

AGENDA FOR

OVERVIEW AND SCRUTINY COMMITTEE

Contact:: Leigh Webb
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To: All Members of Overview and Scrutiny Committee

Councillors : D Bailey, S Carter, D Cassidy,
A Cummings, J Daly, I Gartside (Chair), T Holt, M James,
S Nuttall, O'Brien, J Smith and T Tariq

Dear Member/Colleague

Overview and Scrutiny Committee

You are invited to attend a meeting of the Overview and Scrutiny Committee which will be held as follows:-

Date:	Tuesday, 24 March 2015
Place:	Peel Room, Bury Town Hall
Time:	7.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	

AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

Members of the Overview and Scrutiny Committee are asked to consider whether they have an interest in any matters on the agenda and, if so, to formally declare that interest.

3 MINUTES (*Pages 1 - 4*)

Minutes of the last meeting, held on 11 February 2015, are attached.

4 PUBLIC QUESTION TIME

A period of 30 minutes has been set aside for members of the public to ask questions on matters considered at the last meeting and set out in the minutes or on the agenda for tonight's meeting.

5 PETITION REVIEW (*Pages 5 - 36*)

Following a request from the Petition Organiser, the Committee are required to review the way the Council dealt with the Petition relating to Children's Centres. The Petition was submitted to Full Council on 15th December 2014

6 CHILDREN'S SAFEGUARDING OVERVIEW PROJECT GROUP - INTERIM REPORT (*Pages 37 - 46*)

The Chair of the Group, Councillor Southworth, will present the report.

7 CORPORATE PLAN PROGRESS REPORT - QUARTER 3 2014-15 (*Pages 47 - 64*)

Report from the Leader of the Council is attached.

8 URGENT BUSINESS

Any other business which by reason of special circumstances the Chair agrees may be considered as a matter of urgency.

Minutes of: OVERVIEW AND SCRUTINY COMMITTEE**Date of Meeting:** 11 February 2015**Present:** Councillor I Gartside (in the Chair);
Councillors D Cassidy; S Carter; A J Cummings; J Daly;
M James; E O'Brien; J Smith; and T Tariq**Public in attendance:** No members of the public were present.**Also in attendance:** Councillor M Connolly – Leader of the Council
Councillor R Shori – Deputy Leader of the Council and
cabinet Member for Health and Wellbeing**Apologies for absence:** Councillor D Bailey and Councillor S Nuttall.**OSC.711 DECLARATIONS OF INTEREST**

Councillor Connolly, Leader of the Council, declared a personal interest in all budgetary items on the agenda as his partner is an employee of the Council.

OSC.712 PUBLIC QUESTION TIME

There were no members of the public present at the meeting to ask questions under this item.

OSC.713 MINUTES OF THE MEETING HELD ON 13 JANUARY 2015**It was agreed:**

That the Minutes of the meeting of the Overview and Scrutiny Committee, held on 13 January 2015, be approved as a correct record and signed by the Chair.

OSC.714 CORPORATE FINANCIAL MONITORING REPORT – APRIL 2014 TO DECEMBER 2014

The Leader of the Council and Cabinet Member for Finance submitted a report informing Cabinet of the Council's financial position for the period April to December 2014 and projects the likely outturn at the end of 2014/15.

The report included Prudential Indicators in accordance with CIPFA's Prudential Code.

Questions and comments were invited from the Committee and the following issues were raised:

- In response to a question from Councillor Daly, the Leader of the Council explained that we would aim to manage the projected £0.901m overspend down through the budget monitoring processes which includes Star Chamber meetings and working with Portfolio holders to ensure action plans are in place to deal with budget pressures.
- Councillor Holt enquired about the number of Right to Buy sales and the effect on the Housing Revenue Account (HRA). The Assistant Director of Resources and Regulation acknowledged that sales meant the loss of better housing stock and reduced rental stream but explained that, although time limited, the effect was mitigated to some extent by the New Homes Bonus scheme.
- The Assistant Director explained that demand pressures in Adult Care were a result of both the volume and complexity of referrals.
- In response to questions concerning the shortfall in parking income, the Assistant Director explained that the number of Penalty Charge Notices issued had reduced as drivers become more compliant with parking restrictions in the Borough.
- Councillor Daly enquired whether the residual figure relating to the Department for Communities and Neighbourhoods was an ongoing figure? The Assistant Director confirmed that it was but highlighted that it had been offered up as a cut as part of the 2015/2016 Budget.
- In response to a question concerning the Coroners Court costs, the Assistant Director explained that the Council were working with Rochdale, the Lead Authority, to streamline back office processes.
- In terms of mid-year savings achieved from recycling, the Assistant Director explained that the level of savings for this year would be off set against one off set up costs.

It was agreed:

That the financial position of the Council, as at 31 December 2014, be noted.

OSC.715 DRAFT BUDGET 2015/14

The Leader of the Council and Cabinet Member for Finance submitted a report setting out details of the Capital Programme for 2015/16 to 2017/18 and the Revenue Budget for 2015/16 to 2016/17. A draft programme of savings and consultation responses were appended to the report.

The report recommended that the Capital Programme be limited to those schemes fully funded from external sources.

With regard to the revenue budget the report outlined details of:

- The final Local Government Finance Settlement for 2015/16
- Forecast outturn for 2014/15
- The budget strategy for 2015/16 and the approach to balancing the budget.

It was explained that the report had been prepared on the basis that the Bury element of the Council Tax would be frozen for 2015/16, to be funded in part by £0.774m of Central Government grant. It was stressed that the Council Tax would not be set until the full Council meeting on 25th February.

Questions and comments were invited from Members of the Committee and the following issues were raised:

- In response to a question from Councillor Daly concerning service levels in the light of budget reductions since 2011, the Leader highlighted that staff had been asked to do more with less but acknowledged that capacity was an issue as a result of reduced funding and increased demands.
- The Leader explained that forecasts suggested further cuts of a similar level would be necessary in 2016/17 and acknowledged the way the Council operates would need to change with services being prioritised.
- In terms of the funding formula it was explained that Bury was disadvantaged mainly as a result of factors relating to population, deprivation and welfare claimant numbers.
- In response to a question from Councillor Holt, the Assistant Director explained that the localisation of the Council Tax Benefit Scheme meant that the risk lay with the Council should the number of claimant increase.
- Councillor Daly commented that the detail of the proposed savings highlighted within the consultation pack was limited in terms of outlining how the savings figures would be achieved.
- The Chair Councillor Gartside referred to Bury's Settlement Funding Allocation and questioned the comparability of 2014/15 and 2015/16 figures; the Assistant Director explained that the 2014/15 figures included the Council Tax Freeze Grant for that year; whereas the 2015/16 figure did not – as DCLG would not be aware at this stage of Councils' Council Tax proposals.

It was agreed:

That the report be noted.

OSC.716 DRAFT HOUSING REVENUE ACCOUNT 2015/16

A joint report of the Leader of the Council and Cabinet Member for Finance and Deputy Leader and Cabinet Member for Health and Wellbeing was submitted which detailed the proposed Housing Revenue Account (HRA) for 2015/2016. The report set out proposals in respect of Dwelling and Garage rents, Sheltered Support, Management Amenities, Heating and Furnished Tenancy charges and Fernhill Caravan site tenancy charges. Proposed rent increases for Dwellings and Garages of 2.2% along with a 1.2% rise for Sheltered Amenity charges were outlined in the report.

During discussion of this item, Members of the Committee raised concerns in relation to the increase in rent arrears. The Assistant Director highlighted the potential future risks associated with the roll out of Universal Credit. The

importance of closer liaison with the Department for Work and Pensions was raised as help prevent further rent arrears.

It was agreed:

That the report be noted.

OSC.717 TREASURY MANAGEMENT STRATEGY AND PRUDENTIAL INDICATORS 2015/2016

The Leader of the Council and Cabinet Member for Finance submitted a report setting out the suggested Strategy for 2015/2016 in respect of the following aspects of the Treasury Management Function:-

- Treasury limits in force which will limit the Treasury risk and activities of the Council
- Prudential and Treasury Indicators
- The current treasury position
- Prospects for interest rates
- The borrowing strategy
- The borrowing requirement
- Debt re-scheduling
- The investment strategy
- The minimum Revenue Provision Policy

The primary objective of the Council's Treasury Management Function would continue to be the minimisation of financing costs whilst ensuring the stability of the Authority's long-term financial position by borrowing at the lowest rates of interest and by investing surplus cash to earn maximum interest, all at an acceptable level of risk.

The overall strategy for 2015/16 would be to finance capital expenditure by running down cash/investment balances and using short term temporary borrowing rather than more expensive longer term loans.

It was agreed:

That the report be noted.

COUNCILLOR GARTSIDE
Chair

(The meeting started at 7pm and ended at 8.30pm)

SCRUTINY REPORT

MEETING: **OVERVIEW AND SCRUTINY COMMITTEE**

DATE: **24th MARCH 2015**

SUBJECT: **PETITION REVIEW**

REPORT FROM: **Leigh Webb – Principal Democratic Services Officer**

1.0 BACKGROUND

- 1.1 Bury Council received a petition on 15th December containing the following wording:
- 1.2 " Bury Council is trying to close Butterstile, Toodle Hill, Daisyfield, High Meadow, Moorside, Stepping Stones and Ramsbottom Children's Centres. We the undersigned implore the Council to keep these crucial centres open. Children's Centres are lifelines for so many. The plans will cut children's centres from the most deprived areas. This will therefore hit the most vulnerable. The plans state the development of a "hub" service, i.e. a few centralised centres of activity which will be inaccessible to most without a car. More families, mums, dads and children will be far more isolated leading to less contact with vital links to family wellbeing. This can only lead to a deterioration in the health and wellbeing of under 5's and their families."
- 1.3 As the petition contained in excess of 2,500 signatures from people who live, work or study in Bury, it was referred to the Cabinet Member for Children and Young People who decided to refer the petition for consideration at the meeting of Council held on 28th January 2015

2.0 ISSUES

- 2.1 The above petition is before the Committee following a request from the organiser for a review of the way the Petition has been dealt with by the Council. This right of review is set out in the current Petitions Procedure which is appended to this report.
- 2.2 The Petition organisers' dissatisfaction with the way the Petition was dealt with relates to the fact that, in considering the matter at Full Council on 28th January 2015, no debate was permitted to take place.
- 2.3 The right to have the matter debated was set out in the Council's Petitions procedure which was in place at the time of the Petition being instigated in late August 2014. However during the period between the petition being started

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and it being submitted on 15th December, Bury's Petitions Procedure had been reviewed and amended. As such, the petition was dealt with under the new arrangements which stipulate that a petition containing 2500 will be submitted to Full Council with the petition organiser given 5 minutes to present. The new procedures require Council to agree a response to the petition and if there is no agreement then the appropriate Cabinet Member will be invited to respond by way of a recommended course of action; which will then be seconded and put to the vote without debate.

- 2.4 The Council's petition procedure was reviewed by the Council's Democratic Arrangements Forum in November 2014 and subsequently amended on December 11th 2014.
- 2.5 The review of the procedures was prompted by a previous petition submitted in September concerning refuse collection, where debate did not take place as the petition organiser failed to turn up to the meeting. The new arrangements sought to address this eventuality.
- 2.6 Furthermore, this presented an opportunity for Members to consider the general requirement for a petitions scheme as the provisions of the Local Democracy, Economic Development and Construction Act 2009 had since been repealed through the Localism Act 2011 and the Council is no longer required by law to have a Petition Scheme or an e-petitions facility.
- 2.7 The decision with regard to "Alternative Services: Under 5's" was taken by Cabinet on 21 January 2015 and the report before Members contained reference to the on-line petition.
- 2.8 Copies of relevant documents and correspondence, in chronological order, are appended to this report to assist Members in deciding on a course of action.

