading UK membership organisation that works with domestic abuse perpetrators and young and make victims, domestic abuse service providers, charitable and voluntary organisations including Hampton Trust and Yellow Door, Hampshire Constabulary, Hampshire & IOW Community Rehabilitation Company, commissioners, and Council Officers.
6.	The final report, attached as Appendix 1, contains 16 recommendations in total which, if implemented, the Panel believe will help to reduce and prevent domestic abuse through changing the culture and community response to perpetrator behaviour; increasing awareness of and pathways to perpetrator services; and using evidence to improve decision making in Southampton.
7.	The final report will not be considered by the OSMC until 13 June 2019, after the deadline for publication of Cabinet papers. Therefore, any amendments made by the OSMC will be reported to the Executive verbally at the Cabinet meeting.
8.	The Executive needs to consider the inquiry recommendations and to formally respond within two months of the date of receiving this report in order to meet the requirements set out in the Council's constitution.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue/Property/Other</u>	
9.	In practice any future resource implication arising from this review will be dependent upon whether, and how, each individual recommendation within the inquiry report is progressed by the Executive. More detailed work will need to be undertaken by the Executive in considering its response to each of the recommendations set out in the report.
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
10.	The duty to undertake overview and scrutiny is set out in Part 1A Section 9 of the Local Government Act 2000.
<u>Other Legal Implications:</u>	
11.	None
RISK MANAGEMENT IMPLICATIONS	
12.	None.
POLICY FRAMEWORK IMPLICATIONS	
13.	The proposals contained within the appended report are in accordance with the Council's Policy Framework.

KEY DECISION?	No	
WARDS/COMMUNITIES AFFECTED:	None directly as a result of this report	
<u>SUPPORTING DOCUMENTATION</u>		
Appendices		
1.	Reducing and Preventing Domestic Abuse in Southampton – Final Report	
2.	Reducing and Preventing Domestic Abuse in Southampton – Conclusions and Recommendations	
Documents In Members' Rooms		
1.	None	
Equality Impact Assessment		
Do the implications/subject of the report require an Equality and Safety Impact Assessments (ESIA) to be carried out?		No
Data Protection Impact Assessment		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out?		No
Other Background Documents		
Equality Impact Assessment and Other Background documents available for inspection at:		
Title of Background Paper(s)		Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	None	

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Reducing and Preventing Domestic Abuse in Southampton



Power & Control Wheel, Duluth Model (Ellen Pence et al, 1981; 2006)

PANEL MEMBERSHIP

- Councillor McEwing (Chair)
- Councillor Harwood (Vice-Chair)
- Councillor Coombs
- Councillor Mitchell
- Councillor Payne
- Councillor Galton
- Councillor Laurent

Scrutiny Intern - Tabassum Rahman
Tabassum.rahman@southampton.gov.uk



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Glossary

ACE	Adverse Childhood Experiences - Stressful or traumatic events, including abuse and neglect, which are experienced during childhood and can have negative, lasting effects on health and well-being across a person's lifespan.
BBR	Building Better Relationships - An accredited group work programme, delivered by the HIOW CRC, aimed to reduce re-offending and promote the safety of current and future partners and children whilst working collaboratively with other agencies.
CAFCASS	Children And Family Court Advisory And Support Service - A non-departmental public body in England set up to promote the welfare of children and families involved in family court.
CSR	Creating Safer Relationships - A 1:1 healthy relationship intervention for male Service Users with identified relationship difficulties, delivered by the HIOW CRC.
DAPP	Domestic Abuse Prevention Partnership - A multi-agency complex intervention based in Hampshire, coordinated by Hampton Trust, Aurora New Dawn, and BaseLine Consultancy.
DVPP	Domestic Violence Perpetrator Programme – Behaviour change programmes that aims to help people who have been abusive towards their partners or ex-partners to change their behaviour and develop respectful, non-abusive relationships.
HRDA	High Risk Domestic Abuse – Daily meeting of professionals from a variety of agencies to evaluate the safety and risk of those identified in High Risk Domestic Abuse cases within the MASH/SCC setting.
HIOW CRC	Hampshire & Isle of Wight Community Rehabilitation Company manages all offenders given Community Orders, Suspended Sentence Orders or who are subject to prison sentences or licenses to ensure they complete them successfully and stop committing crime.
IDVA	Independent Domestic Violence Advocate – They are the primary point of contact for victims and survivors and address and secure the safety of victims at high risk of harm from intimate partners, ex-partners or family members.
MARAC	Multi-Agency Risk Assessment Conferences - Meetings where agencies talk about the risk of future harm to people experiencing domestic abuse, and if necessary their children, and draw up an action plan to help manage that risk.
MASH	The Multi-Agency Safeguarding Hub - The Single Point Of Contact for all safeguarding concerns regarding children and young people in Southampton.
MATAC	The Multi-Agency Tasking & Coordination - A strategic and Integrated partnership approach that identifies and responds to high-risk and serial perpetrators of domestic abuse.
ONS	Office for National Statistics
Operation Encompass	Police & education early information sharing partnership enabling schools to offer immediate support for children experiencing domestic abuse.
PIPPA	Prevention, Intervention & Public Protection Alliance - An alliance group of specialist sexual and domestic abuse services in Southampton, working to end domestic abuse and sexual violence. Pippa Helpline: 02380 917 917
Project CARA	Cautioning and Relationship Abuse - A DVPP for first-time offenders of domestic abuse who have received conditional cautioning by Hampshire Constabulary to reduce re-offending rates.
RSE	Relationship & Sexual Education
STAR	Yellow Door's preventative and educational outreach programme for young people
SCC	Southampton City Council
VAWG	Violence Against Women & Girls
YPVA	Young Person's Domestic Violence Advocate

Chair's Introduction



Councillor McEwing - Chair of the Southampton Inquiry Panel (2018/19)

Domestic abuse has a destructive impact on individuals, families, and communities. Southampton has a high recorded domestic abuse rate that continues to rise. In 2017/18 3,000 domestic violence crimes were recorded by Hampshire Constabulary for Southampton.

Whilst, as a Panel, we are keen to applaud the good practice of our victim and survivor services, more must be done to tackle the root causes of domestic abuse in the city and stimulate long-term solutions.

Findings from the inquiry have shown that there are a number of underlying risk factors for perpetrating domestic abuse. These include gender inequality and adverse childhood experiences, which the report recognises needs a co-ordinated, city wide approach to tackle reflecting the detrimental impact this has on numerous outcomes across the city.

Domestic abuse is both a cause and consequence of gender inequality, henceforth, the biggest factor which increases propensity to use abusive behaviour or continue to use abusive behaviour is the social acceptance of 'low level' abusive or oppressive behaviour.

It is not possible to reduce domestic abuse without reducing the number of people who are abusive. Key to reducing incidence of domestic abuse is to work at a whole population level to change the culture in society away from unhealthy and abusive values, attitudes and behaviours; addressing adverse childhood experiences; and, to directly engage with perpetrators.

Reflecting this the Panel have developed a number of recommendations that will, if implemented, help to address these risk factors and reduce incidence of domestic abuse, thereby resulting in fewer victims and children living in families affected by domestic abuse in Southampton.

In recognition of the benefits that reducing levels of domestic abuse would have on the city and our partners, the Panel encourages our partners, including the Office of the Police and Crime Commissioner, to identify additional resources to support perpetrator services in the city and ensure their sustainability moving forward.

I would like to thank all those who provided evidence to the inquiry and ensured that the Panel were well informed. I would also like to thank members of the Panel for their contribution and their willingness to discuss difficult and emotive issues with an open mind.

The Aim of the Inquiry

1. On 15 November 2018 the Overview and Scrutiny Management Committee (OSMC) were informed that Southampton has a high reporting rate of domestic abuse that continues to rise.
2. Over 3,000 domestic violence crimes were recorded by Hampshire Constabulary for Southampton in 2017/18. Figures rose 7% from 2016/17 levels, the fourth consecutive year it has increased in Southampton.
3. Reflecting the information above, and the Committee's awareness, through scrutiny of Council strategies, of the destructive impact of domestic abuse on individuals, families, communities and key outcomes across the City, the OSMC recommended that a scrutiny inquiry is undertaken on the issue of domestic abuse in 2018/19.
4. The Committee agreed that the focus of the inquiry should be to consider what more may be done in Southampton to reduce domestic abuse with a focus on preventing people from abusing their intimate partner.
5. The set objectives for the inquiry were:
 - a) To develop understanding from a national and local level of domestic abuse, patterns of offending, and risk factors associated with perpetrators of domestic abuse.
 - b) To consider the prevalence of perpetrating domestic abuse in Southampton; the services that are currently available across the life course in Southampton to reduce the likelihood of people becoming perpetrators of domestic abuse; the effectiveness of the services and gaps in provision.
 - c) To identify what is being done elsewhere in preventing people from being perpetrators of domestic abuse and identify if these principals or initiatives could be introduced in Southampton.
6. The full terms of reference for the inquiry, agreed by the Overview and Scrutiny Management Committee, are shown in Appendix 1.

How the inquiry was conducted

7. The Scrutiny Inquiry Panel undertook the inquiry over 3 evidence gathering meetings between January 2019 and April 2019 and received information from a wide variety of organisations. This included Respect - the leading UK membership organisation that works with domestic abuse perpetrators and young and make victims, domestic abuse service providers, charitable and voluntary organisations including Hampton Trust and Yellow Door, Hampshire Constabulary, Hampshire & IOW Community Rehabilitation Company, commissioners, and Council Officers. A list of witnesses that provided evidence to the inquiry is detailed in Appendix 2.
8. The key findings, conclusions and recommendations from the inquiry are detailed succinctly later in this report.

9. Members of the Panel would like to thank all those who have assisted with the development of this review, in particular the following who have provided the Panel with invaluable advice throughout the inquiry:

- Sandra Jerrim, Senior Commissioner from the Integrated Commissioning Unit (ICU)
- Charlotte Matthews, Public Health Consultant
- Grace Grove, Public Health Registrar
- Karen Marsh, IDVA Service Manager

Introduction and background

What is Domestic Abuse?

10. In the draft Domestic Abuse Bill, domestic abuse is defined as:

‘Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexual orientation. The abuse can encompass, but is not limited to: psychological, physical, sexual, economic and emotional forms of abuse.

Controlling behaviour is 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 the means needed for independence, resistance and escape, and regulating their everyday behaviour.

Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten a person.’¹

Domestic Abuse: National Context

11. In March 2018, the Crime Survey for England and Wales (CSEW) identified that an estimated 2 million adults aged 16 to 59 years experienced domestic abuse in the last year and 599,549 domestic-abuse related crimes were reported to the police². The CSEW estimates that less than 1 in 5 (17%) victims of partner abuse report it to the Police.
12. Whilst there has been very little change in CSEW estimated incidence, the number of recorded crimes has been increasing; 23% in the last year. This in part reflects police forces improving their identification and recording of domestic abuse and an increased willingness by victims to come forward.
13. Nationally, women were approximately twice as likely to have experienced domestic abuse compared to men (7.9% compared with 4.2%)³. This equates to an estimated 1.3 million female victims and 695,000 male victims.

Domestic Abuse: Southampton

14. In Southampton, over 3,000 domestic violence cases were recorded by Hampshire Constabulary in 2017/18 and, overall, domestic violence accounted for 30% of all recorded violent crime in the city. The levels of reported domestic violence have risen for four consecutive years, with a 7% rise recorded in 2017/18.⁴

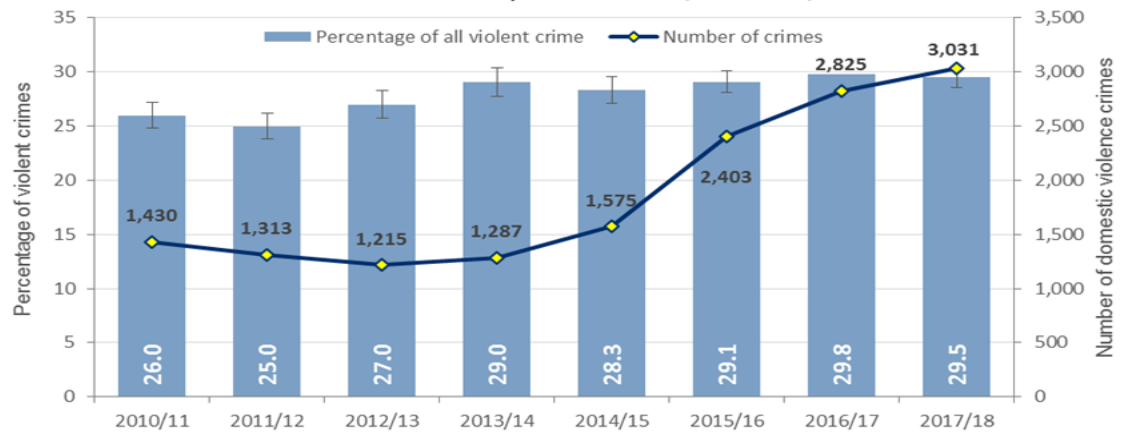
¹ HM Government (2019). Transforming the Response to Domestic Abuse. London: Home Office, p.5.

² Office for National Statistics (2018). Domestic abuse in England and Wales: year ending March 2018. Domestic Abuse in England and Wales. Office for National Statistics, pg. 2.

³ Office for National Statistics (2018). Domestic abuse in England and Wales: year ending March 2018. Domestic Abuse in England and Wales. Office for National Statistics, pg. 8.

⁴ King, D. and Marsh, K. (2019). Domestic Abuse in Southampton & IDVA, pg. 6. Available at: <https://www.southampton.gov.uk/modernGov/documents/s39388/Domestic%20Violence%20-%20Southampton.pdf>

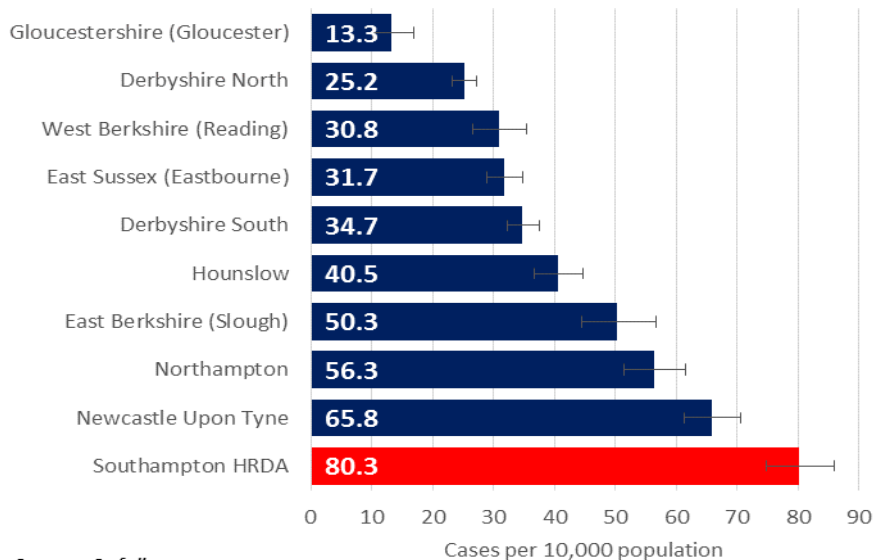
Figure 1 Number of domestic violence crimes, with and without injury, as a percentage of all violent crime: Southampton trend: 2010/11 to 2017/18



Source: Hampshire Constabulary

15. Furthermore, the number of high risk cases continues to increase in the city. Southampton has a rate of 80.3 High Risk Domestic Abuse (HRDA) cases per 10,000 population. This is the highest rate for areas that we have data for, as shown in Figure 2.

Figure 2 High Risk Domestic Abuse cases per 10,000 population: Southampton HRDA and comparator MARACs: October 2017 to September 2018

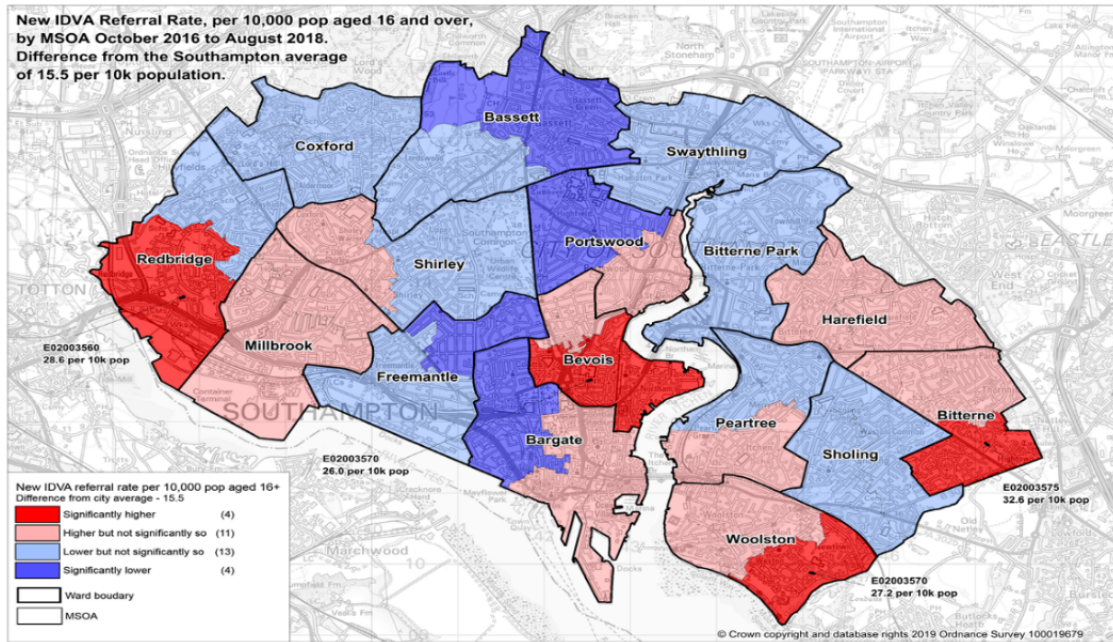


Source: Safelives

16. Domestic abuse rates are almost eight times higher in the most deprived neighbourhoods of Southampton compared to the least deprived neighbourhoods, with Bevois, Bitterne, and Millbrook wards having the highest HRDA case rates. According to recent Independent Domestic Violence Advisor (IDVA) data, 44% of new IDVA referrals come from the 20% most deprived neighbourhoods in the city⁵.

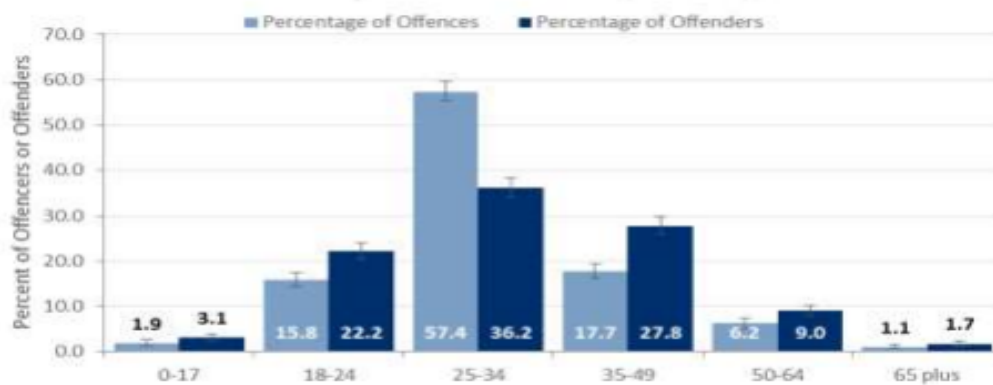
⁵ King, D. and Marsh, K. (2019). Domestic Abuse in Southampton & IDVA, pg. 10, 11. Available at: <https://www.southampton.gov.uk/modernGov/documents/s39388/Domestic%20Violence%20-%20Southampton.pdf>

Figure 3



17. 2016/17 Hampshire Constabulary data shows that offenders in Southampton are typically male (74.6%), perpetrate within intimate partner relationships (87%) and over a third are aged 25-34 years old in Southampton⁶. This age cohort were also responsible for 57% of offences in 2016/17 as shown in Figure 4.

Figure 4 Age profile of domestic violence and abuse offenders and the offences they commit in Southampton: 2016/17



Source: Hampshire Constabulary Central Referrals Unit.
Please note: only offences with an identified offender with a valid age recorded are included in this analysis

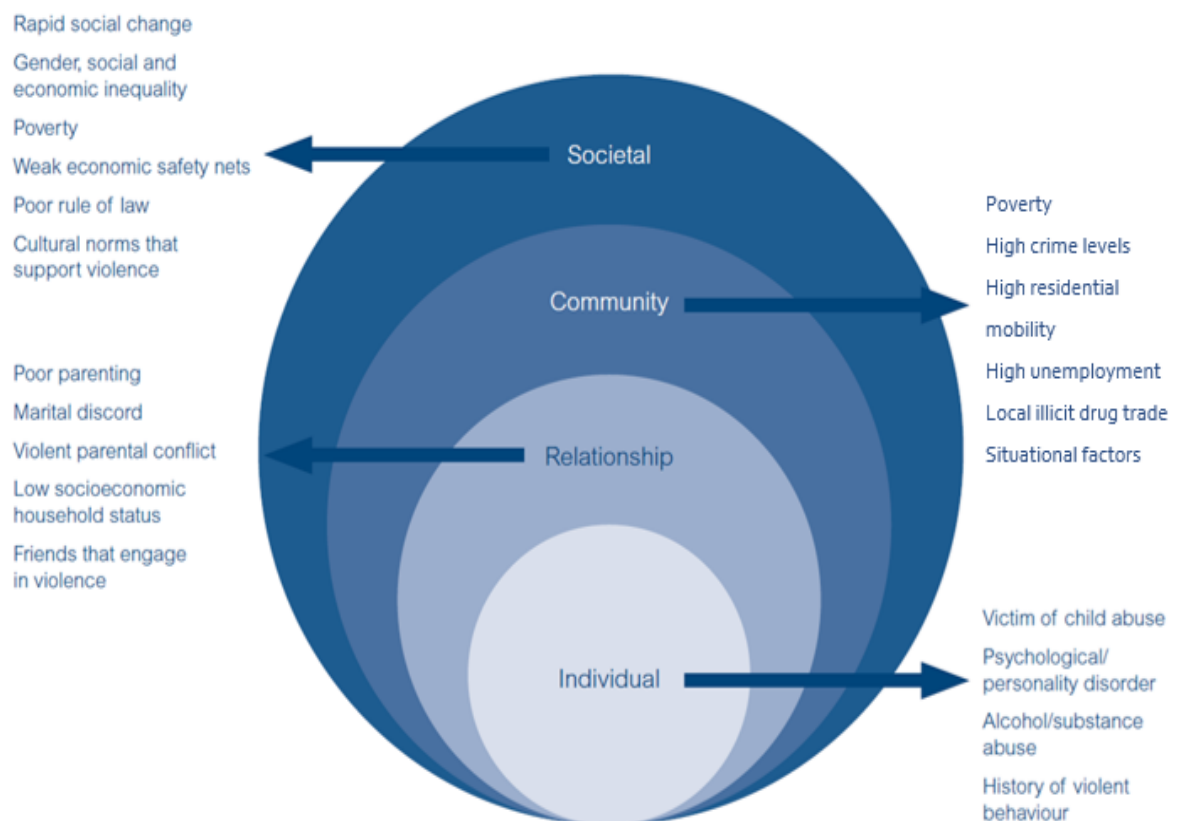
18. To inform the next iteration of the Southampton Domestic and Sexual Abuse Multi-Agency Strategy a detailed Domestic Abuse Needs Assessment is being undertaken by the Intelligence and Strategic Analysis Team and Public Health. This assessment should be available in autumn 2019.

