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Y Rhadyr  
Brynbuga  
NP15 1GA

County Hall  
Rhadyr  
Usk  
NP15 1GA

Wednesday, 11 November 2015

## Notice of meeting / Hysbysiad o gyfarfod:

### County Council

Thursday, 19th November, 2015 at 2.00 pm,  
Council Chamber, County Hall, The Rhadyr, Usk, NP15 1GA

### AGENDA

*Prayers will be said prior to the Council meeting at 1.55pm. All members are welcome to join the Chairman for prayers should they wish to do.*

Item No	Item	Pages
1.	Apologies for absence	
2.	Public Open Forum	
3.	Chairman's report and receipt of petitions	1 - 2
4.	Declarations of interest	
5.	To confirm and sign the minutes of the Council meeting held on 24th September 2015	3 - 16
6.	Notices of motion	
6.1.	<b>Submitted by County Councillor V.E. Smith</b>  <i>'This Council notes the human and financial cost of road traffic accidents and the risk of speed related accidents on rural roads.</i>  <i>Council resolves to write to Welsh Government to request that the policy of blanket 60mph speed limits on rural roads be reviewed in the interest of public safety and public finances.'</i>	
6.2.	<b>Submitted by County Councillor V.E. Smith</b>  <i>'This Council notes the effect of the 5p charge on plastic carrier bags has had on littering by these bags. Council notes there is a widespread</i>	

*problem with litter, especially drink bottles and cans. Council resolves to write to Welsh Government to request Welsh Government consider the application of a deposit on all drinks containers, to discourage littering and to incentivise those people who regularly pick up litter.'*

<b>7.</b>	<b>Report of the Chief Officer, Social Care, Health and Housing:</b>	
<b>7.1.</b>	<b>Providing Members with an evaluation of the effectiveness of safeguarding within Monmouthshire</b>	17 - 62
<b>8.</b>	<b>Reports of the Head of Democracy and Regulatory Services:</b>	
<b>8.1.</b>	<b>Proposals for Casinos - Gambling Act 2005</b>	63 - 74
<b>8.2.</b>	<b>Adoption of Gambling Policy - Gambling Act 2005</b>	75 - 120
<b>8.3.</b>	<b>The Public Health (Control of Disease) Act 1984 and Health Protection Regulations</b>	121 - 124
<b>9.</b>	<b>Members' Questions</b>	
<b>9.1.</b>	<b>From County Councillor D. Batrouni to Councillor P. A. Fox:</b>  'What is Monmouthshire's gross schools expenditure per pupil?'	
<b>9.2.</b>	<b>From County Councillor D. Batrouni to County Councillor P.A. Fox:</b>  'How many households were threatened with homelessness in Monmouthshire in 2014/15?'	
<b>9.3.</b>	<b>From County Councillor D. Batrouni to County Councillor P. Murphy:</b>  'How many residents in Monmouthshire benefited from the Council Tax Reduction (CTR) scheme in (a) 2014/15 and (b) 2013/14?'	
<b>9.4.</b>	<b>From County Councillor D. Batrouni to County Councillor S.B. Jones:</b>  'How many residents have been refused blue badges in Monmouthshire in (a) 2015/16 to date and (b) 2014/15?'	
<b>9.5.</b>	<b>From County Councillor F. Taylor to County Councillor P. Fox:</b>  'Magor Post Office and the critical public services it provides to the residents of Magor with Undy is under threat as a direct result of Post Office Ltd.'s process of Network Transformation. Will the Leader of the Council and his administration actively support the campaign to Save Magor Post Office and ensure a sustainable and viable post Office service continues in Magor Square? Will the Leader agree to write to Post Office Limited and Baroness Neville-Rolf DBE CMG Parliamentary Undersecretary of State and Minister for Intellectual Property on behalf of local residents to facilitate open and transparent dialogue?'	

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**Paul Matthews**

**Chief Executive / Prif Weithredwr**

MONMOUTHSHIRE COUNTY COUNCIL  
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillors:

D. Batrouni  
J. Prosser  
D. Blakebrough  
M. Powell  
V. Smith  
G. Burrows  
R. Chapman  
P. Clarke  
J. Crook  
D. Dovey  
G. Down  
A. Easson  
D. Edwards  
R. Edwards  
D. Evans  
P. Farley  
P.A. Fox  
J. George  
R.J.W. Greenland  
L. Guppy  
E. Hackett Pain  
R. Harris  
B. Hayward  
M. Hickman  
J. Higginson  
P.A.D. Hobson  
G. Howard  
S. Howarth  
D. Jones  
P. Jones  
S. Jones  
S.B. Jones  
P. Jordan  
J. Marshall  
P. Murphy  
B. Strong  
F. Taylor  
A. Watts  
P. Watts  
A. Webb  
S. White  
K. Williams  
A. Wintle

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### **Welsh Language**

The Council welcomes contributions from members of the public through the medium of Welsh or English. We respectfully ask that you provide us with adequate notice to accommodate your needs.

# Aims and Values of Monmouthshire County Council

## Sustainable and Resilient Communities

### Outcomes we are working towards

#### **Nobody Is Left Behind**

- Older people are able to live their good life
- People have access to appropriate and affordable housing
- People have good access and mobility

#### **People Are Confident, Capable and Involved**

- People's lives are not affected by alcohol and drug misuse
- Families are supported
- People feel safe

#### **Our County Thrives**

- Business and enterprise
- People have access to practical and flexible learning
- People protect and enhance the environment

### Our priorities

- Schools
- Protection of vulnerable people
- Supporting Business and Job Creation
- Maintaining locally accessible services

### Our Values

- **Openness:** we aspire to be open and honest to develop trusting relationships.
- **Fairness:** we aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.
- **Flexibility:** we aspire to be flexible in our thinking and action to become an effective and efficient organisation.
- **Teamwork:** we aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.

# Nodau a Gwerthoedd Cyngor Sir Fynwy

## Cymunedau Cynaliadwy a Chryf

### Canlyniadau y gweithiwn i'w cyflawni

#### Neb yn cael ei adael ar ôl

- Gall pobl hŷn fyw bywyd da
- Pobl â mynediad i dai addas a fforddiadwy
- Pobl â mynediad a symudedd da

#### Pobl yn hyderus, galluog ac yn cymryd rhan

- Camddefnyddio alcohol a chyffuriau ddim yn effeithio ar fywydau pobl
- Teuluoedd yn cael eu cefnogi
- Pobl yn teimlo'n ddiogel

#### Ein sir yn ffynnu

- Busnes a menter
- Pobl â mynediad i ddysgu ymarferol a hyblyg
- Pobl yn diogelu ac yn cyfoethogi'r amgylchedd

### Ein blaenoriaethau

- Ysgolion
- Diogelu pobl agored i niwed
- Cefnogi busnes a chreu swyddi
- Cynnal gwasanaethau sy'n hygyrch yn lleol

### Ein gwerthoedd

- **Bod yn agored:** anelwn fod yn agored ac onest i ddatblygu perthnasoedd ymddiriedus
- **Tegwch:** anelwn ddarparu dewis teg, cyfleoedd a phrofiadau a dod yn sefydliad a adeiladwyd ar barch un at y llall.
- **Hyblygrwydd:** anelwn fod yn hyblyg yn ein syniadau a'n gweithredoedd i ddod yn sefydliad effeithlon ac effeithiol.
- **Gwaith tîm:** anelwn gydweithio i rannu ein llwyddiannau a'n methiannau drwy adeiladu ar ein cryfderau a chefnogi ein gilydd i gyflawni ein nodau.

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## Chairman's Report 19<sup>th</sup> September – 11<sup>th</sup> November

Saturday 19 <sup>th</sup> September 6 p.m.	Charity Reception and Gala Performance of Henry V to mark Agincourt 600
Sunday 20 <sup>th</sup> September 2.30 p.m.	Blaenau Gwent Civic Service The Salvation Army Hall, Cwm, Ebbw Vale
Saturday 20 <sup>th</sup> September	Dinner with the Chinese Samuel Ryder Suite, Celtic Manor
Tuesday 22 <sup>nd</sup> September	BEM Presentation County Hall, Usk
Friday 25 <sup>th</sup> September 6 p.m.	Gwent Best Kept Village Competition Chepstow Garden Centre
Sunday 27 <sup>th</sup> September 3 – 5 p.m.	Afternoon Tea - High Sheriff of Gwent Craig-y-Dorth House, Monmouth
Wednesday 30 <sup>th</sup> September 11 a.m.	Powys Centenary Parade for The Welsh Guards The Bulwark, Brecon
Thursday 1 <sup>st</sup> October 11 a.m.	Citizenship Ceremony Registrar's Office, Usk
Friday 2 <sup>nd</sup> October 4.30 p.m.	Tea Concert and Presentation from the Walk of Britain, Walking with the Wounded team Haberdashers' Monmouth School for Girls
Saturday 3 <sup>rd</sup> October 11 a.m.	Rhondda Cynon Taf Civic Service SS Julius & Aaron Parish Church, Llanharan
Sunday 4 <sup>th</sup> October 2.30 p.m.	Neath Port Talbot Civic Service St John the Baptist Church, Skewen
Thursday 8 <sup>th</sup> October 11 a.m.	MCC Visit to Northern Automotive Systems Gilwern
Thursday 8 <sup>th</sup> October	Officials/Head of Service Dinner Shire Hall, Monmouth
Saturday 10 <sup>th</sup> October 1 p.m.	Lunch with Lord Lieutenant Penpergwm Lodge, Abergavenny
Sunday 11 <sup>th</sup> October 7 p.m.	Chairman's Charity Harvest Supper Glen Yr Afon House, Hotel
Wednesday 14 <sup>th</sup> October 7 p.m.	The Quiz and Chips Night Pages Fish Bar, Cwmbran
Thursday 22 <sup>nd</sup> October 10.30 a.m.	Raglan School - Official Opening Ceremony
Friday 23 <sup>rd</sup> October	Mon Biz Awards Celtic Manor Resort
Sunday 25 <sup>th</sup> October (St Crispin's Day) 6 p.m.	Evensong – to mark 600 <sup>th</sup> Anniversary of the Battle of Agincourt Priory Church, Abergavenny
Thursday 29 <sup>th</sup> October 12 noon	Service of Commemoration Westminster Abbey
Sunday 1 <sup>st</sup> November	Chairman's Charity Afternoon Tea Glen Yr Afon House Hotel, Usk
Friday 6 <sup>th</sup> November 3 p.m.	Llanelly Hill Action Group Armistice Group Llanelly Hill
Sunday 8 <sup>th</sup> November	Remembrance Service and Parade

11 a.m.	Neville Street, Abergavenny
Sunday 8 <sup>th</sup> November 2.30 p.m.	Remembrance Sunday Muster at Royal British Legion, Usk
Wednesday 11 <sup>th</sup> November 11 a.m.	Armistice Day County Hall

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of Monmouthshire County Council held at County Hall, Usk on Thursday 24<sup>th</sup> September at 2.00 p.m.

**PRESENT:** County Councillor B. Strong (Chairman)  
County Councillor R.J. Higginson (Vice Chairman)

County Councillors: D. Batrouni, D. Blakebrough, G.C. Burrows, R. Chapman, P. Clarke, J.E. Crook, D.L.S. Dovey, A. Easson, D. Edwards, R.M. Edwards, D.J. Evans, P.S. Farley, P.A. Fox, R. J. W. Greenland, L. Guppy, E. J. Hacket Pain, R.G. Harris, R.J.C. Hayward, M. Hickman, P.A.D. Hobson, G. Howard, S.G.M. Howarth, D.W.H. Jones, P. Jones, S. Jones, S.B. Jones, P. Jordan, P. Murphy, M. Powell, J.L. Prosser, V.E. Smith, F. Taylor, A.C. Watts, A.E. Webb, S. White, K. Williams and A. Wintle.

#### **OFFICERS IN ATTENDANCE:**

P. Matthews	Chief Executive
S. McGuinness	Chief Officer, Children and Young People
K. Beirne	Chief Officer, Enterprise
J. Robson	Head of Finance/Section 151 Officer
M. Howcroft	Assistant Head of Finance
R. Hoggins	Head of Operations
W. McLean	Head of Strategic Partnerships
M. Gatehouse	Policy and Performance Manager
G. Cox	Children Services Manager
T. Harry	Head of Democracy and Regulatory Services
R. Tranter	Head of Legal/Monitoring Officer
S. King	Senior Democratic Services Officer

#### **1. WELCOME AND APOLOGIES FOR ABSENCE**

Apologies for absence were received from County Councillors G. Down, J. Marshall and P. Watts.

#### **2. CHAIRMAN'S REPORT AND RECEIPT OF PETITIONS**

We received and noted the Chairman's report.

There were no petitions presented.

#### **3. DECLARATIONS OF INTEREST**

County Councillor F. Taylor declared a personal non-prejudicial interest pursuant to the members' code of conduct, as an independent member of ABHB.

## **MONMOUTHSHIRE COUNTY COUNCIL**

### **Minutes of the meeting of Monmouthshire County Council held at County Hall, Usk on Thursday 24<sup>th</sup> September at 2.00 p.m.**

Councillor P. Clarke, S.G.M. Howarth and B. Strong declared personal and prejudicial interests pursuant to the members' code of conduct, in relation to the Velothon motion. The members left the chamber during consideration of the item.

#### **4. POLICE AND CRIME COMMISSIONER BRIEFING**

Council welcomed Police and Crime Commissioner, Mr Ian Johnston. Members had previously been addressed in March 2014. We discussed crime in the County and members were invited to provide feedback regarding community attendance and police at meetings.

During discussion we noted the following:

- Members confirmed that officers were attending local communities and town/community council meetings.
- In response to a question raised regarding police managing parking issues, we were advised that the police force had been criticised for officer time used for parking issues, however, there was an opportunity for issues to be raised at 'your voice' meetings.
- Police and Crime Commissioners in England had agreed with the home office to put in place a governance model 'blue light'. This was not on the agenda in Wales, as fire and rescue was devolved to Welsh Government.
- Members discussed PCSO's policing streets. Council were informed that powers of PC's and PCSO's were being re-examined, roles and responsibilities would be addressed as part of the recruitment programme.
- Further information was requested regarding permanent dispersal order on car parks in Abergavenny and it was confirmed that this would be addressed.
- It was important that local issues were discussed with local inspectors and that communication between the police and Council was continued.
- We welcomed police support in speed watch campaigns and that speed limits were enforced as a result of police presence.
- Members commended local police teams, and welcomed attendance in local areas and communities.

#### **5. MINUTES**

##### **i) SPECIAL COUNCIL MEETING 30<sup>TH</sup> JULY 2015 2pm**

We resolved that the minutes of the Special County Council meeting held on 30<sup>th</sup> July 2015 be approved as a correct record and signed by the Chairman.

##### **ii) COUNCIL MEETING 30<sup>TH</sup> JULY 2015 5pm**

We resolved that the minutes of the County Council meeting held on 30<sup>th</sup> July 2015 be approved as a correct record and signed by the Chairman, subject to the following amendment:

## MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Monmouthshire County Council held  
at County Hall, Usk on Thursday 24<sup>th</sup> September at 2.00 p.m.

### **13. Solar Farms Business Case, 2<sup>nd</sup> Paragraph Page 14**

**Delete** *'The Council was required to identify new revenue funding streams,...'*  
change to

**'There was a need for the Council to identify new revenue funding streams,'**

## **6. PUBLIC FORUM ITEMS**

We welcomed Mr John Burrows, who presented information regarding the 200 year celebration of Chepstow Bridge.

Council were informed that in celebration and to mark the significance of the bridge, members were encouraged to attend the event, which would be a re-enactment of the original opening ceremony.

The event would be held on 24<sup>th</sup> July 2016.

## **7. NOTICES OF MOTION:**

### **a) Submitted by County Councillor P. Fox**

*'Given the horrific refugee crisis resulting from the wars in Syria and elsewhere this Council will make contact with Her Majesty's Government and offer to provide humanitarian aid for a limited number of refugees. In such a fast moving situation it is difficult to assess the most beneficial forms of support.*

*Consequently we ask our Strong Communities committee to liaise with others to best target the Council's response. We will seek financial support from HMG and the Welsh Government and assurances from WG that medical aid will be offered by the Welsh Health Service.*

*We recognise there is a danger that accepting refugees, gathering throughout Europe, is likely to encourage others to make the hazardous journey into the EU. To discourage this, we therefore urge the British Government to establish registration units in refugee camps set up in Turkey and other non EU countries to process refugees into the UK.'*

In presenting the motion, Councillor Fox highlighted that colleagues across Council would share concerns and there was a need to clearly signal Monmouthshire County Councils will to offer humanitarian aid.

Interested in joining Syrian vulnerable peoples relocation scheme and everything it encompasses. Collaborative working with other partner agencies in order to map out levels of support and aid that can be offered. The programme would provide aid and help for a 5 year period and if things change then can apply for citizenship, training, education, benefits and other initial support services.

Members discussed the motion and the following points were noted:

- Members expressed support for the motion.

## MONMOUTHSHIRE COUNTY COUNCIL

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- We discussed the most beneficial way forward in progressing the motion. The Leader confirmed that the issue would be discussed with relevant officers, in order to progress as quickly as possible.

Upon being put to the vote the motion was carried.

#### **b) Submitted by County Councillor D. Batrouni**

*'This Council notes with concern the significant year on year drop in A level grades in Monmouthshire schools. In some cases achievement dropped significantly leaving our young people at a serious disadvantage when seeking employment or university places. Despite the hard work of teachers and students, the Conservative-led cabinet continue to let down sections of our young people in education. The Labour Group call on this administration to explain exactly what it intends to do to remedy this situation'*

In presenting the motion, County Councillor Batrouni highlighted that congratulations were to be conveyed to children who had achieved grades and to the hard working teachers who had assisted the children. However, it was recognised that Monmouthshire schools were below Welsh average in every group, with a significant drop from last year.

During discussion of the motion we noted the following:

- The Cabinet member highlighted that significant work had been undertaken to ensure that students and families were of primary concern.
- Some members felt strongly that vocational qualifications were as important as A levels and this should be promoted.
- Teachers, pupils, schools and the authority were commended for the hard work.
- County Councillor R. Greenland declared a personal interest, pursuant to the members' code of conduct, as the Chairman of the EAS Company Board.
- Council were advised that figures presented recently to the EAS Company Board, identified that Monmouthshire County Council figures had significantly improved and were top within the area.

Upon being put to the vote the motion was carried.

*County Councillors R. Edwards, S. Jones, P. Murphy and A. Webb left at 5pm*

***County Councillors Clarke, Howarth and Strong left the meeting during consideration of the following item. Councillor Higginson took the Chair.***

#### **c) Submitted by County Councillor P. Jones**

*'Monmouthshire is a beautiful County and an outstanding place for people to visit. Tourism is an important sector and events that take place here are important. We are justifiably proud of the reputation we have built over the years as the Cycling*

## MONMOUTHSHIRE COUNTY COUNCIL

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*Capital of Wales having recognised this as a growing sport that lends itself well to our beautiful countryside. We have hosted some of the nation's biggest events and done so in a way that has been sensitive to the needs of competitors whilst recognising that minimal disruption to residents is paramount.*

*The Velothon that took place this year, which we are led to believe is seen as a great success at national level, did not feel that way to all residents and businesses in my Ward. Organisers of Velothon 2016 are now pushing us to re-commit to the event. I would urge Council at this point, ONLY TO DO SO IN PRINCIPLE. Before offering our full consent I would urge Council to satisfy itself that:*

- 1. the route through our County that is selected has been shared with Members and an assessment made of the impact of road closures on businesses / citizens*
- 2. there are cast iron guarantees on the adequacy and timeliness of communication with impacted communities. This was poor this year*
- 3. the call centre / contact arrangement put in place to disseminate information has to have awareness and understanding of the geography of Monmouthshire so it can be helpful to citizens*
- 4. an assurance that the event will not cost MCC any money and costs we incur for things like notices, stewarding, road-sweeping will be reimbursed*
- 5. Whilst recognising that a business compensation scheme is unlikely all that can be done to mitigate impact on traders will be done.*

*We should ask that this work is done before our next Council meeting so we know what assurances are in place before we make a final decision.'*

- Council supported that further information was required prior to future events being held.
- Members sympathised with those Councillors directly affected by the events.
- Council recognised the high profile and prestige that came alongside the event and some members welcomed involvement.
- We recognised the importance of how the event could positively impact on businesses in the County.
- Council were reassured that officers would negotiate on the basis of the motion, in order to ensure that the county would benefit from the event.
- Following the member seminar held regarding the Velothon, it was clear that lessons had been learned and further dialogue was required.

Upon being put to the vote the motion was carried.

*County Councillors D. Edwards and S.B. Jones left at 5.25pm*

## 8. MINUTES OF MEETINGS:

We resolved that the following minutes be received:

### **i) Democratic Services 29<sup>th</sup> June 2015**

We received the minutes of the Democratic Services meeting held on 29<sup>th</sup> June 2015.

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of Monmouthshire County Council held at County Hall, Usk on Thursday 24<sup>th</sup> September at 2.00 p.m.

#### 9. CORPORATE PARENTING ANNUAL REPORT

The Cabinet member presented Council with the 3<sup>rd</sup> Annual Corporate Parenting report. We were informed that Monmouthshire County Council had the lowest rate of looked after children, however, the service was under pressure. Fostering was a vital part of the service, existing skilled foster carers and protection of vulnerable children were high priorities.

A section within the report informed of issues which surrounded Looked After Children in general. Reference within the report, by CSSIW, were general and for national adoption.

Care leaver representatives had been appointed to the Corporate Parenting Panel and this was a welcomed and beneficial appointment.