3.0 CONCLUSION

- 3.1 Members are requested to determine the outcome of the Petition Review in accordance with Section 6 of the current petitions procedure

Appendices

- Appendix 1 - Petitions Scheme (pre 11.12.14)
- Appendix 2 - Democratic Arrangements Forum – Minutes 4 November 2014
- Appendix 3 - Delegated Decision Form
- Appendix 4 - Current Petitions Scheme
- Appendix 5 - Acknowledgement Letter
- Appendix 6 - Summary of email correspondence

Contact Details:-

Leigh Webb
Principal Democratic Services Officer
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Email: l.m.webb@bury.gov.uk

Bury Council Petition Arrangements

These petition arrangements enable members of the public to have direct influence on the political process and to raise concerns that are important to them.

Members of the public can submit petitions on the following:-

- Issues relating to the Council's responsibilities.
- Issues which affect the borough of Bury or its communities, as long as the Council is in a position to exercise some degree of influence.
- Anything relating to an improvement in the economic, social or environmental well-being of the borough to which any of the Council's partners could contribute.

The Council will respond to all the petitions it receives. We will be as flexible as we can when handling your petition so that it is considered quickly and in the most appropriate way.

Essentially there are three types of petitions:

- **“Ordinary” petitions**

These must be signed by at least 50 people but the Council will use its discretion where there are fewer than 50 signatories in cases where there is clear local support for action (e.g. where the residents of a small community have petitioned for traffic calming measures)

- **Petitions requiring debate**

Petitions which contain 2500 signatures or more will be debated by the full council

- **Petitions to hold council employees to account**

Petitions which call for evidence from a senior council employee and have at least 1,500 signatures will trigger that response.

1. Submitting a petition

Petitions can be sent or presented to the council offices. The petition organiser will receive an acknowledgement from the council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition.

A petition is defined as a communication in writing which is signed by the appropriate number of qualifying persons. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

Paper petitions can be delivered to: Democratic Services
Bury Council
Knowsley Street
Bury, BL9 0SW

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If you wish to present your petition to a particular meeting, please contact Democratic Services on 0161 253 5041 at least 10 working days before the meeting and they will talk you through the process.

Petitions submitted to the council must include a clear and concise statement covering the subject of the petition. It should state:-

- What action the petitioners wish the Council to take
- The name and address and signature of any person supporting the petition (the address can be an address where a signatory lives, works or studies within Bury)

Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, we will contact the first signatories to the petition to agree who should act as the petition organiser.

Petitions must include a signature and the signatory's name and address. This can be an address where the signatory lives, works or studies within Bury.

Before submitting a petition you should first check with your local councillor or with the Council so see if the Council is already acting on your concerns and that the Council is the most appropriate body to receive your petition as sometimes your petition may be more appropriate for another public body.

2. Who can submit a petition?

Anyone who lives, works or studies in Bury (including under 18s) can sign or organise a petition.

3. Are there any petitions which the Council cannot accept?

We believe that the vast majority of petitions we receive will be accepted but in certain circumstances petitions may not be accepted, including:-

- If the petition applies to a planning application, certain licensing matters, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal or a separate complaints process.
- Any petition which we consider to be vexatious, abusive or otherwise inappropriate. We will explain the reasons for this in our acknowledgement of the petition.
- Where a person or organisation (or someone on their behalf) has submitted a petition which is the same or substantially the same as one submitted within the previous 12 months.

If we decide that a petition is not acceptable then we will let the petition organiser know our reasons.

If a petition relates to the responsibilities of one of our partners then, within 10 working days of its receipt, the petition will be forwarded to that authority/organisation for them to deal with, unless the petition relates to an improvement in the economic, social or environmental well-being of the Borough. In those cases the petitions will be considered under the Council's arrangements.

It may be inappropriate for the Council to deal with certain petitions during periods when it is subject to restrictions immediately before elections or referendums. In

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these circumstances, the petition organiser will be informed of the date when the petition will be considered, or when material relating to it will be published on the Council's website.

4. What will the Council do when it receives a petition?

We will acknowledge the petition within 10 working days of receiving it and let the petition organiser know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on the Bury Council website.

If the petition needs more investigation, we will tell you the steps we plan to take.

In the majority of cases the petition will be considered by the appropriate Cabinet Member or Local Area Partnership.

Depending on the subject matter your petition may be submitted to the Council, the Cabinet, a Local Area Partnership or the Council's Scrutiny Committee (Internal)*. There are two exceptions to this:-

- If your petition contains more than 2500 signatures then it must be debated by the Council.
- If your petition is asking for a senior council employee to give evidence at a public meeting then it will be considered by the Council's Committee (Internal), provided it contains at least 1,500 signatures.

**The Scrutiny Committee (Internal) is a committee of councillors who are responsible for scrutinising the work of the council – in other words, the scrutiny committee has the authority to hold the Council's decision makers to account.*

5. Full Council debates

If a petition contains more than 2500 signatures it will be debated by the full Council unless it is a petition asking for a senior Council employee to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting.

The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes. The council will decide how to respond to the petition at this meeting and this could include:-

- taking action as requested in the petition;
- not taking the action requested for reasons put forward in the Council debate;
- referring the issue to the Leader/Cabinet
- commissioning further investigation into the matter.

The petition organiser will receive written confirmation of this decision which will also be published on the Bury Council website.

6. Evidence from senior Council employees

Your petition may ask for a senior Council employee to give evidence at a public meeting about something for which they are responsible as part of their job. For example, your petition may ask a senior Council employee to explain progress on an issue, or to explain the advice given to elected members to enable them to make a

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particular decision. The petition must relate to the employee's job, it cannot relate to their personal circumstances or character.

If your petition contains at least 1,500 signatures, the relevant employee will give evidence at a public meeting of the council's Scrutiny Committee (Internal). This will happen within 30 days of the petition being accepted.

Only the following senior employees of the Council can be called to give evidence

- Chief Executive
- Deputy Chief Executive
- Assistant Chief Executive
- Executive Director Environment and Development Services
- Executive Director Children and Young People's Service
- Executive Director of Adult Social Services

The Scrutiny Committee (Internal) may decide that it would be more appropriate for another member of staff to give evidence instead of any person named in the petition – for instance if the person has changed jobs. The Committee may also decide to call the relevant councillor to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the committee by contacting the Head of Democratic Services up to three working days before the meeting.

After the meeting, the Committee will submit a report to the Leader or appropriate Cabinet Member. The petition organiser will receive a copy of this report.

7. How will the Council respond to petitions?

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:-

- taking the action requested in the petition;
- considering the petition at a Council meeting;
- holding an inquiry into the matter;
- undertaking research into the matter;
- holding a public meeting;
- carrying out consultation;
- holding a meeting with the petitioners;
- referring the petition for consideration by the council's Scrutiny Committee (Internal);
- writing to the petition organiser setting out our views about the request in the petition.

To ensure that people know what we are doing in response to the petitions we receive, the details of all the petitions submitted to us will be published on the Bury Council website. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

If your petition is about something over which the Council has no direct control (for example a local hospital) we will consider making representations on behalf of the community to the relevant body. Through Team Bury, the Council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with council policy), then we will set out the reasons for this to you.

If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. It might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

8. Right of Review

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Overview Management Committee review the steps that the council has taken in response to your petition.

The Overview Management Committee will consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the Committee decide that the Council has not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Leader/Cabinet or arranging for the matter to be considered at a meeting of the full Council.

Once the appeal has been considered the petition organiser will be informed of the results within seven days. The results of the review will also be published on the Bury Council website.

9. Is there anything else I can do to have my say?

Bury Council will try to identify and solve problems at an early stage. We welcome any feedback as this helps us to review and develop the services Bury Council provides. We recognise that petitions are just one way in which people can let us know about their concerns. There are a number of other ways in which you can have your say including

- Writing to the appropriate Head of Service or Executive Director
- Attending one of the Council's Local Area Partnerships to raise an issue of local concern
- Contacting your local councillor
- Making a suggestion and submitting a complaint through the Council's comments/complaints/suggestions system. This can be done in writing or online at:- www.bury.gov.uk

June 2010

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**DEMOCRATIC ARRANGEMENTS FORUM
TUESDAY, 4 NOVEMBER 2014**

In attendance:	Councillor M Connolly (in the Chair) The Mayor (Councillor M Wiseman – Chair of Standards Committee)
Officers:	M Kelly – Chief Executive J Hammond – Assistant Director of Legal and Democratic Services C Shillitto – Head of Democratic Services
Apologies for Absence	Councillors I Gartside and S Walmsley

1. PETITIONS PROCEDURE

The Forum considered the current Petitions Arrangements which had been established in June 2010 in response to the Democracy, Economic Development and Construction 2009. The Act had also required the introduction of an E Petitions Procedure by December 2010.

Under the legislation, the Scheme had to define 3 categories of petition:

Ordinary Petition – Set at 50 signatures;
Petitions requiring Council debate – set at 2500
Petitions holding Council employees to account – set at 1500

These requirements are no longer statutory following the introduction of the Localism Act and this, together with recent experiences with regard to on-line petitions, make it opportune to revisit the procedure and consider potential adjustments.

It was agreed that Council be recommended to introduce the following changes to the Petitions Procedure:-

1. Delete the requirement to hold employees to account.
2. The provision to have a petition brought before Council be retained but with the proviso that the system enables the petition to be considered initially by the appropriate Cabinet Member; and to be referred to a Township Forum if it relates to a specific ward issue.
3. Clarification as to the procedure where a petition is brought before Council for debate. The petition organiser is to be given five minutes to present the petition. Council is to agree a response that would best resolve the matter/s raised by the Petition and if there is no agreement, the Mayor will ask the Cabinet Member for a proposed response to the Petition; which is to be seconded and then put to the vote without debate.
4. If the petition organiser gives notice that he/she is unable to attend the meeting where the Petition is to be considered, an authorised representative, who is a signatory to the petition, may present the petition on their behalf. If the petition organiser does not turn up and does not nominate an authorised representative then consideration of the petition will not take place.
5. That a time limit of a maximum of three months be introduced with regard to on-line petitions.

6. The verification figure in respect of petitions requiring debate at Council be set at 10%.
7. That the following provision be introduced to the procedure:
***"Paper petitions must include a signature and a signatories name and address. This can be an address where the signatory lives, works or studies.
If the petition is in electronic form it must be made using the Council's e-petitions facility."***

COUNCILLOR M CONNOLLY
Chair


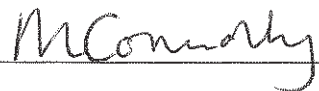
(Note: The meeting started at 5.00 pm and ended at 5.40 pm.)