⁶ King, D. and Marsh, K. (2019). Domestic Abuse in Southampton & IDVA, pg. 13. Available at: <https://www.southampton.gov.uk/modernGov/documents/s39388/Domestic%20Violence%20-%20Southampton.pdf>

What are the risk factors for perpetrating domestic abuse?

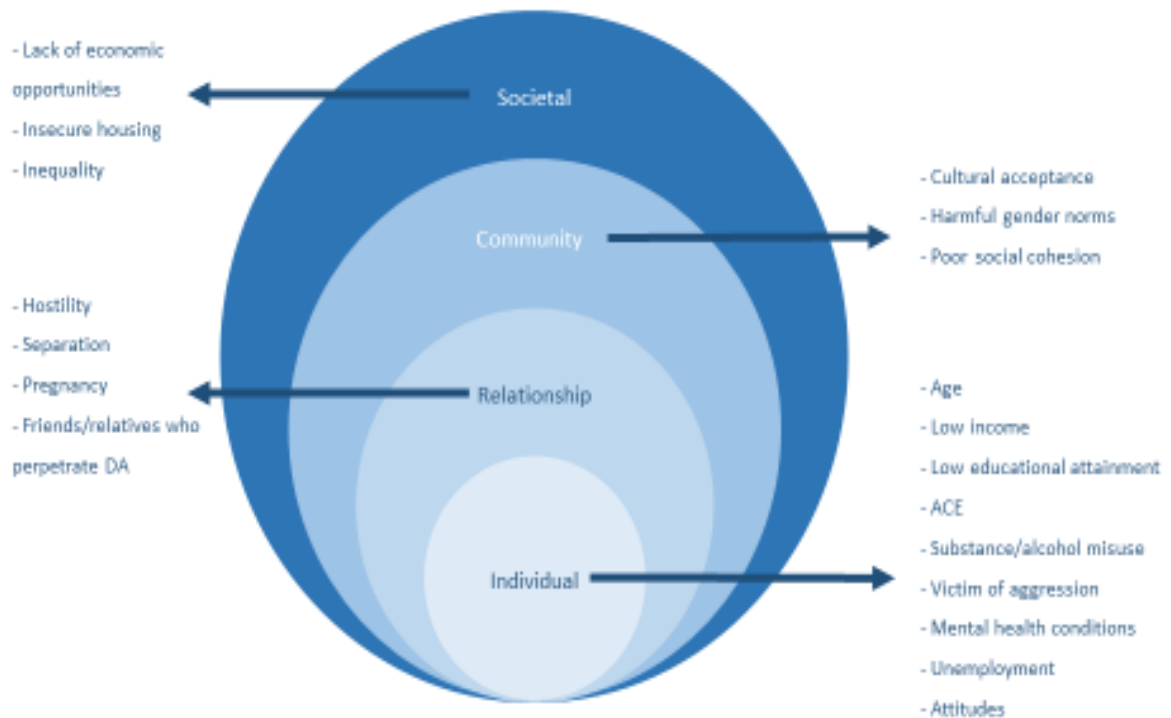
19. As the figures in the previous section illustrate, Southampton has significantly higher levels of reported domestic violence compared to similar areas we have data for, and the number of reported cases continues to rise.
20. Reflecting the focus of the inquiry, to help identify what additional action can be taken to reduce and prevent domestic abuse in Southampton, the Panel were provided with an overview of the risk factors for perpetrating domestic abuse.
21. Figure 5 below identifies risk factors for violence. Figure 6 is an adaptation of this model to reflect the specific risk factors of the perpetrators of intimate partner violence.

Figure 5 - Risk factors for violence



Source: The Local Government Association (2018), Public health approaches to reducing violence. Available from <https://www.local.gov.uk/public-health-approaches-reducing-violence>

Figure 6 – Risk factors for perpetrating intimate partner violence (IPV) ⁷



Source: Public Health, presentation to Inquiry Panel, 7 March 2019 – Available at <https://www.southampton.gov.uk/modernGov/documents/s39782/DA%20Literature%20Review.pdf>

22. In addition Sara Kirkpatrick, Services & Development Manager at Respect – the leading UK membership organisation for work with domestic abuse perpetrators, in her presentation at the inaugural meeting of the Inquiry Panel identified the following additional risk factors for perpetrating domestic abuse⁸:

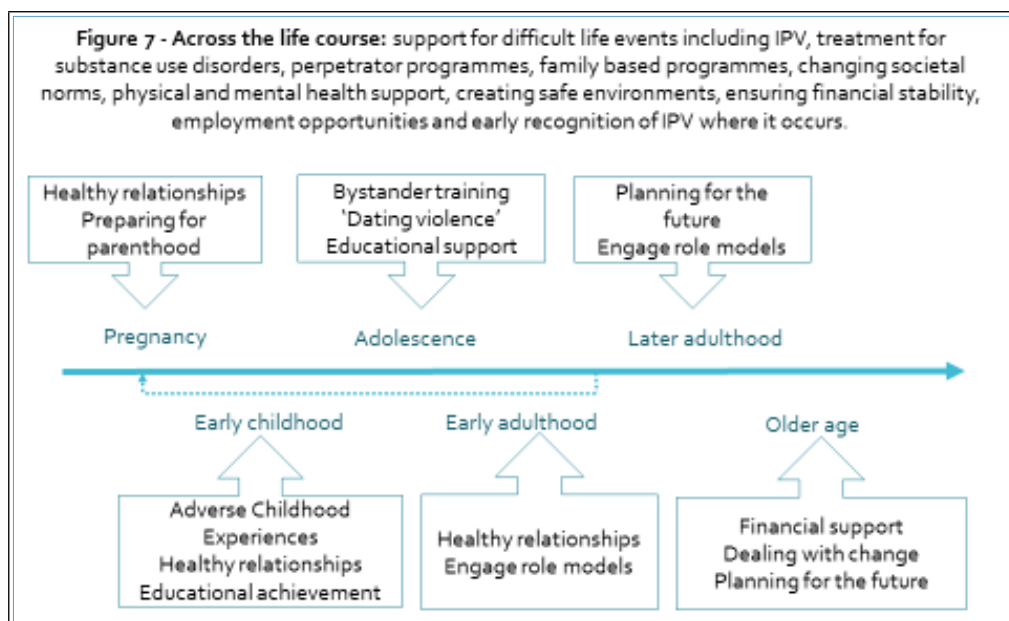
- Young people exposed to domestic abuse, as a form of adverse childhood experience (ACE), have higher prevalence of both perpetration and victimisation of domestic abuse.
- Domestic abuse is both a cause and consequence of gender inequality, henceforth, the biggest factor which increases propensity to use abusive behaviour or continue to use abusive behaviour is the social acceptance of ‘low level’ abusive or oppressive behaviour.

⁷ Further information on Figure 5 & 6 and the presentation from Public Health Southampton is referenced here: Grove, G. (2019). Literature Review of Domestic Abuse in Southampton, pg. 5, 6. Available at: <https://www.southampton.gov.uk/modernGov/documents/s39782/DA%20Literature%20Review.pdf>

⁸ Kirkpatrick, S. (2019). Respect - Domestic Abuse Prevention Inquiry, pg. 9. Available at: <https://www.southampton.gov.uk/modernGov/documents/s39388/Domestic%20Violence%20-%20Southampton.pdf>

What helps to prevent / reduce incidence of domestic abuse?

23. Having been informed about the risk factors for perpetrating domestic abuse the Panel sought to understand what initiatives and actions were effective at preventing abuse from occurring or reducing incidents of domestic abuse.
24. At the 7 March 2019 meeting of the Inquiry a presentation from Public Health outlined the findings from a literature review of effective practice in preventing people from becoming future perpetrators of domestic abuse⁹. The presentation, whilst recognising that there was emerging research about what works, identified three areas for prevention activity:
- 1) **Primary prevention** - Preventing someone from ever perpetrating.
 - 2) **Secondary prevention** - Intervening after the first occurrence to stop it happening again and minimising the harm to others.
 - 3) **Tertiary prevention** – Stopping serial perpetrators from continuing to perpetrate and minimising the harm to others.
25. The analysis of the various prevention activity identified three key elements that were associated with effectively preventing or reducing incidence of domestic abuse. The key approaches can be summarised as follows:
- **Whole system approach** – A multi-agency response to domestic abuse
 - **Life course approach** – Support for addressing the risk factors for domestic abuse across the life time of an individual (see Figure 7)
 - **Universal primary prevention** - Approaches designed for an entire population without regard to individual risk factors. These include awareness campaigns and relationship education for young people.



Source: Public Health, presentation to Inquiry Panel, 7 March 2019

⁹ Grove, G. (2019). Literature Review of Domestic Abuse in Southampton, pg. 7, 10-15. Available at: <https://www.southampton.gov.uk/modernGov/documents/s39782/DA%20Literature%20Review.pdf>

Work directly with perpetrators

26. Specific reference was made by Sarah Fitzpatrick, Services & Development Manager at Respect, when considering approaches to reduce and prevent domestic abuse, to the importance of working with perpetrators. The logic behind this approach is:

*'Support services for victims and children are vital. Refuges, Independent Domestic Violence Advisors (IDVAs) and outreach services save and improve lives every day. And a robust criminal justice system has a crucial role to play in administering justice and protecting current and future victims. But unless communities engage directly with perpetrators, domestic violence will not stop.'*¹⁰

27. The Panel were informed about the growing evidence base demonstrating the positive impact that programmes which engage with perpetrators are having on outcomes. These include community behavioural change programmes and early intervention programmes for those ready, willing and able to change, and intensive case management models for perpetrators causing high levels of harm or have individualistic needs.

What every good local authority area should have in place to reduce incidents of domestic abuse?

28. Reflecting the importance of working with perpetrators Sara Kirkpatrick identified a number of elements that every local authority should have in place to reduce incidents of domestic abuse. This is summarised below, a more detailed version is attached as Appendix 4:

- Coordinated multi-agency approach which includes statutory and specialist services
- Early intervention
- Assessment of harm, capacity to change and need
- A range of responses including:
 - Intensive case management
 - Robust civil and criminal justice responses
 - Behaviour change programmes
- Principles and standards accreditation / external quality assurance of services
- Needs led Trauma informed approach for victims and survivors.

29. The criteria above, including whole system approach, life course approach and universal primary prevention, formed the structure for meetings two and three of the inquiry enabling comparisons with services in Southampton.

¹⁰ Respectphoneline.org.uk. (2010). Domestic Violence Perpetrators - Working with the cause of the problem. [online] Available at: <http://respectphoneline.org.uk/wp-content/uploads/2018/01/Working-with-the-cause-of-the-problem.pdf>

Conclusions and Recommendations

30. A summary of the key evidence presented at each of the inquiry meetings is attached as Appendix 3. In addition an overview of domestic abuse services and programmes in Southampton is attached as Appendix 5, and a summary of findings for Southampton against the criteria that good local authority areas should have in place to reduce incidents of domestic abuse is attached as Appendix 6. Conclusions were drawn from each meeting and disseminated to the Panel.

All of the reports, presentations and minutes from the inquiry meetings can be found here:

<https://www.southampton.gov.uk/modernGov/ieListMeetings.aspx?CIId=709&Year=0>

Conclusions

- Southampton has high levels of reported domestic abuse and this figure continues to rise.
- Southampton has a strong and well developed suite of victim and survivor domestic abuse services.
- The range of accredited perpetrator services in Southampton is comparable to any city in the UK. This is primarily due to the innovative services developed by the voluntary and community sector in the city.
- It is not possible to reduce domestic abuse without reducing the number of people who are abusive. Key to reducing incidence of domestic abuse is to work at a whole population level to change the culture in society away from unhealthy and abusive values, attitudes and behaviours; addressing adverse childhood experiences; and, to directly engage with perpetrators.
- The draft Domestic Abuse Bill includes positive developments with regards to making appropriate relationship and sexual education in secondary and primary schools compulsory. More needs to be done across wider society to stigmatise abusive behaviours.
- There is a need to increase referrals to perpetrator services, and at an earlier stage, from agencies dealing with abuse. Improving awareness of perpetrator services and the service pathways will help to achieve this objective. As demand for commissioned perpetrator services increases there will be a need to increase resources to ensure that a backlog does not form.
- Opportunities exist to embed good practice and further improve partnership working by rolling out the Multi-Agency Tasking and Co-ordination Group (MATAC) and co-locating Hampton Trust staff within key service areas.
- There is a need to consider our relationship with risk factors (including alcohol, substance misuse and mental health). The draft Domestic Abuse Bill provides an opportunity for Southampton to work with Government and to develop the evidence base to help inform commissioning decisions.

Recommendations

Universal primary prevention

- 1. Communications Campaign** – There is still a social acceptance of ‘low level’ abusive or oppressive behaviour in society which, therefore, needs a change in culture and community response to perpetrator behaviour. Learning from the findings of the developing Domestic Abuse Needs Assessment, it is recommended that, in line with the commitment in the draft Domestic Abuse Bill to promote public awareness of domestic abuse, the Council undertakes a communication campaign that, alongside the messages promoted through White Ribbon Day challenging attitudes to gender inequality, seeks to stigmatise abusive behaviours and to signpost members of the public to the Hampton Trust and Respect Phone Line.
- 2. Reporting Domestic Abuse** – Engage with local media outlets and encourage them to follow the new reporting guidelines developed by Level Up, and adopted by press regulators, on the way that domestic abuse is reported.
- 3. Relationship Education** - Support schools, as required, to deliver the requirements on relationship education, relationships and sex education, and health education in primary and secondary skills outlined within the draft Domestic Abuse Bill.
- 4. Adverse Childhood Experiences** - This is recognised as a city and nationwide issue and this view is further supported through the findings of the inquiry. It is recommended that the impact of adverse childhood experiences on domestic abuse is considered in the work the Council, as a whole, takes forward to address adverse childhood experiences.

Perpetrator Services / Whole system approach - We cannot reduce domestic abuse without reducing the number of people who are abusive. People who are abusive often need support to recognise their abuse and to change. Perpetrator services help to reduce the risk to partners, current and future, and mean fewer children live in families affected by domestic abuse. It also sends a clear social message that victims or survivors do not cause domestic abuse.

- 5. Raise awareness of, and increase referrals to, perpetrator services** - There is a need to increase the identification of, and from this the number of referrals to perpetrator services, and at an earlier stage, from agencies dealing with abuse. It is recommended that a perpetrator services awareness raising campaign is undertaken targeted at potential referral partners, and that specific training is provided to agencies that deal with abuse, including substance misuse services, mental health services and relevant NHS services to ensure that they know the referral pathways. The draft Domestic Abuse Bill identifies specific funding for training to promote greater joining-up between substance misuse and domestic abuse services.

- 6. Introduce routine enquiry for perpetrators** – Routine enquiry currently involves asking all women at assessments about abuse regardless of whether there are any indications or suspicions of abuse. No equivalent approach exists to ask if individuals are perpetrating abuse at assessments in key services. This should be introduced across an appropriate range of services, including primary care, mental health, substance misuse and other services, to improve identification and provides opportunities for early intervention.
- 7. Seek additional resources to support perpetrator services in Southampton** – An estimated 11% of local domestic abuse funding is targeted at supporting perpetrators to recognise their behaviour and change. Additional resources are needed to enable services to meet need and the expected rise in demand to ensure that a backlog does not form. The work may include education, identification and a range of interventions, for example the LINX service.
- 8. MATAC (Multi-Agency Tasking and Co-ordination)** – This is a strategic and integrated partnership approach that identifies and intervenes with high-risk and serial perpetrators of domestic abuse. MATAC has been piloted in Southampton by Hampton Trust and Hampshire Constabulary. The current evaluation is expected to show positive results. If this transpires it is recommended that the approach is rolled out in Southampton to improve the tracking and disruption of high risk and serial perpetrators in Southampton.
- 9. Co-location of Hampton Trust staff within the key service areas** - To support long term institutional change in engaging perpetrators and to promote identification for early intervention it is recommended that Hampton Trust staff are co-located within key service areas for specified periods of time (e.g. 6 months at each location). This would include the High Risk Domestic Abuse Service, Substance Misuse and Mental health services, among others. Outcomes of this initiative should be evaluated.

Evidence Based Decision Making

- 10. Update the Domestic and Sexual Abuse Strategy (DSA)** – The existing Southampton DSA Strategy runs from 2017-2020. The strategy needs to be updated to reflect the Domestic Abuse Strategic Needs Assessment and the findings from this inquiry.
- 11. Evaluation of perpetrator services** – Evidence that supports the effectiveness of perpetrator services is limited but growing. To develop the evidence base it is recommended that the DSA strategic group receives and considers appropriate research and evaluations from across the UK and combines this with regular analysis of perpetrator services in Southampton to develop understanding about what services and initiatives are most effective and to inform future commissioning intentions.
- 12. Return on Investment for Perpetrator Services** – Public Health to work with others to develop a return on investment for perpetrator services to help support future funding decisions made by the Council and partners.

- 13. Alcohol and Substance Misuse** – The Draft Domestic Abuse Bill commits the Government to consider the impact of alcohol on domestic abuse and to identify gaps in the evidence base on the relationship between substance misuse and domestic abuse. It is recommended that the Integrated Commissioning Unit and Public Health keep abreast of the developments in this area and reflect on the outcomes when considering future decisions and strategies relating to domestic abuse and substance and alcohol misuse.
- 14. The role of Public Health** – The Director of Public Health considers domestic abuse when the new funding arrangement and mandate for Public Health is announced nationally, timescale unknown.
- 15. Consideration of the impact on victims and perpetrators of domestic abuse when making Council decisions** – To ensure that consideration is given to the impact of Council proposals on the victims and perpetrators of domestic abuse it is recommended that they are included within Equality and Safety Impact Assessments as if they were a protected characteristic.
- 16. Working with Government** – Southampton has good survivor services and is recognised as a vanguard area for perpetrator services. However, the number of reported incidents of domestic abuse continues to rise. The draft Domestic Abuse Bill provides an opportunity for Southampton to, through the development of the next iteration of the DSA Strategy and improved resourcing towards perpetrators, develop a narrative on domestic abuse in Southampton and engage with the Government with the ambition of using the city as model for investing in innovative, citywide practice to reduce levels of domestic abuse. It should also form early and positive links with the proposed Domestic Abuse Commissioner if and when they are appointed.

Appendices

Appendix 1 – Terms of References

Appendix 2 – Inquiry Plan

Appendix 3 – Summary of Key Evidence

Appendix 4 - What should every good local authority area have in place to reduce incidents of domestic abuse?

Appendix 5 – Summary of Southampton Domestic Abuse Services & Programmes

Appendix 6 – Summary of Findings

Appendix 1 – Terms of Reference

Reducing and Preventing People from Becoming Perpetrators of Domestic Abuse in Southampton

Terms of Reference and Draft Inquiry Plan

1. Scrutiny Panel Membership:

- a) Councillor McEwing (Chair)
- b) Councillor Coombs
- c) Councillor Mitchell
- d) Councillor Payne
- e) Councillor Harwood (Vice-Chair)
- f) Councillor Galton
- g) Councillor Laurent

2. Purpose:

To consider what more may be done in Southampton to reduce domestic abuse with a focus on preventing people from abusing their intimate partner.

3. Background:

- Southampton has high levels of reported domestic abuse.
- Domestic related violence accounted for 29.1% of total crime in Southampton in 2015/16.
- 1,065 children and young people are identified as living in violent homes in the city where a parent is a victim of high risk Domestic and Sexual Abuse (DSA)
- A 2015 focus group with frontline workers and survivors of DSA in Southampton showed that inter-generational DSA is high.

4. Objectives:

- a) To develop understanding from a national and local level of domestic abuse, patterns of offending, and risk factors associated with perpetrators of domestic abuse.
- b) To consider the prevalence of perpetrating domestic abuse in Southampton; the services that are currently available across the life course in Southampton to reduce the likelihood of people becoming perpetrators of domestic abuse; the effectiveness of the services and gaps in provision.
- c) To identify what is being done elsewhere in preventing people from being perpetrators of domestic abuse and identify if these principals or initiatives could be introduced in Southampton.

5. Methodology:

- a) Undertake desktop research.
- b) Seek stakeholder views.
- c) Identify best practice.
- d) Seek views of experts.

6. Proposed Timetable:

Four meetings between January 2019 and April 2019.

7. Draft Inquiry Plan (Subject to the availability of speakers)

Meeting 1: 31 January 2019

- Introduce, Context, Background
 - Definition of domestic abuse, including the scope of this scrutiny inquiry as focussing on abuse between intimate partners;
 - Description of perpetrators of domestic abuse nationally and in Southampton;
 - What we already know about risk factors and patterns of domestic abuse between intimate partners.

To be invited:

- Sara Kirkpatrick, Respect UK
- Dan King, Service Lead for Intelligence & Strategic Analysis
- Karen Marsh, IDVA

Meeting 2: 21 February 2019

- The local Southampton Policy framework and services designed to reduce the likelihood of people becoming perpetrators of domestic abuse.
 - What are the local intervention services – What works, what does not, where are the gaps?