During discussion, we noted the following:

- It was recognised that formatting within the report had to be amended.
- In response to a query regarding accommodation, there were statutory demands placed on the authority, however, the issue was very complex in relation to benefit entitlements. The authority was committed to supporting young people to stay in placements and trying to work out financial support that can be obtained. The Cabinet member confirmed that appropriate placements would be administered through management of resource.
- Officers confirmed that the Corporate Parenting Strategy was for 3 years and was reviewed regularly through the Corporate Parenting panel.
- A member requested clarification as it was felt that the report was generic and further detail was required regarding the number of looked after children in specific wards. In response, Council were reminded that Corporate Parents have a responsibility to all looked after children and their needs. Information would remain private and confidential, due to vulnerability issues.
- The importance of foster carers was highlighted and their work was vital in looking after vulnerable young people. The authority had continued to recruit high quality and supportive foster carers.
- In terms of reflecting on feedback from care leaver, two children in care council apprentices had been appointed to the Corporate Parent Panel, this had been advantageous as they provided an opportunity for a voice for looked after children.
- We thanked the officer and Cabinet Member for the report and commended the work of the team and carers.

We resolved to agree the recommendation within the report:



## MONMOUTHSHIRE COUNTY COUNCIL

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It is recommended that Councillors take note of the attached report and give further consideration to their personal role and commitment as Corporate Parents.

*County Councillors D. Evans, M. Hickman, P. Jordan and M. Powell left at 6pm*

### **10. AUDIT OF FINANCIAL STATEMENTS REPORT AND ANNUAL ACCOUNTS 2014-15**

The Leader presented the Financial Statements report and Council were invited to adopt the accounts.

The Wales Audit Office highlighted pertinent issues and thanked the Head of Finance, Assistant Head of Finance and their teams for support.

We resolved to approve the report and its content.

### **11. CAR PARK AT MARDY PARK RESOURCE CENTRE**

The Cabinet Member presented a report which sought approval for the Mardy Park car park to be incorporated into the 2015/16 Capital Budget.

During discussion we noted the following points:

- Members supported the report.
- Further information would be provided regarding, permission for staff to use opposite car park and work on caretakers bungalow.
- Council welcomed progress of the issue and noted that development of Mardy Park had been considered by the Adults Select Committee.

We resolved to agree recommendations within the report:

1. That Council approve the inclusion of a capital budget for £171,000 for the Mardy Park car park into this year's Capital budget
2. That funding for the capital budget is:
  - £146,000 from the Intermediate Care Fund
  - £25,000 revenue contribution to capital (from revenue saving due to maintaining a current management post vacant)

### **12. STAGE 2 IMPROVEMENT PLAN**

The Leader presented the Stage 2 Improvement Plan which sought council approval of the Stage 2 Improvement Plan for 2014/15 and ensured that members had access to comparative performance information for 2014-15.

## MONMOUTHSHIRE COUNTY COUNCIL

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*County Councillors J. Crook and G. Howard left 6.40pm*

During discussion we noted the following:

- Total number of waste incidents was 306, the figure was reported through the cleansing team.
- In response to a question raised regarding KS5 tiers, Council were informed that the exam result related to 2014 and there was a clear difference between two cohorts. Finalised figures from Welsh Government would be published and free school meals gap would be included and specific detail available for members.
- An objective of the LSB was to ensure that alcohol and low birth weight babies, was addressed. This information was contained within the LSB report and work had been undertaken with health visitors.

We resolved to agree recommendations within the report:

**That the Stage 2 Improvement Plan 2014/15 be approved.**

### 13. MEMBERS QUESTIONS

**a) From County Councillor S. White to County Councillor G. Howard:**

*'At a Planning Meeting in August the agenda for Wonastow Road LDP Developers informed members that money will be set aside for the maintenance and upkeep of the encased Wonastow Brook with pavement covering it to make a footpath. Which department of the Council will be responsible for the recovery of the money for the maintenance and upkeep of said brook and pavement? How many times a year will it be dredged to clear debris? How much money will we receive, will it be a one off payment and when it runs out where will the funds come from as we know MCC has no money for extra works?'*

The Leader read out the response on behalf of Councillor Howard:

*"Currently, as you are aware, the section of the brook referred to is open, and the proposals are to culvert it to enable a footpath over the top. As a separate matter, this will require an 'ordinary watercourse consent' with approval from Natural Resources Wales, since the responsibilities of the drainage board have been subsumed into it.*

*Whilst a private management company will manage the open space and landscaped areas, the brook will become the responsibility of this authority. The mechanics for working out future maintenance and upkeep of both the culvert and footpath would require a Section 278 agreement. The negotiation for this would be post planning consent, resulting in a commuted sum for such purposes. Commuted*

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*sums are normally for a 20 year period, but this can vary depending on the nature of the asset*

*You are absolutely correct in highlighting these issues that having a future maintenance or management plan is critical to ensuring longer term effectiveness of SUDS, or sustainable urban drainage systems.*

*The outline planning permission for the site was subject to a number of conditions, one of which relates to drainage of surface water. This condition is now subject to a discharge application. Normally conditions are dealt with by officers as they are usually of a technical nature and do not require consultation in the same way as other types of application.*

*However, I am advised that the report for the discharge of condition application is being written up for the October planning committee meeting. This includes other conditions and the site layout, which was a reserved matter. The proposed surface water management of the site will be explained to members at that meeting*

*I hope that goes some way to answering your question, but that you will appreciate that the exact details will be forthcoming.”*

As a supplementary question, Councillor White asked where funding would come from.

We agreed that this would be passed on to Councillor Howard as Cabinet Member.

Officers in attendance confirmed that there was a commuted sum agreed with the developer. The Management and watercourse falls with the highways team and revenue budget, emergency responses would be actioned as normal.

#### **b) From County Councillor V. Smith to County Councillor S.B. Jones:**

*‘Can the Cabinet Member please advise of what progress has been made with regard to consultation with various bodies over speed limits along the A472 between Coleg Gwent Equestrian Centre and Alexandra Terrace.’*

The Leader responded:

- Advice had been received that 50mph was more appropriate along this road and it was understood that the local member would like 40mph, however, this was not supported by the police.
- Highways had established double white lines, which would prevent overtaking and this was supported by the police and local residents.
- Minded to ask officers to introduce 50mph, but only with agreement of the local member.

#### **c) From County Councillor D. Blakebrough to County Councillor Greenland:**

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of Monmouthshire County Council held at County Hall, Usk on Thursday 24<sup>th</sup> September at 2.00 p.m.

*'Council will have noted the recent announcement from Morrisons of declining profits, the closure of a number of outlets and the sale of their convenience stores. The company has also withdrawn from a number of new build projects. Given that state of affairs, will the Cabinet Member inform us as to when he last met with Morrisons Management, what assurances he has been given about the Abergavenny development, what timescale is envisaged for completion of the project and whether he remains confident that it will in fact go ahead?.'*

In response the Cabinet member advised:

- Morrisons and other supermarkets are re-thinking strategies, shunning large superstores, in favour of modest in town stores. There is a legally binding contract in place with Morrisons and they have paid 10% deposit, balance due by June 2016.

#### **d) From County Councillor D. Batrouni to County Councillor G. Howard:**

*'How many fixed penalties notices did the Council issue for dog fouling in (i) 2015 to date, (ii) 2014, (iii) 2013 and (iv) 2012?'*

The Leader read out the response on behalf of Councillor Howard:

*'Calendar year 2012 – 0; 2013 – 1; 2014 - 0 but prosecuted the fpn that was served in 2013 and not paid; 2015 to date – 0.*

*There are a number of points I would like to highlight, to explain further, or that have been taken by way of mitigation:*

*1) The Environmental Health team has no officers available to carry out proactive patrolling, as resources are targeted to meeting our statutory responsibilities. However, the team will consider information provided by a resident where an individual is not picking up after their dog or allowing their dog to go unattended in a public area. This would generally entail a letter to the dog owner pointing out their responsibilities. If the resident was prepared to provide a statement that they witnessed an offence and prepared give evidence in court, we would consider, if satisfied that the evidence was robust, the service of a fixed penalty notice on the owner ( £75 payable in 14 days reducing to £50 if paid within 10 days).*

*In addition our officers provide signs/stickers where appropriate and give advice where complaints are received. Number of complaints we have received in recent years range from 155 in 2010, to 147 in 2014:*

*2) In May 2011 we agreed a Memorandum of Understanding with Gwent Police authorizing their officers to issue fixed penalty notices on our behalf if they witnessed an offence. Environmental Health administers the process. Huw Owen has given training to the PCSOs and issued them with FPN books (27 out of 28 PCSOs active in the Authority in May 14 had been issued with the books). However no FPNs have been issued in recent years by PCSOs and the feedback we have has is that they see very few incidents when out patrolling, and if dog owner spots a uniformed officer they tend to pick it up. Also fouling tends to occur outside normal working hours.*

## MONMOUTHSHIRE COUNTY COUNCIL

### Minutes of the meeting of Monmouthshire County Council held at County Hall, Usk on Thursday 24<sup>th</sup> September at 2.00 p.m.

3) *Environmental Health and the Waste team took the lead in developing a scheme called ' Give Dog Fouling the Red Card', which was piloted for 6 months in the Severnside area in 2014. The participating Town and Community Councils did perceive a reduction in fouling although it's very difficult to quantify this. We tried to roll this out in Monmouthshire and details were sent to Town and Community Councils in January. Twelve councils who decided to participate and in May resources were handed out, all designed to raise awareness of the problem of dog fouling under the brand of 'Give Dog Fouling the Red Card'. (signs, spray paint, fouling bags etc provided).*

*This project follows the theme of local solutions to problems with the County Council providing guidance and some resource to T&CCs. There will be a further meeting later this year to get feedback and if considered useful and Tidy Towns funding is still available. Huw Owen will again write to all councils early next year inviting their participation.*

4) *The idea of engaging with a private company to carry out enforcement was considered by Graham Perry and Phil Murphy (as previous Cabinet Member for RER) in 12/13. As members will be aware some Local Authorities have gone down this route and in Blaenau Gwent for example hundreds of FPNs are served each year for littering/fouling.*

*It was decided not to go down this road for a number of reasons - the dog fouling element is not cost neutral as the contractors do not get the numbers of fpts served to make it so (littering especially cigarette butts are easily found outside bus/train stations, pubs etc but fouling offences are less easy to find); there is often negative publicity that can accompany the schemes, as was seen within Torfaen; and the officer time needed to administer the system and pursue prosecutions, because of the high level of non-payments is lengthy.*

5) *Lastly there are examples of where Town and Community Councils have joined together to provide dog bins in their community and have the waste removed by a separate contractor. Amongst others, Llanelly Community Council, Abergavenny Town and Llantilio Pertholey run this and would, no doubt, confirm that they are very well used.'*

**The meeting ended at 7.15 p.m.**

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**ACTION LIST**  
**MEETING OF MONMOUTHSHIRE COUNTY COUNCIL**  
**24<sup>TH</sup> SEPTEMBER 2015**

MINUTE NUMBER AND SUBJECT	ACTION TO BE TAKEN	TO BE ACTIONED BY	PROGRESS
5ii. MINUTES	<ul style="list-style-type: none"> <li>• Minute amendment</li> </ul>	Democratic Services	<ul style="list-style-type: none"> <li>• Completed.</li> </ul>
7. NOTICES OF MOTION	<ul style="list-style-type: none"> <li>• <i>Leader/Cabinet members and Chief Officers to meet and take appropriate action</i></li> </ul>	Leader and Chief Officers	<ul style="list-style-type: none"> <li>• In progress.</li> </ul>
Page 19 19. CAR PARK AT MARDY PARK RESOURCE CENTRE	<ul style="list-style-type: none"> <li>• Further information to be provided regarding use of adjacent car park and update regarding work on caretakers bungalow</li> </ul>	Cabinet member /chief officer	<ul style="list-style-type: none"> <li>• In progress</li> </ul>

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<b>SUBJECT:</b>	<b>Providing Members with an evaluation of the effectiveness of safeguarding within Monmouthshire</b>
<b>MEETING:</b>	<b>CYP Select</b>
<b>DATE:</b>	<b>2<sup>nd</sup> November 2015</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

## 1. PURPOSE:

To provide members with information and analysis regarding the safeguarding of children and young people. Comprehensive strategic and operational information is provided via a suite of three cross referenced reports:

- i. **Strategic Report for Safeguarding September 2015**; this provides an evaluative overview for Members on progress, areas for further work and includes case studies. **Pages 1-5 of this report will enable Members to obtain a good summary of the current safeguarding agenda.**
- ii. **Safeguarding Report Card September 2015**; this provides detailed evidence and analysis for Members wishing to review safeguarding performance in more depth.
- iii. **Service Improvement Plan for Safeguarding 2015 – 2016, Quarter 2 Review**; this is the mid-point review of the annual plan for the safeguarding unit detailing progress against identified the priorities and actions.

## 2. RECOMMENDATIONS:

That select receives the attached reports, noting the progress and areas for further work and using them as the basis for challenge.

## 3. KEY ISSUES:

3.1 Safeguarding children and young people is a key responsibility for the Council. These duties apply to all officers and members of council and include the specific child protection duties carried out via Children's Services.

3.2 In November 2012 Estyn carried out an inspection of the Local Authority and found that the arrangements for safeguarding were unsatisfactory.

A monitoring visit in February 2014 found that whilst the Local Authority had made some good initial progress the shortcomings identified in the strategic management of safeguarding had not been addressed well enough. This judgement was echoed by a Welsh Audit Office inspection in March 2014. It was partly as a result of this that the current suite of reports were commissioned to ensure that Members had access to comprehensive and thoughtful analysis of the state of safeguarding in Monmouthshire.

3.3 CSSIW carried out inspections of Monmouthshire Children's Services in April and November 2014. Whilst confirming that children involved in the child protection process were safeguarded, CSSIW did identify some key deficits and areas for improvement including the consistency and quality of management oversight within Children's Services and the effective embedding of performance management and quality assurance arrangements.

3.4 Estyn Inspectors will be carrying out a further inspection of the authority in November 2015. The focus will be on how the authority has responded to the recommendations following the November 2012. The first of these was regarding safeguarding: Ensure that safeguarding procedures are robust and underpinned by a clear policy

**4. REASONS:**

Safeguarding and child protection concerns some of the most vulnerable children in Monmouthshire. This is an important opportunity for cabinet members to consider the current arrangements for safeguarding.

**5. RESOURCE IMPLICATIONS:** None directly from this report

**6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

These reports focus on enhancing safeguarding of children and young people. No negative implications have been identified and if there are actions that subsequently require decision, EQIAs will be undertaken at that stage.

**7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS**

Throughout the reports consideration has been given to how the Local Authority promotes safeguarding and corporate parenting.

**8. CONSULTEES:**

- Paul Matthews – Chief Executive
- Tracy Jelfs – Head of Children’s Services

**9. BACKGROUND PAPERS: None**

**10. AUTHOR: Jane Rodgers, Safeguarding and Quality Assurance Manager**

**11. CONTACT DETAILS:**

E-mail: [janerodgers@monmouthshire.gov.uk](mailto:janerodgers@monmouthshire.gov.uk)

## Service Plan 2015/18 – Q2 Review

<b>Service:</b>	<b>SAFEGUARDING</b>
<b>Service Manager:</b>	Jane Rodgers
<b>Directorate:</b>	Social Care and Health
<b>Head of service</b>	Tracy Jelfs
<b>MCC Priority:</b> <i>Please choose as appropriate</i>	Protecting Vulnerable People
<b>MCC and Single Integrated Plan (SIP) Outcome:</b> <i>Please choose as appropriate</i>	People feel safe

### Our Purpose

*Complete this from the end users' perspective (Customers may be internal or external / Citizens)*

Our purpose in Safeguarding is to ensure that children in Monmouthshire are as safe as they can be and are protected from harm. We want all children within Monmouthshire to live free from the damaging impact of abuse or neglect.

We will achieve this through responding to local need and through addressing aspects of safeguarding practice that can be further improved. We will continue to implement and review safe systems, processes and practices for safeguarding and child protection across all settings and service areas. The foundation for this is the on-going implementation of our comprehensive safeguarding and child protection policy which sets out clear lines of accountability, good systems for support, advice and consultation and effective operational procedures. Alongside of this, we will continue to ensure that workers are suitable, trained and confident in undertaking their safeguarding responsibilities including a good understanding of the importance of inter-agency working. Within this broader framework, we will aim to ensure that where individual children are at risk the system reacts appropriately to refer, investigate and respond to concerns as they arise. We want to ensure that the child's experience remains central to this and that our safeguarding and child protection activity and interventions promote positive outcomes for children.

Within Monmouthshire we recognise that safeguarding is something that needs to run through the whole organisation from the top down and the bottom up. Keeping children safe depends on a joined-up, partnership approach across directorates and service areas where everyone knows the part they play and the importance of recognising and raising concerns. There is now a whole authority safeguarding leadership group in place to drive the safeguarding agenda across the council and provide additional internal challenge. Embedding safeguarding at a 'hearts and minds' level within the authority is something that we will continue to invest energy in during the year ahead.

As a Safeguarding Unit we will support the local authority and its partners in achieving best safeguarding practice. The unit was established in Autumn 2012 and has a stable work-team comprising of the Safeguarding Manager, Lead Officer for Safeguarding In Education (LOSIE), Child

Protection Coordinator, Independent Reviewing Officer, Senior Practitioner for Court and 2 Child Protection Administrators. There is a 0.5 vacancy in the unit for a Safeguarding Officer, and we will be seeking to fill this post by September 2015. Safeguarding is strongly aligned with children's services at both an operational and strategic level. This alignment ensures that as we implement service improvement plans these complement each other, with safeguarding taking the lead around multi-agency arrangements and where there is a connection to the work of the South East Wales Regional Safeguarding Board. Many of the actions within the safeguarding SIP dovetail into the children's services SIP which carries them forward at a more operational 'social work' level.

The development of the current Safeguarding SIP rests on two sister reports namely the Safeugarding Report Card (April 2015) and the Safeguarding Strategic Report (April 2015). The operational priorities and activities set out in the Service Improvement Plan broadly correlate with the future actions identified through the Safeguardding Strategic Report.

Evaluation of last years performance

What did we want to achieve? (Aspiration)	What have we done so far?	What difference has this made? (Impact)	What is your evidence?
We wanted to ensure that safeguarding was culturally embedded within the whole authority	<p>Developed an whole authority safeguarding group.</p> <p>Developed a 6-monthly reporting framework for safeguarding.</p>	Increased connections to safeguarding across all directorates.	<p>Minutes</p> <p>Training numbers</p> <p>Referral Patterns</p> <p>Safeguarding reports</p>
We wanted to ensure that all settings and services operating in Monmouthshire understood their roles and responsibilities in keeping children safe.	<p>Safeguarding and Child Policy in place and disseminated.</p> <p>Implemented an audit framework via 2 year rolling programme.</p>	<p>We have been able to identify strengths and weaknesses across a range of services.</p> <p>We have been able to address gaps in knowledge / training needs and provided consultation and advice regarding safeguarding practice.</p> <p>We have extended the reach of safeguarding into the 3<sup>rd</sup> sector – and identified areas that we have not yet covered.</p>	Outcomes from the audit framework in the safeguarding report card.
We wanted to ensure that in Monmouthshire staff and volunteers working with children are suitable, child-focused and do not pose a risk to children.	<p>Continued to coordinate and provide oversight in instances where there have been professional concerns or allegations.</p> <p>Commenced implementation of a multi-agency training programme.</p> <p>Worked with People's Services to implement safe recruitment training</p>	We have ensured that individual issues of professional concern have been responded to and that risks have been appropriately managed vis statutory and inter-agency processes.	<p>Minutes from HR liaison meetings</p> <p>Safeguarding report card around professional allegations</p> <p>Training numbers for individuals trained in Safe Recruitment.</p>

	and develop good practice safe workforce management.		
We wanted to ensure that in Monmouthshire all workers and volunteers in contact with children and families were trained at the appropriate level and were confident in understanding their roles and responsibilities in respect of safeguarding	<p>We have continued to extend safeguarding training programme at all levels (1, 2 &amp; 3).</p> <p>Developed a better understanding of safeguarding training needs across the authority.</p> <p>Responded to identified training needs in individual service areas.</p>	We have ensured that staff have access to appropriate training relevant to their roles to help them to fulfil their safeguarding responsibilities.	<p>Training numbers (safeguarding report card).</p> <p>Evaluations from participants.</p>
We wanted to promote good safeguarding practice particularly in neglect, undertaking section 47 investigations and for adolescents with complex risks.	<p>We have shared outcomes from the neglect audit via a practitioner forum. We have implemented a process for multi-agency supervision. We have maintained an active oversight of the child protection register and reduced the average length of time children are exposed to risk.</p> <p>We have implemented practice development sessions in child protection processes.</p>	Individual children have been safeguarded through adherence to good practice.	<p>Child protection reports</p> <p>Performance information from children's services.</p> <p>SEWSCB strategic plan</p> <p>Evidence from CSSIW inspections.</p>
We wanted to ensure that services to minimise the impact of domestic abuse within the authority were in place.	<p>Supported the local domestic abuse forum in the development and implementation of its local action plan.</p> <p>Identified potential service gaps and started to work with others about how these can be addressed.</p>	The local authority is tackling domestic abuse at a range of levels from preventative to response.	Domestic abuse action plan.

<p>We wanted to ensure that we listened directly to young people regarding safeguarding and that their concerns were responded to.</p>	<p>We have begun to implement the Safeugarding Survey 2015. We have developed a well-being group to take forward an anti-bullying agenda; assist with mapping mental health pathways; and developing an 'app' to support young people affected by self-harm.</p>	<p>We are listening to and responded to the concerns of young people about their safety and well-being.</p>	<p>Safeugarding Survey</p>
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What does this tell us we need to do for the next three years?

The key areas requiring development over 2015 – 16 within the county to further ensure the safety and well-being of children and young people are:

- To develop self-evaluation and critical challenge in respect of the impact of safeguarding activity across the authority.
- Use the external validation review of safeguarding as an opportunity for further learning and to help us in setting direction, prioritising and improvement planning.
- Listen and respond to the outcomes from the Young People's Safeguarding Survey 2015.
- Promote increased engagement with voluntary organisations.
- Implement the 2nd phase of the SAFE and analyse outcomes.
- Develop the training programme for Monmouthshire to ensure that all staff have access to safeguarding / child protection training at a suitable level (in progress).
- Support the development of the Well-Being group under the partnership including cross authority work around anti-bullying, self-harm and mental health pathways (Well-being group in early stage of development).
- Use of range of sources to analyse and report on the issues that compromise the safety and welfare of children and /or potentially expose them to harm through abuse and neglect. Work with others to respond to / reduce areas of need particularly regarding domestic abuse, parental substance misuse child neglect and young people with complex risk taking behaviours (In progress).
- Prioritise key areas of safeguarding practice where it has been identified that practice can be improved particularly regarding the thresholds and interface between services areas; section 47 investigations and working with complex risk (in progress).