**OFFICER DELEGATION SCHEME
RECORD OF OPERATIONAL DECISION**



TO BE UPLOADED TO THE E-MEETINGS MANAGER

Date: 11 December 2014	Ref No:
Type of Operational Decision:	
Executive Decision <div style="display: inline-block; border: 1px solid black; padding: 2px 10px; margin-left: 10px;">Yes</div>	Council Decision <div style="display: inline-block; border: 1px solid black; width: 150px; height: 25px; margin-left: 10px;"></div>
Status: For Publication	
Title/Subject matter: PETITIONS PROCEDURE To approve the attached revised Petitions Procedure.	
Budget/Strategy/Policy/Compliance – Is the decision:	
(i) within an Approved Budget	Yes
(ii) not in conflict with Council Policy	No
(iii) not raising new issues of Policy	No
Equality Analysis [Does this decision change or make policy; change or make procedure or working practice? An Equality Analysis must be completed to assess the impact on equality and the relevance of the Public Sector Equality Duty. This should be signed off by your departmental equality representative and accompany this decision form. Please forward a copy to the Equality email for publication].	N/A

Decision taken by:	Signature:	Date:
Director or Chief/Senior Officer		15 December 2014
Members Consulted [see note 1 below]		
Cabinet Member/Chair		15/12/14
Lead Member		
Opposition Spokesperson		

Notes

1. It is not generally a requirement to consult with any Members on Operational Decisions but where a Chief Officer considers it necessary to consult with the appropriate Cabinet Member and/or Lead Member, they must sign the form so as to confirm that they have been consulted and that they agree with the proposed action. The signature of the Opposition Spokesperson should be obtained to confirm that he/she has been consulted.
2. **This form must not be used for urgent decisions.**

Details of Operational Decision Taken *[with reasons]*:

The current Petitions Arrangements had been established in June 2010 in response to the Democracy, Economic Development and Construction 2009. The Act had also required the introduction of an E Petitions Procedure by December 2010.

Under the legislation, the Scheme had to define 3 categories of petition:

- Ordinary Petition – Set at 50 signatures;
- Petitions requiring Council debate – set at 2500
- Petitions holding Council employees to account – set at 1500

These requirements are no longer statutory following the introduction of the Localism Act and this, together with recent experiences with regard to on-line petitions, make it opportune to revisit the procedure and consider potential adjustments.

In line with recommendations made by the Democratic Arrangements Forum, the following changes be introduced to the Petitions Procedure:-

1. Delete the requirement to hold employees to account.
2. The provision to have a petition brought before Council be retained but with the proviso that the system enables the petition to be considered initially by the appropriate Cabinet Member; and to be referred to a Township Forum if it relates to a specific ward issue.
3. Where a petition is brought before Council for debate, the petition organiser be given five minutes to present the petition. Council is to agree a response that would best resolve the matter/s raised by the Petition and if there is no agreement, the Mayor will ask the Cabinet Member for a proposed response to the Petition; which is to be seconded and then put to the vote without debate.
4. If the petition organiser gives notice that he/she is unable to attend the meeting where the Petition is to be considered, an authorised representative, who is a signatory to the petition, may present the petition on their behalf. If the petition organiser does not turn up and does not nominate an authorised representative then consideration of the petition will not take place.
5. A time limit of a maximum of three months be introduced with regard to on-line petitions.
6. The verification figure in respect of petitions requiring debate at Council be set at 10%.
7. The following provision be introduced to the procedure:
***"Paper petitions must include a signature and a signatories name and address. This can be an address where the signatory lives, works or studies.
If the petition is in electronic form it must be made using the Council's e-petitions facility."***

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Bury Council - Petition Arrangements

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- Issues relating to the Council's responsibilities.
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The Council will respond to all the petitions it receives. We will be as flexible as we can when handling your petition so that it is considered quickly and in the most appropriate way.

Essentially there are two types of petitions:

- **"Ordinary" petitions**

These must be signed by at least 50 people but the Council will use its discretion where there are fewer than 50 signatories in cases where there is clear local support for action (e.g. where the residents of a small community have petitioned for traffic calming measures)

- **Petitions requiring consideration by a Cabinet Member**

Petitions which contain 2500 signatures or more will first be subject to a 10% verification and then considered by the appropriate Cabinet Member who may choose to deal with the petition personally; or refer the petition to the appropriate Township Forum; or refer the petition for submission to Council.

1. Submitting a petition

Petitions can be sent or presented to the Council offices or if in electronic form it must be submitted using the Council's E-Petition on-line facility. The petition organiser will receive an acknowledgement from the council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition.

A petition is defined as a communication in writing which is signed by the appropriate number of qualifying persons. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

Paper petitions can be delivered to: Democratic Services
Bury Council
Knowsley Street
Bury, BL9 0SW

E petitions can be accessed through the Council's web site using the following link:
<http://www.bury.gov.uk/index.aspx?articleid=3819>

Petitions submitted to the Council must include a clear and concise statement covering the subject of the petition. It should state:-

- What action the petitioners wish the Council to take
- The name and address and signature of any person supporting the petition (the address can be an address where a signatory lives, works or studies within Bury)

Petitions must be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, we will contact the first signatories to the petition to agree who should act as the petition organiser.

Petitions must include a signature and the signatory's name and address. This can be an address where the signatory lives, works or studies within Bury.

Before submitting a petition you should first check with your local councillor or with the Council so see if the Council is already acting on your concerns and that the Council is the most appropriate body to receive your petition as sometimes your petition may be more appropriate for another public body.

Paper petitions must include a signature and a signatories name and address. This can be an address where the signatory lives, works or studies.

2. Who can submit a petition?

Anyone who lives, works or studies in Bury (including under 18s) can sign or organise a petition.

3. Are there any petitions which the Council cannot accept?

We believe that the vast majority of petitions we receive will be accepted but in certain circumstances petitions may not be accepted, including:-

- If the petition applies to a planning application, certain licensing matters, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal or a separate complaints process.
- Any petition which we consider to be vexatious, abusive or otherwise inappropriate. We will explain the reasons for this in our acknowledgement of the petition.
- Where a person or organisation (or someone on their behalf) has submitted a petition which is the same or substantially the same as one submitted within the previous 12 months.

If we decide that a petition is not acceptable then we will let the petition organiser know our reasons.

If a petition relates to the responsibilities of one of our partners then, within 10 working days of its receipt, the petition will be forwarded to that authority/organisation for them to deal with, unless the petition relates to an improvement in the economic, social or environmental well-being of the Borough. In those cases the petitions will be considered under the Council's arrangements.

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It may be inappropriate for the Council to deal with certain petitions during periods when it is subject to restrictions immediately before elections or referendums. In these circumstances, the petition organiser will be informed of the date when the petition will be considered, or when material relating to it will be published on the Council's website.

4. Petitions containing more than 2500 signatures

If a petition contains more than 2500 signatures it will be considered in the first instance by the appropriate Cabinet Member. If the Cabinet Member decides that the petition is best dealt with by the appropriate Township Forum, the petition organiser will be notified of the date and time of the meeting and invited to attend.

If the Cabinet Member determines that the petition should be submitted to Council then the petition organiser will be informed of the date and time of the meeting and he/she will be given five minutes to present the petition at the meeting. The Council will agree a response to the petition and if there is no agreement then the appropriate Cabinet Member will be invited to respond by way of a recommended course of action; which will then be seconded and put to the vote without debate. The recommended course of action could include:-

- taking action as requested in the petition;
- not taking the action requested for reasons put forward by the Cabinet Member;
- referring the issue to the Leader/Cabinet
- commissioning further investigation into the matter.

The petition organiser will receive written confirmation of this decision which will also be published on the Bury Council website.

If the petition organiser gives notice that he/she is unable to attend the meeting where the Petition is to be considered, an authorised representative, who is a signatory to the petition, may present the petition on their behalf. If the petition organiser does not turn up and does not nominate an authorised representative then consideration of the petition will not take place.

5. How will the Council respond to petitions?

In addition to the process set out in 4 above, our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:-

- taking the action requested in the petition;
- holding an inquiry into the matter;
- undertaking research into the matter;
- holding a public meeting;
- carrying out consultation;
- holding a meeting with the petitioners;
- referring the petition for consideration by the Council's Scrutiny Committee;
- writing to the petition organiser setting out our views about the request in the petition.

If your petition is about something over which the Council has no direct control (for example a local hospital) we will consider making representations on behalf of the community to the relevant body. Through Team Bury, the Council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the

petition calls for conflicts with council policy), then we will set out the reasons for this to you.

If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. It might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

6. Right of Review

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Overview and Scrutiny Committee review the steps that the council has taken in response to your petition.

The Overview and Scrutiny Committee will consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the Committee decide that the Council has not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Leader/Cabinet or arranging for the matter to be considered at a meeting of the full Council.

Once the appeal has been considered the petition organiser will be informed of the results within seven days. The results of the review will also be published on the Bury Council website.

7. Online Petitions (e Petitions)

An e-Petition is a petition which collects signatures online, and is available to anyone who lives, works or studies in Bury. The system allows you to complete an on-line petition form or allows you to access an ongoing petition. E-petitions will remain live for a period of up to 3 months.

8. Is there anything else I can do to have my say?

Bury Council will try to identify and solve problems at an early stage. We welcome any feedback as this helps us to review and develop the services Bury Council provides. We recognise that petitions are just one way in which people can let us know about their concerns. There are a number of other ways in which you can have your say including

- Writing to the appropriate Head of Service or Executive Director
- Attending one of the Council's Local Area Partnerships to raise an issue of local concern
- Contacting your local councillor
- Making a suggestion and submitting a complaint through the Council's comments/complaints/suggestions system. This can be done in writing or online at:- www.bury.gov.uk

Our Ref CS/Petitions
Your Ref
Date 18 December 2014
Please ask for Chris Shillitto
Direct Line 0161 253 5041
Direct Fax 0161 253 5132
E-mail c.shillitto@bury.gov.uk

Department for
Resources and Regulation

Jayne Hammond LLB (Hons) Solicitor
Assistant Director
Legal & Democratic Services

Pauline Minsky



Dear Ms Minsky

Petition – Children’s Centres

Thank you for your petition which you delivered to the Town Hall on Monday 15 December 2015.

Under the Petitions Procedure, and as your petition contains in excess of 2,500 signatures, I will undertake a 10% verification which will be done against the Electoral Register. Once this has been undertaken, the petition if deemed acceptable, would then in the first instance be considered by the appropriate Cabinet Member. The Cabinet Member may choose to deal with the petition personally; or refer the matter to a Township Forum; or refer the matter for consideration by full Council.

I will write to you further following the verification process.

Yours Sincerely

CHRIS SHILLITTO
HEAD OF DEMOCRATIC SERVICES

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SUMMARY OF E MAIL CORRESPONDENCE BETWEEN HEAD OF DEMOCRATIC SERVICES AND PETITION ORGANISERS

1. E mail from Pauline Minsky to HDS - 19 December 2014

Thank you for your letter received today concerning the petition handed in by me on Monday 15th December regarding the potential closure of Children's Centres in Bury.

I am very disappointed by your response as it is incorrect. Bury Council's website clearly states that if a petition has over 2500 signatures then it becomes a petition that requires debate at council. I refer specifically to your Frequently Asked Questions page (link given below for your information) which states (copied and pasted from Bury Council's website)

Petitions calling for a debate - these petitions will contain at least 2500 signatures or more and will be debated by the full Council. The petition organiser will be given five minutes to present their petition at the meeting this will be followed by a discussion by Councillors for fifteen minutes and then a decision will be taken on how to respond to the petition request. This could include:
Taking action as requested in the petition;
Not taking the action requested for the reasons put forward in the Council debate;
Referring the issue to the Leader/Cabinet Member;
Commissioning further investigation.

<http://www.bury.gov.uk/index.aspx?articleid=2920>

Therefore, it is incorrect to state in your letter that the petition should be first considered by the appropriate cabinet member and may choose to deal with the petition in an alternative manner. It clearly states above that the matter should be referred to council for a fifteen minute discussion and then a decision will be taken on how to respond to the petition.