To be invited:

- Hampton Trust – Perpetrator services
- Yellow Door – Star Project
- Hampshire & IOW Community Rehabilitation Company

Meeting 3: 7 March 2019

- Innovation and best practice – What can Southampton learn from other cities and programmes? Can we replicate or adopt these practises in Southampton? What else do we need to find out?
 - Literature Review – Good practice
 - Primary and Secondary causes of domestic abuse
 - Domestic Abuse Bill
 - Pathways / Substance misuse / Mental Health / Alcohol

To be invited:

- Phil Bullingham, Service Lead for Safeguarding, Improvements, Governance & Quality Assurance – Children's Services
- Grace Grove, Public Health Registrar
- Mark Pirnie, Scrutiny Manager
- Sandra Jerrim, Senior Commissioning Officer

Meeting 4: 18 April 2019

- Panel to agree a final report

Appendix 2 – Inquiry Plan

DATE	MEETING THEME	TOPIC DETAIL	EVIDENCE PROVIDED BY
31 January 2019	Agree Terms of Reference and introduction to the inquiry	Introduction, context and background to the issues.	<ul style="list-style-type: none"> • Sara Kirkpatrick, Service and Development Manager of Respect • Dan King, Service Lead for Intelligence & Strategic Analysis, SCC • Karen Marsh, Service Manager for IDVA, SCC
21 February 2019	The Local Southampton services for Domestic Abuse	The local Southampton Policy framework and services designed to reduce the likelihood of people becoming perpetrators of domestic abuse.	<ul style="list-style-type: none"> • Sandra Jerrim, Senior Commissioning Officer, Integrated Commissioning Unit • Chantal Hughes & Tracy Rutherford, CEO & Deputy CEO of Hampton Trust • Tara Doel, Nicci King and Frankie Snow – Yellow Door • Lauren Viney – Hampshire & IOW Community Rehabilitation Company
7 March 2019	Innovation & Best Practice	What can Southampton learn from other cities and programmes? Can we replicate or adopt these practises in Southampton? What else do we need to find out?	<ul style="list-style-type: none"> • Phil Bullingham, Service Lead for Safeguarding, Improvements, Governance & Quality Assurance – Children’s Services, SCC • Grace Grove, Public Health Registrar, SCC • Sandra Jerrim, Senior Commissioning Officer, Integrated Commissioning Unit • Mark Pirnie, Scrutiny Manager, SCC

Appendix 3 – Summary of Key Evidence

Scrutiny Inquiry Panel – Reducing and Preventing Domestic Abuse in Southampton

Inquiry Meeting – 31 January 2019

Introduction to the inquiry, context and background

Presentations referenced below can be found here:

<https://www.southampton.gov.uk/modernGov/ieListDocuments.aspx?CId=709&MIId=4159&Ver=4>

Summary of information provided:

Sara Kirkpatrick - Research and Services Development Manager, Respect

- A presentation introducing the issue of domestic abuse, risk factors, and the importance of prevention work with perpetrators was delivered by Sara Kirkpatrick.
- In addition to the points raised in the presentation, Sara made the following key points:
 - The biggest factor which increases propensity to use abusive behaviour or continue to use abusive behaviour is social acceptance of ‘low level’ abusive or oppressive behaviour.
 - A number of initiatives have been shown to decrease incidents of intimate partner abuse. These include awareness raising campaigns and leadership.
 - Working directly with perpetrators has delivered promising results. Project CARA, an early intervention model based on conditional cautioning, delivered by Hampton Trust was referenced as an example of good practice.
 - As the appetite for innovation and a broader range of solutions to challenge or disrupt abusive behaviour increases these innovations should be developed in consultation and cooperation with survivor services.
 - The recently published Transforming the Response to Domestic Abuse Consultation Response and Draft Bill contains some elements that may help to reduce levels of domestic abuse. This includes introducing regulations and statutory guidance for schools on Relationships and Sex Education, and Health Education.
 - Support services for victims and children are vital. Refuges, Independent Domestic Violence Advisors (IDVAs) and outreach services save and improve lives every day, and a robust criminal justice system has a crucial role to play in administering justice and protecting current and future victims. But unless communities engage directly with perpetrators, domestic violence will not stop.

Dan King - Service Lead, Intelligence and Strategic Analysis, SCC
Karen Marsh – IDVA Service Manager, SCC

- A Presentation (item 8 – Additional Documents) providing the Panel with an overview of domestic abuse in Southampton was delivered by Dan King and Karen Marsh.
- In addition to the points raised in the presentation, the following key points were made:
 - A detailed Domestic Abuse Needs Assessment is being undertaken by the Intelligence and Strategic Analysis Team and Public Health to inform the next iteration of the Southampton Domestic and Sexual Abuse Multi-Agency Strategy.
 - Southampton has a very high domestic abuse reporting rate.
 - Over 3,000 domestic violence crimes were recorded by Hampshire Constabulary for Southampton in 2017/18. Figures rose 7% last year, the 4th consecutive year it has increased in Southampton.
 - The highest recorded rates of domestic violence and abuse are in the most deprived communities in Southampton.
 - Southampton has a strong multi-agency response that is victim focused.
 - Volume of high risk referrals continues to rise.

Conclusions from meeting:

- Southampton has a very high number of reported cases of domestic abuse and this figure continues to rise.
- Support services for victims and children are vital. Refuges, Independent Domestic Violence Advisors (IDVAs) and outreach services save and improve lives every day, and a robust criminal justice system has a crucial role to play in administering justice and protecting current and future victims. But unless communities engage directly with perpetrators, domestic violence will not stop.
- A number of initiatives have been shown to decrease incidents of intimate partner abuse. These include Domestic Violence Perpetrator Programmes working in partnership with support services and prevention work, such as awareness raising campaigns.

Scrutiny Inquiry Panel – Reducing and Preventing Domestic Abuse in Southampton

Inquiry Meeting – 21 February 2019

The local Southampton Policy framework and services designed to reduce the likelihood of people becoming perpetrators of domestic abuse.

Presentations referenced below can be found here:

<https://www.southampton.gov.uk/modernGov/ieListDocuments.aspx?CId=709&MId=4160&Ver=4>

Summary of information provided:

Sandra Jerrim - Senior Commissioner from the Integrated Commissioning Unit (ICU).

- A presentation introducing how resources are apportioned across different service areas and feedback from providers on their role in identifying and signposting perpetrators was delivered by Sandra Jerrim.
- In addition to the points raised in the presentation, Sandra made the following key points:
 - Currently, Southampton works mainly with victims and children but lacks the same level of commitment to working and intervening with perpetrators.
 - As well as services provided through the OPCC and probation, there are other service providers outside of social care that will have some involvement with perpetrators, such as drug and alcohol misuse services, Child & Adolescent Mental Health Services (CAMHS).
 - There is no focus within areas on deprivation to identify or respond to domestic abuse and few services targeting adverse childhood experiences (ACEs).
 - Children and Families Services has become the prominent referral route to the Domestic Abuse Perpetrator Partnership (DAPP) and other services.
 - Funding towards domestic abuse perpetrators come from a variety of sources, typically The Ministry of Justice, OPCC, Southampton City Council, Big Lottery, and general fundraising, etc.
 - This results in the funding for a number of perpetrator and programmes being inconsistent and often short term.
 - Overall in Southampton, and based on information available, it has been found that approximately £800,000 is spent on domestic abuse services annually: 89% of expenditure is on victim/survivor services and 11% perpetrator services (DAPP 6%, LINX 1%, and Building Better Relationships 2%).
 - From a survey questionnaire in regards to referrals to perpetrator services it has found that:
 - All settings recognised and identified perpetrators.
 - Survivor services focus on developing protective factors around the survivor.

- Responses show that survivor services are increasingly accepting their role in sharing intelligence about perpetrators and the benefits of this.

Tara Doel, Nicci King and Frankie Snow – Yellow Door

- Yellow Door is a registered charity working to support individuals and communities across Southampton and western Hampshire. They offer a range of free services dedicated to supporting those who have experienced - or are at risk of - abuse, as well as delivering preventative workshops and outreach across the region.
- A presentation introducing the Panel to Yellow Door's STAR Project, Bright Stars, and Diversity & Inclusion Advocacy programme to prevent and tackle domestic and sexual abuse was delivered by Tara Doel, Nicci King, and Frankie Snow.
- In addition to the points raised in the presentation, the Yellow Door representatives made the following key points:
 - The STAR Project delivers Relationship and Sexual Education, through interactive workshops, in Southampton and surrounding areas of Hampshire to children aged from 11+ to college and university level.
 - This is currently delivered to all secondary schools, majority of Primary schools and youth settings in Southampton. In 2017/18 The STAR Project has delivered to 11,985 young people in 2017/18.
 - The STAR Project has been awarded as one of the top 10 examples of international best practise in a European Parliament report "*Overview of Worldwide Best Practise for Rape Prevention & Assisting Victims*" (2014).
 - One of the aims of this service is to prevent abuse by teaching future potential perpetrators and victims of domestic abuse about healthy relationships, self-esteem, and making informed decisions surrounding sex and relationships. They also provide advocacy support for children.
 - The STAR Project has a very high positive feedback with 98% of children surveyed saying they understood more about what makes a healthy relationship. The majority of children attending participate in the survey.
 - Funding sources of the STAR Project include: Southampton DSA Prevention and Early Intervention Contract, OPCC, universities, and general fundraising.
 - Bright Stars is another, therapeutic, programme also delivered by Yellow Door to support children who have witnessed adverse childhood experiences (ACE) from domestic abuse.
 - Yellow Door also has a three year running Diversity and Inclusions Advocacy group that helps engage with marginalised and minority groups on domestic and sexual abuse, supported by Hampshire Constabulary.

Chantal Hughes & Tracy Rutherford – CEO & Deputy CEO, Hampton Trust

- Hampton Trust is a charity based in Hampshire working to break the cycle of abuse, conflict and exploitation. They provide a variety of programmes and services to engage and strengthen individuals, families, organisations and communities.
- A presentation introducing the Panel to the Domestic Abuse Perpetrator Partnership (DAPP), and Hampton Trust's programmes such as Project CARA and LINX was delivered by Tracy Rutherford and Chantal Hughes.
- In addition to the points raised in the presentation, the Hampton Trust representatives made the following key points:
 - The Domestic Abuse Perpetrator Partnership (DAPP) was established in 2016 as a developmental service partnered by Hampton Trust, Aurora New Dawn, and BaseLine Consultancy.
 - The DAPP has been evaluated by Southampton University in 2018. The Priority Perpetrator Identification Tool used within the DAPP, to assess the type of perpetrator by offences committed to trigger intervention, has been evaluated by Cardiff University.
 - Hampshire Constabulary became the first police force in the UK to use conditional cautioning to intervene with perpetrators through the OPCC's commissioning of Project CARA.
 - Hampton Trust provides various programmes for early intervention with young people and perpetrators such as DARE, Turnaround, and LINX. The LINX provides 12 week intervention with young people associated with a backdrop of domestic abuse and/or exhibiting violent behaviour or aggression related to it.
 - The Hampton Trust has worked in partnership with Hampshire Constabulary to pilot Multi Agency Tasking & Co-ordination (MATAC) in Southampton. MATAC's have been recognised by Respect as good practice that local authorities should have as a part of their local multiagency arrangements.
 - The Hampton Trust have also worked in co-location with other front line workers in domestic abuse to train and support them for their intervention and interactions with perpetrators. Hampton Trust hopes to expand this to ensure that other frontline practitioners can work with perpetrators and refer them to Hampton Trust in confidence.

Lauren Viney – Hampshire & IOW Community Rehabilitation Company

- The Hampshire & IOW Community Rehabilitation Company is a private-sector supplier of Probation and Prison-based rehabilitative services for offenders based in Hampshire and the Isle of Wight.
- A presentation introducing the Panel to their domestic abuse perpetrators programmes Building Better Relationships (BBR), Help, and Creating Safer Relationships (CSR) for perpetrators within the criminal justice system was available to the panel and shown to the panel by Sandra Jerrim. Key points from the information are:
 - Interventions made via the CRC are mostly court ordered, with exception to certain contract agreements that are in place for BBR delivery (such as CAFCASS).

- Building Better Relationships is an accredited group work programme aimed to reduce re-offending and promote the safety of current and future partners and children whilst working collaboratively with other agencies.
 - The BBR has shown an 82% of completion by perpetrators in 2017.
- Help is a new healthy relationship intervention for male Service Users with identified relationship difficulties. The programme is an early intervention and can be delivered to Service Users who have DA convictions or with those who have identified relationship problems which are a factor in their general offending behaviour.
 - Help will replace all existing local Domestic Abuse non accredited activities within the CRCs.
- Creating Safer Relationships is a 1:1 healthy relationship intervention for male Service Users with identified relationship difficulties. The CSR aims to help men make sense of their own world and find ways to develop and maintain positive and functional relationships.

Conclusions from meeting:

- There is a disparity in funding toward victims and perpetrator services in domestic abuse by 89% and 11%.
- A survey showed agencies recognise the importance of identifying perpetrators but more work is needed to establish good sharing of information across and between services.
- There are gaps in interventions towards adverse childhood experiences and inconsistency in funding and resources towards perpetrator services.
- The STAR Project is internationally accredited as good, has positive feedback from participants and delivers the opportunity to young people to increase their understanding of healthy relationships through their Relationship & Sexual Education programme and in doing so, go some way towards preventing future perpetrators and victims of domestic and sexual abuse.
- The Hampton Trust run various perpetrator programmes via the DAPP or alongside Hampshire Constabulary. It recognises that to move forward it should expand its training of front-line workers and co-location, establish the MATAC to full-scale if the final report concludes the pilot as effective, and change the language around domestic abuse to engage young people who do not identify with these labels (e.g. Young Fathers Intervention).

Scrutiny Inquiry Panel – Reducing and Preventing Domestic Abuse in Southampton

Inquiry Meeting – 7 March 2019

Innovation and best practice

Presentations referenced below can be found here:

<https://www.southampton.gov.uk/modernGov/ieListDocuments.aspx?CId=709&MId=4161&Ver=4>

Summary of information provided:

Phil Bullingham – Service Lead for Safeguarding, Improvement, Governance & Compliance, Children and families, SCC

- A presentation outlining the range of support services provided by the Children and Families Service to reduce domestic abuse in Southampton was delivered by Phil Bullingham.
- In addition to the points raised in the presentation, Phil made the following key points:
 - The High Risk Domestic Abuse (HRDA) response was embedded in the Multi-Agency Children’s Safeguarding Hub (MASH).
 - A number of programmes work with children to help them to recover from the adverse effects of being exposed to parental domestic abuse – DART (7-14 year olds) & Surestart Special (Under 5’s).
 - DART, led & coordinated by IDVA, together with Women’s Aid & SCC family support workers, is designed to build positive mother and child relationships – thus helping to stop inter-generational abuse, promote positive family relationships and to prevent escalation in safeguarding.
 - Surestart Special is a unique joint project with Southampton’s Women’s Aid and Southampton Sure Start Children’s Centres funded by Children in Need. It is a new project for children who have been exposed to parental domestic violence and abuse. It is an early intervention programme for both children aged 3 or 4 years and their mother/carer.
 - Young perpetrators – The Youth Offending Service use Asset Plus assessment tool which includes consideration of domestic abuse in families.
 - Training is being delivered to staff, working cross sector, inclusive of voluntary and community sector agencies, working in Children’s, Health, Housing, Community Safety or Adult Services on restorative practices, Adverse Childhood Experiences (ACE’s) and trauma.
 - This suite of training supports a Pan Hampshire ambition to create a ‘whole system approach’ that supports our workforce to work restoratively with children, families and vulnerable adults; at the same time as having a greater awareness and understanding of the impact of Adverse Childhood Experience, trauma and the effects of parental conflict.
 - Investment is being put into the extended locality model. Upskilling staff that work in the community delivering early intervention / early

help services to capture and engage at an early stage on issues such as domestic abuse, mental health and substance abuse.

- Engagement by perpetrators is hit and miss. Engaging with them early is challenging. It often requires the intervention of the Police or courts before perpetrators engage.
- There is a need for additional resources in perpetrator services. The provision is good but minimal at present.
- Would welcome Hampton Trust being embedded within the HRDA to help improve engagement with perpetrators.

Grace Grove – Public Health Registrar, SCC

- A presentation outlining the findings from a literature review of effective practice in preventing people from becoming future perpetrators of domestic abuse was delivered by Grace Grove.
- In addition to the points raised in the presentation, Grace made the following key points:
 - A full needs assessment for domestic abuse is being undertaken. A draft will be ready for September 2019.
 - Evidence is limited but developing with regards to the effectiveness of perpetrator services and actions that reduce domestic abuse. No Public Health return on investment statistics exist in this area.
 - Risk factors for intimate partner violence were identified.
 - Prevention activity was classified into three areas: Primary- preventing someone from ever perpetrating; Secondary- intervening after first occurrence to stop it happening again and minimising the harm to others; Tertiary – stopping serial perpetrators from continuing to perpetrate and minimising the harm to others.
 - A summary of effective practice, given the limited evidence base, against each of the three stages was provided. Agreement on key approaches, these include approaches that consider:
 - Whole system (risk factors)
 - Life course (opportunities to intervene at key stages)
 - Universal primary prevention
 - Targeting the risk factors can help to prevent people from becoming perpetrators. Recognition that improving work with perpetrators will help to reduce domestic abuse, but to significantly decrease risk there is a need to work at a whole population level.
 - There is a need to consider our relationship with risk factors (including alcohol and mental health) and to change culture in society away from unhealthy and abusive values, attitudes and behaviours and to encourage increased stigma against those associated with perpetrator behaviours. Key role for Public Health.

Mark Pirnie – Scrutiny Manager, SCC

- A presentation summarising the key elements of the draft Domestic Abuse Bill was presented to the Panel.

- It was recognised that, whilst the draft Bill is predominantly victim focussed, each section of the draft Bill provides opportunities to reduce domestic abuse in Southampton.
- The draft Bill includes a commitment to introduce regulations and statutory guidance for schools to educate young people on relationships. In primary schools the Government wants to equip children with the foundations for healthy respectful relationships and in secondary schools the Government proposes the teaching of young people about healthy intimate relationships, sexual exploitation, consent and domestic abuse.
- The draft Bill includes ambitions to raise public awareness of abuse; to challenge the social attitudes that allow domestic abuse to occur; to work with partners to review, evaluate and understand current communication activities, which will help inform future communications; and to work to tackle harmful gender norms.
- The draft Bill includes reference to a number of reviews to be conducted, including research into the links between domestic abuse and substance misuse, alcohol and mental health.
- Additional resources have been identified to deliver specific initiatives. The Bill presents an opportunity for Southampton to work with Government.

Sandra Jerrim – Senior Commissioner, Integrated Commissioning Unit

- A presentation was delivered on substance misuse and mental health pathways in Southampton.
- Both Substance Misuse and Mental Health Services have strong awareness of the issue of domestic and sexual abuse and the referral routes for survivor services supporting victims of domestic abuse. Limited awareness exists of perpetrator services and pathways.
- There is a need to raise awareness and knowledge about perpetrator services and the referral routes from these service providers.
- The presentation also included an evaluation against Respect’s good practice criteria. There is a recognition that Southampton has a strong suite of survivor services and that perpetrator services compare favourably against any other city in the UK. However, there is a need to get perpetrators engaged with behaviour change services as early as possible and to drive up demand for these services.

Conclusions from meeting:

- Investment is being put into the extended locality model within Children and Families Services. Upskilling staff that work in the community delivering early intervention / early help services to capture and engage at an early stage.
- Need to raise awareness of perpetrator services and referral pathways by substance misuse services and mental health services.
- There is awareness of the risk factors for domestic abuse. Targeting the risk factors can help to prevent people from becoming perpetrators.
- There is a need to consider our relationship with risk factors, to change culture in society away from unhealthy and abusive values, attitudes and

behaviours and to encourage increased stigma against those associated with perpetrator behaviours.

- Recognition that Southampton has a strong suite of survivor services and that perpetrator services compare favourably against any other city in the UK. There is a need to increase awareness and referrals to the behaviour change perpetrator programmes.
- The draft Domestic Abuse Bill presents an opportunity for Southampton to work with Government and to develop the evidence base to help inform decisions.

Appendix 4 – What should every good local authority area have in place to reduce incidents of domestic abuse?

Extract from the presentation to the Inquiry Panel from Sara Kirkpatrick, Respect's Research & Services Development Manager, supported by inserts from the Respect response to the Transforming the Response to Domestic Abuse Bill consultation.¹¹

To reduce incidents of domestic abuse every local authority should have in place:

- **Coordinated multi-agency approach which includes statutory and specialist services**

One of the key Respect principles for any response to perpetrators is 'the system counts - domestic violence and abuse cannot be addressed by one agency alone and work with perpetrators should never take place in isolation.' Every area should have local multiagency arrangements such as the MATAC approach currently being trialled in Northumbria, bringing together all agencies – public sector, voluntary sector and private sector – who have contact with perpetrators to agree an action plan to address their behaviour and its impacts, and to reduce future harm.

- **Early intervention**

Every community should aim to address domestic abuse at the earliest possible opportunity when there is most chance of preventing abuse from escalating. This involves all agencies having processes for the identification of perpetrators, such as a 'recognise, respond, refer' model, and referral routes to a specialist organisation which can provide assessment and intervention. Change That Lasts is developing an innovative early intervention perpetrator response for pilot in Lincolnshire and Sussex.

- **Assessment of harm, capacity to change and need**

The diverse cohort of perpetrators described above don't all require the same response. Communities, commissioners and services will want to target the right intervention to the right individual, to ensure the most successful outcome in each case and guarantee that public money is spent wisely. An intervention for someone who is just beginning to be abusive, who recognises they have crossed a line and wants to stop before it gets worse, is very different to an intervention for a perpetrator who has been abusive for decades, is in denial about their behaviour and has no motivation to change. Assessment and triage processes are needed to ensure that each perpetrator gets the right response based on these 3 key factors:

1. Harm

2. Capacity to change

To what degree is the perpetrator ready, willing and able to change versus being entrenched in their behaviour, in denial and resistant to change?

The capacity to change is made up of a combination of factors, including:

¹¹ Respect. (2018). Respect Response to Domestic Abuse Bill 2018. Available at: <http://respect.uk.net/wp-content/uploads/2018/06/DA-bill-2018-Respect-response-final.pdf>

- motivation or willingness to change
- ability to learn and try new ways of relating to others
- resilience
- stake in conformity
- the social supports they have for change

Behaviour change programmes will need to be responsive to these factors and tailor both the intervention and its delivery to address them.

3. Need

Do the perpetrators have additional / complex need(s) which act as barriers to engagement with behaviour change programmes and contribute to the likelihood of a continuation of abusive behaviour? Perpetrators with poor mental health, drug and alcohol abuse, Post-Traumatic Stress Disorder (PTSD), homelessness and/or unemployment, debt may require additional support to stabilise their lives.

A range of assessment tools exist mainly covering risk and harm, including:

- 'Domestic Assault Stalking and Honour Based Violence' (DASH) Risk Indicator Checklist (RIC), developed by SafeLives to identify the risks victims face, used across England and Wales
- 'Domestic Violence Risk Identification Matrix' developed by Barnardos to identify the risk to children of male to female domestic violence, used in the UK within Barnardos settings

Respect is developing a comprehensive tool encompassing the 3 criteria of harm, capacity to change and need, to aid both specialist and frontline services.

- **A range of responses (Sustainable interventions based on evaluated models)**

Following assessment of harm, capacity to change and need, each local area needs a triage system to decide which response(s) are appropriate for each individual with access to a range of options including **intensive case management**, the **criminal justice system**, disruption activities, support for additional needs and **behaviour change programmes**.

- **Intensive case management**

Perpetrators causing high levels of harm, particularly those with additional or complex needs and/or those who are resistant to change require intensive case management, such as that provided by the Drive project currently being piloted in Sussex, Essex and South Wales.