Action	Expected impact of this action	Strategic Plan it aligns to (If directly applicable)	Outcome it contributes to (If directly applicable)	Timescale	Funding	Officer responsible	Q1 Performance appraisal (Include progress and impact made)	Q2 Performance appraisal (Include progress and impact made)	Q3 Performance appraisal (Include progress and impact made)	Q4 Performance appraisal (Include progress and impact made)
<b>1. Review the Monmouthshire Safeguarding and Child Protection Policy on an biennial basis.</b>  Ensure that the Policy is implemented across the LA through the SAFE (see below).	The policy is up to date with any changes in legislation and / or any developments in safeguarding practice particularly Keeping Children Safe in Education and the Social Care and Well-Being Act.  There is clear guidance in place across the authority regarding safeguarding and child protection practices, roles and responsibilities.	Single Integrated Plan	People feel safe	By Sept 2015	Core	LOSIE / Safeguarding Manager		<b>Work plan for the Whole Authority Safeguarding Group (WASG)</b>		
							<b>On Target</b>	<b>Behind Target</b>	<b>Select Progress</b>	<b>Select Progress</b>
<b>2. Support the development of the Whole Authority Safeguarding Group.</b>  Use the external validation review of safeguarding as an opportunity for further learning and to help us in setting direction, prioritising and improvement planning.  <i>Review chair arrangements for the WASG in consideration of statutory duties of Director of SS (Rec 1 EW)</i>  <i>Corporate roles and responsibilities safeguarding to be clearly articulated and understood (Rec 3 EW)</i>	Strong leadership and cross directorate ownership of safeguarding, together with the opportunity for internal challenge will help to keep children in Monmouthshire safer.	Single Integrated Plan	People feel safe	On-going  External Validation to complete end of July 2015	Core	Safeguarding Manager	External review by EW received.  WASG meeting dates set for the year.  <b>On Target</b>	Further clarify work plan and priorities for WASG  <i>Strengthen knowledge of and link with SEWSCB</i>  <b>On Target</b>		
							<b>On Target</b>	<b>On Target</b>	<b>Select Progress</b>	<b>Select Progress</b>
<b>3. Implement Phase 2 of the Safeguarding Assessment Framework for Evaluation (SAFE):</b>  <b>Year 1</b> all settings and service areas operating directly within the LA  <b>Year 2</b> all grant funded and commissioned services  Analyse the outcomes from the audits and address any issues / themes that arise either within individual settings or at a wider whole authority level. (This to include completing the analysis and mapping from the Phase 1 / year 2). <i>(Rec 7 EW)</i>	Gain further information about how individual settings and service meet their child protection and safeguarding responsibilities in practice.  Our aim is to embed a developmental and continuous approach to improving child protection practice and to ensure that all agencies are working together effectively to keep children safe.	Single Integrated Plan	People feel safe	Year 1 by end of March 2016  Year 2 by end of March 2017	Core	LOSIE		Phase 2 (Year 1) commenced through schools and early years.  <i>Planning for LA ensuring QA process for SG in contracted and commissioned services (year 2) to commence via WASG</i>		
							<b>On Target</b>	<b>On Target</b>	<b>Select Progress</b>	<b>Select Progress</b>



<p><b>4. Work with others to promote a better engagement with voluntary sector organisations operating within Monmouthshire including promoting the implementation of a safeguarding audit framework for all voluntary organisations.</b></p>	<p>Ensuring that voluntary sector organisations fully understand and are supported to meet their safeguarding responsibilities.</p>	<p>Single Integrated Plan</p>	<p>People feel safe</p>	<p>On-going</p>	<p>Core</p>	<p>LOSIE / Safeguarding Manager</p>	<p>GAVO represented at Local Group of the SEWSCB; Safeguarding link with 3<sup>rd</sup> sector through Youth Offer Group established. Task now to establish joint needs analysis and SG priorities for vol sector.</p>		
							<p><b>Behind Target</b></p>	<p><b>Behind Target</b></p>	<p><b>Select Progress</b></p>
<p><b>5. Deliver and develop safeguarding and child protection learning and training opportunities across the authority for all workers and volunteers.</b></p> <p>Increase the numbers of MCC staff accessing level 3 regional training.</p> <p>Identify training needs from a whole authority approach and develop of a core programme for safeguarding training. (Rec 8 EW)</p> <p>Further work to develop the network of good quality level 1 trainers across the local authority.</p> <p>Implement a staff survey to gauge the impact of level 1 learning and on-going mapping of training needs.</p>	<p>Children will be safeguarded because workers and volunteers are trained to recognise and respond to concerns and feel confident in their CP roles at whatever level.</p>	<p>Single Integrated Plan</p> <p>SEWSCB strategic plan</p>	<p>People feel safe</p>	<p>On-going</p> <p>Staff Survey by end of Sept 2015</p>	<p>Core / SEWSCB resource</p>	<p>LOSIE / Safeguarding Manager</p>	<p>Level 1 training needs analysis initiated with the WASG.</p>	<p>Complete Level 1 training needs analysis across all directorates. Safeguarding now integrated into corporate induction. Develop individual directorate record keeping and monitoring. Implement staff survey.</p>	
							<p><b>On Target</b></p>	<p><b>On Target</b></p>	<p><b>Select Progress</b></p>
<p><b>6. Work in partnership with Employee Services to ensure that safe recruitment and HR practices are embedded within the authority through training, appropriate policy and guidance and monitoring / audit.</b></p> <p>Build consistency across the LA in the use of <b>volunteers</b> particularly in respect of HR practices and training.</p>	<p>All staff members and volunteers are suitable and do not pose a risk to children or young people</p>	<p>Single Integrated Plan</p>	<p>People feel safe</p>	<p>On-going</p>	<p>Core</p>	<p>People Management Leads / Safeguarding manager</p> <p>Volunteer Coordinator</p>	<p>Volunteer management tool kit in development with strong s/g component.</p>	<p>Safe recruitment training programme in place. Good practice examples of risk assessing re DBS. Increased level of audit and follow up of exception reporting in place through directorate leads.</p>	
							<p><b>On Target</b></p>	<p><b>On Target</b></p>	<p><b>Select Progress</b></p>

<p><b>7. Lead and co-ordinate the statutory response to any professional allegations.</b></p> <p>Analyse and report on performance information regarding professional allegations.</p> <p>Raise awareness of the management of professional allegations through training and learning opportunities.</p>	<p>Professional allegations are responded to effectively so that children and young people are protected from individuals who may pose a risk.</p>	<p>Single Integrated Plan</p> <p>SEWSCB strategic plan</p>	<p>People feel safe</p>	<p>On-going</p> <p>Training programme implemented by Sept 2015</p>	<p>Core</p>	<p>Child Protection Coordinator / Safeguarding Manager</p>	<p>Training programme has been signed off by the SEWSCB and is ready for local delivery.</p>			
<p><b>8. Develop our monitoring, review and analysis of safeguarding and child protection using a range of information sources including:</b></p> <ul style="list-style-type: none"> <li>- External validation of safeguarding</li> <li>- Inspection reports</li> <li>- Young people's safeguarding survey (2015)</li> <li>- Published case reviews from within the region and nationally</li> <li>- Local performance management information</li> <li>- Local case review and audit</li> </ul> <p>Further refine 6-monthly safeguarding reports so that strategic priorities are clearly articulated (Rec 6 EW).</p> <p>Report on the activity of the SEWSCB to senior leaders and elected members (Rec 2 EW)</p>	<p>Ensure that information is used effectively to continually identify and respond to aspects of local need and set target areas for service / practice improvement.</p>	<p>Single Integrated Plan</p>	<p>People feel safe</p>	<p>6-monthly reports</p>	<p>core</p>	<p>Safeguarding Manager</p>	<p>On target</p>	<p>Sept reports produced</p> <p>On target</p>		
<p><b>9. Work with others to review and ensure that necessary resources are allocated to preventative and response services for children at risk of harm because of domestic abuse and parental substance misuse.</b></p> <p>Ensure that where services are commissioned these align with local needs.</p> <p>Continue to support local implementation of domestic abuse work following the regional re-structure.</p>	<p>Children's vulnerability is reduced by aligning services and resources to needs in key areas.</p>	<p>Single Integrated Plan</p> <p>Children's Services SIP (9)</p> <p>VAWSASV regional and local plans.</p> <p><b>Strategic Priority 3 SEWSCB</b></p>	<p>People feel safe</p>	<p>Targets not set yet</p>	<p>Core</p>	<p>Head of Children's Services / Safeguarding Manager</p>	<p>Links made to regional VAWDASV. Local action plan in development.</p>	<p>Need to check direct prevention within CYP</p>		
							<p>On Target</p>	<p>On Target</p>	<p>Select Progress</p>	<p>Select Progress</p>

Rec 26

<p><b>10. Support and develop work across the LA in addressing and responding to the needs of adolescents with complex risks including:</b></p> <ul style="list-style-type: none"> <li>- Completion of self-harm app</li> <li>- Mapping for mental health pathways;</li> <li>- Further awareness raising and training for responding to child sexual exploitation</li> <li>- Strengthening risk assessment and management processes within single agencies and through partnership approaches.</li> </ul>	<p>That vulnerable teenagers within Monmouthshire are safeguarded and protected and that services are responsive to their needs as <i>children</i> in their own right.</p>	<p>Single Integrated Plan</p> <p>Children's Services SIP (5)</p> <p>Youth Offer Group</p> <p><b>SEWSCB Strategic Priority 2</b></p>	<p>People feel safe</p>	<p>On-going / Targets not yet set</p>	<p>Core</p>	<p><b>Partnership manager / Safeguarding Manager</b></p>	<p>Self harm app due for launch Sept 2015.</p> <p>Mapping exercise commenced.</p> <p>CSE staff training in schools implemented</p>	<p>Well-being group established.</p> <p>Planning in place for preventative CSE work in schools.</p>		
							<p><b>On Target</b></p>	<p><b>On Target</b></p>	<p><b>Select Progress</b></p>	<p><b>Select Progress</b></p>
<p><b>11. Support the implementation of the anti-bullying action plan via the Well-being group through development of good practice, better use of information and reporting systems and training.</b></p> <p>(Young people's survey)</p>	<p>Risks to children and young people caused through the impact of bullying are reduced.</p>	<p>Single Integrated Plan</p>	<p>People feel safe</p>	<p>Cross Ref anti-bullying plan / Well-being group</p>	<p>Core</p>	<p>Partnership manager / Safeguarding Manager / Inclusions Manager</p>		<p>Bullying action plan in place and being monitored through Well-being group</p>		
							<p><b>On Target</b></p>	<p><b>On Target</b></p>	<p><b>Select Progress</b></p>	<p><b>Select Progress</b></p>
<p><b>12. Work in partnership with Monmouthshire Youth Service and education services to promote on-line safety for all children and young people in Monmouthshire through provision of general and targeting information and training.</b></p> <p>(Young People's Survey)</p>	<p>Children feel safer on-line and parents and professionals are enabled to promote on-line safety and minimise risks.</p>	<p>Single Integrated Plan</p>	<p>People feel safe</p>	<p>Targets not set yet</p>	<p>core</p>	<p>Youth service / safeguarding manager</p>	<p>Regional training for professionals in development</p>	<p>Establish work plan through response planning following YP's SG survey (see12)</p>		
							<p><b>On Target</b></p>	<p><b>On Target</b></p>	<p><b>Select Progress</b></p>	<p><b>Select Progress</b></p>
<p><b>13. Report on the outcomes from the young people's Safeguarding Survey 2015</b></p> <p>Work with others to develop an Engagement Strategy for C&amp;YP (Rec 5 EW)</p>	<p>There is cross directorate awareness and action planning in response to the issues that concern young people.</p>	<p>Single Integrated Plan</p> <p>Children's Services SIP (12)</p>	<p>People feel safe</p>	<p>By end July 2015</p>	<p>Core</p>	<p>Youth service / safeguarding manager</p>	<p>YP survey completed and confirms more work to do be done on bullying, keeping safe on line and access to adult material on line</p>	<p><b>Action plan to map out response and next steps following survey.</b></p> <p><b>On Target</b></p>		
							<p><b>On Target</b></p>	<p><b>On Target</b></p>	<p><b>Select Progress</b></p>	<p><b>Select Progress</b></p>
<p><b>14. Promote good practice regarding working with children at risk of neglect including:</b></p>	<p>Good understanding and inter-agency working around thresholds and referrals will ensure that risk and need is responded to at the appropriate level.</p>	<p>Single Integrated Plan</p> <p>SEWSCB strategic Priority 1</p>	<p>People feel safe</p>	<p>On-going</p>	<p>Core</p>	<p>Safeguarding Manager</p>		<p>Increase Neglect training attendance.</p> <p>Awareness raising.</p> <p>Further audit.</p>		

<ul style="list-style-type: none"> <li>- Working with preventative services regarding early recognition and making good quality referrals;</li> <li>- Promoting the alignment of preventative services to parental needs;</li> <li>- Continued implementation of 'Neglect' and 'Child protection planning' training within Monmouthshire.</li> </ul>		Children's Services SIP					On Target	On Target	Select Progress	Select Progress
<p><b>15. Implement multi-agency training in section 47 process and to support multi-agency involvement and joint working during Section 47 inquiries.</b></p> <p>Consider MASH as an alternative 'front-door' model (Rec 9 EW)</p> <p>Provide oversight to children on the child protection register and to support the implementation of multi-agency consultation for complex cases.</p>	<p>Best outcomes for children are achieved through the development of good practice when undertaking child abuse investigations.</p> <p>Best outcomes for children are achieved through active, inter-agency child protection planning.</p>	<p>Single Integrated Plan</p> <p>SEWSCB strategic plan</p> <p>Children's Services SIP (4)</p>	People feel safe	Further 2 training sessions by end July 2015	Core	Head of Children's Services / Safeguarding Manager		Some delays around development of S47 – identification of ABE training; impact of service delivery issues in 'front-door' services		
<p>Page 28</p>		Single Integrated Plan	People feel safe			Head of Children's Services / Safeguarding Manager / Partnerships	On Target	Joint Education and Children's Services Workshop held.		
							On Target	On Target	Select Progress	Select Progress
							Select Progress	Select Progress	Select Progress	Select Progress

**A balanced scorecard to measure service performance / impact** (Some standard measures of performance on staff, finance and customers have been included that all services must report)

**Staff (Key infrastructure)**

Indicator	Actual 2012/13	Actual 2013/14	Actual 2014/15	latest Wales Av	Target 2015/16	Actual 2015/16 Q1	Actual 2015/16 Q2	Actual 2015/16 Q3	Actual 2015/16 Q4	Context/ Comment
The percentage of open cases of children on the Child Protection Register who have an allocated social worker (SCC/013ia)	100%	100%	100%	99.9%	100%		100%			
Average days lost to sickness absence per FTE employee					11.06		0.33			
Percentage of employees who leave the department			0	-	0		0			

**Budget (Key infrastructure)**

Indicator	Actual 2012/13	Actual 2013/14	Actual 2014/15	latest Wales Av	Target 2015/16	Actual 2015/16 Q1	Actual 2015/16 Q2	Actual 2015/16 Q3	Actual 2015/16 Q4	Context/ Comment
Forecase overspend or underspend on budget										

**Processes (How Much and How Well?)**

Indicator	Actual 2012/13	Actual 2013/14	Actual 2014/15	latest Wales Av	Target 2015/16	Actual 2015/16 Q1	Actual 2015/16 Q2	Actual 2015/16 Q3	Actual 2015/16 Q4	Context/ Comment
Number of referrals created as % of contacts received into children's services			12.4% (482/3885)	-	-		8.8% (163/1843)			
Number of section 47 investigations undertaken as % of referrals					-		60.1% (98/163)			NB Initial Strategy Discussions NOT S47 investigations
Number of children on the child protection register at the end of the period	55	37	51	-	-	59	41			De-registration of some large sibling groups during the period
Number (%) of children on the child protection register for 1 year or more at the end of the period	56% (31/55)	14% (5/37)	16% (8/51)	-	-		10% (4/41)			2 families
Percentage of initial child protection conferences within timescales (SCC/014)	84.8% (56/66)	93.4% (57/61)	75.0% (57/76)	89.9%	93.2%		90.5%			
Percentage of initial core groups held on time (SCC/015)	34.0% (16/47)	96.2% (51/53)	87.1% (54/62)	90%	91.5%		97.4%			
Number of child protection review conferences hold on time (SCC/034)	90.5%	93.9%	95.4%	98.1%	100%		91.1%			
Number of professional strategy meetings held		27	28	-	-		20			Counted as # of initial meetings (23 individuals)

Numbers of Monmouthshire workers trained at level 1	818	730	-		406				
Numbers of workers trained at level 2		105	-		-				SEWSCB provide year end figures
Numbers of workers trained at level 3		N/K	-		-				SEWSCB provide year end figures
Numbers of young people surveyed in 2015		-	-	1500		1231			

Customers (Outcome / Is anyone better off?)										
Indicator	Actual 2012/13	Actual 2013/14	Actual 2014/15	latest Wales Av	Target 2015/16	Actual 2015/16 Q1	Actual 2015/16 Q2	Actual 2015/16 Q3	Actual 2015/16 Q4	Context/ Comment
Number of de-registrations from the child protection register during the period	87	78	60	-	-		47			
Number of de-registrations entering the looked after system during the period	29	23	8	-	-		9			
Number (%) of children added to the register during the period who had been previously re-registered	12.7% (8/63)	20% (12/60)	6.8% (5/74)	-	-		17.9% (7/39)			
The % of referrals that are re-referrals within 12 months (SCC/010)	16.2% (69/425)	13.3% (55/415)	13.5% (65/482)	22.2%	12 – 30%		17.2% (28/163)			
Average length of time (months) that children spend on the register	11.8	7.7	6.5	-	-		5.7			
Number (%) of PSMs where concerns are substantiated			8/26	-	-		10/16			
Number of staff trained who can demonstrate that level 1 learning aims are achieved (survey)				-	-		-			Data not available



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## Safeguarding Report Card and Performance Information September 2015

### 1. Purpose

- To present information about safeguarding in a way that provides a line of sight between our activities and our outcomes.
- To provide and analyse quantitative and qualitative information in a way that will enable us to evaluate the progress we are making against some key areas of safeguarding activity.
- To use a comprehensive range of performance information - from a broad base of safeguarding activity to more specific information regarding child protection case work - to help us evaluate the central questions:  
*Are all children and young people in Monmouthshire as safe as they can be?*  
*Are vulnerable children in Monmouthshire protected from harm and abuse?*

### 2. Background Information

The report should be read in conjunction with the Service Improvement Plan (SIP) for Safeguarding 2015/16 and the Strategic Report for Safeguarding September 2015. Its purpose is to offer a 'whole system' perspective into how we meet our responsibilities for keeping children safe and to analyse the impact of our performance information. It is **not** a report card on the performance and impact of Children's Services; however, there are links, and where relevant key performance indicators from within Children's Services are highlighted in green. Further detail about how Children's Service contribute to the safeguarding system is to be found in the Children's Services SIP.

### 3. Key Messages From Performance Information

- On track to achieve 100% of completed SAFEs from within the LA
- Over 2000 individuals trained at level 1 by the safeguarding unit alone – many more are being trained via cascade trainers.
- Exception reporting for safe recruitment processes, and the implementation of safe recruitment training, is driving up awareness and standards
- Slight upward trend in numbers of professional concerns being referred in (indicating good awareness of the regional arrangements for managing professional concerns)
- Neglect is the predominant category over Emotional Abuse, which is a change in pattern for Monmouthshire after several years

- Continuation of downward trend in children on the register for longer than 15 months but an increase in re-registrations possibly correlated to the increased registrations for neglect
- Adolescents, particularly those with complex risks, are prevalent within child protection and preventative services

#### 4. Next Steps

- Strengthen the quality assurance process for grant-funded, commissioned and contracted services in preparation for year 2 of the SAFE
- Complete level 1 training needs analysis across all directorates and build further capacity for directorates to be 'self-sufficient' in meeting their level 1 training needs
- Develop the role of safe recruitment champions in each directorate and ensure all recruitment managers attend safe recruitment training
- Increase take up of level 2 plus training through the SEWSCB
- Continue to raise awareness of key practice messages in working with children at risk of neglect and their families
- Continue to develop services in meeting the needs of adolescents with complex risks

#### 5. Priority Areas and Performance Information

##### i) Safeguarding Audits

**Why we focus on this:** All settings and services operating within Monmouthshire are asked to self-assess against safeguarding standards set out in the SAFE (Safeguarding Assessment Framework for Evaluation) and to make improvements where these are required.

The impact of this is that it ensures that safe systems and practices are in place across the authority and that all services are operating in ways which promote the welfare and safety of children. The assessment process exposes potential gaps so that these can be addressed. The conversations that happen as a result create pathways for open communication about individual children of concern.

The SAFE is implemented over a 2 year rolling programme.

##### **Performance Information:**

##### **Outcomes from first implementation (April 2013 – March 2015)**

In the **first year** there was 100% compliance in terms of completing the assessment from settings and services within the authority. The process facilitated much closer

links between safeguarding and individual service areas with an increased understanding of strengths and weaknesses. We were then able to focus resources and attention onto settings that required more support from a developmental perspective. However, it is an on-going process.

In the **second year**, progress was made in terms of undertaking assessments with organisations that do not fall directly under the auspices of the authority (Families First / WAIMON / SOLAS) and demonstrates the local authority's commitment to forging lines of accountability for safeguarding across the authority. However, what we learned is that connecting with these services requires a different approach and that numbers can sometimes underplay the benefit that is to be gained through building the links and opening the dialogue.

During the second implementation (April 2015 – March 2017) our aim is to:

- Increase and improve our quality assurance arrangements for safeguarding within commissioned, contracted and grant funded organisations.
- Continue to work with GAVO to ensure good safeguarding practice within voluntary organisations operating within our area.