Please provide immediate clarification on this matter.

On a separate note, of course I understand that you have to follow internal checking procedures on the petition, which is a separate issue. On this note I wish to add that people who have signed the petition who work or study in Bury will not be on the Bury electoral register and furthermore any person who has signed the petition who studies in Bury will not be on the electoral register if they are under eighteen (nowhere does it state that you have to be over eighteen years of age to sign the petition). So using the electoral register as a way of checking the accuracy of the signatures as stated in your letter (attached) will not work. As a separate matter please provide clarification on this

as this does not correspond with the information given on the website about petitions.

Please give immediate clarification by email on the above points.

2. E Mail response from HDS – 22 December 2014

Dear Ms Minsky

Could I first of all apologise that our petition procedures have been updated recently and we are currently in the process of updating our web site to incorporate these changes.

The reason for the change is to bring the petitions procedure up to speed with current legislation. The arrangements which you refer to were brought in by the previous government and were specific in terms of the categories of petition, which included a petition being the subject of debate when a particular threshold was reached. Under the Localism Act, local authorities have been given flexibility in drawing up arrangements for dealing with petitions and there is therefore no legislative requirement to hold a Council debate along the previous lines. However, the current arrangements do not rule this out as an option but refer the petition to the Cabinet Member first for determination. As such, the options outlined in my e mail reflect the current arrangements for dealing with a petition containing in excess of 2500 signatures.

The 10% verification figure has again been introduced recently as part of the revised arrangements for dealing with petitions. I fully accept that anyone who works or studies in Bury is entitled to sign a petition and as such we would not use the electoral register as definitive. We would reasonably expect such people to live in the vicinity of Bury and we are able to check that the postcodes are consistent with this.

Again, I apologise that we are still in the process of updating our website. I am not in the office today but will be tomorrow if you wish to contact me to clarify any issues.

3. E Mail from Pauline Minsky – 22 December 2014

Thank you for your email. I note its contents and am frankly astonished by what you say. I reserve my position as to the contents of your email but I would like to point out that those guidelines which you now state are incorrect and out of date have been displayed on the council's website for a very considerable period, not least the past 13 weeks since the petition was registered. I suggest that the principles of fairness and reasonableness demand that the council follows those guidelines. I am copying in Councillor Campbell as the relevant cabinet member in the hope that the situation can be resolved as a matter of urgency.

4. E Mail from HDS – 23 December 2014

I have been contacted by Councillor Campbell who has made the decision to refer your petition to Council on 28 January 2015. I will contact you further following verification to go through the procedure for dealing with it at Council. Essentially the petition organiser is given 5 minutes to present the petition. The meeting commences at 7pm and this item will be placed near the top of the agenda. If as petition organiser you were unable to be present you may nominate another signatory to take your place.

5. E Mail from HDS – 20 January 2015

Just to confirm arrangements for Council to consider your petition at its meeting on 28 January 2014 at 7pm. You will be directed to the public gallery.

Under the procedure you will be given five minutes to present your petition. It is then for the Council to agree a response to the petition and if there is no agreement then the Cabinet Member will be invited to respond by way of a recommended course of action. This will be seconded and put to the vote without debate. The recommended course of action could include:

- Taking action as recommended in the petition;
- Not taking the action requested for reasons put forward by the Cabinet Member;
- Referring the issue to the Leader/Cabinet;
- Commissioning further investigation into the matter.

Could you please confirm that you will be attending to present the petition.

6. E Mail from Sian Crosby to HDS – 29 January 2015

I write to express my serious concerns as to the procedures followed at the full council meeting last night regarding the children's centres petition.

At the time that the petition was created the online guidance was clear and unambiguous. A petition which obtained 2500 or more qualifying signatures would be presented at a full council meeting AND TIME WOULD BE ALLOWED FOR COUNCIL MEMBERS TO DEBATE IT. You will be aware that last night no such debate followed the presentation of the petition even though this issue was raised by an elected council member.

Our petition was submitted on 15th December 2014. Some time after this we were advised that the rules governing petitions had changed. I do not believe however that the website even at this point has been updated to reflect this. In any event we were notified that the matter would proceed to full council. We therefore understood that the procedure published as being in place at the time

that the petition was created would be followed and attended last night believing that the council would debate this matter.

In order to assist in moving forward, please provide the following by return:

1. The date that you became aware that the petition procedure had changed
2. The date upon which the petition guidelines on the website were updated.
3. The date upon which the petition organiser was notified of the change in procedure, together with a copy of that communication
4. The date upon which the petition organiser was informed that the matter would not be debated by full council, together with a copy of that communication.

I believe that I am entitled to this information under the Freedom of Information Act.

It seems to me that, as at the time the petition was created and signed the procedure on the website required a full council debate, and as we were not notified of any changes to the procedure until after the petition had been submitted, if at all, a legitimate expectation was created that a full debate would ensue . The fact that it has not is in all the circumstances unfair, unjust and unreasonable. I suggest that the only appropriate remedy therefore is for this matter to be debated at the next full council meeting.

I look forward to receiving your agreement to this course of action with the utmost urgency.

7. E Mail Response from HDS – 13 February 2015

To put this into context, I would advise that petitions submitted to a local authority have traditionally been presented to the full Council by one of the Council members. The procedure is followed so that the Council as a whole may have knowledge of the petition and so that members of the public can be assured their petitions have been received by the Council. This was changed by legislation which set out specifically how petitions should be dealt with but this has now gone. Practice now varies, but as a general a rule no speech or debate is permitted on the petition either on notice by a member or automatically under the rules of the meeting as the Petition should be referred to the appropriate officer or Cabinet Member for consideration. This is to prevent the petition being used politically. In summary, it is now felt that the new arrangements clarify the purpose of the petition and role of the Council and Cabinet Member in considering petitions.

It was also the case that the decision had been taken at Cabinet and the petitions had been taken into account by Cabinet members when coming to their decision.

Dealing with points 1 to 4:

1. The Petitions Procedure was reviewed at a meeting of the Democratic Arrangements Forum which took place on 4 November 2014. Membership of this Forum includes the Political Group Leaders. The procedure was updated following the meeting as a draft and was subject to further e mail correspondence and update prior to being approved on 11 December 2015.
2. The Web Guidance (Frequently Asked Questions) was updated on 19 December 2014.
3. The Letter of Acknowledgement informed the Petition Organiser that the petition would be referred in the first instance to appropriate Cabinet Member, which is in line with the new procedure. (Copy of letter attached) The petition organiser was then e mailed on 22 December 2014 explaining the reason for the change in procedure and on 23 December 2014 explaining that the Cabinet Member had agreed that the matter be referred for consideration at Council (copies attached).
4. The Petition Organiser was informed as to the procedure to be followed at Council (copy of e mail attached). This states that:

"Under the procedure you will be given five minutes to present your petition. It is then for the Council to agree a response to the petition and if there is no agreement then the Cabinet Member will be invited to respond by way of a recommended course of action. This will be seconded and put to the vote without debate. The recommended course of action could include:

- Taking action as recommended in the petition;
- Not taking the action requested for reasons put forward by the Cabinet Member;
- Referring the issue to the Leader/Cabinet;
- Commissioning further investigation into the matter."

With regard to your request for the matter to be debated at a future meeting of Council, following consultation with senior members and officers we do not feel able to concur with your request, given that there has already been extensive consultations and concessions made against the original proposals; and given the need to set the budget later this month. It is fully acknowledged that your petition was ongoing at the time that changes to the petitions procedure were being discussed and subsequently implemented. These changes were based upon a need to review the procedure in light of legislative changes and in light of experience which demonstrated anomalies in the existing procedure. Whilst it is acknowledged that there was a delay in updating the Petitions website, at the time that your petition was handed in then the new procedure was in operation. It would not therefore in our view have been appropriate to have done anything other than apply the new procedure in dealing with your petition.

8. E Mail from Sian Crosby to HDS – 19 February 2015

Thank you for your email and for the information you have provided to me. I do not wish to continue in protracted correspondence about this issue but I do feel that the Council's actions have fallen below the mark of reasonableness and that the decision not to debate this matter is unfair to the people who gave up hours of their time to obtain signatures on the petition and to the 3000 Bury residents who signed the petition on the understanding that it would prompt the matter to be debated in council.

From the answers provided in your email I now understand the time line to be as follows.

- The Localism Act 2011 repealed the requirement for councils to adopt a statutory petition scheme. This Act came into force in 2012.
- Bury Council did not review its petition arrangements until November 2014, over two years after the relevant law came into force.
- At the time the council reviewed the petition arrangements, the children's centre petition was one of a very small number of live petitions registered with the council, it having been created in late August/early September 2014.
- At the time the petition was created, the guidance on the website clearly stated that a petition that attracted 2500 or more signatures would prompt a full debate in Council.
- The Council did not notify the Petition Organiser that the petition arrangements were under review either at the time of the review in November 2014 or at the time the new arrangements were approved on 11th December 2014. The Petition Organiser was not in fact notified of the change in law until 22nd December 2014.

- The petition was submitted on 15th December 2014
- The website guidance was not updated until 19th December 2014.
- During the time from the creation of the petition until it was submitted on 15th December 2014, the campaigners and signatories were therefore under the impression that a full debate would ensue if 2500 signatures or more were obtained.
- During the time that the petition was active both councillors and council officers were aware that it was the intention of the campaigners to obtain 2500 signatures to prompt the full council debate, it having been discussed at a meeting with Ivan Lewis MP on 24th October attended by Councillors Rishi Shori, Gill Campbell, Jane Black and Paddy Heneghan and council officers Ian Chambers and Sue Reynolds. It was also referred to at the Prestwich Township Forum meeting in November 2014.
- On or after 18th December 2014 the Petition Organiser was sent an acknowledgement letter setting out the next steps. This letter did not explain the procedural change.
- On 23rd December the petition Organiser was notified that Councillor Campbell had decided the matter would be referred to council. Your email states as follows: "I have been contacted by Councillor Campbell who has made the decision to refer your petition to Council on 28 January 2015. I will contact you further following verification to go through the procedure for dealing with it at Council. Essentially the petition organiser is given 5 minutes to present the petition. The meeting commences at 7pm and this item will be placed near the top of the agenda. If as petition organiser you were unable to be present you may nominate another signatory to take your place". No mention is made in this email that the petition would not be debated.
- On 20th January 2015, you emailed the Petition Organiser to confirm arrangements for that meeting. The body of the email states as follows: "Under the procedure you will be given five minutes to present your petition. It is then for the Council to agree a response to the petition and if there is no agreement then the Cabinet Member will be invited to respond by way of a recommended course of action. This will be seconded and put to the vote without debate. The recommended course of action could include....". It appears that this is the first time you stated that the petition would not be debated. Given the context I do not think this constitutes a clear notification – certainly it was not apparent to the Petition Organiser or myself otherwise we would of course have raised this matter with you immediately.

In the light of these facts you have concluded as follows: "Whilst it is acknowledged that there was a delay in updating the Petitions website, at the time that your petition was handed in then the new procedure was in operation. It would not therefore in our view have been appropriate to have done anything other than apply the new procedure in dealing with your petition".

With respect, this conclusion is illogical. There was not just a delay in updating the website. There was a delay in implementing the Localism Act 2011 compounded by a failure to notify the Petition Organiser either that the rules were subject to review or that they had in fact changed. As such, the only fair, logical and reasonable course of action would have been to apply the procedure as stated on the website at the time the petition was created, signed and submitted.