- **Robust civil and criminal justice responses**

Key to the management of perpetrators and protection of survivors is an effective criminal justice system. High quality evidence gathering to ensure a successful prosecution where crimes have been committed is essential, as is appropriate sentencing and robust management of offenders.

- **Behaviour change programmes**

Perpetrator behaviour change is the best long-term solution to domestic abuse. For those ready, willing and able to change there is clear evidence from [Project] Mirabal research findings that Respect accredited programmes have a positive effect, particularly in reducing physical and sexual violence.

These programmes, sometimes called Domestic Violence Perpetrator Programmes (DVPPs), are delivered in a group work setting or on a one-to-one basis, according to need.

Every local community should have such a programme as a resource for agencies to refer to and for perpetrators themselves to get help directly.

- **Principles and standards accreditation / external quality assurance of services**

A community's approach to domestic abuse perpetrators should be underpinned by the principles set out in the Respect Standard.

- **Needs led Trauma informed approach for victims and survivors**

Sara Kirkpatrick's response has a focus on perpetrators. The presentation delivered at the 31 January 2019 meeting also referenced a number of initiatives that help to decrease incidents of intimate partner abuse.

- Culture / system challenging the conducive context
- Talk about equality- i.e. it's a long standing problem because Domestic Abuse is a symptom of Violence Against Women and Girls (VAWG)
- Swift consistent justice response
- Whole community response
- Routine enquiry - This involves asking all women at assessment about abuse regardless of whether there are any indicators or suspicions of abuse. It was established in maternity, sexual health, health visiting, substance misuse and mental health settings.
- Awareness raising campaigns
- Leadership

These in part reflect the key approaches that were associated with effectively preventing or reducing incidence of domestic abuse summarised by Public Health analysis:

- **Whole system approach** – A multi-agency response to domestic abuse
- **Life course approach** – Support for addressing the risk factors for domestic abuse across the life time of an individual
- **Universal primary prevention** - Approaches designed for an entire population without regard to individual risk factors. These include awareness campaigns and relationship education for young people.

Appendix 5 – Summary of Southampton Domestic Abuse Services & Programmes

Please reference the glossary for acronyms mentioned

Children & Youth Offender Services Referral	Perpetrator or Self Referral	Police & Court Probation Referral	Victim/Survivor Services Referral
<p>Youth Offender Service - Intervention with young perpetrators (10-18 years) subject to criminal orders or out of court disposals.</p> <p>DART – Intervention designed to build positive mother & child relationships.</p> <p>STAR Project - RSE, through interactive workshops to children aged from 11+</p> <p>LINX - Group work programme for children with a back drop of domestic abuse, exhibiting problematic behaviour. Only available at Regents Park College.</p> <p>Sure Start Special - Early intervention programme for children aged 3/4 years & their mother/carer to address the potentially lasting impact of parental domestic abuse.</p> <p>MASH – The point of contact for safeguarding concerns regarding children.</p>	<p>DVPP – Domestic Violence Perpetrator Programmes are either delivered by HIOW CRC, Hampshire Constabulary or Hampton Trust.</p> <p>DAPP - Provides a Hampshire wide approach to better identify, assess and provide interventions for perpetrators.</p> <p>MATAC (pilot) - A strategic and integrated partnership approach that tracks & disrupts high-risk and serial perpetrators of domestic abuse.</p>	<p>Project CARA - A DVPP for first-time offenders of domestic abuse who have received conditional cautioning by Hampshire Constabulary.</p> <p>BBR - A group work programme by HIOW CRC aimed to reduce re-offending of medium-high risk offenders</p> <p>CSR - the sole 1:1 healthy relationship intervention for male Service Users with identified relationship difficulties by HIOW CRC.</p> <p>HELP – Early Intervention on healthy relationship for low-medium risk male service users with identified relationship difficulties by HIOW CRC.</p> <p>Operation Encompass - Police & education early information sharing partnership enabling schools to offer immediate support for children experiencing domestic abuse.</p>	<p>IDVA - the primary point of contact for victims and survivors and address and secure the safety of victims at high risk of harm.</p> <p>PIPPA Helpline</p> <p>Refuges – Provides a place of safety for women and children.</p> <p>MARAC - Meetings where agencies talk about the risk of future harm to people experiencing domestic abuse, and if necessary their children, and draw up an action plan to help manage that risk.</p> <p>Adult Therapeutic Services – Provides therapeutic support to survivors.</p> <p>IRIS - GP-based domestic violence and abuse (DVA) training support & referral programme.</p> <p>Family Therapy</p> <p>HRDA – Daily meeting of professionals from a variety of agencies to evaluate the safety and risk of those identified in High Risk cases.</p>

Appendix 6 – Summary of Findings

Good Practice Guidelines	What is happening in Southampton? (For project details refer to Appendix 5)	Weaknesses/Opportunities for Southampton	Recommendations
Co-ordinated Multi-Agency Approach, which includes statutory & specialist services	<ul style="list-style-type: none"> • DSA Strategy Group • DSA Operational Group • MATAC Pilot • Local Funding Group • PIPPA Alliance 	<ul style="list-style-type: none"> • Opportunity to improve esteem of perpetrator services and increase collaboration and co-location between services • Needs to have an increase in support and attendance from partners 	<ul style="list-style-type: none"> • It is recommended that Hampton Trust staff are collocated within key service areas for specified periods of time • It is recommended that if there is a positive evaluation of the MATAC pilot it is rolled out in Southampton to track and disrupt high risk and serial perpetrators in Southampton • It is recommended that the upcoming DSA Strategy is updated to reflect the Domestic Abuse Strategic Needs Assessment and the findings from this inquiry • It is recommended the Director of Public Health considers the role that Public Health can play in tackling domestic abuse when the new funding mandate for Public Health is agreed
Early Intervention	<ul style="list-style-type: none"> • STAR Project • Sure Start Special • DART • LINX • Youth Offending Services 	<ul style="list-style-type: none"> • Provision of primary prevention of domestic abuse needs to be expanded and widely implemented in the City 	<ul style="list-style-type: none"> • Raise awareness of, and increase referrals to perpetrator services
Assessment of harm, capacity to change & need of perpetrators	<ul style="list-style-type: none"> • DAPP does an assessment & triage process on perpetrators • DAPP recognised risk assessment tool • Range of DVPPs for perpetrators to act on capacity to change • Pathways between substance misuse & mental health services with perpetrator services - There are some good practice from substance misuse & mental health practitioners but this is very limited 	<ul style="list-style-type: none"> • Referrals to assessment process is low between victim to perpetrator services • In place but low levels of resources to adequately meet the demands for assessments • Greater awareness of perpetrator services and their effectiveness is needed to stimulate more assessments of perpetrators • There is no co-ordinated response between substance misuse and mental health services with perpetrator services 	<ul style="list-style-type: none"> • Raise awareness of, and increase referrals to perpetrator services • To ensure that consideration is given to the impact of Council proposals on the victims and perpetrators of domestic abuse it is recommended that they are included in the protected characteristics within Equality and Safety Impact Assessments

A Range of Responses - intensive case management	<ul style="list-style-type: none"> • Hampton Trust • HIOW CRC • Hampshire Constabulary • Children's Services • Victims Services • Voluntary Services 	<ul style="list-style-type: none"> • Lack of referrals to Perpetrator Services • Lack of engagement with non-engaging high-risk perpetrators 	<ul style="list-style-type: none"> • Raise awareness of, and increase referrals to, perpetrator services • To encourage the engagement of non-engaging high-risk perpetrators, it is recommended that Hampton Trust staff are collocated within key service areas for specified periods of time
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A Range of Responses - Behaviour Change Programmes (DVPPs)	<ul style="list-style-type: none"> • 11% out of approximate £800,000 resources for domestic abuse goes towards perpetrator services (89% victim services) • DVPPs delivered by single point of contact & referral Hampton Trust, including the DAPP • Project CARA delivered by Hampshire Constabulary & Hampton Trust • HOW CRC delivers DVPPs for those in probation 	<ul style="list-style-type: none"> • Lack of referrals • Further resources needed to adequately meet the demand of DVPPs in the City • More external accreditation and further evaluations still needed • Disproportionate resources towards victim/survivor services compared to perpetrator services • Significant shortfall of resources to adequately address perpetrators as the cause of domestic abuse crimes & are a barrier to increased provision of perpetrator services 	<ul style="list-style-type: none"> • Raise awareness of, and increase referrals to, perpetrator services • It is recommended that additional resources are identified for commissioning perpetrator services
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A Range of Responses – Robust civil & criminal justice response	<ul style="list-style-type: none"> • Southampton follows the national domestic abuse criminal justice response and procedures • Hampshire Constabulary, with Hampton Trust, delivers Project CARA • HIOW CRC provides various DVPPs as a form of criminal justice response for perpetrators on probation 	<ul style="list-style-type: none"> • BBR is under-utilised by the criminal justice process 	
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Principles & Standards Accreditation / External Quality Assurance Of Services	<ul style="list-style-type: none"> • A number of perpetrator services are accredited, such as BBR, LINX (evaluated by Head Start), STAR Project (accredited & award winning by the EU), DAPP (evaluated by University of Southampton), Project CARA (nationally award winning by Howard League) • Hampton Trust is an accredited member of Respect • MATAAC is currently being evaluated 	<ul style="list-style-type: none"> • To establish accreditation and evaluation for all other services 	<ul style="list-style-type: none"> • MATAAC has been piloted in Southampton by Hampton Trust and Hampshire Constabulary. The current evaluation is expected to show positive results. If this transpires it is recommended the approach is rolled out in Southampton to improve the tracking and disruption of high risk and serial perpetrators in Southampton
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Needs led trauma informed approach for victims & survivors	<ul style="list-style-type: none"> • Good ranges of services for victims and survivors, including PIPPA, IDVA/ISVA & Refuges 	<ul style="list-style-type: none"> • Shift the focus to ceasing the causes of crime – ‘Turning the tap off’. 	<ul style="list-style-type: none"> • It is recommendation that additional resources are identified for commissioning perpetrator services.
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* Some recommendations are repeated across sections

Good Practice Guidelines	What is happening in Southampton?	Weaknesses/Opportunities for Southampton	Recommendations
Universal Primary Prevention: Culture Change	<ul style="list-style-type: none"> White Ribbon Day stigmatising VAWG is already implemented Good awareness campaigns around DA Survivors but there is a lack of focus on perpetrators Domestic Abuse Scrutiny Inquiry Panel has brought profile on addressing perpetrators of domestic abuse RSE is currently taught in schools, e.g. via the STAR Project by Yellow Door 	<ul style="list-style-type: none"> Lack of public awareness raising (and therefore action) on identification, referral and intervention of perpetrators. Proposals from DV Bill for compulsory RSE in primary and secondary schools in the UK 	<ul style="list-style-type: none"> It is recommended that the Council undertakes a communication campaign that seeks to stigmatise abusive behaviours Support schools, as required, to deliver the requirements on relationship education, sexual education, and health education in primary and secondary skills
Whole System Approach: Addressing Adverse Childhood Experiences	<ul style="list-style-type: none"> DART, Sure Start Special, Family Therapy, LINX etc. is available in Southampton Services in Southampton are increasingly getting trained in developing trauma-informed approaches 	<ul style="list-style-type: none"> There is a recognised need to address ACE but requires large scoping, resourcing & implementation 	<ul style="list-style-type: none"> To establish a Council-wide approach towards adverse childhood experience beyond the scope of this inquiry
Whole System & Life Course Approach: Routine Enquiry	<ul style="list-style-type: none"> In place for victims/survivors via GPs, midwives, health visitors and new pathfinders in mental health across their life course 	<ul style="list-style-type: none"> There is no routine practice or enquiry for practitioners to detect perpetrators and refer them to perpetrator services 	<ul style="list-style-type: none"> Introduce routine enquiries for perpetrators, during their life course, to improve identification and provides opportunities for early intervention
Evidence Based Decision Making	<ul style="list-style-type: none"> Emerging, but limited, evidence base on the effectiveness of interventions and initiatives, including perpetrator services 	<ul style="list-style-type: none"> The Government DV Bill references to a number of reviews to be conducted nationally as a part of the evidence-based decision making process 	<ul style="list-style-type: none"> For Public Health to work with others to develop a return on investment for perpetrator services to help support future funding decisions made by the Council and partners To develop the evidence base it is recommended that the DSA strategic group receives and considers appropriate research and evaluations from across the UK and combines this with regular analysis of perpetrator services in Southampton to develop understanding about what services and initiatives are most effective and to inform future commissioning intentions.

Reducing and Preventing Domestic Abuse in Southampton – Scrutiny Inquiry

Conclusions and Recommendations

Conclusions

- Southampton has high levels of reported domestic abuse and this figure continues to rise.
- Southampton has a strong and well developed suite of victim and survivor domestic abuse services.
- The range of accredited perpetrator services in Southampton is comparable to any city in the UK. This is primarily due to the innovative services developed by the voluntary and community sector in the city.
- It is not possible to reduce domestic abuse without reducing the number of people who are abusive. Key to reducing incidence of domestic abuse is to work at a whole population level to change the culture in society away from unhealthy and abusive values, attitudes and behaviours; addressing adverse childhood experiences; and, to directly engage with perpetrators.
- The draft Domestic Abuse Bill includes positive developments with regards to making appropriate relationship and sexual education in secondary and primary schools compulsory. More needs to be done across wider society to stigmatise abusive behaviours.
- There is a need to increase referrals to perpetrator services, and at an earlier stage, from agencies dealing with abuse. Improving awareness of perpetrator services and the service pathways will help to achieve this objective. As demand for commissioned perpetrator services increases there will be a need to increase resources to ensure that a backlog does not form.
- Opportunities exist to embed good practice and further improve partnership working by rolling out the Multi-Agency Tasking and Co-ordination Group (MATAC) and co-locating Hampton Trust staff within key service areas.
- There is a need to consider our relationship with risk factors (including alcohol, substance misuse and mental health). The draft Domestic Abuse Bill provides an opportunity for Southampton to work with Government and to develop the evidence base to help inform commissioning decisions.

Recommendations

Universal primary prevention

1. **Communications Campaign** – There is still a social acceptance of ‘low level’ abusive or oppressive behaviour in society which, therefore, needs a change in culture and community response to perpetrator behaviour. Learning from the findings of the developing Domestic Abuse Needs Assessment, it is recommended that, in line with the commitment in the draft Domestic Abuse Bill to promote public awareness of domestic abuse, the Council undertakes a communication campaign that, alongside the messages promoted through White Ribbon Day challenging

attitudes to gender inequality, seeks to stigmatise abusive behaviours and to signpost members of the public to the Hampton Trust and Respect Phone Line.

2. **Reporting Domestic Abuse** – Engage with local media outlets and encourage them to follow the new reporting guidelines developed by Level Up, and adopted by press regulators, on the way that domestic abuse is reported.
(<https://act.welevelup.org/campaigns/54>)
3. **Relationship Education** - Support schools, as required, to deliver the requirements on relationship education, relationships and sex education, and health education in primary and secondary skills outlined within the draft Domestic Abuse Bill.
4. **Adverse Childhood Experiences** - This is recognised as a city and nationwide issue and this view is further supported through the findings of the inquiry. It is recommended that the impact of adverse childhood experiences on domestic abuse is considered in the work the Council, as a whole, takes forward to address adverse childhood experiences.

Perpetrator Services / Whole system approach - We cannot reduce domestic abuse without reducing the number of people who are abusive. People who are abusive often need support to recognise their abuse and to change. Perpetrator services help to reduce the risk to partners, current and future, and mean fewer children live in families affected by domestic abuse. It also sends a clear social message that victims or survivors do not cause domestic abuse.

5. **Raise awareness of, and increase referrals to, perpetrator services** - There is a need to increase the identification of, and from this the number of referrals to perpetrator services, and at an earlier stage, from agencies dealing with abuse. It is recommended that a perpetrator services awareness raising campaign is undertaken targeted at potential referral partners, and that specific training is provided to agencies that deal with abuse, including substance misuse services, mental health services and relevant NHS services to ensure that they know the referral pathways. The draft Domestic Abuse Bill identifies specific funding for training to promote greater joining-up between substance misuse and domestic abuse services.
6. **Introduce routine enquiry for perpetrators** – Routine enquiry currently involves asking all women at assessments about abuse regardless of whether there are any indications or suspicions of abuse. No equivalent approach exists to ask if individuals are perpetrating abuse at assessments in key services. This should be introduced across an appropriate range of services, including primary care, mental health, substance misuse and other services, to improve identification and provides opportunities for early intervention.
7. **Seek additional resources to support perpetrator services in Southampton** – An estimated 11% of local domestic abuse funding is targeted at supporting perpetrators to recognise their behaviour and change. Additional resources are needed to enable services to meet need and the expected rise in demand to ensure that a backlog does not form. The work may include education, identification and a range of interventions, for example the LINX service.

8. **MATAC (Multi-Agency Tasking and Co-ordination)** – This is a strategic and integrated partnership approach that identifies and intervenes with high-risk and serial perpetrators of domestic abuse. MATAC has been piloted in Southampton by Hampton Trust and Hampshire Constabulary. The current evaluation is expected to show positive results. If this transpires it is recommended that the approach is rolled out in Southampton to improve the tracking and disruption of high risk and serial perpetrators in Southampton.
9. **Co-location of Hampton Trust staff within the key service areas** - To support long term institutional change in engaging perpetrators and to promote identification for early intervention it is recommended that Hampton Trust staff are co-located within key service areas for specified periods of time (e.g. 6 months at each location). This would include the High Risk Domestic Abuse Service, Substance Misuse and Mental health services, among others. Outcomes of this initiative should be evaluated.

Evidence Based Decision Making

10. **Update the Domestic and Sexual Abuse Strategy (DSA)** – The existing Southampton DSA Strategy runs from 2017-2020. The strategy needs to be updated to reflect the Domestic Abuse Strategic Needs Assessment and the findings from this inquiry.
11. **Evaluation of perpetrator services** – Evidence that supports the effectiveness of perpetrator services is limited but growing. To develop the evidence base it is recommended that the DSA strategic group receives and considers appropriate research and evaluations from across the UK and combines this with regular analysis of perpetrator services in Southampton to develop understanding about what services and initiatives are most effective and to inform future commissioning intentions.
12. **Return on Investment for Perpetrator Services** – Public Health to work with others to develop a return on investment for perpetrator services to help support future funding decisions made by the Council and partners.
13. **Alcohol and Substance Misuse** – The Draft Domestic Abuse Bill commits the Government to consider the impact of alcohol on domestic abuse and to identify gaps in the evidence base on the relationship between substance misuse and domestic abuse. It is recommended that the Integrated Commissioning Unit and Public Health keep abreast of the developments in this area and reflect on the outcomes when considering future decisions and strategies relating to domestic abuse and substance and alcohol misuse.
14. **The role of Public Health** – The Director of Public Health considers domestic abuse when the new funding arrangement and mandate for Public Health is announced nationally, timescale unknown.
15. **Consideration of the impact on victims and perpetrators of domestic abuse when making Council decisions** – To ensure that consideration is given to the impact of Council proposals on the victims and perpetrators of domestic abuse it is recommended that they are included within Equality and Safety Impact Assessments as if they were a protected characteristic.

16. Working with Government – Southampton has good survivor services and is recognised as a vanguard area for perpetrator services. However, the number of reported incidents of domestic abuse continues to rise. The draft Domestic Abuse Bill provides an opportunity for Southampton to, through the development of the next iteration of the DSA Strategy and improved resourcing towards perpetrators, develop a narrative on domestic abuse in Southampton and engage with the Government with the ambition of using the city as model for investing in innovative, citywide practice to reduce levels of domestic abuse. It should also form early and positive links with the proposed Domestic Abuse Commissioner if and when they are appointed.

DECISION-MAKER:	CABINET		
SUBJECT:	EXECUTIVE APPOINTMENTS 2019/20		
DATE OF DECISION:	18 JUNE 2019		
REPORT OF:	SERVICE DIRECTOR, LEGAL AND GOVERNANCE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Judy Cordell	Tel: 023 8083 2766
	E-mail:	judy.cordell@southampton.gov.uk	
Director	Name:	Richard Ivory	Tel: 023 8083 2794
	E-mail:	Richard.ivory@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY	
None.	
BRIEF SUMMARY	
Under the City Council's democratic arrangements it is a requirement that appointments to all organisations and bodies which relate to executive functions are determined by the Executive.	
Although the work of the bodies/organisations listed in the Appointments Register covers all aspects of city life and Council activities and therefore affects all wards, the decision to appoint to them is of administrative affect only.	
RECOMMENDATIONS:	
(i)	That the executive appointments for the 2019/20 Municipal Year be approved as set out in the attached revised Register; and
(ii)	That all appointments be for one year save where the terms of reference and or constitution of the body or organisation concerned specify the duration of an appointment or where the decision on any nomination by the City Council to their membership is reserved to the body or organisation concerned to determine the appointment or continuation of appointments, in light of any changes in City Council Administration.
REASONS FOR REPORT RECOMMENDATIONS	
1.	Member appointments are required to a number of statutory and best practice bodies, as well as a number of external organisations with which the Council has links.
2.	Under the constitution or terms of reference in respect of some outside organisations appointments are in some cases specified as having a term of office/appointment longer than one year or are nominations, the final decision on appointment lying with the body itself. In such cases when a change of Administration occurs and the appointment term has not expired and is of significance to the incoming administration that member/appointee should be encouraged to step down in favour of a new appointee from the incoming

	administration but noting that the final decision in some cases lies with the organisation or outside body concerned.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
3.	No other options are presented, it is a matter for the Cabinet to determine whether it wishes to approve the revised appointments and be represented on all the bodies set out in the attached revised Register of Appointments.
DETAIL (Including consultation carried out)	
4.	The executive appointments set out in the appendix to this report have been the subject of consultation and agreement with all political groups represented on the City Council.
5.	After Annual Council, numerous appointments to a variety of statutory, best practice and external organisations and bodies which require City Council Member representation need to be made by the Cabinet.
6.	The following appointments were made at the Annual Council on 15 May, 2019:- <ul style="list-style-type: none"> • South East Employers; • Local Democracy Network for Councillors; • Hampshire Fire and Rescue Authority; • Partnership for Urban South Hampshire – Overview and Scrutiny Committee; and • Hampshire Police and Crime Panel
7.	Appointments are categorised into groups developed by the Service Director, Legal and Governance as follows:- <ol style="list-style-type: none"> a) Statutory Partnership; b) Non-Statutory Partnership; c) Informal Groups; d) Appointments and/or Financial Commitments to Outside Bodies; e) Commercial Partnerships; f) Commercial or Contractual Agreements; and g) Legally Defined Arrangements.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
8.	The cost of travel and subsistence costs for Members meeting the commitment of serving as a representative on an executive appointment are met from existing budgets.
<u>Property/Other</u>	
9.	None.
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
10.	The Local Government Acts 1972 and 2000 and the Localism Act 2011.
<u>Other Legal Implications:</u>	

11.	None.
RISK MANAGEMENT IMPLICATIONS	
12.	None.
POLICY FRAMEWORK IMPLICATIONS	
13.	Cabinet approval of the appointments listed in the Register of Appointments appended to this report are in line with the City Council's Policy Framework.