### **The 2<sup>nd</sup> implementation of the SAFE commenced in April 2015.**

Following the first implementation, revisions to the SAFE have made it a more live 'safeguarding health check' – something that is not just relevant on the date of completion, but that is integrated into staff and governing body meetings under the safeguarding agenda item. The revised SAFE requires settings to record and report on training needs in more detail; and the Designated Officer is asked to provide specific input regarding safeguarding activity. This is aimed to enable settings to monitor and develop safeguarding practice in a more dynamic way, underpinning the message that safeguarding is everyone's responsibility.

**April 2015 – March 2015 Target:** All settings and service areas that have contact with children, young people and their families and operate directly under the Local Authority

**April 2016 – March 2017 Target:** All settings and services that have contact with children, young people and their families and i) are grant funded or commissioned by the Local Authority ii) are voluntary or third sector services operating within the borders of Monmouthshire.

<b>2nd Implementation Year 1: Services that fall directly under the Local Authority</b>			
<b>Month to issue</b>	<b>Setting / Service area</b>	<b>Numbers of audits expected and returned</b>	<b>Progress / Comment</b>
April (2015)	Primary	30/ 31	Final SAFE expected
May	Secondary Schools	4/6	Final 2 SAFEs expected
June	Maintained Early Years settings and	29	SAFEs issued
July	FLYING START	1	
August	PTU Highways	1	
Sept	Youth Service	1	
Oct	Leisure Centres and Outdoor Education	4	
Nov	Family Learning and Community Education	2	
Dec	Libraries and museums	-	Need to confirm numbers

### **Impact and Analysis**

<b>What the Audits Have Told Us So Far (2015)</b>	<b>What We have Done</b>
<ul style="list-style-type: none"> <li>Regional guidance and statutory guidance for professional allegations is not always referenced within school safeguarding documents</li> <li>Work needs to be completed in schools to evaluate the impact of safeguarding training on practice</li> <li>Not everyone who needs to has accessed safe recruitment training</li> <li>Designated officers do not fully understand their role</li> <li>Safeguarding training for school governors is not accessed by all</li> <li>Arrangements for early intervention and preventative services are not fully understood</li> <li>Reports from designated officers can identify where practice has improved and where settings can develop further</li> </ul>	<ul style="list-style-type: none"> <li>Highlighted guidance and procedures to all settings; and involved schools in the WG revision of Keeping Learners Safe</li> <li>Given guidance to help organisations develop their child protection operational procedures</li> <li>Trained designated officers to deliver training within their own settings</li> <li>Continued to train (approx 400 individuals April - Sept 15) in basic awareness training some of which is tailored individually</li> <li>Provided group supervision for designated officers of secondary schools in MCC</li> <li>Planning with TAFF to increase awareness of arrangements for early intervention, particularly regarding younger age groups</li> </ul>

	<ul style="list-style-type: none"> <li>• Provided additional links and access to SEWSCB information and training courses</li> <li>• Provided additional support for settings dealing with complex safeguarding concerns</li> <li>• Liaised with EAS regarding record keeping and the exchange of information regarding arrangements for governor's training and set further dates</li> <li>• Explored a proposal for bespoke training for COGs and safeguarding governors.</li> </ul>
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## ii) Child Protection and Safeguarding Training

**Why we focus on this:** We aim to ensure that in Monmouthshire all workers and volunteers in contact with children and families are trained and confident in understanding their roles and responsibilities in respect of safeguarding including a good understanding of the importance of information sharing and inter-agency working.

### Performance Information:

**Level 1** training provides information about basic recognition of signs and symptoms with an emphasis on the importance of reporting concerns, sharing information and being aware of operational policies within individual service areas. All staff in contact with children and their families need to be trained at level 1.

In 2013/14 **818** individuals were trained at level 1 predominantly staff based within schools and / or staff within the Children and Young People's (CYP) directorate.

In 2014/15 **730** individuals were trained at level 1 with more than half of these **non-school based staff**.

April – Sept 2015 **406** individuals were trained at level 1 with more than half of these non-school based staff.

**34** designated officers are now trained to deliver level 1 training within their own settings.

**Level 2:** Under MCC Safeguarding and Child Protection Policy Designated Officers require level 2 training which provides a more in-depth knowledge of child protection including making referrals and the statutory process.

2014/15 **105** designated officers were trained at level 2.

Level 2 figures for 2015 – 2016 are not yet available.

All designated and deputy designated officers in school settings are trained at level 2

Level 2 courses are accessed via regional arrangements with an additional two courses per year organised by the Monmouthshire safeguarding unit. This is sufficient to meet training needs at level 2.

The courses are consistently well-evaluated in terms of meeting the learning needs of candidates. The most common feedback received has been that professionals feel more confident in the multi-agency arrangements to safeguard children at each stage including being able to contribute at child protection conferences.

**Level 3:** level 3 and above courses cover specific aspects of child protection in more depth and includes courses on Neglect, Working with Child Sexual Exploitation, Child Protection Planning and Early Infant Mental Health. Designated officers and those working directly with child protection services are encouraged to attend for their on-going professional development. Course are accessed predominantly through the regional SEWSCB, however, where specific training needs are identified the safeguarding unit has been able to run additional courses.

In 2014/15 **27** individuals from a range of agencies were trained in child protection planning and **50** individuals attended the annual safeguarding conference (November 2015)

The data indicates that access to level 3 courses regionally within Monmouthshire is comparatively lower than the other authorities.

Level 3 figures for 2015 – 2016 are not yet available.

### **Impact Analysis and Outcomes:**

A comprehensive time-table of level 1, level 2 and level 3 training is in place.

Further work is required to understand the profile and needs of Monmouthshire workers accessing level 3 and above courses.

The 34 trainers that have been trained to deliver Level 1 across MCC need to operate so that each directorate can evidence that it is self-sufficient and can sustain its level 1 training needs into the future. The way that directorates analyse training needs, record, monitor and report level 1 training is not consistently in place. Resources within the safeguarding unit need to be re-aligned to focus more on providing support to trainers and to quality assurance the training that is being delivered.

The SAFE process has identified other groups of professionals who require Level 1 and training has been delivered to these groups. Examples of these groups are MCC PTU drivers and MCC licensed officers; Gwent Music; Kerbcraft volunteers; Young Carers Project; SRS service; MCC volunteers.

It is known that the current MCC workforce is 4,200; however, work is needed to ensure that we risk assess and target our level 1 resources appropriately. Evidence from the WAO survey found that 95% of individuals responded positively to the question: 'I know what to do if I have concerns about the safety and well-being of a child'. However, we need to confirm and test this further.

### iii) Safe Recruitment

**Why we focus on this:** We aim to ensure that individuals employed to work in regulated activity posts are safe and suitable, and do not pose a risk to children or young people.

#### **Performance Information:**

To date 50 recruiting managers have attended Monmouthshire's Safe Recruitment training session, 20 from within schools and 30 from within Leisure.

An audit of the cohort of new starters into regulated activity posts during the period revealed that 220 / 223 followed the correct procedure for reporting the DBS certification status to People's Services; the recruiting managers for 3 individuals needed additional follow up from People's Services to ensure that all the required checks were in place.

#### **Impact Analysis and Outcomes:**

The Safe Recruitment training has commenced and there is a plan in place to extend this across all directorates on an annual basis, including Governors.

There are checks and audits in place via People's Services to ensure safe recruitment is followed and a mechanism in place via exception reports to address any gaps identified.

### iv) Professional Allegations and Concerns

**Why we focus on this:** Ensuring that staff and volunteers are suitable and child focussed is one of the cornerstones of safeguarding. We need to be assured that any professional allegation or concern is referred, investigated and responded to effectively on a multi-agency basis. This ensures that children and young people accessing services are protected from any individuals who may pose a risk. Similarly

it ensures that any themes, trends or issues that might compromise the safety of children at an organisational level are recognised and responded to.

### **Performance Information:**

From **1<sup>st</sup> April 2015 to Sept 2015** there have been 20 new incidents of professional allegations involving 23 individual workers. This compares with 27 incidents from the previous year indicating that the referral rate for professional allegations has gone up slightly.

Of the 23 individuals 11 concerns were referred because of incidents within the workplace and 12 because of child protection concerns arising within their own family / personal context.

An additional 7 cases referred into safeguarding were deemed not to meet the statutory threshold and were managed as a conduct issue with joint working between the employers, employee services and safeguarding.

During this period 16 cases have concluded including 3 cases from the previous period. In 10/16 **cases the risks were substantiated**: 4 individuals were managed via an internal disciplinary; 4 were provided with additional support and supervision to undertake their work in accordance with appropriate safeguarding; 2 individuals were dismissed and referred to DBS.

8 cases currently remain open (1 from a previous period): 4 for further inquiries to be made within the police; 3 awaiting the outcome of an internal disciplinary process and 1 awaiting further decisions.



## Breakdown of worker designation and allegation reason

Designation	Number
Residential Manager	1
Residential Worker	2
Care Worker	3
Driver	3
Foster carer	4
Health Practitioner	3
Other	1
Nursery worker	1
Social Worker	1
Youth Worker	1
Teacher / TA	3
	<b>23</b>

Allegation Reason (Work Place)	Number
Physical Assault	4
Physical / Emotional Abuse	2
Sexualised Behaviour / Professional Boundaries	4
Neglect	1
Allegation Reason (Family)	
Physical / Emotional Abuse	5
Emotional Abuse	1
Neglect	3
Sexual Assault / Sexualised behaviour	3
	<b>23</b>

### Impact Analysis and Outcomes:

The professional allegation process identified 10 risky individuals and ensured that the risks they posed were minimised. In terms of impact this means that:

- Children and young people accessing services in Monmouthshire are protected from unsuitable/ unsafe individuals;
- Children, young people and their parents / carers can be assured that where concerns are expressed they will be taken seriously and investigated;
- Employers and governors can be assured that they will be provided with advice and support in a multi-agency context to ensure that they act in accordance with their statutory responsibilities and maintain a safe workforce.

The pattern of referral for professional issues demonstrates a wide breadth of referral sources and reasons indicating that the statutory process is widely understood and implemented. Equally the link between professional / personal conduct and the need to share information of this nature within a wider safeguarding context is being recognised. However, outcomes from the SAFE indicate that there is still work to be done to raise awareness regarding the statutory process for managing professional allegations.

The development of the role of the LOSIE is demonstrated with evidence of conduct issues being referred (where there is an element of safeguarding). This provides the opportunity both to 'test' threshold and ensure that a safeguarding perspective can be brought to bear on any internal disciplinary process / investigation.

## Patterns of referrals and child protection registrations

**Why we focus on this:** Within a 'safe system' we need to be assured that **where individual children are at risk the system reacts appropriately to refer, investigate and respond to concerns as they arise**. We also need to be able to use referral information as a springboard for analysis and further inquiry as part of our on-going planning and development work.

### Performance Information:

During April 2014 – March 2015 **71** cases (101 children) were referred to coordinated early intervention services through JAFF (Joint Assessment Family Framework), 59 cases of which went on to have a family plan of intervention (TAF). The majority were referred through education (58%). 5 of these cases went on to be referred to social services because the concerns about the family escalated. 7 cases closed due to positive progress being made within the family.

During 1<sup>st</sup> April – 30<sup>th</sup> September, Children's Services received 1,843 contacts of which we made a decision that 163 of these would become referrals, that is they required further action rather than being noted or resulting in information or advice. The contact was reviewed by a manager and a decision made within 1 working day on how to proceed (**SCC/006**) for 97.5% of all contacts into children's services.

17.2% (28/163) of the referrals were re-referrals within 1 year of the original (**SCC/010**) which is an appropriate level comparatively with other authorities.

### Chart 1 Numbers and Progression for Contacts into Children's Services



The majority of referrals have been received from the police (27%), health (14%) and education workers (12%). This is broadly in keeping with previous periods; the drop

in referrals from education could be a result of the summer holidays falling in this period. (Figures for 2014 – 2015 Education 24%, police 21%, health 11%).

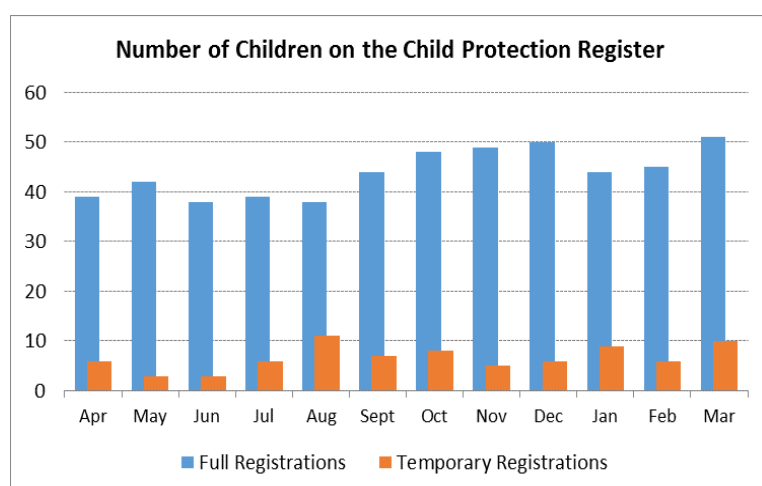
Substance or alcohol misuse is the most commonly observed issue affecting parenting capacity within Monmouthshire, present in 31% of cases (Source: CIN Census 2013/14). The second most common parenting issue within Monmouthshire is domestic abuse. **Substance misuse and domestic abuse** are recognised as the key issues impacting on parental capacity in Monmouthshire. (CIN census for 2014/15 not yet available).

From the 163 referrals generated, 98 of these referrals led to initial strategy discussions being held (concerning 84 children) and initial child protection conferences were convened for **42** children. The decision in 39 cases was to register the child. 100% of children on the register have an allocated social worker (SCC/013a). The percentage of initial child protection conference held within 15 days of the strategy discussion was 90.5% (SCC/014) still slightly short of the target of 93.2%. This is an increase from 75.0% last year, which saw Monmouthshire one of the poorer performers in Wales. The timeliness of child protection processes was identified as an area for improvement this year.

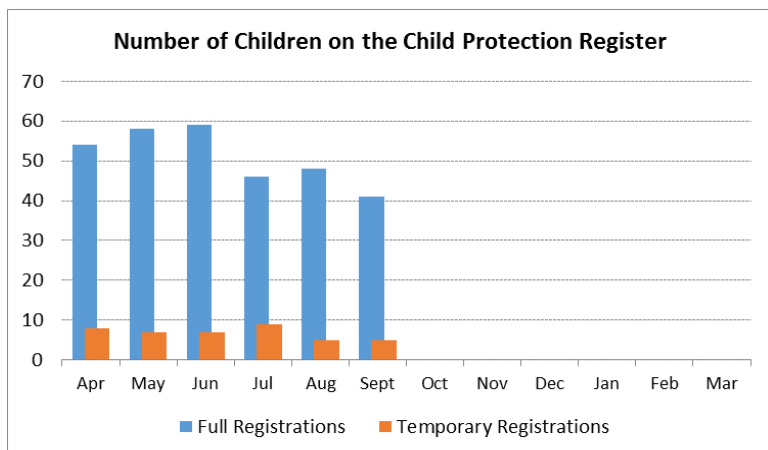
At the end of the period 41 children are registered on the Child Protection Register with an additional 5 under temporary registration. There has been a decrease in numbers of children registered during the period with 5 large sibling groups being de-registered. The numbers of children on the register in the last 2 years is showing no marked trend.

## Numbers of Children on the Register

### 2014 - 2015

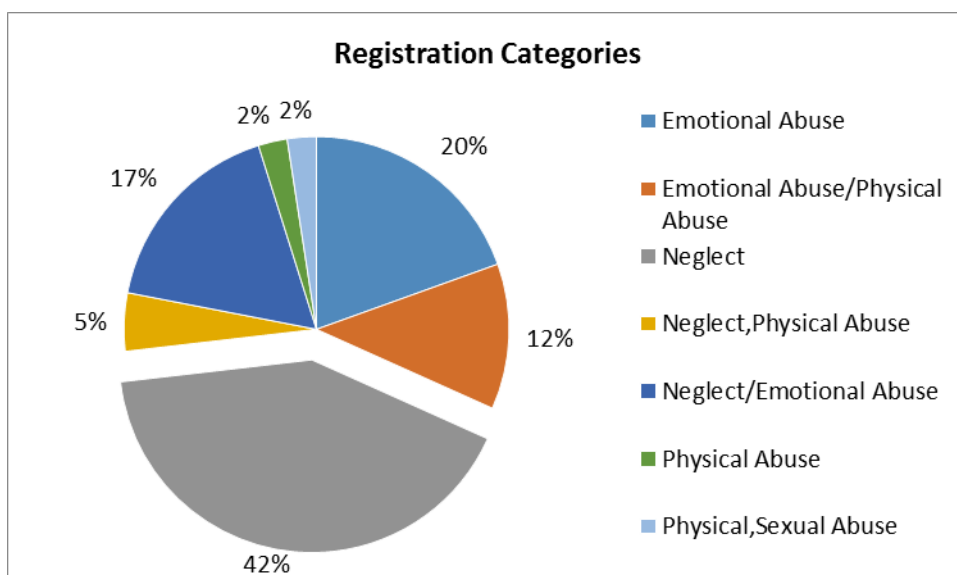


## 2015 – 2016 (as at 30th Sept)



The majority of children the 41 children registered are under the category of **Neglect**. This is the first time in recent years that Neglect has been the predominant category over Emotional Abuse.

### Breakdown of Registration Category



Of the 39 children registered this year, 7 (17.9%) had been previously registered. This is a significant increase on last year (6.8%).

## **Impact Analysis and Outcomes:**

Contacts / referrals into children's services come from a variety of sources which is a good indication that the messages about safeguarding and child protection are being disseminated.

The respective gaps between contact – referral – strategy discussions has been subject to further inquiry. Further scoping has confirmed potential areas for on-going development regarding: -the quality of referrals; the quality of response to contacts that are not progressed through formal protective services (children's services); the understanding of the threshold between early intervention and statutory services; and the quality of the initial information gathering process following referrals. This remains the same.

Registration patterns for neglect have increased which would be in-keeping with reported parenting issues of substance misuse and mental ill-health, and in-keeping with the numbers of children re-registered for a second or subsequent period (strongly correlated to neglect).

Emotional abuse being the second highest category confirms the link between domestic abuse and significant harm and corresponds to the impact of domestic abuse on children and families within Monmouthshire.

### **v) Patterns of child protection interventions and outcomes**

**Why we focus on this:** We want to ensure that our **child protection activity and interventions promote positive outcomes for the most vulnerable children** (i.e. those who are deemed to be at risk of significant harm through abuse or neglect).

#### **Performance Information:**

At the end of the period 4 children from 2 families have been on the register for over 1 year. There has been a steady decrease in the numbers of children registered for longer than a year (from 56% at the end of 2013 to 10% as of 30<sup>th</sup> September 2015). This correlates to the appointment of a permanent child protection coordinator; increase training around Child Protection Planning; and the implementation of multi-agency supervision within the authority.

Core group members for 1/2 of these families have been subject to a multi-agency supervision process to assist with the case-work and decision making. Of the 4 current children 3 are now progressing towards de-registration and 1 has been escalated via application for court orders.

Children are removed from the register when they are no longer at risk of significant harm or when they become looked after. 47 children have been de-registered in this period, 9 of whom became looked after children. This means that 38 children were

de-registered because the family had successfully engaged with the child protection process and effected change so that the risks of them abusing or neglecting their children were sufficiently reduced.

Child protection plans are managed through a 'core group' of multi-agency professionals and the parents. 97.4% of initial core groups were held on time (SCC/015) within 10 working days after registration – which is an improved performance from last year. 91.1% of review conferences were held with the statutory timescale (SCC/034), short of our 100% target.

### **Impact Analysis and Outcomes:**

Taken overall the performance information indicates that once children are registered they are actively managed and monitored and that there are mechanisms in place to identify and support cases which may be at risk of drift.

The successful outcomes for 38 children demonstrate evidence of effective multi-agency planning and engagement with families in order to support sustained change and reduce risk.

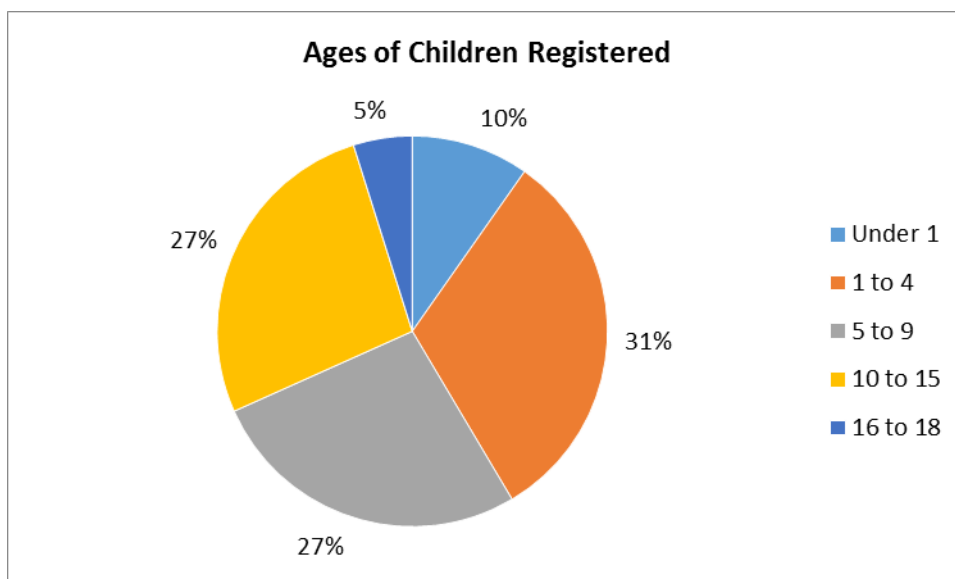
### **vi) Thematics / Working with Adolescents and Risk**

**Why we focus on this:** One of the issues that we have been focussing on over the last 12 months is work around vulnerable adolescents and risk management. The management of risk for older children has been highlighted within recent CSSIW inspections; has featured in some recent child practice reviews within the region and is a current priority of the SEWSCB.