I appreciate that there has been a full consultation and concessions made. But this is not the point. How can the public have confidence in the Council in these circumstances? If you are not prepared to debate this matter, I would suggest at the very least that a public apology is made at the next council meeting both to the campaigners and to those who signed the petition.

In all the circumstances therefore I am afraid that I am not satisfied with your response to my complaint. Please can you therefore advise by return whether there are any further steps in the Council's complaints procedure or whether I should now proceed to take up the matter with the Local Government Ombudsman.

Finally, please can you confirm which councillors and officers were involved in the Democratic Arrangements Forum which discussed the change to the petition procedure on 4th November 2014 and which councillors were involved in approving the procedure on 11th December 2014. Please can you also provide minutes of this meeting and all associated documents. In particular I would like to know what prompted the discussion about petition procedure in November 2014.

I look forward to hearing from you.

9. E Mail Response from HDS – 2 March 2015 (Responses in bold)

- The Localism Act 2011 repealed the requirement for councils to adopt a statutory petition scheme. This Act came into force in 2012. **THIS IS CORRECT.**
- Bury Council did not review its petition arrangements until November 2014, over two years after the relevant law came into force. **THIS IS CORRECT. The Council had a system in place which was the most important thing. I address below what specifically prompted the review and changes to the system in existence.**

- At the time the council reviewed the petition arrangements, the children's centre petition was one of a very small number of live petitions registered with the council, it having been created in late August/early September 2014. **THIS IS CORRECT.**
- At the time the petition was created, the guidance on the website clearly stated that a petition that attracted 2500 or more signatures would prompt a full debate in Council. **THIS IS CORRECT.**
- The Council did not notify the Petition Organiser that the petition arrangements were under review either at the time of the review in November 2014 or at the time the new arrangements were approved on 11th December 2014. The Petition Organiser was not in fact notified of the change in law until 22nd December 2014. **The e mail of 22 December explained the background to the reason behind the change in procedure but the acknowledgement letter of 18 December referred to the fact that the petition would in the first instance be referred to the Cabinet Member.**
- The petition was submitted on 15th December 2014. **THIS IS CORRECT.**
- The website guidance was not updated until 19th December 2014. **THIS IS CORRECT.**
- During the time from the creation of the petition until it was submitted on 15th December 2014, the campaigners and signatories were therefore under the impression that a full debate would ensue if 2500 signatures or more were obtained. **THIS IS ACCEPTED**
- During the time that the petition was active both councillors and council officers were aware that it was the intention of the campaigners to obtain 2500 signatures to prompt the full council debate, it having been discussed at a meeting with Ivan Lewis MP on 24th October attended by Councillors Rishi Shori, Gill Campbell, Jane Black and Paddy Heneghan and council officers Ian Chambers and Sue Reynolds. It was also referred to at the Prestwich Township Forum meeting in November 2014. **I personally was not aware of this and the Children's Centre petition was not considered in the context of updating the Petitions Procedure.**
- On or after 18th December 2014 the Petition Organiser was sent an acknowledgement letter setting out the next steps. This letter did not explain the procedural change. **As stated it explained that the petition in the first instance would be considered by the Cabinet Member.**

- On 23rd December the petition Organiser was notified that Councillor Campbell had decided the matter would be referred to council. Your email states as follows: "I have been contacted by Councillor Campbell who has made the decision to refer your petition to Council on 28 January 2015. I will contact you further following verification to go through the procedure for dealing with it at Council. Essentially the petition organiser is given 5 minutes to present the petition. The meeting commences at 7pm and this item will be placed near the top of the agenda. If as petition organiser you were unable to be present you may nominate another signatory to take your place". No mention is made in this email that the petition would not be debated. **This is accepted. At that stage the exact means of dealing with a petition at Council, under the new arrangements, had not been determined.**
- On 20th January 2015, you emailed the Petition Organiser to confirm arrangements for that meeting. The body of the email states as follows: "Under the procedure you will be given five minutes to present your petition. It is then for the Council to agree a response to the petition and if there is no agreement then the Cabinet Member will be invited to respond by way of a recommended course of action. This will be seconded and put to the vote without debate. The recommended course of action could include....". It appears that this is the first time you stated that the petition would not be debated. Given the context I do not think this constitutes a clear notification – certainly it was not apparent to the Petition Organiser or myself otherwise we would of course have raised this matter with you immediately.

In the light of these facts you have concluded as follows: "Whilst it is acknowledged that there was a delay in updating the Petitions website, at the time that your petition was handed in then the new procedure was in operation. It would not therefore in our view have been appropriate to have done anything other than apply the new procedure in dealing with your petition".

With respect, this conclusion is illogical. There was not just a delay in updating the website. There was a delay in implementing the Localism Act 2011 compounded by a failure to notify the Petition Organiser either that the rules were subject to review or that they had in fact changed. As such, the only fair, logical and reasonable course of action would have been to apply the procedure as stated on the website at the time the petition was created, signed and submitted.

I appreciate that there has been a full consultation and concessions made. But this is not the point. How can the public have confidence in the Council in these circumstances? If you are not prepared to debate this matter, I would suggest at the very least that a public apology is made at the next council meeting both to the campaigners and to those who signed the petition.

In all the circumstances therefore I am afraid that I am not satisfied with your response to my complaint. Please can you therefore advise by return whether there are any further steps in the Council's complaints procedure or whether I should now proceed to take up the matter with the Local Government Ombudsman.

The Petitions Procedure contains a Right of Review which you are at liberty to pursue. I attach a copy of the Petitions Procedure and would refer you to Section 6. In terms of the Complaints Procedure, I would suggest that the Local Government Ombudsman would be the next point of referral.

Finally, please can you confirm which councillors and officers were involved in the Democratic Arrangements Forum which discussed the change to the petition procedure on 4th November 2014 and which councillors were involved in approving the procedure on 11th December 2014. Please can you also provide minutes of this meeting and all associated documents. In particular I would like to know what prompted the discussion about petition procedure in November 2014.

I attach the minutes of the Democratic Arrangements Forum which contain details of those in attendance. I also attach a copy of the Operational Decision Form which agreed to the recommendations made by the DAF.

In terms of what prompted discussion about the Petitions Procedure, the Council had received a petition relating to the three weekly bin collection which was placed on the Council agenda for the meeting on 10 September 2014. The organiser failed to turn up to present the petition which immediately prompted an issue which required addressing. Also, the petition had been organised using Change.org and contained supporters who did not live in Bury and in a few cases, did not live in the UK. This prompted a review and consideration by the Democratic Arrangements Forum, and an opportunity to address whether the procedure overall was in need of revision.

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WARDS AFFECTED: ALL	ITEM No.
REPORT OF: Children's Safeguarding Overview Project Group	
CONTACT OFFICER: Leigh Webb - Principal Democratic Services Officer	
TITLE: INTERIM REPORT – March 2015	

1.0 INTRODUCTION FROM THE CHAIR- COUNCILLOR SOUTHWORTH

- 1.1 Effective safeguarding of children and young people depends on a lot of people in many different roles and organisations working together in partnership. All have an important contribution to make, and the chain can only be as strong as its weakest link. The Working Group has met a wide variety of people in the Council and its partner organisations during this review. We have been re-assured by their commendable sense of partnership, and the universal commitment of everyone to do their very best to safeguard children and young people in the Borough. Whilst acknowledging that no system, however well resourced, can guarantee there will never be instances of children and young people being harmed, a key driver for the Group has been to seek assurances on the processes in place and offer challenge to Senior Officers and practitioners.
- 1.2 The Children's Safeguarding Overview Project Group was asked to review the issues surrounding safeguarding of children and young people with a view to reporting back its findings to the Overview and Scrutiny Committee. The research carried out to date has involved both the examination of technical performance information and in depth questioning and explanation from those actually delivering services on the ground. A useful and pleasing element of the review to date has been building up a picture of how the relevant partners interact, and the challenges faced on a daily basis by staff tasked with protecting some of the most vulnerable people in our society.
- 1.3 This has been a positive and very interesting Scrutiny review to date and it has greatly added to the knowledge and understanding of the Members of the Project Group who have built up a detailed overview of the procedures and processes in place and the issues faced by staff. Going forward it is hoped that focussing in on specific areas will allow

the Group to identify potential recommendations that will support and improve the quality of safeguarding outcomes within the Borough.

- 1.4 There has from early on in the review been a recognition that to time limit a review in to such a vital service area would not be appropriate and the recommendations in this interim report bear out this conclusion.
- 1.5 Finally, I would like to thank the staff and other Elected Members of the Overview Project Group for their attendance at the meetings and visits and their input into the work of the Group.

2.0 PURPOSE OF REPORT

- 2.1 To inform Members of the Overview and Scrutiny Committee of the work, findings and recommendations of the Children's Safeguarding Overview Project Group.

3.0 BACKGROUND

- 3.1 As part of its work programme for 2014/15 the Overview and Scrutiny Committee requested that an Overview Project Group be established to review and consider the following:-

Children's Safeguarding - (outline scope to monitor and challenge performance in relation to the Single Inspection Framework (SIF) Action Plan)

- 3.2 The Membership of the Group comprised of Councillor S Southworth (Chair), Councillors R Caserta, I Gartside, D Jones, S Kerrison, N Parnell and M Whitby.
- 3.3 The Project Group was delegated to agree its own project plan which widened the initial scope of the review to include oversight of the multi agency work associated with safeguarding children and young people. A copy of the Project Plan is set out at Appendix 1 to the report.

4.0 METHODOLOGY

- 4.1 The Group has met on the following occasions:-

4 November 2014
9 December 2014
3 February 2015
9 March 2015

- 4.2 Members of the Group also attended visits to the Multi Agency Safeguarding Hub (MASH) and visited the Advice and Assessment Team within Knowsley Place.

- 4.3 Evidence to assist the Group has been provided from a number of Senior Officers and practitioners, through both written reports and interview sessions, including:

- Jackie Gower – Assistant Director Safeguarding and Social Care
- Martyn Burrell (Strategic Lead – Safeguarding)
- Mike Nugent (Interim Strategic Lead for Quality Assurance and Performance Management)
- Mike Cross (Operation Manager – Youth Offending Team)
- Lisa Bell (Manager MASH/CSE Team)
- Rhiannon Parker (Social Worker – new recruit)
- Leigh Garside (Social Worker – new recruit)
- Sarah Bowden (Social Worker – new recruit)

5.0 WORK UNDERTAKEN BY THE GROUP

5.1 Multi Agency Safeguarding Hub

- 5.2 In considering the issue of safeguarding children, the Group recognised the importance of effective multi-agency working and information sharing in order to secure improved safeguarding outcomes.

- 5.3 A meeting was held at Bury's Multi Agency Safeguarding Hub (MASH), to enable Members of the Group to gain an understanding of the work undertaken and directly question staff on the issues faced on a daily basis.

- 5.4 The MASH was set up to increase the level of protection for Adults and Children, offering a single point of contact for professionals and the public. The Hub is located at Bury Police Station with co-located services including Education, Health, Children's Services, Police, Probation and Housing. Information is able to be effectively shared between agencies to ensure a co-ordinated and consistent response.

- 5.5 Lisa Bell, Interim Team Manager, provided the Group with an overview of the work of the MASH including the following benefits as a result of a multi agency approach to safeguarding:

- Seamless service centred on individual needs
- Greater emphasis on early intervention
- Improved outcomes/targeted resource allocation
- Referral Management – re-referral reduction
- Community Safety

The following indicators are used to measure the success of the service:

- Early identification of vulnerability
- Packages of targeted support delivered

- Improved times between referral and decision
- Minimising referrals or inappropriate interventions
- Fewer incidents of harm escalating or recurring
- Safeguarding interventions are appropriate and proportionate
- Levels of satisfaction with the referral process
- Fewer perpetrators of abuse or neglect re-offending.