KEY DECISION?	No
WARDS/COMMUNITIES AFFECTED:	None
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	Revised Register of Appointments 2019/20

Documents In Members' Rooms

1.	None.
2.	

Equality Impact Assessment

Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	No
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Data Protection Impact Assessment

Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	No
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Other Background Documents

Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	
2.	

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REVISED REGISTER OF APPOINTMENTS 2019-2020

*Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
A1	Cabinet	Joint Pension Fund Panel and Board	The Pension Fund Panel monitors the performance of the investment managers and advises the Audit Committee on matters requiring decisions in connection with the investment of the pension fund. Shared seat with Portsmouth City Council. 2019/20 SCC will have the main seat with PCC as a deputy.	1	No	1 Yr	Barnes-Andrews	June 19	May 20	Steve Harrison (023 8083 4153)
A2	Cabinet	Health and Wellbeing Board	Council determines the number of places allocated to Elected Members on the Board.	5	Yes	1 Yr	Taggart Savage Shields Paffey Fielker	June 19	May 20	Dr. J Horsley (023 8083 3818)
A3	Cabinet	Joint Commissioning Board	Board established to make joint decisions on behalf of the Council and CCG on certain agreed functions related to health and care.	3	No	1 Yr	Hammond Shields Fielker	June 19	May 20	Claire Heather (023 8083 2412) Stephanie Ramsey (023 8029 6941)
A4	Cabinet	Learning Disabilities Partnership Board	Partnership Board established to take responsibility for local delivery of the Government's Valuing People White Paper, led by the Council with the active participation of all key stakeholders.	3	No		Coombs Laurent Fielker	June 19	May 20	Kate Dench (023 8083 4787)
A5	Cabinet	Safe City Partnership	The Partnership brings together senior representatives of all the local agencies involved in community safety and includes; Southampton City Council, Hampshire Constabulary, Hampshire Fire and Rescue Service, Youth Offending, Primary Care Trust and Hampshire Probation established 1998 as the primary vehicle for tackling crime and disorder issues in Southampton.	1	No	1 Yr	Shields	June 19	May 20	Emma Lewis (023 8091 7984)

*Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
A6	Cabinet	Schools Forum	To receive information on and comment on LEA's school funding formula, other issues in connection with schools budgets and service contracts.	1	No	1 Yr	Mitchell	June 19	May 20	Hilary Brooks (023 8083 4899)
A7	Cabinet	Southampton International Airport Consultative Committee	To act as the consultative body in relation to the Airport for the purposes of Section and of the Civil Aviation Act 1968, between the airport management, users, local authorities and local organisations and the county.	6	Yes	1 Yr	Fielker Mintoff	June 19	May 20	Mitch Sanders (023 8083 3613)
A8	Cabinet	Southern Health NHS Foundation Trust	To set the strategic direction of the organisation within the priorities set by the government and NHS, to oversee delivery of planned targets and ensure effective financial stewardship.	1	No	1 Yr	Fielker	June 19	May 20	Amanda Luker (023 8029 6941)
A9	Cabinet	Clinical Commissioning Group	Clinical Commissioning Group (CCG) helping to meet the health and care needs of local people. They are allocated a budget of just over £350 million a year to achieve this and use it to plan and pay for (or 'commission') health and care services from a number of service providers (such as hospitals, mental health and community trusts).	1	No	1 Yr	Shields	June 18	May 20	Stephanie Ramsey (023 8083 4162)
A10	Cabinet	Southern Inshore Fisheries and Conservation Authority (IFCA) and Appeal and Scrutiny Sub Committee	To regulate sea fisheries within the Southern Sea Fisheries District, (coasts of Hampshire, Dorset and the Isle of Wight).	1	No	1 Yr	Savage	June 19	May 20	Kelly Scott (023 8022 6631)
A11	Cabinet	Standing Advisory Council for	Constructed under the Education Reform Act 1998 to advise the Authority on	4	Yes	1 Yr	J Baillie Laurent	June 19	May 20	Hilary Brooks (023 8083 4899)

*Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
		Religious Education (SACRE)	matters connected with collective worship and the teaching of RE in City Schools.				Kataria Renyard			
A12	Cabinet	Port Health Consultative Board	ABP led consultative board, non-decision making. Matters of interest to port community.	2	Yes	1 Yr	Rayment Leggett	June 19	May 20	Mitch Sanders (023 8083 3613)
A13	Cabinet	Business Improvement Board	Go! Southampton is an independent nonprofit Business Improvement District, businesses can influence the future of our City Centre and take the initiative on specific issues that businesses face.	1	Yes	1 Yr	Hammond (Leader) Rayment (Deputy)	June 19	May 20	Denise Edghill (023 8083 4095)
A14	Cabinet	Community Chest Advisory Panel		6	Yes	1 Yr	Houghton Leggett Laurent Thomas Blatchford McEwing	June 19	May 20	Jo Hughes (023 8083 4067)
	Cabinet	Connect	Southampton Connect is an independent, non-statutory partnership which exists to provide collaborative leadership for the collective development of Southampton.	3		2 Yr	Hammond Shields (as Chair of HWBB) Paffey (as Chair of ESL Partnership)	June 19	May 20	Felicity Ridgway (023 8083 3310)
	Cabinet	Local Safeguarding Children's Board	Statutory overseeing body to ensure all partners adequately discharge their safeguarding roles.	1		1 Yr	Paffey	June 19	May 20	Sarah Lawrence (023 8083 2995)
	Cabinet	Local Safeguarding Adults Board	Statutory overseeing body to ensure all partners adequately discharge their safeguarding roles.	1		1 Yr	Fielker	June 19	May 20	Sarah Lawrence (023 8083 2995)

*Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
B2	Cabinet	Hampshire Partnership	The Hampshire Partnership is a voluntary collaboration made up partner agencies across Hampshire to promote and facilitate better cross-agency working.	2	No	1 Yr	Hammond Fitzhenry	June 19	May 20	Richard Crouch (023 8083 3360)
B3	Cabinet	King Edward VI School	Governor	1	No	1 Yr	Chaloner	June 19	May 20	Hilary Brooks (023 8083 4899)
B4	Cabinet	F.W. Smith Bequest Purchasing Committee	To provide/buy pictures for the Art Gallery principally from English artists from the income of the F.W. Smith Bequest.	2	No	1 Yr	Bogle	June 19	May 20	Mike Harris (023 8083 2882)
B6	Cabinet	Solent Transport Board	To promote the sub regional transport agenda, implement schemes of a sub-regional nature and lobby and/or influence on all other associated aspects of life within the TfSH Area.	1	No	1 Yr	Rayment Hammond (Deputy)	June 19	May 20	Pete Boustred (023 8083 4743)
B7	Cabinet	Southampton Adult Mental Health Partnership Board	Objectives of the Board are: <ul style="list-style-type: none"> to bring together a wide group of stakeholders to enable a joint approach to delivering the national strategy; to focus on practical work streams which have positive benefit in improving the mental health of the local population; to provide a focus for raising the profile of mental health issues within the City; and to contribute to needs assessment and other strategic work to ensure that mental health issues are included. 	1	No	1 Yr	Fielker	June 19	May 20	Paul Juan (023 8083 2530)
B8	Cabinet	Southampton Cultural	To promote the educational and economic benefits of the cultural sector in	1	No	1 Yr	Mitchell	June 19	May 20	Mike Harris (023 8083 2882)

*Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
		Development Trust	the City							
B9	Cabinet	Southampton Energy Partnership	The Energy Partnership brings together organisations and businesses in the City with high energy usage. To share information on best practice and local case studies the Partnership of organisations with the ability and commitment to take action to reduce energy needs and costs, and to reduce the carbon footprint of the City.	1	Yes	1 Yr	Leggett	June 19	May 20	Jason Taylor (023 8083 2641)
B10	Cabinet	Southampton Housing Partnership	A multi-tenure forum that represents all housing interests in the city.	1	No	1 Yr	Kaur	June 19	May 20	Tina Dyer-Slade (023 8083 3597)
B11	Cabinet	Standing Conf on Problems Associated with The Coastline (SCOPAC)	To provide a more co-ordinated approach to coastal engineering and related matters between authorities on the Central South coast - Lyme Bay to Worthing	1	No	1 Yr	Leggett	June 19	May 20	Sam Foulds (023 8083 2076)
		Southern Flood and Coastal Committee		1	No	1 Yr	Leggett	June 19	May 20	Sam Foulds (023 8083 2076)
B12	Cabinet	University Hospital Southampton NHS Foundation Trust	The principal purpose of the Trust is the provision of goods and services for the purposes of the health service in England.	1	No	1 Yr	Blatchford	June 19	May 20	Dr. Horsley (023 8083 3818)
B13	Cabinet	The Wulfris Educational Foundation	Provision of school clothing, books and equipment to the needy children resident in Southampton.	1	No	1 Yr	Paffey	June 19	May 20	Hilary Brooks (023 8083 4899)
	Cabinet	Employment, Skills and Learning Partnership		1	No	1 Yr	Paffey	June 19	May 20	Denise Edghill (023 8083 4095)
C1	Cabinet	Corporate	The Council acting as a parent for	5	Yes	1 Yr	Taggart	June 19	May 20	Hilary Brooks

*Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
		Parenting	children in care.				Spicer Paffey J Baillie Thomas			(023 8083 4899)
D1	Cabinet	Hampshire British Legion Poppy Appeal	Armed Forces charity providing care and support to all members of the British Armed Forces past and present and their families, administering and supporting the delivery of welfare services and the membership and fundraising activities of the Legion's branches and clubs throughout Hampshire. It also acts as the national Custodian of Remembrance and safeguards the Military Covenant between the nation and its Armed Forces.	1	No	1 Yr	Honorary Alderman Mr D Burke	June 19	May 20	Judy Cordell (023 8083 2766)
D2	Cabinet	Nuffield Theatre - Southampton Theatre Trust Ltd Board	As Board Members, the Councillor's role is to monitor the affairs of the Trust, oversee policy changes and development of the company.	2	No	1 Yr	Keogh Mitchell Fitzhenry	June 19	May 20	Carolyn Abel (023 8083 4516)
D3	Cabinet	Solent Skies - Board Of Directors	To preserve the aviation heritage of Southampton. (Conditional appointment subject to satisfactory conclusion of lease and management agreement).	1	No	1 Yr	Bogle	June 19	May 20	Mike Harris (023 8083 2882)
D4	Cabinet	Southampton Record Series	To represent the City at the Joint Committee of the Southampton Record Series with the University.	3	Yes	3 Yr	Mitchell Blatchford Fitzhenry	June 19	May 20	Sue Woolgar (023 8083 2631)
D5	Cabinet	Southampton Solent University Board Of Governors	Co-opted external Governor to sit on the Southampton Solent University Board of Governors to form a link between the Council and the Institute as one of the providers of higher education in the City.	1	No	4 Yr	Kaur	June 19	May 20	Hilary Brooks (023 8083 4899)
D6	Cabinet	Southampton	To provide a focus for the voluntary	2	No	1 Yr	Bell	June 19	May 20	Mike Harris

*Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
		Voluntary Services	sector activities in Southampton and to act as a local development agency for voluntary action.				Noon			(023 8083 2882)
D7	Cabinet	Thorner's Homes	Almshouse Charity providing accommodation for women over 55 in limited financial circumstances.	1	No	1 Yr	Taggart	June 19	May 20	Tina Dyer-Slade (023 8083 3597)
E1	Cabinet	Business South	To provide engagement between the private, public and voluntary sectors and promote Southampton City Region	1	No	1 Yr	Hammond (Rayment deputy)	June 19	May 20	Richard Crouch (023 8083 3360)
E2	Cabinet	Community Champion For Older Persons	To lead consultation with relevant groups at both local and city wide level.	1	No	1 Yr	Murphy	June 19	May 20	Paul Juan (023 8083 2530)
E3	Cabinet	Community Champion for Armed Forces	To strengthen relationships between Southampton's Armed Forces community and the City Council through overseeing the Armed Forces Community Covenant.	1	No	1 Yr	McEwing	June 19	May 20	James Marshall (023 8083 3015)
	Cabinet	Community Champion for Heritage		1	No	1 Yr	Bogle	June 19	May 20	Carolyn Abel (023 8083 4516)
	Cabinet	Community Champion for Mental Health		2	No	1 Yr	Shields Spicer	June 19	May 20	
E4	Cabinet	Hampshire and Isle of Wight Joint Health Scrutiny Panel	A Cross Council Panel monitoring the provision of Health Services.	1	No	1 Yr	White	June 19	May 20	Mark Pirnie (023 8083 3886)
F1	Cabinet	Local Government Association	Pressure Group and lobbying organisation providing an overall national voice for local government in England with a view to promoting and protecting the interests of member councils by providing advice and support.	4	Yes	1 Yr	Hammond Bunday Mintoff Fitzhenry	June 19	May 20	Emma Lewis (023 8091 7984)
F2	Cabinet	Local Government		1	No	1 Yr	Hammond	June 19	May 20	Richard Crouch

*Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
		Association City Regions Board								(023 8083 3360)
F3	Cabinet	Local Government Information Unit	Independent research and information organisation with the principal aim of making the case for strong democratic Local Government together with information and support services to member authorities and individual councillors.	1	No	1 Yr	Paffey	June 19	May 20	Emma Lewis (023 8091 7984)
	Cabinet	Local Government Association Community Wellbeing Board		1	No	1 Yr	Shields	June 19	May 20	Emma Lewis (023 8091 7984)
G1	Cabinet	Partnership for Urban South Hampshire (PUSH)	To promote sustainable, economic-led growth and development of South Hampshire supported by enhanced transport and other infrastructure and to lobby and/or influence on all other associated aspects of life within the PUSH Area.	1	No	1 Yr	Hammond	June 19	May 20	Richard Crouch (023 8083 3360)
G2	Cabinet	Project Integra Strategic Board	Partnership body consisting of all Local Authorities in Hampshire to deal with waste management in the County.	2	No	1 Yr	Rayment Hammond (Deputy)	June 19	May 20	Mitch Sanders (023 8083 3613)
G3	Cabinet	Solent Local Enterprise Partnership (LEP) Board	To provide a private sector led Local Enterprise Partnership to promote the economic wellbeing of South Hampshire and the Isle of Wight	1	No	1Yr	Hammond	June 19	May 20	Richard Crouch (023 8083 3360)
G4	Cabinet	Solent Credit Union				1 Yr	Windle	June 19	May 20	Steve Harrison (023 8083 4153)
G5	Cabinet	City Eye	Based in Southampton to support the community, arts organisations,	1	No	1Yr	Savage	June 19	May 20	

*Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
			individuals, emerging talent and established talent in the achievement of filmmaking goals.							

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Agenda Item 8

DECISION-MAKER:	CABINET		
SUBJECT:	HOUSEHOLD WASTE RECYCLING CENTRE CROSS BORDER CHARGING AND PERMIT SYSTEM		
DATE OF DECISION:	18 JUNE 2019		
REPORT OF:	CABINET MEMBER FOR PLACE AND TRANSPORT		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Dave Tyrie	Tel: 023 8083 2958
	E-mail:	David.tyrie@southampton.gov.uk	
Director	Name:	Mitch Sanders, Service Director, Transactions and Universal Services	Tel: 023 8083 3613
	E-mail:	Mitch.Sanders@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY
None

BRIEF SUMMARY

In January 2020, Hampshire County Council (HCC) will introduce a charge of £5 per visit to its Household Waste and Recycling Centres (HWRCs) for people who live outside of the 24 Hampshire Districts and who wish to use the facilities. In order to administer this, Hampshire County Council are introducing a permit scheme which will require all residents to register online from January 2020. Southampton residents will be eligible to register online and therefore avoid the charge; if they do not, they will have to pay £5 per visit. There is now a need to consider whether Southampton City Council should adopt a similar scheme for the HWRC at City Depot in Millbrook, or retain the current free-of-charge arrangements.

Hampshire has also introduced an administration fee of £15 for the existing provision of a waste permit for commercial vehicles and trailers from 1 April 2019 at all HWRCs. This charge applies to everyone who requires a waste permit, including Hampshire (and Southampton) residents. A link to this scheme is provided on the council's website and Cabinet are asked to note that Hampshire are now applying an annual admin fee for the permit.

RECOMMENDATIONS:

	(i)	Not impose a £5 per visit charge for the use of the HWRC at City Depot for non-Hampshire residents wanting to use this site, and does not require Southampton residents to register to use the City Depot HWRC.
	(ii)	To note the continued support for the provision of a waste permit for vans and trailers, recognising that HCC are now charging an annual fee of £15 per trailer for new permits.
	(iii)	To endorse SCC's continued support for HCC's communications plan, to ensure residents are informed about the new scheme, charges and online registration scheme, if they wish to use HWRC's in Hampshire, as an alternative to the site at City Depot, Southampton.

REASONS FOR REPORT RECOMMENDATIONS	
1.	To respond to the changes HCC are putting in place relating to HWRC usage across Hampshire, and that these can be communicated to residents.
2.	To ensure that residents of Southampton can continue to use the HWRC at City Depot, Southampton free of charge and without any additional administrative burden.
3.	To ensure that the admin charge to be levied by HCC for the existing permit scheme administered by HCC for vans and trailers used to transport domestic waste to HWRCs is noted.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
4.	Imposition of a £5 per visit charge for the use of the HWRC at City Depot for non-Hampshire residents wanting to use this site.
DETAIL (Including consultation carried out)	
5.	Southampton's HWRC is located at City Depot on First Avenue. This site is managed by Veolia Environmental Services under the HCC HWRC contract. Residents are able to take a wide variety of items to the HWRC including recyclables, garden waste, furniture and clothes, for no charge. Residents are also able to take soil, rubble, plasterboard and asbestos to the HWRC and dispose of these for a small charge.
6.	Other Hampshire HWRCs are available at: <ul style="list-style-type: none"> • Grange Road, Netley, SO31 5FF • Normandy Way, Marchwood, SO40 4UD • Shamblehurst Lane South, Hedge End, SO30 2AD • Stoney Croft Rise, Chandlers Ford, Eastleigh, SO53 3YU.
7.	HCC takes overall responsibility for managing the procurement and terms of the countywide HWRC contract but Southampton, as a Unitary Authority, has authority to make minor changes to the operations at the City Depot HWRC. It is recognised that some Southampton residents may use other sites close to our border and they will need to comply with the requirements to register with HCC to continue to use these free of charge.
8.	HCC has proposed a number of changes to HWRC operations in the last 3 years. These have included reviewing opening hours and charges, as well as introducing a cross border charging scheme. The cross border charging scheme would levy a charge of £5 per visit on non-Hampshire residents when using Hampshire HWRCs as a contribution towards the disposal costs associated with the material they bring in.
9.	In October 2018, a decision report presented to Hampshire County Council resulted in approval to introduce cross border charges from January 2020 onwards, as well as to implement an electronic residents' permit scheme to manage the cross border usage of HCC HWRCs.
10.	HCC considered two broad options for the cross border system: a manual one and a digital one, and evaluated each in terms of its cost, management and effectiveness. The manual option involved either: <ul style="list-style-type: none"> • making it a requirement that all site users brought with them a suitable piece of identification to prove they are a Hampshire resident (e.g. a council tax bill or driver's licence), or • Issuing a physical permit or sticker to all Hampshire addresses so that these could be presented when entering the HWRC. <p>These options were discounted due to the costs associated with staff checking documents of each user and of producing and distributing permits.</p>

11.	The digital option will require all Hampshire residents to register for an electronic permit (e-permit) that would be used by vehicles entering the sites via an Automatic Number Plate Recognition (ANPR) system. ANPRs are already installed on site. Therefore the proposal would be to ask residents to register with HCC, entering their name, address, contact details and up to three vehicle registrations. An e-permit record would then be created and used to populate a database shared with the ANPR system. When a vehicle not registered on the database enters a HCC site, it will be flagged to staff who could then approach the customer and manage the customer journey.
12.	Having considered all the factors associated with the manual and digital solutions, HCC has determined that the flexibility, reduced impact on Hampshire residents, minimal administration, and low delivery cost means that the digital solution is their preferred approach.
13.	HCC have further noted that, whilst sign up will be primarily a 'self-service' activity, they will make provision for those residents that are not able to access the internet to support them in signing up for a permit. They are intending to develop a detailed communications plan to encourage residents to sign up for a permit.
14.	HCC will be going ahead with work to implement the cross border charging scheme throughout 2019, so it has become necessary for Southampton City Council to determine its position.
15.	<p>There are three main options available to Southampton City Council in terms of charging schemes at City Depot:</p> <ol style="list-style-type: none"> i. Adopting a consistent approach with HCC, introducing a £5 charge per visit for non-Hampshire residents, and a residents permit scheme to manage cross border usage ii. Remaining 'as is', so that the HWRC at City Depot remains free of charge for everyone, in contrast to other HWRCs across Hampshire iii. Introducing a different scheme, either in terms of the charges it levies, or the way the permit scheme is administered.
16.	<p>The first option to adopt a consistent approach with HCC, meaning non Hampshire residents would be charged £5 per visit to City Depot:</p> <ul style="list-style-type: none"> • Would maintain a consistent operation for residents and recognises that Southampton residents use different HWRCs depending on the area of the city they live in. • A consistent approach enables delivery of simple, effective and consistent communication to the public and traders regarding use of these sites. • The existence of different systems would have the potential to cause confusion, dissatisfaction and complaints, particularly when using HCC sites. • This option would ensure that residents from outside the county who use Southampton's HWRC pay a contribution towards the operational and disposal costs of the site. • This option would also mitigate the risk that traffic to the City Depot site increases significantly (as could happen if it remains free of charge). This would increase site management and disposal costs, and could lead to poorer customer experiences and increased traffic congestion/disruption.