### **Performance Information:**

At the end of the period 53/120 Looked After Children were aged between 11 – 17.

At the end of this period a third (13) of the children on the register were over 10 with 2 individuals aged 16 +.



Information from cases indicates that older young people are potentially more likely to remain on the register for 12 months or more. This reflects that safeguarding older children can present different challenges for professionals in terms of behaviours being more entrenched; difficulties in balancing wishes and feelings of the child with professional concerns and the views of other family members; difficulties in engaging young people in support services.

One of the indicators of vulnerability for young people is concerns over child sexual exploitation (CSE). The number of Multi-agency strategy meetings held about individuals where there are concerns about Child Sexual Exploitation (CSE) are listed below. Although slight, there has been an upward trend in numbers of children referred over the last 18 months. This could be attributable to increased prevalence, but equally might be explained by increased awareness and / or a better adherence to national practice guidance. Compared against neighbouring authorities, however, referral rates (and sources of referral) for concerns about CSE remain relatively low, indicating that increased awareness raising among professionals is required.

#### **Numbers of Young People at risk of CSE discussed at Multi-agency Strategy Meetings**

	2015/16 (Half year)	2014/15	2013/14	2012/13
<b>Total Number of Children</b>	<b>4</b>	<b>12</b>	<b>4</b>	<b>3</b>

3 / 4 of these young people became looked after by the Local Authority and 2 were additionally subject to child protection registration.

The number of adolescents across the authority who are vulnerable and / or presenting with risk taking behaviours is not known; however, there is an emerging picture that services are being required to respond to more teenagers with increasingly complex needs. There are a number of ways in which they come to the attention of services.

- The number of multi-agency meetings held for teenagers felt to be at risk have increased. These meetings have been held under different frameworks and exact numbers of children discussed are not known.
- Over half of the children referred for early intervention are referred through education. The most common themes are the impact of mental health on families and the link between mental health and difficulties in school.
- Between April 2014-March 31 2015 there were **179** reports of children going missing.
- Contact with secondary schools and youth / health services continue to confirm that self-harming affects significant numbers of children within Monmouthshire. This corresponds to an increase in the numbers of looked after children where there are concerns around their self-harming behaviours.

#### **Impact Analysis and Outcomes:**

The information suggests that the safeguarding needs of vulnerable young people in Monmouthshire are recognised and that these children are understood as requiring of services and interventions. There is further work to be done around profiling the numbers, needs and issues of young people within Monmouthshire and in ensuring that the right processes and services are in place to promote their safety and well-being.



**Monmouthshire County Council: Strategic Overview Report for Safeguarding  
Mid-Point September 2015**

**INTRODUCTION**

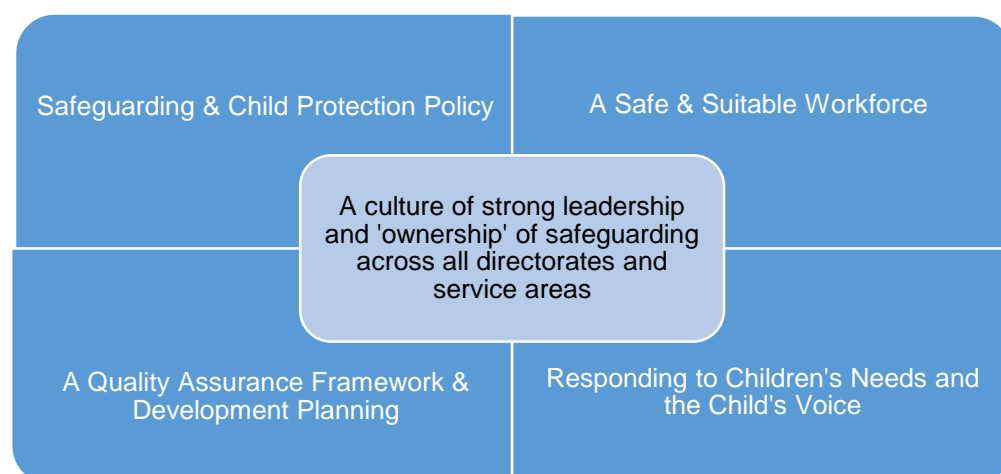
This report evaluates key areas of safeguarding activity to highlight progress, identify potential risks and set / confirm the direction of travel for improvements and further development.

**SAFEGUARDING AIM:** Children and Young People in Monmouthshire are safe and are protected from harm and abuse

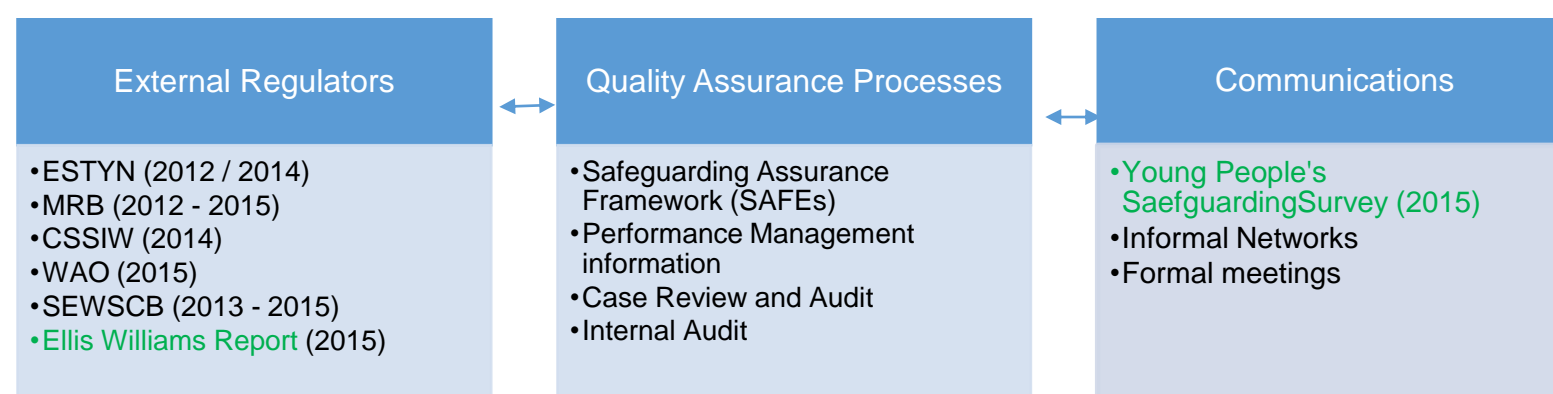
**RISK IN A SAFEGUARDING CONTEXT**

- That a child in need of protection won't be referred to child protection services
- That a child referred to child protection services won't be adequately safeguarded
- That a child will be abused or harmed by someone working with them or in a position of trust

**THE CORNERSTONES OF A SAFE SERVICE FOR MONMOUTHSHIRE**



**SOURCES OF INFORMATION TO INFORM OUR SELF-EVALUATION and DEVELOPMENT PLANING**



<u>KEY MESSAGES</u>		
<b>AREAS FOR IMPROVEMENT AND LEARNING</b>	<b>WHAT HAVE WE DONE</b>	<b>NEXT STEPS</b>
Safeguarding policy (Estyn)	Implemented Monmouthshire Safeguarding and Child Protection Policy	Policy Review
Knowledge of safeguarding activity within the authority and within individual services (Estyn)	Implemented a quality assurance framework (SAFE - Self-assessment framework for evaluation)	Implement 2 <sup>nd</sup> phase of the SAFE and identify areas for development
Using information to evaluate the impact of activity at a strategic level (Estyn / WAO)	Increased reporting arrangements and arrangements and line of sight for senior leaders	Refine arrangements for reporting the right information to the right people
Improvements for responding to children at direct risk of harm (CSSIW)	Invested in children's services Worked with partners to improve referrals	Implement the children's services improvement plan
Improvements for responding to vulnerable groups of children and young people (neglect / adolescents / on-line safety) (SEWSCB)	Worker to improve services and practice for vulnerable groups	Continue to understand and respond to population needs through joint service planning and practice improvement
Weaknesses in the corporate arrangements for safeguarding (WAO)	Identified safeguarding leads in all directorates and established whole authority safeguarding group. Internal audit of safeguarding.	On-going clarification of roles, responsibilities and monitoring of arrangements. Respond to findings of internal audit.
Strengthen link with SEWSCB (EW)	Covered all operational aspects of the Boards work	Confirm statutory arrangements and receive annual report
Support to children with staying safe on-line (YP's Survey)	Implemented YPs workshops Developed staff training	Continue to work with settings about e-safety Implement training programme

**Leaders can be assured that children and young people in Monmouthshire are protected from harm and abuse because:**

- There is increased [cross directorate and political involvement](#) with safeguarding supported by strong leadership. This means that safeguarding is increasingly understood as 'everybody's responsibility'.
- There is an overarching [Monmouthshire Safeguarding and Child Protection Policy](#) in place that gives clear guidance for all settings detailing roles and responsibilities in safeguarding and child protection.
- There is an [audit programme in place](#) to ensure that individual settings adhere to the requirements of the policy and provide information regarding how they meet their child protection and safeguarding responsibilities in practice. This has led to increased challenge and development of safeguarding practices at a service unit level; as a result, individual children and young people are kept safer.
- There is a system in place whereby the Local Authority maintains [central oversight of safe recruitment and an increased focus on developing safe work force practices](#). New employees understand, right from the start, that safeguarding children is integral to the authority's values and ethos and part and parcel of their work.
- There is a [robust system in place within the authority to respond to any concerns arising from professional allegations or organised abuse](#). This ensures that the individuals working with children and young people are suitable and do not pose a risk.
- [Staff within Monmouthshire are informed regarding their individual responsibilities to report any concerns and are trained in how to recognise basic signs and symptoms of abuse](#).
- The recent CSSIW inspection confirmed that child protection processes safeguard children.
- We are gaining [confidence in self-evaluation using a wide range of sources to assist with on-going improvement](#) in safeguarding at a whole authority level. There is a comprehensive action plan within the Children's Services Improvement Plan that responds to the deficits identified in the CSSIW report and through our own analysis.
- We have been able to use self-evaluation and our analysis of operational and higher level information [to identify aspects of family need and vulnerability and have used this to identify areas for improvement in services and practice](#).

**The key areas requiring development over 2015 – 16 to further ensure the safety and well-being of children are:**

- Further develop self-evaluation and critical challenge in respect of the impact of safeguarding activity across the authority ([in progress](#)).
- Use the external validation review of safeguarding as an opportunity for further learning and to help us in setting direction, prioritising and improvement planning ([achieved](#)).
- Listen and respond to the outcomes from the Young People's Safeguarding Survey 2015 ([partially achieved](#)).
- Implement the 2<sup>nd</sup> phase of the SAFE and analyse outcomes ([implementation commenced March 2015](#)).
- Develop the training programme for Monmouthshire to ensure that all staff have access to safeguarding / child protection training at a suitable level ([in progress](#)).
- Support the development of the Well-Being group under the partnership including cross authority work around anti-bullying, self-harm and mental health pathways ([work plan in place](#)).
- Use a range of sources to analyse and report on the issues that compromise the safety and welfare of children and /or potentially expose them to harm through abuse and neglect. Work with others to respond to / reduce areas of need particularly regarding domestic abuse, parental substance misuse, child neglect and young people with complex risk taking behaviours ([on-going](#)).
- Prioritise key areas of safeguarding practice where it has been identified that practice can be improved particularly regarding the thresholds and interface between services areas; section 47 investigations and working with risk ([on-going](#)).
- Ensure that performance management and quality assurance arrangements are effectively embedded within all operational safeguarding processes ([in progress - see children's services SIP](#)).
- Increase the line of sight between senior leaders and front-line practice of child protection services ([in progress - see children's services SIP](#)).

## KEY AREAS OF ACTIVITY AND SCORE TABLE

Key Priority Area	POINT OF EVALUTION			
	April 2014	Sept 2014	April 2015	Sept 2015
1. Safeguarding children and young people is understood as 'everyone's responsibility	N/A	4	5	5
2. Monmouthshire's Safeguarding and Child Protection Policy is embedded across all settings and services	4	4	4	4
3. Through our Audit Framework we are assured that all settings and services meet their roles and responsibilities in safeguarding /child protection	3-4	4	4	4
4. Safe recruitment and safe work force practices are operating effectively and embedded across the authority.	2	3	4	4
5. All workers and volunteers in contact with children and families are trained at the appropriate level	5	5	5	5
6. There is a system in place that identifies and addresses any professional allegations or concerns about individuals who may pose a risk.	4	5	5	5
7. We are well-informed about the issues that compromise the safety and welfare of children and /or potentially expose them to harm through abuse and neglect and can demonstrate how we respond to and reduce areas of need.	3	3	4	4
8. We operate best safeguarding practices and can demonstrate how we identify and address areas where improvement is needed.	3	3	3	3
9. Engagement with children and young people is at the heart of our safeguarding and child protection activity.	3	3	4	4

## The Corporate Evaluation Framework

The evaluation score from 1-6	The evaluative context
Level 6 Excellent	Excellent or outstanding
Level 5 Very Good	Good Major strengths
Level 4 Good	Important strengths with some areas for improvement
Level 3 Adequate	Strengths just outweigh weaknesses
Level 2 Weak	Important weaknesses
Level 1 Unsatisfactory	Major weakness

## CASE STUDIES

1.

**MANAGING PROFESSIONAL CONCERNS:** A young person with special needs was upset because her college tutor was making her feel uncomfortable. She told her teacher at school who reported it to the Designated Officer. A referral was made to children's services and the case was managed under the regional protocol for managing professional concerns. The tutor was subsequently dismissed and referred to the DBS.

**IMPACT**

- Individual child is listened to and protected
- Children in Monmouthshire (and wider) are protected from an unsuitable individual

**WHAT DOES THIS TELL US**

- Suspected harm / abuse was recognised and the correct referral process followed
- The concern about the individual was managed through the correct inter-agency procedure and the wider risks were addressed

**NEXT STEPS:**

- Continue to develop safe and suitable workforce through on-going monitoring and tracking of individual cases within and across agencies

2.

**SAFE RECRUITMENT:** A head-teacher informed safeguarding and people's services about a disclosure that had been returned on a DBS certificate for a school support worker. We undertook a joint risk assessment process and after careful consideration withdrew the offer of employment.

**IMPACT**

- The school does not employ an individual who is potentially unsuitable and maintains clear standards
- The applicant is supported through a transparent process

**WHAT DOES THIS TELL US**

- Good practice in safe recruitment being followed making use of a range of information
- Designated leads using advice and support in safeguarding

**NEXT STEPS:**

- Continue to work with schools and other settings, through training and the provision of consultation and support around good practice in safe recruitment practice

3.

**WORKING WITH VOLUNTEERS:** A staff member from Highways sought safeguarding advice about working with volunteers. We implemented a review of the particular service area together with corrective actions and then looked into this from a whole authority perspective.

**IMPACT**

- Proper checks were undertaken on the volunteers
- The authority ensures that volunteers are suitable and safe to undertake specific roles with children

**WHAT DOES THIS TELL US**

- Networking and awareness raising (formal and informal) allow problems to surface
- The authority responds and learns through case studies

**NEXT STEPS:**

- Further development of roles and responsibilities for using volunteers as part of a safe and suitable workforce through the implementation of the volunteer handbook, training and consultation.

4.

**YOUNG PEOPLE WITH COMPLEX RISKS:** Local and regional case reviews told us that we did not always follow CP processes for young people who are 16 and 17 years old, and that we needed to do more to raise awareness around the risks associated with Child Sexual Exploitation. We integrated this learning within practice, disseminated key messages and looked specifically at the progress of some individual cases.

**IMPACT**

- The needs / risks of individual young people were responded to
- Older young people are kept safer through increased use of formal child protection and risk management processes

**WHAT DOES THIS TELL US**

- The authority understands its safeguarding responsibilities for all vulnerable children regardless of age
- There are multi-agency engagement in place to review practice and learn both locally and regionally

**NEXT STEPS:**

- Continue training, raising awareness and improving multi-agency practice in key areas of need for this age group including child sexual exploitation and self-harm.

5.

<p><b><u>CHILDREN AT RISK OF NEGLECT:</u></b> In partnership with the SEWSCB we had a strategic focus on working with neglect and participated in the regional review and analysis of cases. We learned that in Monmouthshire children were more at risk of 'drift' than other categories of abuse. We commissioned some specific multi-agency training in child protection planning; increased the oversight of children on the register and implemented opportunities for multi-agency supervision.</p>	
<p><b><u>IMPACT:</u></b></p> <ul style="list-style-type: none"> <li>• Significant reduction in numbers of children on the register for longer than 15 months (from over half in 2012 to just over 10% in 2015)</li> <li>• Increase in referral / registration patterns for neglect</li> </ul>	<p><b><u>WHAT DOES THIS TELL US:</u></b></p> <ul style="list-style-type: none"> <li>• Children at risk of neglect continue to be one of our most vulnerable groups</li> <li>• More information is required to ensure we are understanding and responding to parental need across Monmouthshire</li> </ul>
<p><b><u>NEXT STEPS:</u></b></p> <ul style="list-style-type: none"> <li>• Focus on children subject to re-registration</li> <li>• Address potential for 'drift' in early intervention and assessment of risk</li> <li>• Continue to practice improvements for child protection planning in neglect work</li> </ul>	

6.

<p><b><u>MANAGING PROFESSIONAL CONCERNS / RESPONDING TO THEMES:</u></b> Our local / regional analysis of data regarding professional concerns alerted us to proportionately high numbers of referrals received regarding drivers and escorts. We implemented some bespoke training reflecting the needs of drivers, and have developed a safeguarding leaflet for drivers.</p>	
<p><b><u>IMPACT:</u></b></p> <ul style="list-style-type: none"> <li>• We have had referrals directly from drivers alerting us to a concern about a child</li> <li>• This year to date 3 drivers have been investigated in respect of their suitability to work with children</li> </ul>	<p><b><u>WHAT DOES THIS TELL US:</u></b></p> <ul style="list-style-type: none"> <li>• Data is used to address particular risks and issues within services</li> <li>• There are effective working relationships between safeguarding and passenger transport</li> </ul>
<p><b><u>NEXT STEPS:</u></b></p> <ul style="list-style-type: none"> <li>• Implement training for trainers programme for passenger transport</li> <li>• Strengthen training requirement within licensing arrangements</li> </ul>	



**OUR OVER-RIDING GOAL - Children and young people in Monmouthshire are as safe as can be and are protected from harm and abuse**

**Operationally this will be achieved through:**

- Creating and maintenance safe practices, systems and networks across all learning, leisure & play services and settings across the authority
- Ensuring that any safeguarding risks to children and young people are recognised and addressed;
- Ensuring that concerns about possible abuse or neglect are recognised and responded to appropriately and in accordance with procedures;
- Ensuring that risks and needs for vulnerable children, including those at risk of significant harm, are reduced through multi-agency plans and interventions.

**This is an on-going objective which is continually assessed to identify where improvements are required**

**NOTES:**

Areas of key development are highlighted in GREEN.