5.6 Child Sexual Exploitation (CSE)

5.7 Recent high profile court cases, local inquiries and reports have raised awareness of the extent of child sexual exploitation. The crime has a devastating impact on children, young people and their families and should be a concern for everyone. CSE is largely a hidden crime, and raising awareness of this type of abuse is essential to preventing it and stopping it early when it does happen.

5.8 The Group have been briefed on the work undertaken in Bury to combat Child Sexual Exploitation (CSE) including an outline of the multi agency Bury Phoenix Team. The Phoenix Team deal with cases of young people being sexually exploited and offers a joined up, multi agency approach to dealing with the problem and offers advice, support and guidance to professionals dealing with the issue of CSE.

5.9 An invite has been extended to the Group to attend an event being held on National CSE Awareness Day (18th March). There will be an opportunity to meet the Phoenix team, to help Members understand more about child sexual exploitation, warning signs to look out for, how to address concerns and make a referral. A number of services will be in attendance to promote the multi-agency working around the issue of CSE.

5.10 As part of its future work, the Group has resolved to hold a themed meeting specifically to consider CSE and speak directly to relevant staff. Members are keen to examine Bury's referral rate for CSE and gauge the scale of the issue in Bury, being mindful of the fact that the issue can be a factor within other safeguarding issues

5.11 Advice and Assessment Team

5.12 A visit was arranged to the Advice and Assessment Team sited in Knowsley Place. As part of the February meeting the Group were briefed on the work undertaken in Bury to assess referrals and had the opportunity to question staff members.

During the interviews with staff the following issues were highlighted:

- The importance of effective assessments to prevent re-referrals

- Positive relationship that exists with partners including the screening team at the MASH
- The importance of early help and preventative work.
- The prevalence of domestic violence as a contributory factor in referrals

6.0 PERFORMANCE MONITORING

6.1 Key Performance Indicators

6.2 A large part of the work of the Group has been around monitoring and examining performance data. Regular quarterly updates have been received in respect of key performance indicators for children's safeguarding. The Group have had the opportunity to monitor and examine performance data relating to the following areas:

- Repeat referral rate
- Proportion of completed social care single assessments authorised within 45 days
- Percentage of children becoming the subject of child protection plan for the second or subsequent time
- Number of child protection plans lasting 2 years or more at the data of discharge
- Average caseload in A&A and Safeguarding Teams

Members of the Group are clear about the importance of having up to date meaningful performance information to support safeguarding services. The Group recognise the vital role of the Strategic Lead position and have noted the difficulties in securing a permanent appointment to this role. Reviewing the pay scale for this critical position could be a means of attracting high calibre applicants to fill the role and this is an issue the Group feel warrants consideration.

6.3 Safeguarding Action Plan

6.4 The Safeguarding Action Plan sets out actions being taken to ensure that all children and young people in Bury are safe and have the best possible quality of life. The Plan has been in place and continually refreshed since April 2012 and the Group have resolved to keep the Plan under review as part of its ongoing work.

6.5 Ofsted

6.6 The Group requested a range of Ofsted reports from other Authorities reflecting differing judgements in order to highlight the changing nature of the Inspections and compare with Bury's most recent report. At the request of the Group the Assistant Director provided a summary of the actions undertaken to address the Areas for Improvement highlighted in Bury's last OFSTED Inspection.

- 6.7 Bury is due to be inspected imminently and it is expected that the outcomes of the Inspection will further inform the work of the Group

7.0 OTHER ISSUES CONSIDERED

7.1 Children's Social Care - Team Structures/Workflow

- 7.2 Largely to assist in setting the context for the review, the Group were provided with details (in flow chart form) of the various teams and services within the field of children's social work. Additionally, an interim structure (from 01/05/2014) of the Children's Social Care Teams and officers overseen by the Assistant Director (Social Care and Safeguarding) was submitted to the Group.

7.3 Youth Offending Team

- 7.4 Mike Cross, Youth Offending Team Manager, addressed the Group to report on safeguarding issues in relation to the Youth Justice System and reported on Bury's custody rate for young people. Further investigation will take place regarding concerns about the distance of Youth Offending Centres following the closure the Hindley site.

7.5 Social Work Recruitment

- 7.6 Bury has carried out two significant recruitment rounds of the last six months using a different streamlined approach. The positive consequence of this approach resulted in a considerable reduction in the time between advert and offer of appointment letter and ultimately a successful intake of newly qualified Social Workers.
- 7.7 As part of its work the Group interviewed 3 newly recruited Social Workers to get their views on the recruitment process and the support measures in place. Very positive feedback was received in relation to both the recruitment process and the support offered through mentoring and supportive supervision. The Group have indicated that it would be useful to follow the journey of the new recruits as they become an established part of Bury's Social Work Teams. Additionally it is felt that interviews with longer serving Social Workers would benefit the review.

8.0 CONCLUSION

- 8.1 Since the first meeting in November 2014 a large amount of work has been undertaken by the Group. Much of the initial work has focussed on providing Members with a detailed context of the issues surrounding the safeguarding of children and ensuring an

understanding of the processes, procedures and policies that are in place.

- 8.2 Looking forward, it is hoped that the work to date can be built upon during the forthcoming Municipal Year as the Group look to focus in on particular areas. At an early stage Members of the Group recognised the complex multi agency approach to safeguarding meant that to treat the review as a time bound self contained piece of work would not do justice to the critical nature of the subject matter.

9.0 RECOMMENDATIONS

1. That the work of the Overview Project Group be carried over into the new Municipal Year 2015/16.
2. That, in order to retain the expertise and knowledge developed throughout the review, where possible the existing membership be retained.
3. That regular updates be submitted to the Overview and Scrutiny Committee on the work of the Group.

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Appendix 1**Scrutiny Review Scoping Template**

Review Topic (name of review)	Children's Safeguarding
<u>Councillor Involvement</u> (names of Cllr involved)	Councillor Caserta; Councillor Gartside; Councillor Jones; Councillor Kerrison; Councillor Parnell; Councillor Southworth; Councillor Whitby
<u>Officer Support</u> (names of Officer required)	Jackie Gower – Assistant Director Social Care and Safeguarding Michael Nugent - Interim Strategic Lead for Quality Assurance and Performance Management. Leigh Webb – Democratic Services
<u>Rationale</u> (key issues and/or reason for doing the Review)	Request from Overview and Scrutiny Committee for a Project Group to be set up examine the subject area with a view to reporting back with any recommendations arising from the review
<u>Purpose of Review/Objective</u> (Specify exactly what the review should achieve)	<ul style="list-style-type: none"> • Build Member's knowledge and understanding of safeguarding arrangements. • Monitor performance in relation to the Single Inspection Framework • Identify any obstacles to effective safeguarding, and to make recommendations for action as appropriate.
<u>Indicators of Success</u> (What factors would indicate that a Review has been successful)	Evidence based recommendations agreed and taken forward by Cabinet
<u>Methodology/Approach</u> (what types of enquiry will be used to gather evidence and why)	Examination of performance related data Examination of Multi Agency working and the role of (MASH) Interview witnesses/experts Examination of Statutory services

<u>Specify Witnesses/Experts</u> (who to see and when)		Senior Officers/practitioners (to be determined) Cabinet Member for Children and Young People	
<u>Specify Evidence Sources For Documents</u> (which to look at – national and local)		Safeguarding Inspection Framework Action Plan Government Policy and Statutory Guidance	
<u>Specify Site Visits</u> (where and when)		Visits to MASH and Advice and Assessment Team	
<u>Specify Evidence Sources for Views of Stakeholders</u> (consultation/workshops/focus groups/public meetings)			
<u>Publicity Requirements</u> (what is needed – press release, fliers, leaflets, radio broadcasts, etc)		Key findings and recommendations will be made public through Council Website /press release	
<u>Resource Requirements</u> (people, expenditure)		Staff time - preparation of reports/performance information. Attendance at meetings	
<u>Barriers/dangers/risks/etc</u> (identify any weaknesses and potential pitfalls)		Crossover into the role and work of the Corporate Parenting Panel	
Projected start date	04.11.2014	Projected completion date	

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REPORT FOR DECISION

Agenda Item	
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DECISION OF:	Overview & Scrutiny
DATE:	Tuesday, 24th March 2015
SUBJECT:	Corporate Plan Progress Report – Quarter 3 2014-15
REPORT FROM:	Leader of the Council
CONTACT OFFICER:	Sarah Marshall – Performance Officer Communities & Wellbeing
TYPE OF DECISION:	Non key decision
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	The Corporate Plan Progress Report outlines the progress during quarter three 2014-15 for the corporate performance indicators within the Bury Council Corporate Plan. The information is extracted from the Performance Information Management System (PIMS) and provided by the responsible services.
OPTIONS & RECOMMENDED OPTION	The Committee are asked to note the contents of the report.
IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Equality/Diversity implications:	Yes An Equality Analysis was undertaken for the Bury Council Corporate Plan 2012-15 and it was concluded that the Plan has a positive impact by aiming to reduce poverty and inequality. This report provides a summary of the progress made.
Wards Affected:	All
Scrutiny Interest:	Overview and Scrutiny Committee

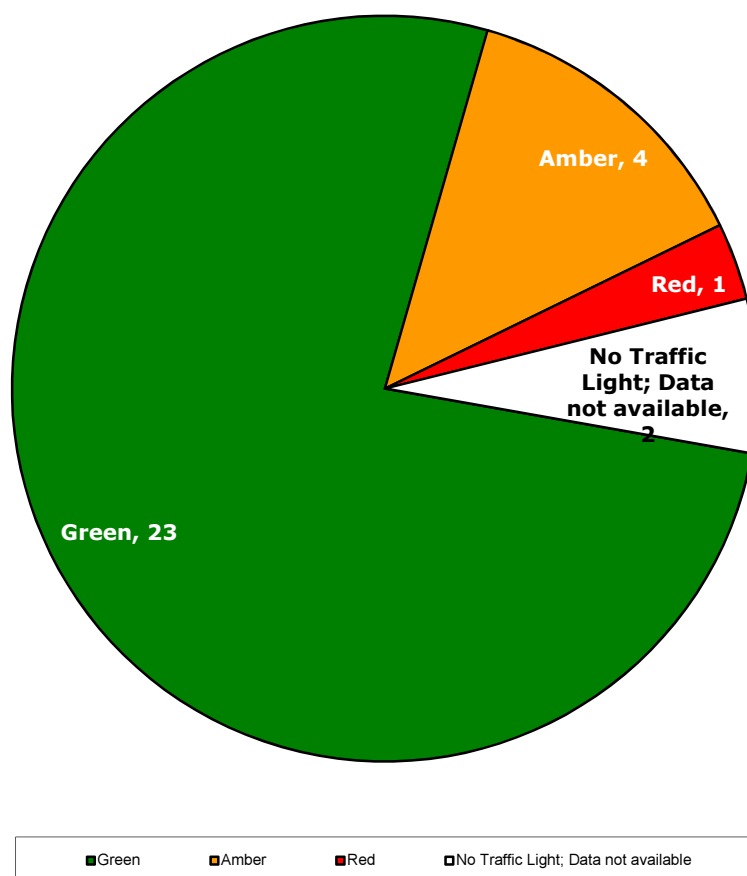
Chief Executive/ Strategic Leadership Team	Cabinet Member/Chair	Ward Members	Partners
04/03/2015			
Scrutiny Committee	Cabinet/Committee	Council	
24/03/2015			

1.0 BACKGROUND

- 1.1 The council publishes a Corporate Plan each year with performance updates reported to Overview and Scrutiny quarterly. This report outlines performance against the plan for Quarter 3 2014-15.