17.	If the first option was adopted, the service has reviewed the options around the type of permit scheme which could be introduced, in the same way HCC did. A manual checking scheme would significantly slow down the throughput at the site and lead to increased queuing. The option of a physical permit or sticker is also not recommended due to the significant cost for producing and distributing these to approximately 130,000 households in Southampton, as well as the ongoing cost of replacing damaged and lost permits. There would also be enforcement costs associated with the potential for misuse. A digital solution of the same type as that which will be introduced in HCC would therefore be preferred. Veolia already have an ANPR camera at City Depot and it would be possible to link with HCC, so this will be a low cost solution.
18.	However it is not apparent that the HWRC at City Depot currently suffers in the same way from cross border (out of County usage) when compared with other HWRC's across Hampshire. This calls into question the proportionality of asking all Southampton residents to register to use the HWRC in Southampton, particularly when the likely impact is not currently known.
19.	<p>The second preferred option is to remain 'as is', so that the HWRC at City Depot remains free of charge for everyone, including non-Hampshire residents and keep the impact under review:</p> <ul style="list-style-type: none"> • This option would mitigate the risk that charging reduces or removes the incentive for residents to recycle, encourages residents to drive further to dispose of their waste, and/or increases fly tipping • Encouraging recycling and responsible disposal of waste is in line with strategic ambitions around green city; this option would also likely prove most popular with those residents that live close to City Depot and currently use this site • However, this option may increase traffic to the City Depot site. At peak times, the site is already very busy; on a Saturday, we can see over 800 vehicles visit the site. If this site was the only one in Hampshire that remained free of charge for non-residents, throughput may increase. • It may also have a direct cost to SCC, as disposal costs are paid per tonne. • There is a risk that residents living close to one of the other HCC sites might express dissatisfaction, or be confused by the changes. • SCC would need to direct residents to HCC information regarding permits, and provision of support to residents who need it to complete the forms.
20.	The impact of the decision not to follow HCC by introducing a charge for cross border (out of county) use in terms of a potential increase in throughput, congestion and disposal costs will be kept under review following implementation by HCC proposed in January 2020.
21.	As SCC are not proposing to introduce a charge or registration scheme for cross border usage there is no impact as far as equalities or data protection is concerned.

RESOURCE IMPLICATIONS

Capital/Revenue

22.	There is a risk that as the only HWRC in Hampshire not to monitor or charge for cross border (out of county) usage there may be an increase in throughput and therefore disposal costs. It is estimated that a 10% increase of waste would cost an additional circa £50K pa.
23.	There will be no additional costs associated with communicating the changes to residents. We will link with HCC in terms of their broader communications plan, and will utilise free channels such as social media wherever possible.

Property/Other

24.	None
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LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

25.	S.51 of the Environmental Protection Act 1990 places a duty on waste disposal authorities (including SCC) to provide a site / facility at which residents of the Waste Disposal Authorities area can bring and dispose of their normal household waste and recyclables free of charge. Charges may be introduced for certain classes of waste as prescribed by legislation, such as commercial, hazardous, garden or bulky waste etc but the principle remains that normal household waste must be collected, received and disposed of free of charge. Access and entry controls to a site can be introduced, along with a reasonable administration fee, in order to prevent unauthorised disposal by commercial type vehicles.
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Other Legal Implications:

26.	As the Council is not introducing a charge or permit scheme, or changing the way Southampton residents access the household waste recycling centre for normal household waste, there are no Data Protection Act (DPA) or equalities impact implications arising for the Council. Residents registering to use HCC sites and facilities via the County Council's website will need to satisfy themselves as to the terms and conditions of use applied by the County, particularly having regard to the collection of personal information and number plate data to administer the access scheme as their sites. The County Council will be the relevant data Controller for DPA purposes for such activity.
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RISK MANAGEMENT IMPLICATIONS

27.	As detailed above there is a risk that as the only HWRC in Hampshire that will not monitor or levee a charge for cross border (out of county) usage there may be an increase in throughput which could lead to congestion, a poorer customer experience and increased disposal costs. On the other hand the imposition of a charge or registration by Southampton residents to use the HWRC at City Depot could be seen as disproportionate and an unnecessary administrative burden leading to potential reputational damage. It may also discourage recycling and the proper disposal of waste. Once HCC have implemented their scheme SCC will be in a better position to quantify the impact.
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POLICY FRAMEWORK IMPLICATIONS

28.	None.
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KEY DECISION?	No
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WARDS/COMMUNITIES AFFECTED:	ALL
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
	None

Documents In Members' Rooms

1.	None
Equality Impact Assessment	
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	No
Data Protection Impact Assessment	
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out?	No
Other Background Documents	
Other Background documents available for inspection at:	
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	None

DECISION-MAKER:	CABINET		
SUBJECT:	KENTISH ROAD RESPITE SERVICE – EXTENDING HOURS OF OPERATION		
DATE OF DECISION:	18 JUNE 2019		
REPORT OF:	CABINET MEMBER FOR ADULT CARE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Paul Juan	Tel: 023 8083 2530
	E-mail:	paul.juan@southampton.gov.uk	
Director	Name:	Paul Juan	Tel: 023 8083 2530
	E-mail:	paul.juan@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY	
NOT APPLICABLE	
BRIEF SUMMARY	
This report considers the business case for the Learning Disability Respite Service at Kentish Road and an option to extend its hours of operation to seven days a week, based on the feedback from consulted carers and users.	
RECOMMENDATIONS:	
	(i) To consider the options in the report and resolve accordingly.
REASONS FOR REPORT RECOMMENDATIONS	
1.	The recommendation is an open one which recognises the complexities of the issue, predicted capacity in the city and wider market and the financial business case. Full reopening would appear to meet the preferences of carers and individuals living with a learning disability who would prefer their assessed needs for replacement care to be met at Kentish Road.
2.	Full reopening would offer additional choice for learning disability replacement care in Southampton and complement the future vision for the redevelopment and wider use of the Kentish Road site, which is being developed with carers and other stakeholders and for which Cabinet approval will be sought in due course.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
3.	Not applicable.
DETAIL (Including consultation carried out)	
4.	The former eight bed respite service at Kentish Road closed in November 2017. At the time of the closure, the service was rated as 'requires improvement' by the Care Quality Commission (CQC) and was not being used to its full capacity. The scheme re-opened in July 2018 as a four bed respite service following refurbishment and re-registration with the CQC. It currently operates three nights a week, from lunchtime on Fridays to lunchtime on Mondays. The current service was inspected by the CQC in February 2019 and is now rated 'good' in each category – safe, effective, caring, responsive and well led – and overall.

5.	<p>The purpose of respite care, defined in the Care Act 2014 as replacement care, is to give carers (typically family members) a break from their caring responsibilities, in order to help meet their own needs and to sustain the caring arrangements for the person being cared for. Kentish Road provides respite care during the day and overnight, and complements day services provided or commissioned by the Council, which provide respite during the day. Although the primary purpose of respite care is to provide a break for carers, the respite provider has a duty to ensure that the care and support needs of the person staying at the service are met and, wherever possible and appropriate, their preferences are taken into account in terms of location and activities</p>																				
6.	<p>There is currently a surplus of bed-based respite care, either commissioned or directly provided by the Council, to meet the needs of people living with a learning disability and their carers in Southampton. The Council has given a public commitment to continue to provide bed-based respite at Weston Court, as it is also a service that is valued by individuals living with a learning disability and their carers, and it provides additional choice in the east of the city. Figure 1 below sets out how this is currently split across three main providers, based on the current weekend opening of Kentish Road. This includes the provision of emergency respite. Weston Court is currently accessed by 17 clients and Kentish Road by 10 clients.</p> <table border="1" data-bbox="331 1041 1428 1310"> <thead> <tr> <th>Provider</th> <th>Available bed nights per year</th> <th>Current forecast utilisation per year</th> <th>Forecast surplus per year</th> </tr> </thead> <tbody> <tr> <td>Rose Road</td> <td>1,400</td> <td>1,400</td> <td>0</td> </tr> <tr> <td>Weston Court</td> <td>900</td> <td>629</td> <td>271</td> </tr> <tr> <td>Kentish Road*</td> <td>624</td> <td>468</td> <td>156</td> </tr> <tr> <td>Total</td> <td>2,924</td> <td>2,497</td> <td>427</td> </tr> </tbody> </table> <p>*Based on a full year opening 3 nights per week</p> <p style="text-align: center;">Figure 1: Current forecast surplus in learning disability bed-based respite (based on weekend opening of Kentish Road)</p>	Provider	Available bed nights per year	Current forecast utilisation per year	Forecast surplus per year	Rose Road	1,400	1,400	0	Weston Court	900	629	271	Kentish Road*	624	468	156	Total	2,924	2,497	427
Provider	Available bed nights per year	Current forecast utilisation per year	Forecast surplus per year																		
Rose Road	1,400	1,400	0																		
Weston Court	900	629	271																		
Kentish Road*	624	468	156																		
Total	2,924	2,497	427																		
7.	<p>More people may want to use Kentish Road if it opens all week, and some carers have expressed an interest in returning. There is also an opportunity, supported by the provider, to reduce the amount of replacement care for adults commissioned from Rose Road by 200 nights, with the freed up capacity being used to provide care for children there instead. Carers and individuals will continue to have a choice about where to receive replacement care, but some of those who were previously supported by Kentish Road are expected to want to return once its opening hours are extended. Current users of the scheme have consistently expressed their desire for it to be opened for seven days a week.</p>																				
8.	<p>Figure 2 sets out the net increase in capacity, taking into account the potential of additional provision at Kentish Road and the reduction in provision at Rose Road, and the forecast surplus based on current use and forecasts.</p>																				

Provider	Available bed nights per year	Forecast utilisation per year	Forecast surplus per year
Rose Road	1,200	1,200	0
Weston Court	900*	629	271
Kentish Road	1,460	668	992
Total	3,560	2,497	1,063

*Subject to review from January 2020

Figure 2: Forecast surplus in learning disability bed-based respite (based on seven day a week opening of Kentish Road and a reduction in adult commissioned beds from Rose Road)

These figures represent a 'worst-case' scenario in respect of the number of people who may choose to use Kentish Road in the future to receive their respite care.

9. It is anticipated that some of the additional capacity at Kentish Road will be used by carers who currently receive respite elsewhere but the extent of this is difficult to forecast until the extended opening hours take effect. Evidence from previous years is that the number of people no longer needing to receive replacement care (for example, as they move into supported living, Shared Lives or a permanent residential placement) is broadly matched each year by the number of people with a new requirement for replacement care. Children who are transitioning to adulthood are increasingly using the flexibility that Direct Payments give, but both Kentish Road and Weston Court will be options for them and their carers to consider.
10. Subject to consultation with affected staff and Trade Unions, it is proposed to employ staff for Kentish Road in a way that enables more flexible working across all care and day services provided by the Council, so that should the scheme not be booked for respite at any time, staff would be allocated work appropriate to their role in another Council care setting. Establishing a bank of care staff for these roles would also provide cover for sickness and holiday absence, bring flexibility for the wider service and would align with proposals under separate consideration for Holcroft House residential care home to ensure continuity of service for users.
11. Any service vacancies at Kentish Road will also be offered at a commercial rate to clients of other local authorities, Continuing Healthcare and to self-funders, in order to generate income. However, current market intelligence suggests that there would be limited demand for this service from others and market research has not been carried out. In accordance with statutory guidance, it would not generally be possible to offer the service to people in receipt of a Direct Payment.
12. The Council is working with carers, their representatives, other care providers and stakeholders to develop a vision for the entire site at Kentish Road. This will include the continued provision of bed-based respite care and, in addition, is likely to offer supported living, other housing and opportunities to help prepare people for supported or independent living, and a flexible space that can be used as a community resource and support alternatives to traditional day services. An architect has prepared various options and drawings for how these might be delivered on the site and the views of carers and other stakeholders have been sought. The Cabinet will be asked to approve the vision

	for the site later in the year. It is anticipated that staff employed to deliver the respite service will also be able to work flexibly across other elements of the broader scheme in due course.
13.	The service at Kentish Road will contact carers to make bookings for the expanded service and will use a combination of the current staff and regular agency staff while the bookings build up. Some staff potentially impacted by the proposed closure of Glen Lee residential care home have indicated that they would prefer to work at Kentish Road should this be approved. These staff will receive training and an induction as part of the implementation plan.
14.	The current contract for provision of respite care at Weston Court expires in January 2020. The specification for the future contract will take account of the forecast surplus and consideration will be given as to whether it will be beneficial to give the provider additional flexibility to offer vacancies at a commercial rate to individuals whose care is funded by neighbouring local authorities, clients with Direct Payments, Continuing Healthcare and to self-funders. There is also scope for the service at Weston Court to be commissioned in a way that permits greater coordination with the expanded provision at Kentish Road.
15.	Any additional revenue costs associated with providing care and support at any supported housing developed on the wider site at Kentish Road is anticipated to be offset by a reduction in private provider costs elsewhere. This would form part of the financial business case for any future development.
16.	Various options for the staff structure were considered by the Council's Organisational Design Board and the final structure was agreed on the basis of its ability to deliver a safe, high quality respite service in full accordance with the Care Quality Commission and the Council's own quality requirements, as efficiently as possible. The structure includes a new role of Carers' Link Worker, who will be tasked with coordinating bookings, liaising with carers and making sure that they are kept up to date on the service and the latest developments.
17.	An alternative option which requires consideration is to continue with the current weekend opening from Friday to Monday, although there is surplus capacity to meet current and forecast respite needs, this would not provide additional choice and take into account customer preferences.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
18.	The current budget for provision of bed-based respite for people living with a learning disability is £796k per year, which includes provision of the respite service at Kentish Road.
19.	The provision of respite at Weston Court is currently funded by the Improved Better Care Fund, which ceases in March 2020. The current payment of £70k to commission 200 nights of respite from Rose Road would no longer be needed.
20.	The staffing cost of an expanded service at Kentish Road operating at full capacity based on the structure approved by the Council's Organisational Design Board is £529k a year.

21.	Other revenue costs of running an expanded service at Kentish Road are estimated to be £69k per year, including utilities, repair and maintenance, food and provision of a minibus.																																				
22.	The total revenue cost of the expanded Kentish Road scheme is therefore estimated at £598k per year. If all beds at the scheme were fully utilised, this works out at a unit cost of £410 per night per bed. As a comparison, the unit cost of the commissioned service at Weston Court, assuming full occupancy is £250 per night per bed.																																				
23.	The expanded service at Kentish Road can be funded within the approved budget for 2019/20 (estimated full year cost of £598k against a budget of £796k).																																				
24.	The remainder of the budget will be used to fund other commissioned services to keep choice in the market.																																				
25.	<p>The budget is summarised in figure 3 below:</p> <table border="1"> <thead> <tr> <th></th> <th>2019/20</th> <th>2020/21 and ongoing</th> </tr> <tr> <th></th> <th>£000s</th> <th>£000s</th> </tr> </thead> <tbody> <tr> <td><u>Budget</u></td> <td></td> <td></td> </tr> <tr> <td>Respite Provision total Budget - General Fund</td> <td>796</td> <td>796</td> </tr> <tr> <td>Respite Provision total Budget - Improved Better Care Fund</td> <td>220</td> <td>0</td> </tr> <tr> <td></td> <td>1,016</td> <td>796</td> </tr> <tr> <td><u>Planned Expenditure</u></td> <td></td> <td></td> </tr> <tr> <td>Kentish Road revised respite service - full year</td> <td>598</td> <td>598</td> </tr> <tr> <td>Externally provided respite provision at Weston Court and Rose Road</td> <td>290</td> <td>198</td> </tr> <tr> <td></td> <td>888</td> <td>796</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td>Variance - Expenditure vs budget</td> <td>-128</td> <td>0</td> </tr> </tbody> </table> <p>Figure 3: Budget summary – 2019/20, and 2020/21 and future years</p>		2019/20	2020/21 and ongoing		£000s	£000s	<u>Budget</u>			Respite Provision total Budget - General Fund	796	796	Respite Provision total Budget - Improved Better Care Fund	220	0		1,016	796	<u>Planned Expenditure</u>			Kentish Road revised respite service - full year	598	598	Externally provided respite provision at Weston Court and Rose Road	290	198		888	796				Variance - Expenditure vs budget	-128	0
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26.	It may also be possible to reduce staff costs at Kentish Road, through flexible working, as outlined in paragraph 11 and to generate income at Kentish Road by selling unused capacity, as outlined in paragraph 12. Further work will be carried out during 2019/20 to review utilisation and costs of the schemes at Kentish Road and Weston Court in order to inform the 2020/21 budget setting process, taking into account the future use of the entire site at Kentish Road, which is being developed with carers and other stakeholders as part of a task and finish group.																																				
<u>Property/Other</u>																																					

27.	Kentish Road was redecorated and essential safety improvements were made at a cost of £36k prior to the scheme re-opening in July 2018. No further capital investment is required to facilitate seven day a week opening.
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LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

28.	The Council has a duty under the Care Act 2014 to assess and meet an adult’s needs for care and support and to assess a carer’s needs for support. Assessment and care and support planning must be person-centred, having regard to individual preferences. The Care Act 2014, Regulations and associated statutory guidance require local authorities to encourage a variety of different providers and different types of services, in order to facilitate an effective open market, driving quality and cost-effectiveness so as to provide genuine choice to meet the range of needs and reasonable preferences of local people who need care and support services, including for people who choose to take direct payments. Local authorities must also have regard to ensuring a sufficiency of provision – in terms of both capacity and capability – to meet anticipated needs for all people in their area needing care and support. The Council has a power to directly provide residential care, subject to registration with the regulator, the Care Quality Commission (CQC).
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Other Legal Implications:

29.	The proposals are compliant with the requirements of the Equalities Act 2010 and a full Equality and Safety Impact Assessment has been carried out to support the proposals in the report and assess the impact on individuals. The Act requires the Council to deliver its functions having regard to the need to eliminate discrimination and harassment of individuals sharing protected characteristics and improve equality of opportunity through proactive design and delivery of services. A full EISA is included with the background papers to this report.
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RISK MANAGEMENT IMPLICATIONS

30.	The respite service at Kentish Road is managed by a Registered Manager who is accountable for the safe operation of the scheme and compliance with Care Quality Commission (CQC) standards. The CQC will be notified of the extended opening hours. The service is currently rated by the CQC as ‘good’. The quality of care and support services directly provided by the Council is also overseen at monthly meetings of the Quality Improvement Assurance Board, which is chaired by the Associate Director of Quality/Deputy Chief Nurse at the Integrated Commissioning Unit.
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POLICY FRAMEWORK IMPLICATIONS

31.	The proposals set out in this report are consistent with the Council’s approved Policy Framework and in particular the outcome of supporting people to live safe, healthy, independent lives.
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KEY DECISION?	Yes/No
WARDS/COMMUNITIES AFFECTED:	none
<u>SUPPORTING DOCUMENTATION</u>	

Appendices	
1.	Equality and Safety Impact Assessment
Documents In Members' Rooms	
1.	None
Equality Impact Assessment	
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	Yes
Data Protection Impact Assessment	
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	No
Other Background Documents	
Other Background documents available for inspection at:	
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	Previous Cabinet papers relating to the closure of the service in November 2017 and its subsequent limited re-opening in July 2018 are available on the Council's website.
	Not applicable.

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Equality and Safety Impact Assessment

The **Public Sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with Section 17 of the Crime and Disorder Act and will enable the Council to better understand the potential impact of proposals and consider mitigating action.

Name or Brief Description of Proposal	Extending the hours of operation of the Learning Disability Respite Service at Kentish Road
Brief Service Profile (including number of customers)	
The former eight bed respite service at Kentish Road closed in November 2017. The scheme re-opened in July 2018 as a four bed respite service following refurbishment and re-registration with the CQC. It currently operates three nights a week, from lunchtime on Fridays to lunchtime on Mondays. The proposal is to extend the hours of operation to 7days a week all day.	
The purpose of respite care, defined in the Care Act 2014 as replacement care, is to give carers (typically family members) a break from their caring responsibilities, in order to help meet their own needs and to sustain the caring arrangements for the person being cared for. Kentish Road provides respite care during the day and overnight, and complements day services provided or commissioned by the Council, which provide respite during the day. Although the primary purpose of respite care is to provide a break for carers, the respite provider has a duty to ensure that the care and support needs of the person staying at the service are met and, wherever possible and appropriate, their preferences are taken into account in terms of location and activities etc.	
It is considered that a number of carers and cared for have a preference to access Kentish Road rather than other providers/units of replacement care and extending the hours provides further choice.	
Subject to consultation with affected staff and Trade Unions, it is proposed to employ staff for Kentish Road in a way that enables more flexible working across all care and day services provided by the Council, so that should the scheme not be booked for respite at any time, staff would be allocated work appropriate to their role in another Council care setting. Establishing a bank of care staff for these	

roles would also provide cover for sickness and holiday absence, bring flexibility for the wider service and would align with proposals under separate consideration for Holcroft House residential care home to ensure continuity of service for users.

Summary of Impact and Issues

The impact of any the proposal to extend the opening hours of Kentish Road may have a positive impact on current and future users of the service. It is felt that some users and carers may have a preference to using Kentish Road for replacement care rather than other types of provision and therefore this proposal gives people greater choice and flexibility.

The Council has a duty under the Care Act 2014 to assess and meet an Adult’s needs for care and support and to assess a carer’s needs for support. Assessment and care and support planning must be person-centred, having regard to individual preferences. The Care Act 2014, Regulations and associated Statutory Guidance require Local Authorities to encourage a variety of different providers and different types of services, in order to facilitate an effective open market, driving quality and cost-effectiveness so as to provide genuine choice to meet the range of needs and reasonable preferences of local people who need care and support services, including for people who choose to take direct payments. Local authorities must also have regard to ensuring a sufficiency of provision, in terms of both capacity and capability to meet anticipated needs for all people in their area needing care and support.

There will be an over provision of replacement care by extending the opening hours. This could have a negative impact on providing other services to users of Adult Social Care services, who will be disabled, older people and vulnerable people. The Council is planning to mitigate the cost of the proposal and potential negative impacts on other services by reducing staff costs at Kentish Road through flexible working, and using this flexible working approach to move staffing capacity to other care and day services if there is excess capacity at Kentish Road.

Responsible Service Manager	Sharon Stewart, Service Lead: Adult Social Care
Date	4 th June 2019
Approved by	Paul Juan, Service Director: Adults, Housing & Communities

Senior Manager	
Date	4 th June 2019

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	<p>The carers and individuals accessing the service will predominately be adults, some of them of an older age.</p> <p>The proposal is likely to give greater choice and flexibility for people accessing replacement care.</p> <p>Over provision could potentially adversely affect services being offered to other older persons outside the Kentish Road provision.</p>	<p>The Council is working with carers, their representatives, other care providers and stakeholders to develop a vision for the entire site at Kentish Road.</p> <p>This will include the continued provision of bed-based respite care and, in addition, is likely to offer supported living, other housing and opportunities to help prepare people for supported or independent living, and a flexible space that can be used as a community resource and support alternatives to traditional day services.</p> <p>The Council is planning to mitigate the cost of the proposal by reduce staff costs at Kentish Road, through flexible working.</p> <p>The flexible working approach will also mitigate some impacts on wider services as staff can support other care and day services if there is excess capacity at Kentish Road.</p>
Disability	<p>All individuals accessing the replacement care are likely to come under the protected characteristic as having a</p>	<p>The Council is planning to mitigate the cost of the proposal by reduce staff costs at Kentish Road, through flexible working.</p>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	<p>disability under the equality Act 2010.</p> <p>Over provision could potentially adversely affect services being offered to other disabled persons.</p>	<p>The flexible working approach will also mitigate some impacts on wider services as staff can support other care and day services if there is excess capacity at Kentish Road.</p>
Gender Reassignment	No identified impact.	As above
Marriage and Civil Partnership	No identified impact.	<p>No married or civil partnership couples accessing Kentish Road currently, however, if this changed then it may be possible to accommodate them at the unit together.</p>
Pregnancy and Maternity	No identified impact.	
Race	<p>Residents and carers will be able to choose, to some extent, from a range of alternative provision and arrange services that are culturally appropriate.</p> <p>Over provision could potentially adversely affect services being offered to people who have needs for care and support who are from a particular race.</p>	<p>All residents will have a needs assessment and care plans and carers will have had needs assessments and support plans which will identify any culturally requirements.</p> <p>The Council is planning to mitigate the cost of the proposal by reduce staff costs at Kentish Road, through flexible working. The proposal can be achieved within the overall budget.</p>
Religion or Belief	Residents and carers will be able to choose, to some extent, from a range of alternative provision and arrange services that are appropriate to their individual need including religion and belief.	All residents will have a needs assessment and care plans and carers will have had needs assessments and support plans which will identify any religious or belief requirements.