Future actions identified in column 6 will broadly correlate with operational activity set out in the Service Improvement Plan

What is our final destination / Where do we want to be & by when?	What have we done so far to get there / is this where we expected to be?	What difference have our actions made so far? (impact - evaluative judgement)	How do we know? (Data and Information-Evidence)	What difference should our activities make in the long term	What next / Future actions? (Consequence of evaluation)	What are the barriers / risks?	Our score between 1-6) (Impact judgement)
<p>1. In Monmouthshire we will ensure that safeguarding children and young people is understood as 'everyone's responsibility' across all directorates and at a political level. We want this to be culturally embedded within the authority at a 'hearts and minds' level.</p> <p>Previously the concept of safeguarding was not well understood across the whole authority (ESTYN and WAO).</p> <p>CSSIW has highlighted the need for increased 'line of sight' in child protection services.</p>	<p>Whole Authority Safeguarding is embedded and provides a framework for evaluation and challenge across directorates. This has enabled shared analysis and planning across directorates.</p> <p>Level 1 training for cabinet members has been implemented and elected members are better informed about safeguarding.</p> <p>Safeguarding reports are produced 6-monthly to keep leaders informed.</p> <p>An impact assessment of Safeguarding / Corporate parenting is now included on all reports for council.</p>	<p>There is active engagement with safeguarding across every directorate within the authority.</p> <p>Leaders and elected members are knowledgeable and enabled to provide oversight and challenge.</p>	<p>Returned safeguarding audits and action plans.</p> <p>Safe Recruitment work through People's Services.</p> <p>Take up of level 1 and 2 safeguarding training from outside education and social care.</p> <p>Evidence from WAO: when questioned 76% individuals understood that safeguarding was 'everyone's responsibility' 12% higher than the Welsh average response.</p> <p>External Validation review confirmed our aims around roles and relationships.</p>	<p>This widening of safeguarding, together with the opportunity for internal challenge and accountability permeating out from strong leadership, will keep children in Monmouthshire safer.</p>	<p>Increase clarity in roles and responsibilities for all directorates and service areas.</p> <p>Increase knowledge base for all leaders regarding Monmouthshire's arrangements for safeguarding and the link with the SEWSCB.</p> <p>See also Children's Services SIP response to Rec 10 CSSIW</p> <p>Implement staff level 1 safeguarding survey.</p>	<p>Competing agendas and differing priorities can affect how much time is given to child protection and safeguarding at a strategic level.</p>	5

What is our final destination / Where do we want to be & by when?	What have we done so far to get there / <b>is this where we expected to be?</b>	What difference have our actions made so far? (impact - evaluative judgement)	How do we know? ( <i>Data and Information-Evidence</i> )	What difference should our activities make in the long term	What next / Future actions? (Consequence of evaluation)	What are the barriers / risks?	Our score between 1-6) (Impact judgement)
<p>2. <b>Monmouthshire's Safeguarding and Child Protection Policy will be embedded across all settings and services</b> operating within Monmouthshire or providing services to Monmouthshire children.</p> <p>The policy will be reviewed on a regular basis (biennially) to ensure that it is up to date with any changes in legislation and/ or any developments in safeguarding practice.</p> <p><b>Prior to November 2012 there was no over-arching safeguarding policy in place in Monmouthshire.</b></p>	<p>An over-arching safeguarding policy was implemented for all settings and services in November 2012.</p> <p>We undertook a first review of the policy in Autumn 2013 to broaden its scope and make it more applicable across all areas of the authority (WAO recommendation).</p> <p>At April 2015 all schools, early years, leisure, community and youth services within Monmouthshire have adopted the revised policy.</p>	<p>Having this policy in place helps us keep children safe by:</p> <ul style="list-style-type: none"> <li>- Being clear about everyone's roles and responsibilities to listen to children and how to report concerns;</li> <li>- Ensuring that all settings have the appropriate safeguarding policies and operational procedures in place;</li> <li>- Ensuring all staff and settings are accountable for their safeguarding practices;</li> <li>- Providing a benchmark for good practice in individual settings and for governing bodies.</li> </ul>	<p>Information about policy implementation is collated within the safeguarding unit and is addressed as part of the audits.</p> <p>The safeguarding unit maintains a central record of when the policy has been adopted by services in the local authority and by relevant governing bodies.</p>	<p>Having a high-profile over-arching safeguarding policy establishes standards and expectations across all learning, leisure, play, housing and social care services within Monmouthshire.</p>	<p>Work in partnership with services and regulators to review the policy on a biennial basis and ensure that it remains fit for purpose – <b>next review due by end Sept 2015.</b></p> <p><b>Use the whole authority safeguarding group to monitor implementation of the requirements of the policy across all directorates.</b></p> <p>Raise awareness of the Monmouthshire policy within the third sector.</p>		4
<p>3. <b>Through a robust audit framework we will be assured that all settings and services meet their roles and responsibilities in safeguarding /child protection, and settings are held to account</b> where there are any failings.</p> <p><b>Prior to the Estyn inspection the LA had little detailed knowledge or understanding of how individual settings and</b></p>	<p><b>We have commenced the 2nd phase of implementation (2015 – 2017) using a revised audit tool (the SAFE).</b></p> <p>The revised version is providing increased focus on impact and outcomes from a child perspective.</p> <p>Progress through the second year of the 1<sup>st</sup> phase was limited (see score card). There is</p>	<p>The information gathered from the audit provided us with base-line information about the strengths and weaknesses within individual settings.</p> <p>We have used this information as a starting point for strengthening practice for example by:</p> <ul style="list-style-type: none"> <li>- Increasing training and learning</li> </ul>	<p>The safeguarding unit holds records of individual audits and improvement plans.</p> <p>Records in the safeguarding unit demonstrate that there is an increase in advice and professional support being provided regarding individual children and potential referrals.</p>	<p>This activity aims to ensure that all settings and services continually develop their child protection practices to ensure that we are all working together to keep children safe. This is now in place but has the potential to get more detailed and focused over time.</p> <p>The SAFE identifies potential areas where development work is required to strengthen safeguarding arrangements, and creates a</p>	<p>Work in partnership with others to implement the audit programme in grant funded and commissioned services, and undertake a further analysis of the outcomes from the first phase.</p> <p>Work with others to promote better engagement with voluntary sector organisations.</p> <p><b>Implement the revised the audit framework for the second round commencing in 2015. The second round of implementation to include follow up to the original</b></p>	<p>For the process of on-going improvement to be as effective as possible there needs to 'buy-in' throughout settings (governors / leaders / staff etc) which could be difficult to achieve.</p> <p>Accountability and audit process is less clear cut for third sector.</p>	4

What is our final destination / Where do we want to be & by when?	What have we done so far to get there / <b>is this where we expected to be?</b>	What difference have our actions made so far? (impact - evaluative judgement)	How do we know? ( <i>Data and Information-Evidence</i> )	What difference should our activities make in the long term	What next / Future actions? (Consequence of evaluation)	What are the barriers / risks?	Our score between 1-6) (Impact judgement)
<p><b>services met their child protection and safeguarding responsibilities in practice.</b></p> <p><b>Corporate safeguarding was not included in the internal audit programme (WAO).</b></p>	<p>further work to be done to ensure the council discharges its responsibility regarding contracted and commissioned services.</p> <p>We have recognised that a different approach may be required to engage with voluntary organisations effectively.</p> <p><b>Internal audit have included safeguarding within their work programme for 2015</b></p>	<p>opportunities;</p> <ul style="list-style-type: none"> <li>- Developing improvement plans;</li> <li>- Providing advice / consultation to individual services where required regarding individual child protection situations and potential referrals.</li> </ul>		<p>pathway for open communication about individual children of concern.</p> <p>We know from national and local serious case reviews that open challenge and the sharing of information - 'putting the pieces of the jigsaw together' – is a vital component in keeping children safe and ensuring that 'no child slips through the net'.</p>	<p><b>action plans.</b></p> <p>Develop the audit process so that it is better embedded within the overall monitoring, review and appraisal processes for schools and other settings beginning by using school secure.</p> <p><b>Respond to the findings of internal audit to address identified areas of weakness.</b></p>		
<p>4. We will ensure <b>that safe recruitment and safe HR practices are operating effectively and embedded across the authority.</b></p> <p>We will ensure that in <b>Monmouthshire staff and volunteers working with children are suitable, child-focused and clear about their responsibilities to report concerns and keep children safe.</b></p> <p><b>Previously there was insufficient central oversight or accountability to the LA regarding safe recruitment and work-force practices.</b></p>	<p>In September 2014 the authority implemented a change of policy with a consequent re-focus onto safe recruitment rather than re-checks.</p> <p>Training is now in place across all the directorates regarding safe recruitment and HR practices and there is a monitoring system established to ensure that all appropriate checks are undertaken prior to employment.</p> <p><b>Feedback from staff has highlighted a need to build consistency across the LA in the use of volunteers.</b></p>	<p>We now have better information systems for monitoring safe recruitment and HR practices.</p> <p>People management leads are able to follow up / address issues in a more targeted way.</p>	<p>The revised DSB policy issued Sept 2014.</p> <p>People's Services audit reports and numbers of individuals trained in safe recruitment.</p> <p>Information about HR practices obtained from the SAFE and through training.</p>	<p>Our aim is to ensure that HR practices are such that all staff members and volunteers are suitable and do not pose a risk to children.</p> <p>DBS checking at the pre-employment stage will remain central to this.</p>	<p>Refine and develop our central monitoring and reporting system for DBS checks, references and professional registration.</p> <p><b>Deliver safe recruitment across all directorates to support development of good safeguarding practice within workforce management.</b></p> <p>We will maintain close links between safeguarding unit and People's Services in respect of any conduct issues that potentially cross into safeguarding.</p> <p><b>We will work to ensure that volunteers are supported to operate safely across the LA.</b></p>	<p>We need to ensure that we are open to developments around the impact of our change in policy direction regarding 3 yearly re-checks.</p>	4



What is our final destination / Where do we want to be & by when?	What have we done so far to get there / <b>is this where we expected to be?</b>	What difference have our actions made so far? (impact - evaluative judgement)	How do we know? ( <i>Data and Information-Evidence</i> )	What difference should our activities make in the long term	What next / Future actions? (Consequence of evaluation)	What are the barriers / risks?	Our score between 1-6) (Impact judgement)
<p>5. We will ensure that in Monmouthshire <b>all workers and volunteers in contact with children and families are trained at the appropriate level and are confident in understanding their roles and responsibilities in respect of safeguarding</b> including a good understanding of the importance of information sharing and inter-agency working.</p> <p>The first year of our SAFE audit highlighted that not all staff were trained at the appropriate level for their role, and that there was inconsistency in respect of the training being accessed.</p> <p><b>Safeguarding training is not always commensurate with the level of staff receiving the training (Estyn 2012)</b></p>	<p>We have significantly increased opportunities in child protection and safeguarding training and learning for workers in Monmouthshire at all levels.</p> <p>We have trained over 2000 individuals at level 1 to date.</p> <p><b>34 designated officers are trained to deliver their own level 1, and most schools are 'self-sufficient' in ensuring level 1 is implemented on a rolling programme.</b></p> <p>Links with SEWSCB regional training are well established for level 2 &amp; 3 training opportunities, although data indicates that take up of levels 2 &amp; 3 is relatively low.</p> <p>Additional resources have been utilised to respond to additional training needs where these have been identified.</p>	<p>More staff, governors and volunteers are trained to recognise the signs and symptoms of abuse and know what to do if they have a concern (level 1).</p> <p>More designated officers have been trained in their decision making and inter-agency roles (level 2).</p> <p>We have worked within individual settings to offer training / learning opportunities relevant to their needs (e.g. passenger transport unit, individual schools, private residential establishments).</p>	<p>Local and regional training records.</p> <p>Learning objectives from training material.</p> <p>Composite evaluation reports that consistently report learning outcomes being achieved. Evidence of training courses directly influencing Safeguarding and Child Protection practice.</p>	<p>Continuing to develop, monitor and deliver training across the LA will ensure that all workers recognise and respond to concerns, feel confident in their CP roles at whatever level, and further develop multi-agency understanding and cooperation.</p>	<p>Analyse the outcomes from the SAFE to identify future training needs and respond to training needs by developing / implementing local programmes.</p> <p><b>Work with SEWSCB business unit to increase Monmouthshire access to level 2 &amp; 3 regional courses.</b></p> <p><b>Increase reporting arrangements for level 1 training across all directorates so that future resources can be planned.</b></p> <p><b>Implement staff level 1 safeguarding survey to increase our understanding of the impact of level 1 training in terms of worker confidence and knowledge around basic awareness.</b></p> <p>Work with the SEWSCB and GAVO to respond to the need for voluntary organisations to access a range of level 1 training opportunities (including on-line).</p>	<p>Currently training places a heavy demand on a small number of key individuals.</p> <p>Reliance on the SEWSCB for providing training</p>	5
<p>6. In Monmouthshire we will maintain <b>a robust multi-agency system that identifies and addresses any professional allegations or concerns about individuals who may pose a risk.</b> We will ensure that any themes, trends or issues that</p>	<p>In 2013 we implemented the regional practice guidance within Monmouthshire.</p> <p>This has strengthened processes for the management of professional allegations</p>	<p>Our activity in this area has ensured that we have responded to allegations effectively so that children and young people are protected from individuals who may pose a risk.</p>	<p>Monitoring compliance with regional guidance for allegation management.</p> <p>Minutes of liaison meetings between employee services and safeguarding.</p> <p>Minutes / recordings of</p>	<p>A robust system for managing professional allegations is an essential aspect of keeping children safe. This system needs to be monitored and reviewed in the longer term.</p>	<p>We will analyse performance information about PSMs and ensure that wider themes and issues are addressed.</p> <p>We will report this within the wider authority so that information regarding professional issues inform the overall monitoring, review and appraisal processes</p>	<p>Any failure within the system for recognising and responding to professional issues will pose a risk both within Monmouthshire and in a wider sense.</p>	5

What is our final destination / Where do we want to be & by when?	What have we done so far to get there / <b>is this where we expected to be?</b>	What difference have our actions made so far? (impact - evaluative judgement)	How do we know? ( <i>Data and Information-Evidence</i> )	What difference should our activities make in the long term	What next / Future actions? (Consequence of evaluation)	What are the barriers / risks?	Our score between 1-6) (Impact judgement)
<p>might compromise the safety of children at an organisational level are recognised and responded to.</p> <p>A safeguarding unit review of the allegations management process (2013) indicated that improvements were required.</p> <p><b>WAO recommended that a local protocol is developed to support the regional implementation at a regional level.</b></p> <p style="text-align: right;">Page 58</p>	<p>and the system for tracking cases through to conclusion (see report card).</p> <p>In 2014 we have continued to raise awareness of the role of the Safeguarding Unit in respect of providing advice and support regarding any conduct issues where there is an element of safeguarding even if this does not reach the statutory threshold.</p> <p><b>Under the SEWSCB we work with partners across the region to benchmark our practices against others and identify regional themes.</b></p> <p><b>Our oversight of individual cases together with our safeguarding audits have indicated that further work is required to raise awareness of statutory process.</b></p>	<p>We monitor professional concerns and allegations so that any broader safeguarding / child protection themes or issues can be recognised and resolved (e.g. awareness raising work with taxi drivers regarding CSE).</p> <p>We have developed a multi-agency training programme to increase awareness of roles and responsibilities in this area of practice.</p>	<p>PSM meetings and discussions.</p> <p>Case tracking information within Safeguarding Unit.</p> <p>Performance information including nature, numbers and outcomes of PSMs undertaken (see report card).</p>		<p>for schools and other settings. This will form part of the audit framework for 2015.</p> <p>We will ensure Monmouthshire has a lead role in the SEWSCB's work regarding PSMs, and develop a protocol that supports local implementation.</p> <p><b>We will implement multi-agency training for all settings / service areas responsible for referring cases of professional concerns.</b></p>		
<p>7. In Monmouthshire we will be <b>well-informed about the social issues that compromise the safety and welfare of children and /or potentially expose them to harm through abuse and neglect</b> and can demonstrate how we respond to and reduce areas of need.</p>	<p>We have strengthened our collation and analysis of information from a range of sources regarding vulnerability and need. <b>This has helped us understand more about the issues affecting children and families including domestic abuse; parental substance misuse; mental ill-</b></p>	<p><b>Services have worked together to identify and address the needs of individual young people, particularly young people at risk of CSE.</b></p> <p>There is a preventative programme in place within schools regarding domestic</p>	<p>Performance information from a wide range of children's services including early intervention.</p> <p>Minutes from domestic abuse forum and action plan.</p>	<p>In Monmouthshire we want to ensure that limited resources are well-aligned to needs so that vulnerability is reduced. We want to ensure that the right services are in place to help and support children at risk and their families.</p>	<p>We will review and ensure that necessary resources are allocated to preventative and response services for children at risk of harm because of domestic abuse and parental substance misuse.</p> <p><b>We will continue to analyse and report on local needs at a strategic level so that it builds our shared understanding of where we need to target resources.</b></p>	<p>The arrangements for domestic abuse coordinators have changed to a regional configuration.</p> <p>Undertaking strategic assessment of needs and jointly planning services is a complex process.</p>	4

What is our final destination / Where do we want to be & by when?	What have we done so far to get there / <b>is this where we expected to be?</b>	What difference have our actions made so far? (impact - evaluative judgement)	How do we know? ( <i>Data and Information-Evidence</i> )	What difference should our activities make in the long term	What next / Future actions? (Consequence of evaluation)	What are the barriers / risks?	Our score between 1-6) (Impact judgement)
	<p>health (parents and children); older children with complex risky behaviours.</p> <p>We have started to review how our commissioned services meet needs.</p> <p>We have developed a young people's well-being group under the partnership and are developing a self-harm 'app' for Monmouthshire.</p> <p>We have worked with our regional partners to ensure that there is a CSE action plan in place that is implemented at a local level through CSE lead officers.</p>	<p>abuse and developing healthy relationships.</p> <p>We have developed additional play-therapy provision for children who have been exposed to domestic abuse.</p> <p>We have begun to develop more coordinated approaches to responding to need and risk management for older children.</p> <p>We have identified additional resources for recruiting specialist foster carers.</p>			<p>We will ensure that resources align with needs and engage with wider partners to achieve this.</p> <p>We will ensure that services commissioned by the local authority align with identified needs.</p>		
<p>8. We will <b>operate best safeguarding practices across all services areas.</b></p> <p>We will use a range of sources, including messages from our regulators, to identify and address areas where practice / service improvements are required, so that:</p> <p>i) All concerns about possible abuse or neglect are recognised and responded to appropriately and</p> <p>ii) Multi-agency plans and interventions reduce risks and</p>	<p>We have strengthened our collation and analysis of performance information to help us understand more about safeguarding / child protection practice. This includes both quantitative and qualitative data.</p> <p>We have used case reviews / audits to generate qualitative data. Reviews to date have included: children on the register for neglect; inter-agency practice in section 47 inquiries; inter-agency working for serious self-harm; inter-agency</p>	<p>The impact of our work to date has included:</p> <ul style="list-style-type: none"> <li>Additional monitoring and oversight of children registered for over 15 months has maintained good management of children on the register.</li> <li>Implemented multi-agency supervision to help prevent of drift in neglect cases.</li> <li>Implemented training in section 47 work</li> </ul>	<p>Case review reports and recommendations</p> <p>Joint learning events</p> <p>Minutes from Monmouthshire Learning and Review Group</p> <p>Key performance information from children's services.</p> <p>Performance management reports.</p>	<p>Both currently and in the longer-term we want ensure that those children who need to be referred within a child protection framework are referred; and that once referred the subsequent response effectively protects children and reduces risk.</p>	<p>Develop good practice across services in respect of working with young people with complex risk taking behaviours.</p> <p>Promote good practice around early recognition and referral for neglect cases.</p> <p>Implement multi-agency training in section 47 process, child protection planning and working with neglect.</p> <p>Support the implementation of multi-agency consultation for complex cases.</p> <p>Support development and understanding of thresholds between preventative and statutory services.</p>	<p>Serious case reviews alert us to the notion that there is no fail-safe system and that good practice within child protection is never a 'done-deal'.</p> <p>Children's services depend on partnership working with other key statutory agencies particularly health and police. Developing shared priorities around practice improvement is complex.</p> <p>Difficulties within front-line children's services regarding practice / service development and staffing issues are hampering the implementation of the children's services SIP.</p>	<p>3</p>

What is our final destination / Where do we want to be & by when?	What have we done so far to get there / <b>is this where we expected to be?</b>	What difference have our actions made so far? (impact - evaluative judgement)	How do we know? ( <i>Data and Information-Evidence</i> )	What difference should our activities make in the long term	What next / Future actions? (Consequence of evaluation)	What are the barriers / risks?	Our score between 1-6) (Impact judgement)
<p>needs for all vulnerable children including those at risk of significant harm.</p> <p><b>CCSIW inspection (2014) identified improvements for responding to children at direct risk of harm</b></p>	<p>working with children at risk of CSE.</p> <p>We have a better understanding of some of the barriers to multi-agency working within Monmouthshire.</p> <p><b>There is a Children's Services improvement plan in place to address areas of identified weakness</b></p>	<ul style="list-style-type: none"> <li>Working with others to increase the level of inter-agency involvement.</li> <li>Working directly with partners in education and the police to increase the quality of referrals and the response to cases that do not progress within children's services.</li> </ul>					
<p>9. In Monmouthshire we want <b>engagement with children and young people</b> to be at the heart of our safeguarding and child protection activity.</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 60</p>	<p>We have listened to what children and young people are saying about their perceptions of safety and well-being.</p> <p>A young people's safeguarding survey is undertaken within Monmouthshire every 18 months to 2 years.</p> <p><b>The 2015 survey was completed with 1200 respondents. Outcomes confirm that young people are worried about bullying and keeping safe on line.</b></p> <p><b>Outcomes confirm a trend in young people accessing adult material on-line,</b></p>	<p>The survey confirmed that the numbers of YP citing bullying as an issue for them does not correspond with reported figures.</p> <p>We are continuing to increase YP's access to learning opportunities for keeping safe on-line.</p> <p><b>We have developed a well-being group to support anti-bullying work for young people at a cross directorate level.</b></p>	<p>The safeguarding survey report.</p> <p>Records of activities within Monmouthshire Youth Service.</p> <p>Minutes of the Well-being group.</p>	<p>We want to continue to listen and engage with young people in respect of safeguarding to ensure that what we do is in keeping with what young people think and feel, and is relevant to the issues they face.</p>	<p><b>Further develop anti-bullying work in Monmouthshire through the Well-being group.</b></p> <p>Increase foster carer training to support them in keeping Looked After Children safe on-line.</p> <p>In partnership with the SEWSCB and others we will continue to increase young people's participation in safeguarding.</p> <p><b>We will report on outcomes from the Safeguarding survey in 2015 across a range of for and ensure that actions are taken forward.</b></p> <p><b>We will ensure that young people are given feedback about the survey.</b></p> <p><b>We will use additional sources of information to gather young people's perspectives.</b></p>	<p>Asking for the views of YP can become tokenistic. Monmouthshire needs to build on the survey work to increase opportunities in participation. This takes time and a pooling of resources across service areas that can be difficult to achieve.</p>	4

What is our final destination / Where do we want to be & by when?	What have we done so far to get there / <i>is this where we expected to be?</i>	What difference have our actions made so far? (impact - evaluative judgement)	How do we know? ( <i>Data and Information-Evidence</i> )	What difference should our activities make in the long term	What next / Future actions? (Consequence of evaluation)	What are the barriers / risks?	Our score between 1-6) (Impact judgement)

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## MONMOUTHSHIRE COUNTY COUNCIL REPORT

**SUBJECT: Proposal for Casinos – Gambling Act 2005**

**DIRECTORATE: Chief Executives**

**MEETING: Full Council**

**Date to be considered: 19<sup>th</sup> November 2015**

**DIVISION/WARDS AFFECTED: All Wards**

### 1. PURPOSE:

- 1.1 To consider the Council's existing resolution to not permit casinos within the County of Monmouthshire.

### 2. RECOMMENDATION(S):

- 2.1 To refuse casino applications made under the Gambling Act 2005 within their Gambling Policy.

### 3. KEY ISSUES

- 3.1 Section 154 of the Gambling Act 2005 requires that the Authority prepares and publishes a Gambling Policy which sets out the principles that it proposes to apply in exercising its functions under the Act. There is a further duty on the Authority to review that Policy every three years.
- 3.2 At the meeting held on 22<sup>nd</sup> November 2012, Council adopted a Gambling Policy and passed a resolution not to permit casinos within the County of Monmouthshire. Because this policy must be reviewed every 3 years, there is a legal requirement for the Authority to review the Gambling Policy by 31<sup>st</sup> January 2016, in particular the principle regarding casinos.
- 3.3 The Gambling Act came into force on 1<sup>st</sup> September 2007 and at the time over 140 casinos were permitted to continue to operate under grandfather rights in Britain. Councils were also permitted to put a bid in to allow them to receive applications for a Casino. However, this was limited to 8 large casinos and 8 small casinos throughout Britain and these places have been taken up.
- 3.4 If Monmouthshire took the viewpoint to lift the resolution that restricts casino applications, the Authority would only be permitted to submit a bid to allow applications for a casino in the County if one of the casinos already licensed within Britain hands in their licence, which is unlikely at this time.
- 3.5 The definition for large and small casinos referred to in 3.3 above are as follows:-

#### **Large Casinos**

A large casino will have a minimum total customer area of 1,500m<sup>2</sup>, and be permitted up to 150 category B gaming machines, with a maximum jackpot of £4,000. The premises will be permitted to offer bingo and betting.