2.0 SUMMARY

- 2.1 There is evidence of further/continued achievement in 2014-15:



- 2.2 23 indicators (76% of the total) showed improvement on the previous year's outturn and/or exceeded target whilst a further 13% (the 4 indicators shown amber on the chart) were just off the pace. Given the financial situation and

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other challenges facing services, this level of performance is positive and demonstrates a strong commitment to service delivery in the Borough.

2.3 Areas of good performance include:

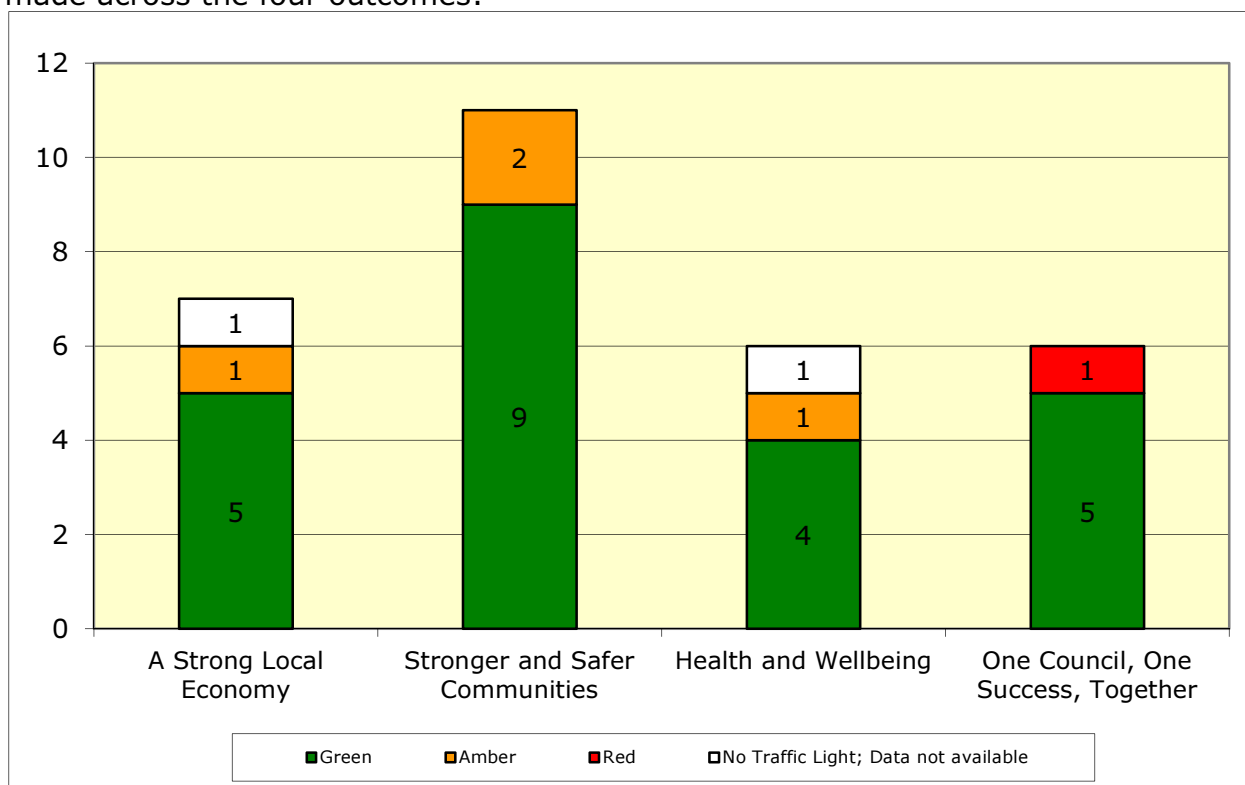
- More residents are now in employment with our rate improving from last year by 2.8% and fewer people (1.8%) are claiming Job Seekers Allowance (JSA).
- Youth unemployment and inactivity has also declined with an 8.56% drop in the proportion of youths claiming JSA and 5.5% of 16-18 year olds are considered NEET (not in education, employment or training).
- Recycling rates have improved upon last year by 3.1% with 47.9% of household waste sent for reuse, recycling and composting during this financial year so far.
- We have achieved 733 homeless preventions so far, exceeding our performance last year and target.

2.4 1 area has not performed as expected:

- The current forecasted outturn (revenue) stands at £901k over budget. This is a reduction from the forecasted overspend reported at quarter 2 (£1.459m)

2.5 There are 2 indicators where progress cannot be analysed. 1 of these cannot be analysed due to changes in the collection and calculation method. This means that current performance is not comparable to previous performance. The other indicator relies on data from an external source, the agreement for providing this data is under negotiation.

2.6 Analysing the results by the Council's priority outcomes, progress has been made across the four outcomes:



3.0 CONCLUSION AND RECOMMENDATIONS

- 3.1 The report provides details of the progress made at quarter three 2014-15.
 - 3.2 Overall, performance against the corporate plan is good with 23 out of 30 (76%) indicators achieving target and/or performing better than last year.
 - 3.3 In the context of current pressures and resource limitations, efforts made to maintain performance are to be welcomed.
-

List of Background Papers:-

Bury Council Corporate Plan 2013-15

Contact Details:- Sarah Marshall, Performance Officer – Department for Communities and Wellbeing
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One Council. One Plan.

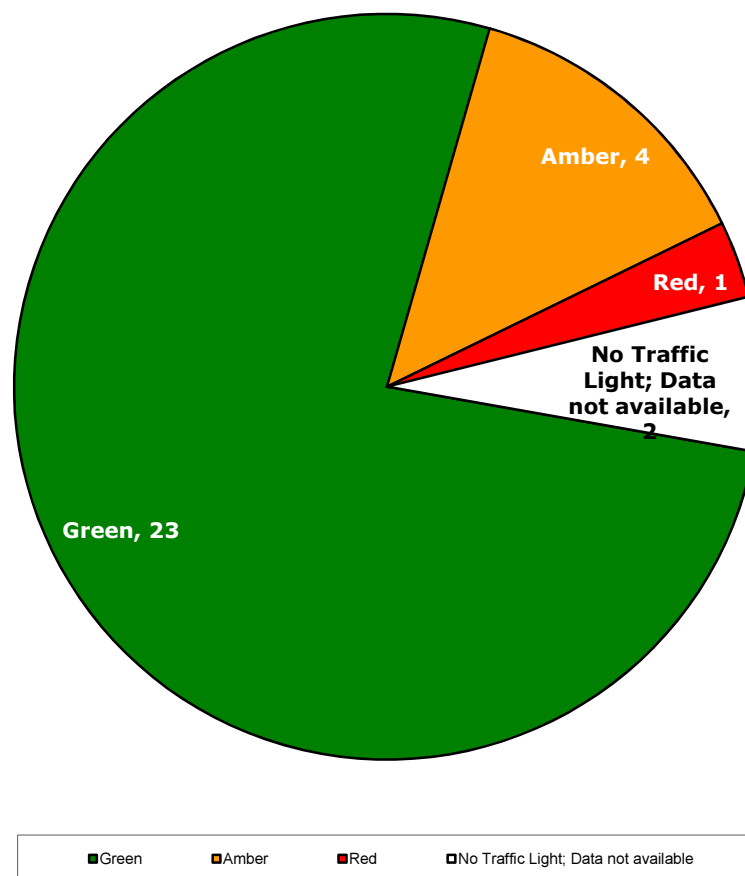
**Quarter Three 2014-15:
Performance Report**

INTRODUCTION

- 1.1 This report outlines progress during quarter 3 of 2014-15 for the corporate performance indicators within the Bury Council Corporate Plan. The information provided is extracted from the Performance Information Management System (PIMS).
- 1.2 There are currently 34 performance indicators from PIMS and this report provides a summary of the overall performance of these indicators.
- 1.3 Where data are unavailable for quarter 3 2014-15, the report provides the latest inputted data from previous quarters.
- 1.4 Throughout this report the definitions of the colour-coding are:
 - Green – On target and/or better than 2013-14 performance
 - Amber – Within 15% of achieving target or within 15% of 2013-14 performance
 - Red – Below target or worse than we achieved in 2013-14.
 - No Traffic Light – Information not available due to various reasons.
- 1.5 The detail of this corporate performance report can be viewed or downloaded on the corporate performance information monitoring system (PIMS). If you require copies of the reports or need training on the operation of the monitoring system; *please contact Benjamin Imafidon on Ext. 6592.*

SUMMARY

- 2.1 Overall the Council currently reports performance against a total of 34 corporate performance indicators. For quarter 3, outcomes for 30 of these indicators were collected as some indicators are reported annually. The chart below shows the proportion of these performance indicators that are categorised as Red, Amber and Green using the criteria set out in paragraph 1.4.



A strong local economy					
Measure	Higher/ lower is better	2013/14 Baseline	2014/15 Q3	Target	Commentary
Overall employment rate for Bury (working age)	Higher	73.90%	76.7% (Green)	70.00%	The employment rate in Bury has increased from last quarter by 4.5%. This calculation is from data for October 13 – September 14.
Inequality gap in the achievement of a Level 3 qualification by the age of 19	Lower	20%	Annual indicator	18%	Performance data to be reported at Quarter 4 2014/15.
Percentage of 16-18 year olds by academic age who are not in education, employment or training (NEET)	Lower	5.90%	5.5% (Green)	No target	The NEET % in December 2014 was 5.5% which compares to 6% in December 2013. Equally important the Not Known % was at 3.4% compared to 3.8% in 2013 some way below national, regional and GM averages. This means our NEET performance data is considerably more robust than many other LAs.
Proportion of working age people on out of work benefits	Lower	3.1%	1.8% (Green)	No target	JSA claimant numbers continue to decline making us the 2nd best performing authority across Greater Manchester (December 2014)
Percentage of households that experience fuel poverty	Lower	12.4% 2011	10.3% (Green)	10.4%	The figure reported reflects data for 2012. An update is next due in August 2015. The target is the average for England.
Percentage of work programme leavers that move into employment	Higher	0%	0% (Amber)	5% by 2016	No clients have currently moved into employment, though the project only commenced late March 2014. 38 people have been referred into the programme, with 25 individuals met thus far. Programme Target up to 2016 – Engage with 250 ESA WRAG clients – 5% move into employment. Bury Employment Forum to agree a 2014/15 target.

Percentage of total JSA (Job Seekers Allowance) claimants that are by youths (16-24)	Lower	28.65%	20.09% (Green)	Target to be set	Youth unemployment has declined significantly.
Proportion of people who entered the national careers service work programme that gained employment	Higher	No data available	No data available	Target to be set	Data not yet obtainable. Liaising with JCP to obtain data.