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	<p>Over provision could potentially adversely affect services being offered to people who have needs for care and support who have a particular religion or belief.</p>	<p>The Council is planning to mitigate the cost of the proposal by reduce staff costs at Kentish Road, through flexible working. The proposal can be achieved within the overall budget.</p>
Sex	<p>Residents and carers will be able to choose, to some extent, from a range of alternative provision and arrange services that are tailored to their needs including single gender services.</p> <p>Over provision could potentially adversely affect services being offered to people who have needs for care and support who are from a particular sex.</p>	<p>All residents will have a needs assessment and care plans prepared and carers will have had needs assessments and support plans which will address matters relating to sex and gender.</p> <p>The Council is planning to mitigate the cost of the proposal by reduce staff costs at Kentish Road, through flexible working. The proposal can be achieved within the overall budget.</p>
Sexual Orientation	No identified impact.	
Community Safety	No identified impact.	
Poverty	No identified impact.	
Health & Wellbeing	Residents and carers' health and wellbeing could potentially	All residents will have a needs assessment and

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	<p>improve by them having greater choice and flexibility over their choice of replacement care.</p> <p>Over provision could potentially adversely affect services being offered to other older persons.</p>	<p>care plans prepared and carers will have had needs assessments and support plans which will address any matters relating to health and wellbeing.</p> <p>The Council is planning to mitigate the cost of the proposal by reduce staff costs at Kentish Road, through flexible working. The proposal can be achieved within the overall budget.</p>
Other Significant Impacts	None identified.	

DECISION-MAKER:	CABINET		
SUBJECT:	TRADING STANDARDS, PORT HEALTH & PARKING FRAUD INVESTIGATIONS ENFORCEMENT POLICY		
DATE OF DECISION:	18 JUNE 2019		
REPORT OF:	CABINET MEMBER FOR PLACE & TRANSPORT		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Rosie Zambra, Service Lead: Environment, Street Scene & Health	Tel: 023 8083 4044
	E-mail:	Rosie.Zambra@southampton.gov.uk	
Director	Name:	Mitch Sanders, Service Director: Transactions & Universal Services	Tel: 023 8091 3613
	E-mail:	Mitch.Sanders@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY	
None	
BRIEF SUMMARY	
<p>The Trading Standards, Port Health & Parking Fraud Investigations Enforcement Policy has been proposed to support Southampton City Council's general Enforcement Policy published in 2017. This proposed policy will be applied to enforcement actions conducted by Officers within Trading Standards, Port Health and Parking Fraud Investigation services.</p>	
<p>It is necessary to propose this new policy in order to reflect the latest position in terms of regulations and processes relevant to enforcement within these service areas. It is also necessary to better reflect the policy in line with Southampton City Council's general Enforcement Policy, and make use of powers that are not covered by the general Enforcement Policy. There are no fundamental changes to the processes or service, and the proposed policy instead reflects a clarification of the service in line with the duties set out in legislation.</p>	
RECOMMENDATIONS:	
	(i) To consider and approve the proposed Trading Standards, Port Health & Parking Fraud Investigations Enforcement Policy and linked Protocols.
REASONS FOR REPORT RECOMMENDATIONS	
1.	<p>The Trading Standards, Port Health & Parking Fraud Investigations Enforcement Policy outlines the council's approach to encouraging compliance with its regulations and policies through enforcement. Encouraging compliance with council policies and regulations enables the council to promote positive outcomes as set out in the City Strategy 2016-2020. In addition, it supports the Southampton City Council Strategy (2016-2020) outcomes:</p> <ul style="list-style-type: none"> • People in Southampton live safe, healthy, independent lives

	<ul style="list-style-type: none"> • Southampton is a modern, attractive city where people are proud to live and work.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
2.	One alternative discussed was to have separate enforcement policies for Trading Standards, Port Health & Parking Fraud Investigations. This is inadvisable because having a joint policy that covers all of the areas the legislation is relevant to provides a solid common reference point for Officers when dealing with enforcement issues in these areas. Without a joint policy, there is a risk that principles are inconsistently applied across the different service areas, and having a joint policy ensures that enforcement is carried out consistently in line with the general Enforcement Policy.
3.	Another alternative option would be to refer solely to the council's general enforcement policy rather than separate policies. This is strongly inadvisable because it would not make full use of the powers available to the local authority and would undermine the council's ability to provide effective enforcement. It would also leave the council vulnerable to legal challenge.
DETAIL (Including consultation carried out)	
4.	The proposed Trading Standards, Port Health & Parking Fraud Investigations Enforcement Policy is designed to be used by Trading Standards, Port Health and Parking Fraud Investigation services alongside Southampton City Council's general Enforcement Policy, which is a high level council wide policy, setting out the principles by which the council will carry out enforcement activity. Southampton City Council's general Enforcement Policy also sets out enforcement options and procedures, and addresses the enforcement of legislation within the scope of the Legislative and Regulatory Reform Act 2006. Much of the work conducted by Port Health, Trading Standards and Parking Fraud Investigations falls outside the scope of the Regulatory Reform Act, and therefore this additional policy is required in relation to Trading Standards, Port Health and Parking Fraud Investigations.
5.	Alongside the proposed policy, it is also necessary to publish a Disclosure Protocol, as listed in Appendix 2. This document seeks to set out how the council will meet its obligations under the Criminal Procedures and Investigations Act (CPIA), and, in particular, how the council will approach the disclosure of material to the defence.
6.	Furthermore, it has also been necessary to publish additional information for witnesses, as listed in Appendix 3 and 4. By providing this additional information to witnesses, it makes sure that witnesses have the necessary information to ensure that statements are complete and accurate. It also ensures that witnesses are provided with Officer contact details.
7.	The draft policy has been drafted with input from Trading Standards and Port Health (including Parking Enforcement), Legal Services and Intelligence, Insight & Communications.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
8.	Following consultation with the relevant service areas involved in enforcement activity, the proposed change in policy is not expected to have

	an adverse financial impact arising from officer involvement and actions in dealing with enforcement issues in the future.
Property/Other	
9.	None
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
10.	The Regulators Code 2014 (“Code”) was approved pursuant to S23 Legislative and Regulatory Reform Act 2006. The Council must have regard to the Code when developing policies and operational procedures that guide the council’s regulatory activities including enforcement action.
<u>Other Legal Implications:</u>	
11.	The Council must have due regard to the Public Sector Equality Duty under the Equality Act 2010 when carrying out any functions including developing any policies that may have any effect on any protected persons, in particular the duty to eliminate discrimination, harassment and victimisation and advance equality of opportunity and fostering good relations. Local Authorities also have a duty under the Human Rights Act 1998, when carrying out any function, not to act incompatibly with rights under the European Convention for the Protection of Fundamental Rights and Freedoms.
RISK MANAGEMENT IMPLICATIONS	
12.	If Southampton City Council does not adopt a joint Enforcement Policy for Trading Standards, Port Health & Parking Fraud Investigations, there is no reference point for enforcement that falls outside of the Regulators Code Act 2014. This might increase the risk of legal challenge and reduce the fairness and effectiveness of the council’s approach to enforcement within Trading Standards, Port Health & Parking Fraud Investigations.
POLICY FRAMEWORK IMPLICATIONS	
13.	The Trading Standards, Port Health & Parking Fraud Investigations Enforcement Policy supports Southampton City Council Strategy (2016-2020) outcomes: <ul style="list-style-type: none"> • People in Southampton live safe, health, independent lives • Southampton is a modern, attractive city where people are proud to live and work

KEY DECISION?	Yes
WARDS/COMMUNITIES AFFECTED:	All wards/communities
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	Proposed Trading Standards, Port Health & Parking Fraud Investigations Policy
2.	Disclosure Protocol

3.	Information to Persons providing Witness Statements
4.	Making a Witness Statement
5.	Equality Impact Assessment

Documents In Members' Rooms

1.	None	
Equality Impact Assessment		
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.		Yes
Data Protection Impact Assessment		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.		No
Other Background Documents		
Other Background documents available for inspection at:		
Title of Background Paper(s)		Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	None	

Southampton City Council Trading Standards, Port Health & Parking Fraud Investigations Enforcement Policy



Enforcement Policy

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Enforcement Policy			
Version	2.0	Approved by	Click here to enter text.
Date last amended	01/06/2018	Approval date	Click here to enter a date.
Lead officer	Rosie Zambra – Service Lead Environment, Street Scene & Health	Review date	Click here to enter a date.
Contact	Rosie.Zambra@southampton.gov.uk	Effective date	Click here to enter a date.

Purpose

1. Southampton City Council has published an Enforcement Policy as a general policy which outlines the principles of enforcement that the council will follow and apply. This document supports the general policy and will be applied to enforcement actions conducted by officers within the services identified at paragraph 2

Scope

2. Trading Standards, Port Health are managed by the Service Manager-Trading Standards and Port Health; the Service area also includes the Parking Fraud Investigations function.
3. This policy is to be read as a subsidiary of the Southampton City Council Corporate Enforcement Policy as set out in paragraph 1 of that policy.
4. This policy supersedes the any previous Trading Standards Enforcement Policy.

Legislative Context

5. This policy takes into account the following;
 - Human Rights Act (1998)
 - Data Protection Act (2018)
 - Legislative and Regulatory Reform Act (2006)
 - Equality Act (2010)
 - Code for Crown Prosecutors
 - The Anti-social Behaviour, Crime and Policing Act (2014)
 - Regulators' Code (2014)
6. The Scheme of Delegation as identified at paragraph 27 of the Southampton City Council Corporate Enforcement Policy identifies legislation which is not within the scope of the Legislative & Regulatory Reform Act 2006 and Regulators Code 2014.
7. The same Scheme of Delegation further identifies common law offences which are not within the scope of the above Act and Code.

Policy Statement

8. Section 21 of the Legislative and Regulatory Reform Act 2006(1) (the "Act") imposes a duty on any person exercising a specified regulatory function to have regard to the five principles of good regulation. The principles provide that regulatory activities should be carried out in a way which is transparent, accountable, proportionate and consistent and should be targeted only at cases in which action is needed.
9. The code states that where non-compliance is identified, the regulator should clearly explain what the non-compliant item or activity is, the advice being given, actions required or decisions taken, and the reasons for these. The code also states that regulators should provide an opportunity for dialogue in relation to the advice, requirements or decisions, with a view to ensuring that they are acting in a way that is proportionate and consistent.
10. This policy determines that the Trading Standards and Port Health Service will apply all of the principles of the [Legislative and Regulatory Reform Act 2006](#) and its [Regulators' Code 2014](#) to matters dealt with by the Service, including those dealt with in that are not within the scope of

the Act and the Code **with the exception** of any implied duty to provide initial advice and/or guidance where the alleged offending is of a nature widely understood to be unlawful. For example any acts of fraud, dishonesty, conspiracy to defraud and the like could be considered as 'widely understood'.

11. Further that where, having considered the gravity of the offence(s) committed, the Service Lead-Environment Street Scene and Health determines that providing initial advice or dialogue would be inappropriate and/or not in the public interest the implied duty to provide initial advice and/or guidance shall be disregarded.

Governance

12. This policy will be implemented by the Service Manager-Trading Standards and Port Health
13. This policy will be updated by the Service Manager-Trading Standards and Port Health; the policy will be monitored by Service Lead- Environment, Street Scene and Health who may seek advice/assistance from the council's legal team

[END]

Southampton City Council Trading Standards & Port Health Disclosure Protocol



Southampton City Council Trading Standards & Port Health Disclosure Protocol

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Disclosure Protocol			
Version	0.1	Approved by	Click here to enter text.
Date last amended	24/05/2018	Approval date	Click here to enter a date.
Lead officer	Rosie Zambra	Review date	Click here to enter a date.
Contact	Rosie.Zambra@southampton.gov.uk	Effective date	Click here to enter a date.

Introduction

1. This protocol document provides an open and transparent basis for disclosure decisions and to encourage disclosure discussions at an early stage for relevant non-sensitive material. Relevant non-sensitive material satisfying the disclosure test will be handled in accordance with the Criminal Procedure and Investigations Act 1996 (as amended) ('the CPIA') and the Attorney General's Guidelines. Any representations the defence wish to make on this protocol document should be forwarded to the prosecutor at the earliest convenience.
2. This statement is to be provided to the defence together with any schedule of unused material.

Intention

3. Southampton City Council will apply the CPIA in discharging its disclosure obligations, including the duty for continuing review. Only unused material that is required to be disclosed under the CPIA 1996 will be disclosed.
4. Unless otherwise indicated all the material on the non-sensitive schedule will have been inspected by the disclosure officer(s). It has also been inspected by the identified prosecutor as evidenced on the endorsed schedule.
5. Where disclosure counsel has been appointed the non-sensitive schedule will have been inspected by disclosure counsel and this will be stated

The Schedule

6. The unused schedule will be created as an Excel document and will be disclosed as such together with the same document in PDF.
7. The PDF document will include the signatures of the disclosure officer and prosecutor
8. The schedule and any accompanying material will be served as follows in agreement where possible with the defence
 - a. by email. AND/OR
 - b. on disc or other medium and by DX or special postal delivery: OR
 - c. in hard paper copy where the volume of material is low

Inspection of Unused Material by the Disclosure Officer

9. The following material will be inspected by the Disclosure Officer by utilising the following means:

Hard Copy Documents and Physical Materials

10. These will be visually examined

Electronically Stored Data

11. Specific items of electronically stored data will be identified by reference to the non-sensitive schedule.
12. The extent to which the material has been examined by the prosecution, and by whom will be stated.
13. The method of examination will be set out e.g. through the use of software search tools or dip sampling. If particular key words have been used, these should be set out in full, save for those that may be sensitive. Consideration will be given to an appropriate invitation to the defence to suggest additional key words. Such an invitation will be time limited and the prosecution may seek reasonable justification as to why any such terms are identified by the defence
14. The schedule may set out the extent to and method by which the defence will be given disclosure of material that satisfies the disclosure test.
15. Electronic data will be stored, disclosed or made available in Windows accessible file types.

Video Footage

16. Specific items of video footage will be identified by reference to the non-sensitive schedule.
17. The extent to which the material has been examined by the prosecution, and by whom will be stated
18. The method of examination will be stated
19. The extent to and method by which the defence will be given disclosure of material that satisfies the disclosure test will be stated

20. Video footage will be stored, disclosed or made available in Windows accessible file types

Linked Investigations

21. The reasons why the investigations are considered to be linked for the disclosure purposes will be identified and the following stated
- a. Any relevant Operational Memorandum of Understanding or disclosure agreement between the investigators and any third party
 - b. The prosecution belief as to its disclosure obligations to be in relation to material from linked investigations
 - c. The method by which these disclosure obligations will be discharged.

Other Categories of Material

22. Where there is a belief that third parties have relevant non sensitive material or information that might satisfy the disclosure test if it were in the hands of the prosecution the following will be stated:
- a. The reason for this belief
 - b. The type of relevant material
 - c. The steps taken to obtain the relevant material
23. If such material is obtained the intention to examine or details as to any completed examination will be stated including as applicable the following
- a. inspection of material by disclosure officer/reviewing prosecutor/disclosure counsel
 - b. any case summary provided to such a third party with request to disclose material that satisfies the disclosure test
 - c. any other action taken

Defence Case Statements

24. The prosecution will, on receipt of any defence case statement set out it's understanding of the defence case and will identify material disclosed in respect of such defence statement and schedule and identify any material added to any disclosure schedule as a result of any review completed.
25. If no defence case statement is available the prosecution will make the following statement
- a. *The prosecution is complying with its duty of continuing review and on receipt of a defence case statement all relevant material will be reviewed by the prosecution team in accordance with the CPIA 1996.*

Other Matters

- 26.** On receipt of further disclosure request(s) post receipt of any defence case statement the prosecution will
 - a. consider the request in the context of any previously provided defence case statement
 - b. if necessary seek clarification as to the identification of material requested
 - c. apply the disclosure test within CPIA 1996 and disclose only such material as falls to be disclosed within that Act

- 27.** The prosecution may invite inspection of unused material

Format of Electronic Documents

- 28.** Southampton City Council IT operates a Microsoft Windows environment

- 29.** All electronic material supplied subsequent to this policy will be supplied in a Microsoft Windows compatible format

- 30.** Where disclosed material includes emails these will be supplied in an Outlook compatible format

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Making a Witness Statement - What Happens Next?

Thank you for making a statement - Southampton City Council values your support. Witness statements are essential when prosecuting those who have committed criminal offences and it is important that you read and understand the following.

Your personal details

Your personal details (on the back page of your statement) are confidential and are restricted for Prosecution use only. Defendants and their legal representatives will not be provided with this part of the statement but in the event that your statement forms part of any prosecution all other information within the statement will be made available to them.

In the event that you are required attend court as a witness we will need to carry out a check to identify any previous convictions that might be relevant to your credibility as a witness. We will use your full name, date of birth and address to access this information. The information will only be made available to the court and defence legal representatives in accordance with the Criminal Court Procedural Rules.

DATA PROTECTION ACT 2018

The council is a competent authority within the meaning of Section 29 of the Act and will process your data in accordance with Part 3 of the Act-Law enforcement processing. Law enforcement purposes are the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security.

We may need to instruct experts in order to carry out these purposes and in doing so we may provide them with copies of your statement and exhibits. We will only do this if the data is essential to enable the expert to carry out his or her instructions. Experts will not be provided with the information on the back of your statement but may be provided with your date of birth if your age is relevant to the matters being investigated.

Typically we engage experts to provide reports on building and building maintenance work, handwriting analysis, forensic accounting, analysis of food and drink, and safety of consumer goods.

We will also provide your data to counsel and others instructed by the council and persons within the judicial process

In the event that we intend to use your data for any other purpose we will tell you and obtain further consent.

Your statement

A witness statement is an important document, it sets out your recollection of the events described in the statement and must be as complete as you are reliably able to remember.

We can help you write your statement but it is your statement and you should ensure that you have read, understood and agreed all the content before you sign.

You must not sign a witness statement if you have any reason to believe that anything within it is untrue, it is incomplete or you are unable to read or understand it.

There may be Exhibits attached to your witness statement. Exhibits are documents, emails, photos or other items which are referenced within the statement and will typically be identified by use of your initials and a number.

You may also have documents, emails, photos or other items which are linked to the matter described in the statement but which are not subsequently identified as Exhibits. It is important that we are aware of all such items, no matter how unimportant they may seem, as such items may fall within the definition of 'Unused material' and we are required to collect and record such material.

Signing and dating the statement and exhibit labels

Once you are satisfied with the content of the statement it needs to be signed before it can be used. Signatures are required:

- On the top part of the first page in the box alongside the word 'Signature'
- On the bottom of each and every page
- On each and every exhibit label

Dates are required:

- On the top part of the first page in the box alongside date
- Alongside your signature on the bottom of each and every page

If at any time after having signed your statement it is important to let us know:

- that you now realise you have left something out of your statement or now realise it is incorrect
- that your address or phone number has changed

What next

If a suspect is charged in relation to this incident, your statement and all the other evidence will be considered for inclusion in the Prosecution case. If your statement is included everyone involved in the case will read your statement (for example the prosecution and defence solicitors and barristers, the magistrates or judge).

Our aim is to keep all those involved up to date on what is happening with the case, but it can take a long time to prepare a case for court. This can be frustrating especially if you have been the victim of a crime; if you want to know about progress you can contact us at any time - see the contact details at the end of this document.

In preparing the prosecution case, and in particular the evidence we intend to put before the court to establish the offence or offences alleged, the council will decide which witnesses and witness statements are to be included. This is a decision for the council as the prosecutor and we may decide not to include your statement and not to require you to attend as a witness.

You will be contacted if you are needed to go to court and support is available for all witnesses throughout the process.

You will have to appear in court if the defendant:

- denies the charge and pleads 'not guilty'; or
- pleads guilty but your evidence is still required by either the prosecution or defence

If you are asked to go to court, the prosecution and defence lawyers will ask you questions about your evidence. You will be able to read your statement immediately prior to giving evidence to refresh your memory but generally will not be able to read from your statement.

If you have given a statement and are then asked to go to court to give evidence, **you must do so**. If you are asked to go to court, you will be sent:

- a letter telling you when and where to go; and
- an explanatory leaflet.

We recognise that giving evidence can be a stressful experience and we seek to provide support for witnesses. We can make special arrangements, for example if you have disabilities. If you have any problems or concerns about going to court, you must let the person who asked you to go to court know as soon as possible. If you have to go to court but there is reason to believe that you will not go voluntarily, the court may issue a witness summons against you, which means that you **MUST** then attend court.

If you have any questions or concerns about being a witness please get in touch with the contact(s) named on the attached sheet.

Contact details for your case:

Name of the officer taking this statement:
Position:
Contact phone number:
Email address:

Name of the officer in charge of this case:
Position:
Postal address:
Contact phone number:
Email address(es):
Case reference:

Keep these details somewhere safe.

The officer dealing with your case can help but may not always be immediately available. If you have any questions or concerns, you can also contact us as below

Trading Standards Trading.standards@southampton.gov.uk
--

Other Department/Officer

Name/Position:

Phone:

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Southampton City Council
Trading Standards, Port Health &
Parking Fraud Policy as to Information to Persons
providing Witness Statements



Enforcement Policy

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Enforcement Policy			
Version	2.0	Approved by	Insert body /committee with final approval
Date last amended	01/05/2019	Approval date	Click here to enter a date.
Lead officer	Rosie Zambra – Service Lead	Review date	Click here to enter a date.
Contact	Rosie.Zambra@southampton.gov.uk	Effective date	Click here to enter a date.