### **Small Casinos**

Small casinos will have a minimum total customer area of 750m<sup>2</sup>, and be permitted up to 80 category B gaming machines, with a maximum jackpot of £4,000. The premises will be permitted to offer betting.

- 3.6 If Monmouthshire decide to continue with the resolution not to have a casino this will be written within the Policy required under the Gambling Act 2005, which will last for a period of 3 years.
- 3.7 The Licensing and Regulatory Committee on 15<sup>th</sup> September 2015 endorsed the proposal to continue with the refusal of casinos within the County of Monmouthshire.

## **4. REASONS**

- 4.1 To review within Monmouthshire County Council's Statement of Gambling Policy 2013 the continuation of the resolution not to permit casinos within the County of Monmouthshire.
- 4.2 If the Council resolves to allow casinos within the County, applications will only be possible if a current casino licence holder in Britain surrenders their licence, or the licence is revoked. Then Monmouthshire Council would need to be successful in their bid to replace the licence allocation, as numbers are restricted nationally.

## **5. RESOURCE IMPLICATIONS**

None.

## **6. WELLBEING AND FUTURE GENERATIONS IMPLICATIONS**

- 6.1 The 'Future Generations' template is attached as Appendix A. In summary, currently the Authority has a resolution not to permit casinos within the County. If this resolution is lifted it may promote excessive gambling within casinos. This may in turn impact on those who are vulnerable or addicted to gambling.
- 6.2 If the resolution not to permit casinos is maintained, this protects children and so contributes positively to the wellbeing of existing and future generations.

## **7. CONSULTEES:**

- SLT
- Cabinet Members
- Chairs of Select Committees
- Head of Legal Services
- Head of Regulatory Services
- Relevant bodies as outlined in Section 349 of the Gambling Act 2005.
- The Licensing and Regulatory Committee (15<sup>th</sup> September 2015)

## **8. BACKGROUND PAPERS:**

Gambling Act 2005

Gambling Commission Guidance issued under Section 349 of the Gambling Act 2005.



**9. AUTHOR:**

Linda O’Gorman  
Principal Licensing Officer

**CONTACT DETAILS:**

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<p><b>Name of the Officer</b> Linda O’Gorman / David H Jones</p> <p><b>Phone no:</b> 01633 644214 <b>E-mail:</b> <a href="mailto:lindaogorman@monmouthshire.gov.uk">lindaogorman@monmouthshire.gov.uk</a></p>	<p><b>Please give a brief description of the aims of the proposal</b></p> <p>To consider the Council’s existing resolution to not permit casinos within the County of Monmouthshire.</p>
<p><b>Name of Service</b></p> <p>Licensing</p>	<p><b>Date Future Generations Evaluation</b></p> <p>5<sup>th</sup> October 2015</p>


1. **Does your proposal deliver any of the well-being goals below?** Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal.





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Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<p><b>A prosperous Wales</b> Efficient use of resources, skilled, educated people, generates wealth, provides jobs</p>	<p>Generally considered that gambling has a negative impact on the personal wealth of participants.</p>	<p>Would not want to encourage wider scale gambling, as could lead to addiction and financial hardship.</p>
<p><b>A resilient Wales</b> Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)</p>	<p>N/A</p>	
<p><b>A healthier Wales</b> People’s physical and mental wellbeing is maximized and health impacts are understood</p>	<p>Could promote excessive gambling, which may impact on those who are vulnerable/addicted to gambling if Casinos are permitted.</p>	<p>As above.</p>

Well Being Goal	How does the proposal contribute to this goal? (positive and negative)	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
<b>A Wales of cohesive communities</b> Communities are attractive, viable, safe and well connected	Larger scale gambling can be problematic and have a negative impact on local communities.	
<b>A globally responsible Wales</b> Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	The proposal has a positive impact by clearly stating casinos will not be permitted in Monmouthshire.	
<b>A Wales of vibrant culture and thriving Welsh language</b> Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	N/A	
<b>A more equal Wales</b> People can fulfil their potential no matter what their background or circumstances		

## 2. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 Balancing short term need with long term and planning for the future	A resolution not to permit casinos protects vulnerable people from being harmed or exploited by gambling.	

Sustainable Development Principle	How does your proposal demonstrate you have met this principle?	What has been done to better to meet this principle?
 <p>Working together with other partners to deliver objectives</p>	N/A	
 <p>Involving those with an interest and seeking their views</p>	Gambling addiction is well documented.	
 <p>Putting resources into preventing problems occurring or getting worse</p>	By preventing a casino coming to Monmouthshire protects some of our more vulnerable members of society.	
 <p>Positively impacting on people, economy and environment and trying to benefit all three</p>	As above.	

3. Are your proposals going to affect any people or groups of people with protected characteristics? Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Protects children by not 'normalising' gambling		
Disability	Neutral		
Gender reassignment	“		
Marriage or civil partnership	“		
Race	“		
Religion or Belief	“		
Sex	“		
Sexual Orientation	“		
Welsh Language	“		

4. Council has agreed the need to consider the impact its decisions has on important responsibilities of Corporate Parenting and safeguarding. Are your proposals going to affect either of these responsibilities? For more information please see the guidance <http://hub/corporatedocs/Democratic%20Services/Safeguarding%20Guidance.docx> and for more on Monmouthshire's Corporate Parenting Strategy see <http://hub/corporatedocs/SitePages/Corporate%20Parenting%20Strategy.aspx>

	Describe any positive impacts your proposal has on safeguarding and corporate parenting	Describe any negative impacts your proposal has on safeguarding and corporate parenting	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?
Safeguarding	The resolution to not permit a casino contributes positively to protecting children		
Corporate Parenting			

5. What evidence and data has informed the development of your proposal?

The Director of Public Health Annual Report 2014 – New and Emerging Threats to the Health of the Gwent Population see <http://www.wales.nhs.uk/sitesplus/866/opendoc/257293> stated;

Since the Gambling Act 2003 has relaxed the rules on advertising which allows Casinos, bookmakers and on-line betting to advertise on TV and radio. The British Gambling Prevalence Survey showed that in 2010, 73 per cent of the adult population aged 16 or over (about 35.5 million adults) had participated in some form of gambling activity within the past year. This is compared with 68 per cent at the time of the previous survey in 2007(3). These figures suggest that gambling is increasingly being regarded as normal practice in our society, and that more people are engaging in gambling activities.

Traditionally in the UK gambling and gambling problems have been thought to be the domain of adult males. There is evidence to show that this picture is changing. For example, more than half of women report having gambled once (excluding the National Lottery) in the past year. There has also been ‘a noticeable rise in female-targeted gambling marketing’). Other markets currently being targeted for expansion by the gambling industry are the future markets i.e. young people, those living in areas of socio-economic deprivation disproportionately.

In the UK the legal age for gambling is 18 (except for the National Lottery which is 16). One of the three licensing objectives of the gambling. Act 2005 is to protect children and other vulnerable persons from being harmed or exploited by gambling. This objective is theoretically and ethically sound and is endorsed by many gaming establishments throughout the UK. However, there is evidence to show that children and young people are in fact gambling; The Gambling Prevalence Survey showed that in 2010 gambling prevalence amongst 16-24 year olds was 68% having risen from 58% in 2007. The survey also shows an association between problem gambling prevalence and age. The highest rates can be seen amongst the 16-24 year old age group (2.1%) compared with 0.9% of the adult population as a whole (3). Gambling opportunities for children and young people are more accessible than ever, with easy access to the Internet, mobile phone apps and interactive televisions. Young people are especially susceptible to advertising and promotional messages encouraging gambling activity. This is often difficult to combat using the current legislation.

Gambling negatively affects the poorest in our society the most. In order to tackle the issue it is important that we acknowledge the need to build the capacity of communities through addressing the often underlying issue of socio-economic disadvantage. Interventions should focus on strengthening community resilience and working in partnership to de-normalise gambling in the community through awareness, information and education.



**6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?**

Continuing the existing resolution not to permit casinos in the County has a positive impact by protecting children and other vulnerable persons from being harmed or exploited by gambling.

**7. Actions. As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.**

What are you going to do	When are you going to do it?	Who is responsible	Progress
Incorporate resolution into the Authority's Gambling Policy 2016.	By 31/1/2016		

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**8. Monitoring: The impacts of this proposal will need to be monitored and reviewed. Please specify the date at which you will evaluate the impact, and where you will report the results of the review.**

The impacts of this proposal will be evaluated on:	By 31/1/2019
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## MONMOUTHSHIRE COUNTY COUNCIL REPORT

**SUBJECT:** Adoption of Gambling Policy - Gambling Act 2005

**DIRECTORATE:** Chief Executives

**MEETING:** Full Council

**Date to be considered:** 19<sup>th</sup> November 2015

**DIVISION/WARDS AFFECTED:** All Wards

### 1. PURPOSE:

1.1 To agree the Council's 'Statement of Gambling Policy 2016'.

### 2. RECOMMENDATION(S):

2.1 To adopt the Gambling Act Policy for Monmouthshire County Council, provided in Appendix A.

### 3. KEY ISSUES

3.1 Section 349 of the Gambling Act 2005 requires that the local authority periodically prepares and publishes a statement of its gambling policy, to be approved by Full Council.

3.2 Under the provisions of the Gambling Act 2005, the Local Authority must issue a policy which will determine how it will discharge its functions. The policy must contain objectives regarding the following:-

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,
- Ensuring that gambling is conducted in a fair and open way, and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

3.3 When carrying out its functions, the Licensing Authority must have regard to:-

- Any relevant code of practice issued by the Secretary of State
- Any relevant guidance issued by the Gambling Commission
- Ensuring the way they exercise their functions are reasonably consistent with the licensing objectives and
- The content of the policy.

3.4 The Policy, under Section 154(2) of the Gambling Act, must be made by Full Council and will last for 3 years. Prior to the approval of this policy by Full Council, consultation under Section 349 of the Act must take place with the following:-

- The Police
- The Fire Authority
- One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area, and
- One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act.

- 3.5 The required consultation has taken place. A response was received from a firm of solicitors requesting definitions of the term 'vulnerable person' and 'track' in Appendix C and to amend 'Parish Council', which has been changed to 'Town and Community Council' in paragraph 1.7 of the Policy, which has duly been carried out.
- 3.6 The revised policy must be published and in place for commencement on 31<sup>st</sup> January 2016. The Gwent Licensing Forum, which consists of Council Licensing Officers, Gambling Commission and Police Licensing Officers that cover the areas of Monmouthshire, Torfaen, Caerphilly, Blaenau Gwent and Newport, has worked on formulating a policy to incorporate any legal changes and best practice. The proposed policy has been endorsed by Gwent Licensing Forum with the aim of all five Authorities adopting this Policy, subject to changes pertinent to each Authority's area and character.
- 3.7 The amended draft policy which included the consultation response referred to in 3.5 above was reported to the Licensing and Regulatory Committee on 15<sup>th</sup> September 2015. This Committee endorsed the draft policy now set out in Appendix A,

#### **4. REASONS:**

- 4.1 The issue of the Policy meets the Authority's obligations under the Gambling Act 2005.
- 4.2 The Policy is consistent with Authority's corporate objectives and supports the objectives of the Gambling Act 2005 as above.

#### **5. RESOURCE IMPLICATIONS:**

None.

#### **6. WELLBEING AND FUTURE GENERATIONS IMPLICATIONS**

It is a statutory requirement to compile a Gambling Policy, as outlined in Section 3. Although not a 'proposal' (therefore not requiring full assessment) it does contribute positively to protecting children and other vulnerable persons from being harmed or exploited by gambling.

#### **7. CONSULTEES:**

- SLT
- Cabinet Members
- Chairs of Select Committees
- Head of Legal Services
- Head of Regulatory Services
- Relevant bodies as outlined in paragraph 3.4 above.
- The Licensing and Regulatory Committee (15<sup>th</sup> September 2015)

#### **8. BACKGROUND PAPERS:**

Gambling Act 2005.

Gambling Commission Guidance issued under Section 349 of the Gambling Act 2005.

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monmouthshire  
sir fynwy

## **Gambling Act 2005 Draft Statement of Licensing Policy 2016**

Revision 15<sup>th</sup> September 2015

Further information can be obtained from:  
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# 1. Statement of Licensing Policy

## 1.1 Introduction

The Gambling Act 2005 requires the Council to prepare and publish a “Statement of Licensing Policy” that sets out the principles the Council proposes to apply in exercising its licensing functions when dealing with applications for Premises Licences, as required by the Act.

This Policy Statement takes effect on 31<sup>st</sup> January 2016. This Licensing Authority will update and publish a new Licensing Policy whenever necessary but in any case within 3 years of the date of this Policy, and will fully consult with partners, trade associations and residents groups as appropriate at that time, any representations received will be considered at that time.

However where updates are required due to changes in national legislation, statutory guidance or contact details the council reserves the right to amend this policy without consultation where it is necessary to ensure the policy reflects national legislation or statutory guidance.

In producing the final Policy Statement the Council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission, any codes of practice and any responses from those consulted on the Policy Statement.

The Council has a legal obligation to comply with all legislation that promotes equality it has a policy in place to promote equality to all. The Planning and Public Protection Service Area has its own equalities framework which is available for inspection on our website. Licensing of persons and premises under the Gambling Act 2005 will actively promote equality of service and enforcement to all members of the community.

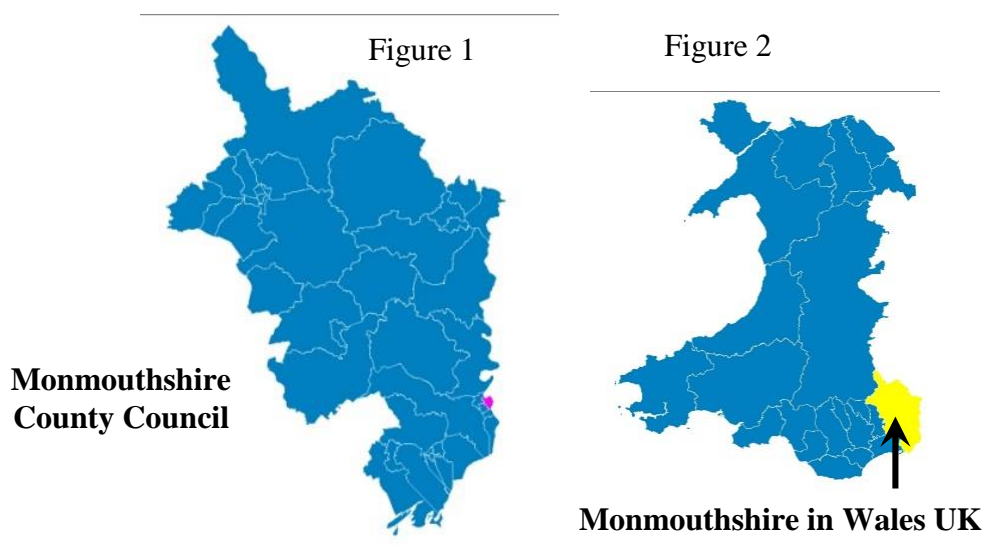
The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with such a right. The council will have regard to the Human Rights Act when considering any licensing issues, and particularly in respect of the way in which applications are considered and enforcement activities are carried out.

The council acknowledges that it may need to depart from this Policy and from the guidance issued under the Act in individual and exceptional circumstances, and where the case merits such a decision in the interests of the promotion of the licensing objectives. Any such decision will be taken in consultation with the appropriate legal advisors for the Licensing Authority, and the reasons for any such departure will be fully recorded.

## 1.2 Profile of Monmouthshire

The County of Monmouthshire is mainly rural in character. The County has five main towns namely Monmouth, Abergavenny, Caldicot, Chepstow and Usk, which are surrounded by numerous villages, each with their own individual character.

The area has a population of approximately 92,100. Monmouthshire is not densely populated, there is approximately 1 person per hectare, although there are concentrations of housing in some areas.



### 1.3 Objectives

In exercising most of its functions under the Gambling Act 2005 the Council, as the Licensing Authority, must have regard to the following licensing objectives:

- **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;**
- **Ensuring that gambling is conducted in a fair and open way;**
- **Protecting children and other vulnerable persons from being harmed or exploited by gambling.**

It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

The Council is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling insofar as it thinks it:

- **In accordance with any relevant code of practice issued by the Gambling Commission;**
- **In accordance with any relevant guidance issued by the Gambling Commission;**
- **Reasonably consistent with the licensing objectives;**
- **In accordance with the Council's Statement of Licensing Policy.**

#### **1.4 The Licensing Authority Functions**

The Council is required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences;
- Issue Provisional Statements;
- Regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits;
- Issue Club Machine Permits to Commercial Clubs;
- Grant permits for the use of certain lower stake gaming machines at unlicensed family entertainment centres;
- Receive notification from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machines;
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- Register small society lotteries below prescribed thresholds;
- Issue Prize Gaming Permits;
- Receive and endorse Temporary Use Notices;
- Receive Occasional Use Notices;
- Provide information to the Gambling Commission regarding details of licences issued (see section below on information exchange);
- Maintain registers of the permits and licences that are issued under these functions.

It should be noted that local licensing authorities are not involved in licensing remote gambling at all, which is regulated by the Gambling Commission via Operator Licences.

The Council recognises that the licensing function is only one means of promoting delivery of the three objectives and should not therefore be seen as a means for solving all problems within the community. The Council will therefore continue to work in partnership with neighbouring authorities, Heddlu Gwent Police, the Community Safety Partnership, local businesses, local people and those involved in child protection to promote the licensing objectives as outlined. In addition, the Council recognises its duty under

Section 17 of the Crime and Disorder Act 1998, with regard to the prevention of crime and disorder.

## 1.5 Consultation

The Council has consulted widely upon this Statement before finalising and publishing. A list of those persons consulted is provided below, in line with the Act and the Gambling Commission's Guidance. Further details, together with a list of comments made and the consideration by the Council of those comments is available on request.

- The Chief Officer of Police;
- The Fire Authority;
- Representatives of the holders of various licences for premises within the County who will be affected by this Policy;
- Bodies representing businesses and residents in the County;
- Departments (including Responsible Authorities) within the Council with an interest in the licensing of gambling;
- **Local Safeguarding Children Board;**
- County Councillors
- Community and Town Councils;
- Other organisations as appear to be affected by licensing matters covered by this Statement;
- H.M. Revenue and Customs.

Consultation took place between **1<sup>st</sup> June 2015** and **28<sup>th</sup> August 2015** and, as far as practicable, the Council followed the Consultation Principles issued by the government in October 2013 which is available at <https://www.gov.uk/government/publications/consultation-principles-guidance>

This policy was approved at a meeting of the Full Council on **\*\*\*DATE\*\*\*** and was published on **\*\*\*DATE\*\*\***, as well as being available at [www.monmouthshire.gov.uk](http://www.monmouthshire.gov.uk)

## 1.6 Responsible Authorities

In exercising the Council's powers under Section 157(h) of the Act to designate, in writing, a body that is competent to advise the Council about the protection of children from harm, the following principles have been applied:

- The need for the body to be responsible for an area covering the whole of the Council's area;
- The need for the body to include senior and responsible representatives of appropriate public bodies in the county borough area, who have as a principal duty, responsibility for the protection of children from harm

In accordance with the Gambling Commission's Guidance this Council designates the **Social Care and Housing Department** for this purpose. Details of the bodies identified under the Act that are to be treated as Responsible Authorities are available via the Council's website.

### **1.7 Interested Parties**

Interested Parties can make representations about licence applications, or apply for a review of an existing licence based on the three licensing objectives as detailed in paragraph 1.3 of this Policy Statement.

An Interested Party is someone who:-

- (a) Lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- (b) Has business interests that might be affected by the authorised activities; or
- (c) Represents persons in either of the two groups above.

The principles the Council will apply to determine whether a person is an Interested Party are:

Each case will be decided upon its merits. This Council will not apply a rigid rule to its decision-making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities. It will also consider the Gambling Commission's Guidance that "business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

Interested Parties can be persons who are democratically elected, such as Councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the Councillor/MP represents the ward likely to be affected. Likewise, **Town and Community** Councils likely to be affected will be considered as interested parties. Other than these, however, this Council will generally require written evidence that a person, body (e.g. an advocate/relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or business interests that might be affected by the authorised activities. Correspondence from one of these persons, requesting the representation is sufficient.

If individuals wish to approach Councillors to ask them to represent their views, then care should be taken that the Councillors are not part of the Licensing and Regulatory Sub-Committee dealing with the licence application or in any other way have a personal interest that would preclude them from participating in a hearing. If there are any doubts then please contact the Licensing Section.

### **1.8 Exchange Of Information**

The principle that the Council will apply in respect of the exchange of information between it and the Gambling Commission and those bodies listed in Schedule 6 of the Act is that it will act in accordance with the provisions of the Gambling Act 2005 which includes the provision that the Data Protection Act 1998 will not be contravened. The Council will also have regard to any guidance issued by the Gambling Commission to Local Authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

## 1.9 Enforcement

The Council's principles are that it will be guided by the Gambling Commission's Guidance to local authorities, the Regulators Code and the council's enforcement policy. It will endeavour to be:

- Proportionate: regulators should only intervene when necessary, remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

As per the Gambling Commission's Guidance to Licensing Authorities, the Council will endeavour to avoid duplication with other regulatory regimes so far as possible.

The Council has adopted and implemented a risk-based inspection programme, based on:

- The licensing objectives;
- Relevant codes of practice;
- Guidance issued by the Gambling Commission, in particular at Part 36;
- The principles set out in this Statement of Licensing Policy.
- The council's enforcement policy.