Stronger and safer communities

Measure	Higher/ lower is better	2013/14 Baseline	2014/15 Q3	Target	Commentary
Percentage of household waste sent for reuse, recycling and composting	Higher	37.27%	47.9% (Green)	60%	This quarter 50.2% of waste was sent for recycling, reuse or composting. This brings our percentage rate for the year so far to 47.9% overall. We are up on our rate from last year which was 44.8% at quarter 3. We estimate to have an overall rate of 49% at year end, an increase upon the 42.96% rate we achieved last year.
Residual household waste – kgs per household	Lower	462.98	316.15 (Green)	445	The amount of residual waste per household at quarter 3 is less by over 20kg compared to this time last year (337.85). We estimate that the annual figure will come in under last year (462.98) at 406.15 kg per household.
Number of serious violent crime per 1,000 population	Lower	0.45	0.58 (Green)	0.88	32 incidents were reported during the period Oct - Dec 2014 which equates to 0.17 per 1000 population. For the period April - Dec 2014 108 incidents have been reported. Cumulative Indicator - unable to compare against 2013/14 year-end data.
Number of serious acquisitive crimes per 1,000 population	Lower	11.11	8.89 (Green)	12.95	629 incidents of SAC have reported during the period Oct-Dec which equates to 3.39 per

					<p>1000 population. For the period April - Dec 2014 1647 incidents have been reported.</p> <p>Cumulative Indicator - unable to compare against 2013/14 year-end data.</p>
Assault with injury crime rate per 1,000 population	Lower	4.27	4.38 (Green)	6.25	<p>291 assaults were recorded during the period Oct - Dec 2014 which equates to 1.57 per 1000 population. For the period April - Dec 2015 812 assaults were reported.</p> <p>Cumulative Indicator - unable to compare against 2013/14 year-end data.</p>
Reduction in number of incidents of ASB per 1,000 population	Lower	46.12	32.94 (Green)	49.24	<p>1729 cases of ASB were reported during the period Oct - Dec 2014 which equates to 9.34 incidents per 1000 population. For the period April - Dec 2014 6098 incidents were reported.</p> <p>Cumulative Indicator - unable to compare against 2013/14 year-end data.</p>
Percentage rate of repeat incidents of domestic violence	Lower	27.94%	24.06% (Green)	26%	<p>11 repeat cases of DV were discussed at MARAC during the period Oct - Dec 2014 which equates to 19.3%. for the period April - Dec 2014 45 repeat cases were discussed equating to 24.06%</p> <p>Cumulative Indicator - unable to compare against 2013/14 year-end data.</p>
Number of empty properties	Lower	1,024 1723 (inc. 2 nd homes)	1,100 (Amber) 2011 (inc. 2 nd homes)	No target	<p>This indicator is reported bi-annually, the outcome here is from Q2. An updated outcome will be available in Q4. These figures are solely based on Council Tax data. Second homes have been included because the Council Tax levy has increased the number of second homes on the list and many of these</p>

					should be classified as empty properties.
Number of empty properties brought back into use	Higher	66	298 (Green)	100	This indicator is reported bi-annually, the outcome here is from Q2. An updated outcome will be available in Q4. Total number of empty properties brought back into use higher than expected. Figures based on comparison between Council Tax data. The information provided the total number of private sector empty properties that have been empty over 6 months and are second homes.
Number of homeless preventions	Higher	727	733 (Green)	720	As this stage we have achieved 733 preventions, exceeding our baseline and target. Staff are showing an increase motivation for preventions and encourage customers to self help.
Number of families turned around* through SCIL programme	Higher	179	313 (Amber)	385	Our total for this PBR claim is 27 families. This takes us to 81.3% (313 families out of 385 families identified) turned around.

*There are national and local criteria for a family to be considered complex. A family has turned around when they no longer meet these criteria.

Health and Wellbeing					
Measure	Higher/ lower is better	2013/14 Baseline	2014/15 Q3	Target	Commentary
Proportion of older people (aged 65 or over) who are still at home 91 days after discharge from hospital into reablement/rehabilitation services	Higher	81.40%	74.5% (Amber)	No target	This performance measure is still under development (following the implementation of new reporting software) but the current figure stands at 74.5%. More work is to be done to ensure that the correct cohort is being measured for this indicator
Rate of alcohol related admissions to hospital per 100,000 population	Lower	643 <i>2011/12</i>	616 (Green)	637	New methodology for calculating this indicator means that it is not comparable to previous figures. This is an annual figure for 2012/13; quarterly figures will be available by the end of August 2014. Target set is England average.
Injuries due to falls in people aged 65 and over	Lower	2,163 <i>2011/12</i>	1,906 (Green)	2011	Annual figure for 2012/13; next update due May 2015.
Proportion of carers with a completed assessment in the year	Higher	76.3% 27.6% (Q2 14/15)	37.2% (Green)	No target	Out of 355 Carers in receipt of a service (payment) 132 have been assessed or reviewed within this financial year. The reporting for this indicator is still under development and the method has changed since 13/14 so comparisons cannot be made.
Permanent admissions of older people (aged 65 and over) to residential or nursing care homes per 1,0000 population	Lower	No data available	580.7 (Green)	666.3	The current figure for December stands at 580.7, our forecast for this indicator suggests our permanent admissions will exceed the target set. Further work needs to be done in verifying these figures and sourcing the data from adult social care records instead of finance.

Proportion of people using Social Care who receive Self-Directed Support	Higher	79.7%	Annual indicator	No target	Outcome available at year end.
Proportion of people using social care who receive direct payments	Higher	22.8%	Annual indicator	No target	Outcome available at year end.
Proportion of children's social care assessments completed within timescales	Higher	No data available	67.2%	No target	<p>Of 856 Child & Family assessments authorised between October and December inclusive, 498 (58.2%) were authorised within 45 days of their commencement.</p> <p>Year to date: Of 2085 assessments completed, 1402 (67.2%) were authorised within 45 days. This includes 176 assessments authorised in April and May – as C&F assessments were only available from 1 April 2014, it was impossible for assessments authorised in April and May to be late.</p>

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Finance Summary

Department	Budget £000	Forecast £000	Variance £000
Communities & Wellbeing	69,209	69,876	+667
Resources & Regulation	4,132	4,678	+546
Children, Young People & Culture	33,973	35,202	+1,229
DCN Residual	133	(169)	(302)
Non Service Specific	36,332	35,093	(1,239)
TOTAL	143,779	144,680	+901

The projected overspend of **£0.901m** represents approximately **0.63%** of the total net budget of £143.779m.

Performance Indicators

Measure	Higher/ lower is better	2013/14 Baseline	2014/15 Q3	Target	Commentary
Percentage Council Tax collected	Higher	96.97%	83.02% (Green)	96.5%	Although this indicator is currently under target we expect to collect more in quarter 4 and remain confident of hitting the target. The reason that this figure is currently showing some slippage is due to the change to 12 month instalments from 10.
Percentage of business rates collected	Higher	94.23%	80.76% (Green)	96.5%	Collection during Quarter 3 has been good. The target of collecting 24% during Quarter 3 has been exceeded by 0.92%.
Average time taken in calendar days to process Housing Benefit/Council Tax new claims.	Lower	22.6	20.08 (Green)	26	Performance is good and we remain on target for the year.
Forecast outturn (Revenue) (council –wide)	Lower	406,000	+£901,000 (Red)	No target set	Forecast overspend of £901,000 as at 31 December 2014.
Forecast outturn (Capital) (council –wide)	Lower	5,000	-£12,598 (Green)	No target set	Forecast under spend against capital programme of £12,598
Number of FTE days lost due to sickness absence	Lower	9.82	9.31 (Green)	9.2	A big decrease from last quarter which was 10.06 and last year when it was 9.51. Nearly at target. Further changes to the Absence Management Policy and T&Cs around sickness coming in next quarter.
Percentage of employees satisfied with Bury Council as an employer	Higher	60.4%	Annual indicator	75%	The figure at Q4 2013/14 was 60.4% for the organisation as a whole. The target has been carried over from 2013/14. The next available figure relating to this will be available quarter 4 2014/15 depending upon when we agree to next carry out the

					survey.
Risk					

Risk management is a systematic approach to assessing risks and opportunities surrounding achievement of core strategic, departmental and operational objectives. The council has a well established approach to risk management which assesses the likelihood and potential impact of a wide range of risks & opportunities. Risk Registers are compiled for all activities and projects, and are subject to review on a quarterly basis. Risk Registers are reported to all levels of management, and to elected members.

The following risks / opportunities have been identified that the council faces in meeting its own priorities and in contributing towards the council's corporate priorities and community ambitions:

Ref	Risk that.....	Risk Owner	Impact (New)	Likelihood (New)	Quarter 1 Status	Quarter 2 Status	Quarter 3 Status	Quarter 4 Status Jan – Mar 15	Measures
01	The <u>potential</u> liability facing the Council in respect of Equal Pay significantly weakens the Council's financial position	Mike Owen / Tracey Johnson	1	1	1	1	1		Risk further reduced as most cases have now been settled. To remain on register till exercise complete.
02	There is no robust financial strategy or change management strategy to address effectively the significant funding reductions that the Council faces.	Steve Kenyon	3	3	9	9	9		<p>The Council received the 2015/16 draft settlement information in December 2014, this was broadly as expected. Bury's reduction higher than the national average, whilst funding per head is lower. Response to consultation submitted outlining this.</p> <p>Review to be carried out of risk scores following further clarity about the 2016/17 settlement from the likely Spending Review later in 2015 following the General Election. MTFS to be updated at this point.</p>

03	The budget strategy fails to address the Council's priorities and emerging issues, e.g. demographic and legislative changes	Mike Owen/Steve Kenyon	3	2	6	6	6	Medium term financial strategy is a live document that is regularly updated to take account of known national changes. This helps to inform financial forecasts and projections over the medium term. The projected forecast for month 9 is £901k overspent; an improvement from the Q2 position. Star Chamber meetings were due to be held in February to discuss the variances and the key reasons.
04	The budget strategy does not reflect, or respond to, national policy developments, e.g. Council Tax Support scheme and changes to the Business Rates regime	Mike Owen/Steve Kenyon	4	2	8	8	8	New arrangements have been in place now for over 18 months, however, risk remains high given volatility, and influence from factors which are beyond the control of the Council (e.g. appeals).
05	The Council's asset base is not operated to its maximum effect to deliver efficiency savings and ensure priorities are fulfilled. Ineffective use of assets presents both a financial and a performance risk.	Mike Owen	2	2	2	2	4	The investment strategy has been approved that will look at empty and under-utilised properties with a view to selling them or renting them, but there remained challenges with the current economic climate
08	The Council fails to manage the expectations of residents, service users & other stakeholders in light of funding reductions	Mike Owen	3	2	6	6	6	Programme of Savings consultations have taken place throughout the borough at Township Forums. A letter from the Leader has also been sent out to inform residents about the level of uncertainty that remains with the impact of current and future financial cuts.

09	The Government's changes to Council Tax Benefit impact adversely upon the Public / Vulnerable People. Also budgetary risk to the Council in the event of claimant numbers rise	Mike Owen	3	3	9	9	9		Impact on residents being managed through Welfare Reform Board. Budgetary impact continues to be assessed through monthly monitoring / Star Chamber process.
10	Changes resulting from the wider Welfare reform agenda impact adversely upon the public / vulnerable people.	Mike Owen	3	3	9	9	9		Welfare Reform Board coordinating action plan with partner organisations (e.g. Six Town, CAB). Whilst impact on individuals can have significant implications, this is being mitigated where possible.
11	That the scale and pace of Public Sector reform impacts adversely upon key Council Services, compounded by the loss of capacity following staff leaving the Council (420+ since 2010)	Mike Kelly	4	2	8	8	8		The Workforce Development Plan is in place, that the mutual settlement scheme has been launched, and individual service workforce plans are being developed to ensure continuity / succession planning. Risk will be closely monitored as the Council-wide restructure takes effect, and further voluntary retirements take effect.