Purpose

1. Southampton City Council trading Standards and Port Health, incorporating the parking Fraud Investigator, will frequently seek to obtain witness statements from third parties in order to obtain evidence of alleged criminality. Such witness statements may form part of the prosecution case put before a court and will, in any event, be scheduled and retained by the council. It is important, therefore, that persons making witness statements understand the importance of the document and commitments arising from it

Scope

2. Trading Standards, Port Health are managed by the Service Manager-Trading Standards and Port Health; the Service area also includes the Parking Fraud Investigations function.
3. This policy is to be read together with the attached draft document '**Making a Witness Statement - What Happens Next?**'
4. This policy supersedes any previous information to be provided to those making witness statements

Legislative Context

5. This policy takes into account the following;
 - Human Rights Act (1998)
 - Data Protection Act (2018)
 - Legislative and Regulatory Reform Act (2006)
 - Equality Act (2010)
 - Code for Crown Prosecutors
 - The Anti-social Behaviour, Crime and Policing Act (2014)
 - Regulators' Code (2014)
 - Criminal Justice Act 1967.
 - Magistrates Courts Act 1980
 - Criminal Procedure Rules

Policy Statement

6. Officers, and contracted investigators tasked to Southampton City Council, will seek to ensure that when persons are contacted with a view to obtaining a Witness Statement that person is provided with the document '**Making a Witness Statement - What Happens Next?**' in either hard copy or electronically as may be appropriate
7. In any event the document '**Making a Witness Statement - What Happens Next?**' will be provided to persons prior to them signing any witness statement
8. Exemptions
 - Persons acting as experts and the statement is being provided in the capacity of Expert Witnesses
 - Achieving Best Evidence witness interviews conducted by way of video recording

Governance

9. This policy will be implemented by the Service Manager-Trading Standards and Port Health
10. This policy will be updated by the Service Manager-Trading Standards and Port Health; the policy will be monitored by Service Lead- Environment, Street Scene and Health who may seek advice/assistance from the council's legal team

[END]

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Equality and Safety Impact Assessment

The **public sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with section 17 of the Crime and Disorder Act and will enable the council to better understand the potential impact of the budget proposals and consider mitigating action.

Name or Brief Description of Proposal	Trading Standards, Port Health & Parking Fraud Investigations Enforcement Policy
Brief Service Profile (including number of customers)	Southampton City Council has wide-ranging enforcement responsibilities, which span across multiple service areas. The proposed Trading Standards, Port Health & Parking Fraud Investigations Enforcement Policy will support Southampton City Council’s general Enforcement Policy published in 2017, but will be applied to enforcement actions conducted by Officers within Trading Standards, Port Health and Parking Fraud Investigation Services. This is to ensure that Southampton City Council has use of the necessary powers that are not covered by the general Enforcement Policy.
Summary of Impact and Issues	<p>Southampton City Council recognises that the vast majority of people in Southampton abide by the law. In order to make full use of the necessary enforcement powers for Officers working in Trading Standards, Port Health and Parking Fraud Investigations Enforcement to protect the community, it is necessary to propose this policy.</p> <p>This policy should not adversely affect any specific group of people, as it allows for consistent enforcement and should not discriminate on the grounds of any of the protected characteristics outlined in the Equality Act 2010.</p>

Potential Positive Impacts	<p>This proposed policy is expected to have a positive impact on community safety due to the wide ranging enforcement action by the services that this proposed policy covers.</p> <p>The proposed policy seeks to provide the necessary information to witnesses to ensure that they have the necessary information to ensure that witness statements are complete and accurate, and witnesses have up to date Officer contact details. It also sets out how Southampton City Council will meet its obligations under the Criminal Procedures and Investigations Act (CPIA), and how the council will approach the disclosure of material to the defence.</p>
Responsible Service Manager	Rosie Zambra – Service Lead: Environment, Street Scene & Health
Date	20/05/2019

Approved by Senior Manager	Mitch Sanders – Service Director: Transactions & Universal Services
Date	20/05/2019

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	No identified negative impacts.	N/A
Disability	No identified negative impacts.	N/A
Gender Reassignment	No identified negative impacts.	N/A
Marriage and Civil Partnership	No identified negative impacts.	N/A
Pregnancy and Maternity	No identified negative impacts.	N/A
Race	No identified negative impacts.	N/A
Religion or Belief	No identified negative impacts.	N/A
Sex	No identified negative impacts.	N/A
Sexual Orientation	No identified negative impacts.	N/A

Community Safety	No identified negative impacts.	N/A
Poverty	No identified negative impacts.	N/A
Health & Wellbeing	No identified negative impacts.	N/A
Other Significant Impacts	No identified negative impacts.	N/A

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DECISION-MAKER:	CABINET		
SUBJECT:	OPERATION ALBACORE (MULTI COUNCIL CRIMINAL PROSECUTIONS) - RECEIPT OF COMPENSATION PAYMENT AND URGENT ACTION TAKEN BY THE DIRECTOR OF LEGAL AND GOVERNANCE		
DATE OF DECISION:	18 JUNE 2019		
REPORT OF:	DIRECTOR OF LEGAL AND GOVERNANCE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Rosie Zambra	Tel: 023 8083 4044
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STATEMENT OF CONFIDENTIALITY	
Not Applicable	
BRIEF SUMMARY	
<p>On the 12th April 2012 Southampton City Council Trading Standards received a referral from Consumer Direct regarding an elderly Southampton resident who paid £3200 to 1st Active Drainage for a new boiler. This complaint was the beginning of what is known as “Operation Albacore”.</p> <p>On the 1st October 2013 Southampton Trading Standards along with the police, Hampshire , Portsmouth and Dorset Trading Standards Officers raided 7 premises and arrested 7 people, the Director, office manager and 4 drainage engineers. Two weeks later further arrests were made.</p> <p>The investigation identified a significant number of victims many of whom, circa 860 in total, had been contacted by in the course of the investigation providing witness statements to support the criminal proceedings instituted by the Council as lead authority. 177 of these victims have subsequently been put before the court to give evidence in the trials It is these 177 persons, majority elderly, who will be paid compensation.</p> <p>In November 2015 12 defendants were charged with conspiracy to defraud and money laundering offences.</p> <p>The trial began in January 2018 and continued for 5 months. The jury returned the verdicts on the 14th June 2018, details of which are below.</p>	
RECOMMENDATIONS:	
(i)	That Cabinet notes the urgent action taking by the Director of Legal and Governance under delegated powers to accept the voluntary undertaking to the court on behalf of Joseph ASHFORD to pay a further £616,000 ‘compensation to the council’ to the effect that Joseph ASHFORD pays the sum in monthly instalments each of which is no less than £40,000. Further, that in the event that any one payment is in excess of £40,000 the excess balance can be carried forward. The total value to be paid no later than August 2020. In

	response to this the council will defer institution of further confiscation proceedings, retain the existing £720,000 property on restraint, and, on conclusion of all payments totalling £616,000 undertake to withdraw further proceedings
REASONS FOR REPORT RECOMMENDATIONS	
1	OP ALBACORE concerned large scale fraudulent drainage, plumbing and heating work carried out in residential properties across the south and south west of England in the period November 2009 to October 2013 by 1 st Active Drainage Ltd and Fast Response Maintenance Ltd. Joseph Rodney ASHFORD was a director of both companies and both were managed by James Frances DEAN. Work was carried out by, amongst others, Justin Brian PERRY, Mark Victor GRUNDY, Ryan SIVYOUR, Andrew ASHTON, Oliver QUINN, Jordan EASTERBROOK and Craig WATTON. Given the seriousness of the allegations and impact on numerous Southampton residents Southampton City Council assumed the lead authority role on behalf of 22 authorities across southern England and instituted 12 criminal prosecutions representing 177 members of the public who's evidence were subjected to their evidence being put before the court. In September 2018 Joseph ASHFORD was convicted at Southampton Crown Court, alongside 7 others, with a ninth person having previously pleaded guilty, of offences arising from the Trading Standards investigation OP ALBACORE
2	By way of background, the companies placed multiple adverts in telephone directories offering emergency drain and plumbing repairs with a 24 hour response and Senior Citizen discounts. Published telephone numbers were routed to offices in Bournemouth and latterly Ringwood. Customers were quoted labour and equipment rates which did not include VAT and were charged per half hour. The effectively hourly rate frequently reached £350/hour with materials added on top.
3	Customers were misled as how the bill was to be calculated, the need for the work to be done, what had been done and very often that money had been taken from customer's accounts without permission. The work done was frequently ineffective, unnecessary or was significantly different from what was originally agreed. Final invoices ranged from £200 to £18,000 and when customers rang to complain they were lied to, told to write to fictitious names or generally "fobbed off".
4	Following a 5 month trial in 2018, sentencing took place in 2019 and ASHFORD and DEAN were convicted of money laundering offences relating to the money they had paid themselves for running the companies. GRUNDY, SIVYOUR, ASHTON, QUINN, EATERBROOK and WATTON were found guilty of fraud offences relating to the work carried out
5	Offences of converting criminal property as identified above are 'lifestyle' offences as defined in the Proceeds Of Crime Act 2002 and in summary, the criminal benefit is subject to potential confiscation proceedings.
6	The Court has previously provided Directions as to how such contested proceedings should be scheduled; this culminates in a hearing in July 2019. Further the Directions provide for an agreed resolution which would be notified to the Court. Such contested proceedings carry considerable cost arising from officer time, legal advice/representation and court hearings

7	The defendant has made proposals to the effect that were he to undertake to the Court to make voluntary payments totalling £616,000 comprising of monthly payments of a minimum of £40,000 the council would then agree to defer confiscation proceedings
8	Such an agreement will be underpinned by the existing restraint order to the value of £720,000 and equally by an agreement with the Court that in the event of breach of the agreement the Council would be able to recommence confiscation proceedings.
9	The agreement provides an immediate and effective end to the lengthy litigation process thus representing considerable savings to the public purse and delivers public confidence in the operation of the confiscation regime. The agreement was negotiated by officers with assistance from legal counsel and as with all negotiations before the courts was time limited. Accordingly the Chief Executive and Director of Legal and Governance acted under delegated powers to secure the best agreement that could be secured. Under the Constitution this requires reporting to Cabinet.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
10	Continue litigation having rejected the proposal. The outcome of such litigation is, by the very nature of such action, both uncertain and time/resource intensive. Any outcome would likely be delayed to July 2019 at the earliest.
DETAIL (Including consultation carried out)	
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
11	Expenditure in 2018/19 on the relevant EN161 account totals £547,106.86. There is an identified income amount of which £331,218.04 is identified as being compensation to victims. The relevant costs were taken to the General Fund as part of the 2018/19 outturn. Of the £616,000 payment, £547,000 will be returned to the General Fund in 2019/20, and the remainder ring fenced for future Trading Standards work. The summary position is that all of the Council's expenditure of these major cases has been recovered.
<u>Property/Other</u>	
12	None
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
13	None.
<u>Other Legal Implications:</u>	
14	The Director Legal and Governance (DLG) has authority within the Council's Constitution at Part 10 Para 8.33(i) 'To investigate, institute or authorise legal proceedings....or to take any other action necessary to protect the legal position of the City Council'. Additionally urgent decisions can also be taken by the Chief Executive or DLG in such circumstances as were before the Council.
RISK MANAGEMENT IMPLICATIONS	

15	None
POLICY FRAMEWORK IMPLICATIONS	
16	Not applicable.

KEY DECISION?	No
WARDS/COMMUNITIES AFFECTED:	none
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	None.

Documents In Members' Rooms

1.	None.
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Equality Impact Assessment

Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	No
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Data Protection Impact Assessment

Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	/No
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Other Background Documents

Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	
2.	

DECISION-MAKER:	CABINET		
SUBJECT:	NELSON GATE		
DATE OF DECISION:	18 JUNE 2019		
REPORT OF:	LEADER OF THE COUNCIL		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	David Childs	Tel: 023 8083 4389
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Director	Name:	Denise Edghill	Tel: 023 8083 4095
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STATEMENT OF CONFIDENTIALITY	
<p>The Confidential appendices contain information deemed to be exempt from general publication based on Category 3 of paragraph 10.4 of the Council's Access to Information Procedure Rules.</p> <p>Those appendices include details of a proposed transaction which, if disclosed prior to contract, could put the Council or other parties at commercial disadvantage.</p>	
BRIEF SUMMARY	
<p>The purpose of this report is to approve a framework for entering into an Agreement with the head-lessee, which will include the grant of new leases and thereby facilitate re-generation of the existing buildings and adjoining land at Nelson Gate.</p>	
RECOMMENDATIONS:	
(i)	That the principles of the Commercial Terms set out in Confidential Appendix 3 be endorsed.
(ii)	That following consultation with the Leader of Council, the Director of Finance and Commercialisation subject to receipt of a satisfactory S123 report, the Director of Growth be given delegated authority to finalise terms as referred to in (i) above for the proposed transaction and legal agreements relating thereto.
(iii)	That the Director of Legal and Governance be given delegated authority to enter into all legal documentation necessary to facilitate regeneration of Nelson Gate (e.g. new leases) pursuant to terms of the Agreement referred to at (ii) above being met.
REASONS FOR REPORT RECOMMENDATIONS	
1.	As freehold landowner the Council wishes to see the Nelson Gate site (as identified on the Plan at Appendix 1) which comprises three largely vacant 1980's office buildings and a surface car park, brought into more beneficial use and the scheme's potential optimised.
2.	In order to bring about the desired outcomes, it is necessary to re-gear the existing tenure arrangements and grant new leases over the subject site, as set out in this report and appendices.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. Officers considered marketing the Council's interest in the site. This was rejected on the basis that there would be no certainty that such disposal would bring about the desired outcomes, there would effectively be only one potential purchaser (the existing head-lessee) and that any such disposal would sub-optimize the Council's financial returns. This is a strategically important site and the Council's ongoing involvement as freehold landowner will facilitate delivery of the scheme and its wider economic benefits and help to ensure that the scheme is completed in a timely manner.

DETAIL (Including consultation carried out)

4. In 2012 the head-lessee at Nelson Gate (Mapeley Gamma Acquisition Co 2) entered administration and this possibly exacerbated Nelson Gate's existing property management issues, including the challenge of middle-age buildings and lack of investment in the scheme, which had led to high vacancy rates.

However, irrespective of the insolvency, it was clear that the situation required a longer-term solution. Detailed discussions with representatives of the receiver have therefore been ongoing for the past 18 months or more, in an effort to agree a sustainable approach to the site's future.

The resultant proposals for regeneration of the site have been the subject of extensive consultation and a formal pre-planning (PPA) process undertaken during 2018 led to submission of a planning application for the whole site in December 2018.

5. The redevelopment involves the demolition of Grenville House and converting much of the remaining space in Norwich and Frobisher, which is unsuited to modern office requirements, under Permitted Development Rights (PDR) for residential units. Phase 1 also involves construction of a new 'link' building between Norwich and Frobisher. This new building can be seen in the foreground of CGI images of the scheme (at Appendix 2) and will contain a mix of commercial space at ground floor, providing activate the street frontage, plus 2 floors of new offices built to current user requirements. The car park will subsequently be redeveloped with a 20 storey residential tower and a 3-4 star hotel.

6. In summary the proposed scheme comprises:

- Frobisher - 63 apartments and 1,920 sq.m. refurbished offices
- Norwich – 74 apartments in existing building conversion
- Norwich 'Link' – 1,726 sq.m. new offices and 664 sq.m. commercial
- Residential Tower – 110 apartments in new 19-20 storey building
- Hotel – 244 bedrooms
- Car Parking – total 131 spaces
- Public Realm – new route through scheme
 - Station Plaza public realm improvements

7. The scheme will be undertaken in two or three phases, starting with enabling works and demolition of Grenville House before conversion of the

	existing buildings commences. Phase 1 includes construction of the new link building and creation of much improved public realm, with a new pedestrian pathway (which follows the historic alignment of Sidford Street) leading from Hill Lane and Commercial Road junction down to the station forecourt. Phases 2 and 3 will comprise of the new residential tower and a new hotel that will complete the development.
8.	The proposed scheme has been the subject of extensive consultation over the past 12 months or more, including briefings to members and other stakeholders. The planning pre-application process also included a public exhibition and public engagement – the outcomes of which were all positive.
9.	It is worth noting that, while the conversion of existing offices in Norwich House and Frobisher House, under permitted development rights, do not require any affordable housing element, the new residential tower falls to be assessed against current planning policy and discussions are ongoing with the developer in this connection.
10.	Much of the legal work and background advice required for the purposes of implementing these proposals has already been undertaken (at the developer's cost) and it is proposed that, following Cabinet approval, the contract documents will be finalised for exchange as soon as possible, so that the developer can commence enabling works once planning is granted.
11.	A financial report is attached at Appendix 4 and will be subject to a formal S123 'best consideration' review before exchange of the legal Agreement.

RESOURCE IMPLICATIONS

Capital/Revenue

12.	The proposed transaction will not only enable the site's regeneration but also provide for the Council a substantially increased revenue income from the scheme and additional capital receipts that are outlined in Appendices 3 & 4. Apart from the management time and support resources involved in managing the Council's interest in the scheme and related financial matters, there are no other resource or financial implications for the Council.
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Property/Other

13.	When the current scheme was fully occupied, the head-rent from Nelson Gate represented substantial property income for the Council. However, that revenue stream (based on a percentage of occupational rental income) has shrunk in recent years as the buildings have remained largely vacant and SCC currently receives only the base rent and car park lease rent. The lease re-gearing involved in the proposed transaction will enhance the Council's revenue stream from the asset going forward and the commercial Agreement proposed will also produce capital receipts for the Council as outlined in the appended financial report.
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LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

14.	The Council powers to promote this development are Section 123 Local Government Act 1972 and Section 1 Localism Act 2011.
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<u>Other Legal Implications:</u>	
15.	None.
RISK MANAGEMENT IMPLICATIONS	
16.	The Council will participate in future financial benefits from the scheme, as outlined in appendices to this report but is not providing any funds or resources to the developer. Therefore, the Council has only limited exposure to the timing and amounts of capital receipts as explained in Appendix 4.
POLICY FRAMEWORK IMPLICATIONS	
17.	The statutory Local Plan currently identifies Nelson Gate as a primarily office and commercial area. While the re-development will result in the loss of some poor quality office space, suitable parts of Frobisher House will be refurbished and 2 floors of new office space incorporated in the new link building.
18.	The planning application has yet to be determined but has been widely welcomed by local stakeholders and the wider community. Subject to agreement on a few remaining details, financial contributions and related legal agreements, it is expected that SCC planning officers will recommend approval and planning permission could be granted during July.
19.	This scheme supports many other of the Council's strategic objectives around housing, environment and economic development and, by bringing back a largely redundant site into viable long-term use, will contribute significantly to it's vision for the city in the future.

KEY DECISION?	Yes
WARDS/COMMUNITIES AFFECTED:	Bargate
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	Site Plan
2.	Visual image of scheme from planning application scheme
3.	Confidential – Heads of Terms
4.	Confidential – Report on Financial Terms

Documents In Members' Rooms

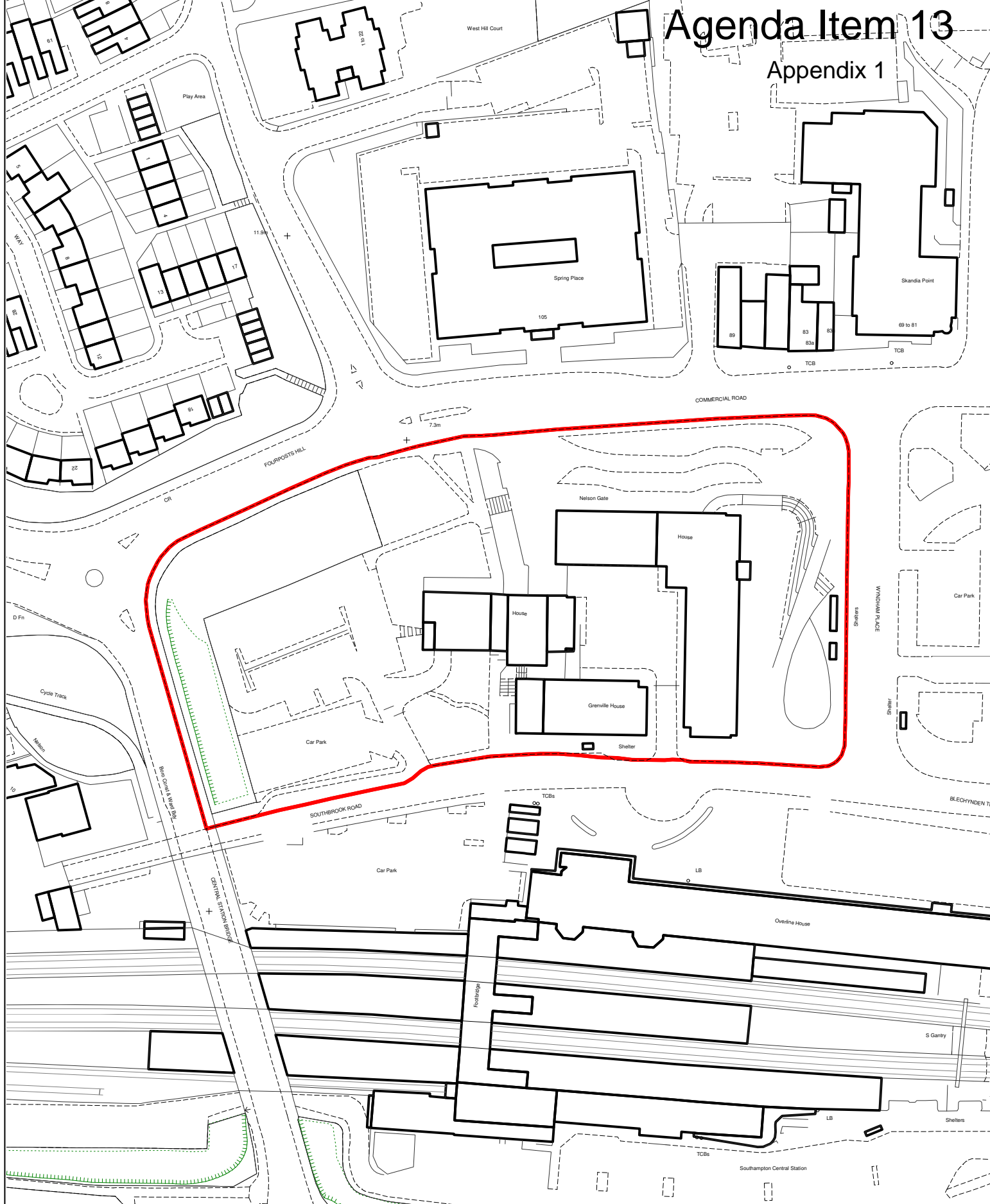
Equality Impact Assessment	
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	No
Data Protection Impact Assessment	
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	No

Other Background Documents None

Other Background documents available for inspection at: N/A

	Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	Appendix 3	Para 3
2.	Appendix 4	Para 3

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CAPITAL ASSETS 3rd Floor, One Guildhall Square, Above Bar Street, Southampton. SO14 7FP		SCALE 1:1250	DATE 24/05/2019
Plan No V3835	Page 125 Nelson Gate - Southampton City Council ownership		

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Agenda Item 13

Appendix 2



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