The main enforcement and compliance role for this Council in terms of the Gambling Act 2005 is to ensure compliance with the Premises Licences and other permissions, which it authorises. The Gambling Commission is the enforcement body for the Operator and Personal Licences. Concerns about manufacture, supply or repair of gaming machines are dealt with by the Council but should be notified to the Gambling Commission.

The council will take account of the Gambling Commissions guidance document issued in February 2015 (or any subsequent amendments)

'Approach to Test Purchasing' when considering making test purchases at gambling premises. The council will also follow its own policies and procedures regarding the use of underage test purchasers.

The Council also keeps itself informed of developments as regards the work of the Better Regulation Delivery Office in its consideration of the regulatory functions of local authorities.

### **1.10 Fundamental Rights**

Under the terms of the Act any individual/company may apply for a variety of permissions and have their applications considered on their individual merits. Equally, any Interested Party or Responsible Authority has a right to make relevant representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the Act.

Applicants and those making relevant representations in respect of applications to the Council have a right of appeal to the Magistrates Court against the decisions of the Council.

### **1.11 Integrating Strategies and Avoiding Duplication**

By consulting widely prior to this Policy Statement being published, the Council will take full account of local policies covering crime prevention, culture, transport, planning and tourism as part of an integrated strategy for the Council, Police and other agencies. Many of these strategies may not be directly related to the promotion of the three licensing objectives, but may indirectly impact upon them.

When considering any application, the Council will avoid duplication with other regulatory regimes so far as possible. Therefore, the Council will not attach conditions to a licence unless they are considered necessary, reasonable and proportionate to the use of premises for gambling consistent with the licensing objectives.

### **1.12 Sustainable Development Community Strategy**

The Local Government Act 2000 requires all local authorities to produce a community strategy within the framework of the UK Sustainable Development Strategy – "A better Quality of Life" and relevant regional strategies.

Community strategies provide a focal point for the identification of local issues and aspirations on social inclusion, environmental protection, employment and economic development.

Local strategic partnerships, typically involving the police, local authorities, local health boards, and representatives from education, business and the voluntary sector organisations, are responsible for the achievement of locally set objectives.



Under the Crime and Disorder Act 1998 local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent crime and disorder in the area. The Council will have particular regard to the likely impact of licensing on related crime and disorder in the County, particularly when considering the location, impact, operation and management of all proposed licence/permit applications, renewals and variations of conditions.

## 2. Premises Licences

### 2.1 General Principles

Premises Licences are subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions, which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

The Council is aware that in making decisions about Premises Licences it should aim to permit the use of premises for gambling insofar as it thinks it:-

- In accordance with any relevant code of practice issued by the Gambling Commission;
- In accordance with any relevant guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with this Policy Statement.

It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for Premises Licences" and also that unmet demand is not a criterion for a licensing authority.

The Licence Conditions and Code of Practice (LCCP) issued by the Gambling Commission commencing in May 2015 places further onus on premises to complete a risk assessment based on code 8, the social responsibility code. The council will have regard to this code when considering applications. This is covered in detail in Section 6 of this statement.

#### ***Definition of "Premises":***

Premises is defined in the Act as "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been

taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states in its Guidance to Licensing Authorities that: “In most cases the expectation is that a single building/plot will be the subject of an application for a licence. But, that does not mean that a single building plot cannot be the subject of separate premises licence, e.g. the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer.

However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example, by ropes or moveable partitions, can properly be regarded as different premises.”

The Council takes particular note of the Gambling Commission’s Guidance for local authorities which states that licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, they should be aware of the following –

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore, premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating;
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensing premises or premises with a permit;
- Customers should be able to participate in the activity named on the premises licence.

The Guidance also gives a list of factors, which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates?
- Is the Premises’ neighbouring premises owned by the same person or someone else?

- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

## **2.2 Appropriate Licence Environment**

The Guidance to Local Authorities and the Licence Conditions and Codes of Practice (LCCP) commencing May 2015, set out additional matters that the council should take into account when considering licence applications for premises licences.

Guidance section 19, LCCP condition 16 and code 9 prescribe restrictions on gambling activities on premises, previously known as primary gambling activity. The council will consider any application based on the provisions in these codes and guidance.

Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls, the council will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises, and that the premises is adequately supervised at all times.

The Council will consider these and any other relevant factors in making its decision, depending on all the circumstances of the case.

The Gambling Commission's Guidance for relevant access provisions for each premises type is reproduced in Appendix A:

## **2.3 Premises "ready for gambling"**

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, the Council will determine applications on their merits, applying a two stage consideration process:

- First, whether the premises ought to be permitted to be used for gambling;
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found in the Guidance.

## **2.4 Other Considerations**

### ***Location:***

The Council is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision making. As per the Gambling Commission's Guidance for local authorities, the Council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this Statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

### ***Planning***

The Gambling Commission Guidance to Licensing Authorities states:

- In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.

The Council will not take into account irrelevant matters as per the above guidance. In addition, the Council notes the following excerpt from the Guidance:

- When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning

control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

## **2.5 Duplication with other Regulatory Regimes:**

The Council seeks to avoid any duplication with other statutory/regulatory systems where possible, including planning. The Council will not consider whether a licence application is likely to be awarded planning permission or building regulations approval in its consideration of it. It will though listen to, and consider carefully, any concerns about conditions, which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a premises licence application for finished buildings, the Council will not take into account whether those buildings have to comply with the necessary planning or building consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

## **2.6 Licensing Objectives:**

Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, the Council has considered the Gambling Commission's Guidance to licensing authorities and some comments are made below.

### ***Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime:***

The Council is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does, however, envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime, the Council will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. The Council is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.

### ***Ensure that gambling is conducted in a fair and open way:***

The Council has noted that the Gambling Commission states that it does not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way, as this will be addressed via operating and personal licences. There is, however, more of a role with regard to tracks, which is explained in more detail in the “tracks” section.

***Protecting children and other vulnerable persons from being harmed or exploited by gambling:***

The Council has noted the Gambling Commission’s Guidance for local authorities states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The Council will, therefore, consider, as suggested in this Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas, etc.

The Council is also aware of the Codes of Practice, which the Gambling Commission issues as regards this licensing objective, in relation to specific premises.

As regards the term “vulnerable persons” it is noted that the Gambling Commission does not seek to offer a definition but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs”. The Council will consider this licensing objective on a case by case basis.

Section 7 of the Gambling Commission Guidance to Local Authorities sets out considerations that an operator must make in order to protect children and young people from accessing gambling premises.

The Licence Conditions and Codes of Practice (LCCP) issued in 2015 prescribe how operators must prevent children from using age restricted gaming or gambling activities, particularly where gaming machines are licensed.

In particular operators must ensure that;

- all staff are trained,
- that all customers are supervised when on gambling premises
- must have procedures for identifying customers who are at risk of gambling related harm.

The council will expect all operators to have policies and procedures in place as required by the LCCP codes on social responsibility to cover all aspects of the code, in particular staff training records and self-exclusion records

Further provisions with regard to self-exclusion and marketing are included in the social responsibility code. The council will take all conditions and codes into account when considering applications or performing enforcement activities.

See section 6 of this policy statement for further details and on the council's requirements in relation to the LCCP.

## **2.7 Bet-Watch:**

The council encourage and will support local operators to create and maintain an information sharing network to discuss issues of problem gamblers that are identified. This will also be an opportunity for operators to discuss issues with the licensing officers.

## **2.8 Conditions:**

Any conditions attached to licences will be proportionate and will be:

- Relevant to the need to make the proposed building suitable as a gambling facility;
- Directly related to the premises and the type of licence applied for;
- Fairly and reasonably related to the scale and type of premises; and
- Reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures the Council will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas, etc. There are specific comments made in this regard under some of the licence types below. The Council will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.

The Council will also consider specific measures, which may be required for buildings, which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

The Council will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- All such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier

which is effective to prevent access other than through a designated entrance;

- Only adults are admitted to the area where these machines are located;
- Access to the area where the machines are located is supervised;
- The area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- At the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises, including buildings where multiple premises licences are applicable.

The Council is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this Council will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are conditions, which the Council cannot attach to premises licences, which are:

- Any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- Conditions relating to gaming machine categories, numbers, or method of operation;
- Conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- Conditions in relation to stakes, fees, winning or prizes.

## **2.9 Door Supervisors:**

The Gambling Commission advises in its Guidance to licensing authorities that if it is concerned that a premises may attract disorder, or be subject to attempts at unauthorised access (e.g. by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence to this effect.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed as the statutory requirements for different types of premises vary.

## **2.10 Adult Gaming Centres**



The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Council that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

Where gambling facilities are provided at premises as a supplementary activity to the main purpose of the premises; e.g. motorway service areas and shopping malls, the council will expect the gambling area to be clearly defined to ensure that customers are fully aware that they are making a choice to enter into the gambling premises and that the premises is adequately supervised at all times.

This Council may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

## **2.11 (Licensed) Family Entertainment Centres**

The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Council, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

The Council may consider measures to meet the licensing objectives such as:

- Proof of Age Schemes
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare.

- Measures/training for staff on how to deal with children on the premises, for example, suspected truancy from school.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

The Council will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This Council will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

## **2.12 Casinos**

**There are currently no casinos operating within the County. Following considerable debate at full Council on 22<sup>nd</sup> November 2012 a resolution was passed not to issue casino licences within the County of Monmouthshire as provided for in section 166 Gambling Act 2005. This resolution may be reviewed as necessary, and at least every three years in line with the adoption of the Statement of Gambling Policy. There is no right of appeal against this resolution. Potential licence applicants should note that as a 'no-casino' resolution has been passed by this Council no applications for casino premises licence will be considered. Any applications received will be returned with a notification that a 'no casino' resolution is in place.**

## **2.13 Bingo Premises**

This Council notes that the Gambling Commission's Guidance states:

Licensing Authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

The Council is aware that a holder of bingo premises licences may make available for use of a number of category B gaming machines, not exceeding 20% of the total number of gaming machines, which are available for use on the premises

Children and young people are allowed into bingo premises; however, they are not permitted to participate in the bingo and if category B or C machines are made available for use, these must be separated from areas where children and young people are allowed.

## **2.14 Betting Premises**

### ***Betting machines:***

The Act provides that a machine is not a gaming machine if it is designed or adapted for use to bet on future real events. Betting premises may make available machines that accept bets on live events, such as horseracing, as a substitute for placing a bet over the counter. These “betting machines” are not gaming machines: they merely automate the process, which can be conducted in person and, therefore, do not require regulation as a gaming machine.

The Council will, as per the Gambling Commission’s Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. The premises should also display notices with contact for help organisations e.g. GamCare.

### **2.15 Tracks**

The Council is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission’s Guidance, the Council will especially consider the impact upon the third licensing objective (i.e. protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

The Council will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

The Council may consider measures to meet the licensing objectives, such as:-

- Proof of age schemes
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-exclusion schemes

- Provision of information leaflets/helpline numbers for organisations such as GamCare

The list is not mandatory, nor exhaustive, and is merely indicative of example measures.

### **2.16 Gaming Machines:**

Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than Category D machines) should be located in areas from which children are excluded.

### **2.17 Betting Machines:**

The Council will, as per the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

### **2.18 Applications and plans:**

The Gambling Act (Section 51) requires applicants to submit plans of the premises with their application, in order to ensure that the Council has the necessary information to make an informed judgement about whether the premises are fit for gambling. They will also be used for the Council to plan future premises inspection activity.

Plans for tracks should be drawn to scale sufficiently detailed to include the information required by regulations.

Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises.

In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.

The Council appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this Council can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting area subject to

the “five times rule” (commonly known as betting rings) must be indicated on the plan.

## **2.19 Travelling Fairs**

This Council is responsible for deciding whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The Council will also consider whether the applicant falls within the statutory definition of a travelling fair contained in Section 286 of the Gambling Act 2005.

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Council will work with its neighbouring authorities to ensure that land, which crosses our boundaries, is monitored so that the statutory limits are not exceeded.

## **2.20 Provisional Statements**

Developers may wish to apply to this Council for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

Section 204 of the Gambling Act provides for a person to make an application to the Council for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The Council will be

constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage; or
- they reflect a change in the applicant's circumstances.

In addition, the Council may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the Council's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this Council notes that it can discuss any concerns it has with the applicant before making a decision.

### **3. Permits/Temporary And Occasional Use Notices**

A table setting out gaming machine entitlement is attached at Appendix D.

#### **3.1 Unlicensed Family Entertainment Centre Gaming Machine Permits**

Where a premises does not hold a Premises Licence but wishes to provide category D gaming machines, it may apply to the Council for this permit.

It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use and would, therefore, exclude any premises primarily used for any other purposes, e.g. canteens, fast food takeaways, leisure centres, garages and petrol filling stations, taxi offices.

An application for a permit may be granted only if the Council is satisfied that the premises will be used as an unlicensed Family Entertainment Centre and the Chief Officer of Police has been consulted on the application.

The Council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include appropriate measures/training for staff as regards suspected truant school children on the

premises, measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises. The applicant for a Family Entertainment Centre provide evidence that a suitable criminal record check has been conducted on all staff in his/her employment.

This Council will also expect, as per Gambling Commission Guidance, that applicants demonstrate:-

- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed Family Entertainment Centres;
- That the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act);
- That staff are trained to have a full understanding of the maximum stakes and prizes.

It should be noted that the Council cannot attach conditions to this type of permit.

### **3.2 (Alcohol) Licensed Premises Gaming Machine Permits**

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority. The Council can remove the automatic authorisation in respect of any particular premises if:

- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- Gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- The premises are mainly used for gaming; or
- An offence under the Gambling Act has been committed on the premises.

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and this Council must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as the Council think relevant.*” The Council considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Council that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the Council that there will be no access may include the adult machines being in sight of the

bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be of help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

It should be noted that the Council can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

### **3.3 Prize Gaming Permits**

The Council has the right to prepare a 'Statement of Principles' that it proposes to apply in exercising its functions under Schedule 14 of the Act which may, in particular, specify matters that this authority propose to consider in determining the suitability of the applicant for a permit.

The Council has prepared a 'Statement of Principles', which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:-

- That they understand the limits to stakes and prizes that are set out in Regulations;
- And that the gaming offered is within the law;
- Clear policies that outline the steps to be taken to protect children from harm.

In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:-

- The limits on participation fees, as set out in regulations, must be complied with;
- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are



allocated; and the result of the game must be made public in the premises on the day that it is played;

- The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- Participation in the gaming must not entitle the player to take part in any other gambling.

### **3.4 Club Gaming and Club Machines Permits**

Members Clubs and Miners' Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machines Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance. Members Clubs and Miners' Institutes and also Commercial Clubs may apply for a Club Machine Permit. A Club Gaming Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

The Council has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit. In doing so it will take into account a number of matters as outlined in the Gambling Commission's Guidance. These include the constitution of the club, the frequency of gaming, and ensuring that there are more than 25 members.

The club must be conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

The Council may only refuse an application on the grounds that:

- (a) The applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) The applicant's premises are used wholly or mainly by children and/or young persons;
- (c) An offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) A permit held by the applicant has been cancelled in the previous ten years; or
- (e) An objection has been lodged by the Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Commercial clubs cannot hold Club Premises Certificates under the Licensing Act 2003 and so cannot use the fast track procedure. As the Gambling Commission's Guidance for local authorities

states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

- (a) That the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) That in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) That a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

### **3.5 Temporary Use Notices**

Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

The Council can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement, the relevant regulations (S1 no. 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

There are a number of statutory limits as regards temporary use notices. The meaning of "premises" in part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the Council needs to look at, amongst other things, the ownership/occupation and control of the premises.

This Council expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises; as recommended by the Gambling Commission's Guidance to licensing authorities.

### **3.6 Occasional Use Notices**

The Council has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Council will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

## **4. Small Society Lotteries**

The Council will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. The Council considers that the following list, although not exclusive, could affect the risk status of the operator:

- submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- submission of incomplete or incorrect returns
- breaches of the limits for small society lotteries

Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by, or on behalf of, a charity or for charitable purposes
- to enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact the Council via e-mail to [licensing@monmouthshire.gov.uk](mailto:licensing@monmouthshire.gov.uk) or by letter at Licensing Section, Monmouthshire County Council, The Drama Centre, Pen-y-Pound, Abergavenny NP7 5UD.

## **5. Decision Making**

### **5.1 Administration, Exercise and Delegation of Functions**

The powers and duties of the Council under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.

It is considered that many of the functions will be largely administrative in nature with no perceived areas of contention. In the interests of efficiency and cost effectiveness these will, for the most part, be carried out by officers.

The following schedule sets out the recommended delegation of functions and decisions by guidance. The Council may, nevertheless, refer any matter to the Licensing Committee or Sub-Committee.

The schedule of delegation of licensing functions is attached at Appendix B.

## **5.2 Appeals Procedure**

Entitlements to appeal for parties aggrieved by decisions of the Council are set out in Sections 206 to 209 of the 2005 Act. Appeals must be made to the Magistrates Court for the area in which the licensing authority, which has considered the application, is situated.

An appeal has to be commenced by giving notice of the appeal by the appellant to; **The Clerk to the Justices, Gwent Magistrates Court, The Law Courts, Faulkner Road, Newport, NP20 4PR, within a period of 21 days, beginning with the day on which the appellant was notified** by the Council of the decision to be appealed against.

On determining an appeal, the Court may:

- Dismiss the appeal;
- Substitute the decision appealed against with any other decision that could have been made by the licensing authority;
- Remit the case to the licensing authority to dispose of the appeal in accordance with the direction of the Court.
- Make an order about costs.

## **5.3 Giving Reasons for Decisions**

In anticipation of such appeals, the Council will give comprehensive reasons for its decisions. The Council will address the extent to which decisions have been made with regard to any relevant codes of practice and guidance issued by the Gambling Commission, reasonably consistent with the licensing objectives and in accordance with this Policy Statement.

## **5.4 Implementing the Determination of The Magistrates' Court**

As soon as the decision of the Magistrates' Court has been notified to all parties, the Council will not delay its implementation and necessary action will be taken forthwith unless ordered by a higher court to suspend such action (for example, as a result of an ongoing judicial review). The Act provides for no other appeal against the determination of the Magistrates' Court.

## **5.5 Complaints against Licensed Premises**

The Council will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first instance, complainants are encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

Where an interested party has made either a valid representation about licensed premises or a valid application for a licence to be reviewed, the Council may initially arrange a conciliation meeting to address and clarify the issues of concern.

This process will not override the right of any interested party to ask that the Licensing and Gambling Sub-Committee consider their valid objections, or for any licence holder to decline to participate in a conciliation meeting.

Due consideration will be given to all relevant representations unless they fit the exceptions in 5.6 below.

## **5.6 Reviews**

Requests for a review can be made by Interested Parties or Responsible Authorities. However, it is for the Council to decide whether the review is to be carried out based upon any relevant codes of practice and guidance issued by the Gambling Commission, reasonably consistent with the licensing objectives and in accordance with this Policy Statement.

The request for the review will also be subject to the consideration by the Council as to whether it is frivolous, vexatious, or whether it will not cause this Council to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

The Council can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason, which it thinks is appropriate.

Once a valid application for a review has been received by the Council, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the Council, who will publish notice of the application within 7 days of receipt.

The Council must carry out the review as soon as possible after the 28 day period for making representations has passed.

The purpose of the review will be to determine whether the Council should take any action in relation to the licence. If action is justified, the options open to the Council are:-

- add, remove or amend a licence condition imposed by the Council;

- exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- suspend the premises licence for a period not exceeding three months; and
- revoke the premises licence.

In determining what action, if any, should be taken following a review, the Council must have regard to the principles set out in Section 153 of the Act, as well as any relevant representations.

In particular, the Council may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

Once the review has been completed, the Council must, as soon as possible, notify its decision to:

- the licence holder;
- the applicant for review (if any);
- the Commission;
- any person who made representations;
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs.

## **6. Licensing Conditions and Codes of Practice 2015 (LCCP)**

The Gambling Commission released an LCCP in February 2015 with a commencement date of May 2015. The code strengthened the social responsibility code (SR) requirements. Details regarding the LCCP and SR code can be accessed via the Gambling Commission website at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

The code requires operators;

- To supervise customers effectively on gambling premises and identify customers who are at risk of gambling related harm.
- With effect from April 2016 to have in place schemes to allow customers to self-exclude themselves from all operators of a similar type in the area where they live and work.
- To have a range of measures with regard to marketing to ensure social responsibility that are transparent and not misleading.
- With effect from April 2016 to produce a risk assessment on individual premises, and have policies and procedures and control measures in place to mitigate local risks to the licensing objectives.

## **Risk Assessment's ~ Premises Based Gambling Operators**

Such risk assessments are required from new applicants, and from existing premises licensees seeking to vary a licence. The code requires all operators of; Casino's, AGC's, Bingo Premises, FEC's, Betting shops and remote betting intermediaries to assess local risks to the licensing objectives, and to have policies, procedures and control measures in place to mitigate those risks.

Operators are required by the SR code to make the risk assessment available to licensing authorities when an application is submitted either for new premises licence or variation of a premises licence, or otherwise on request, and this will form part of the council's inspection regime and may be requested when officers are investigating complaints.

The code requires the Council to set out matters they expect the operator to take account of in the risk assessment in its statement of policy and this council expects the following matters to be considered by operators when making their risk assessment.

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Gaming trends that may reflect benefit payments
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall,
- Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.

The council expects the following matters to be considered by operators when making their risk assessment.

Matters relating to children and young persons, including;

- Institutions, places or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas etc.
- Any premises where children congregate including bus stops, café's, shops, and any other place where children are attracted,
- Areas that are prone to issues of youths participating in anti social behaviour, including such activities as graffiti/tagging, underage drinking, etc.
- Recorded incidents of attempted underage gambling

Matters relating to vulnerable adults, including;

- Information held by the licensee regarding self-exclusions and incidences of underage gambling,
- Gaming trends that may mirror days for financial payments such as pay days or benefit payments
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Proximity of premises which may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate, etc.

Other issues that may be considered could include:

Matters of faith, including all religious or faith denominations including proximity to churches, mosques, temples or any other place of worship.

This list is not exhaustive and other factors not in this list that are identified must be taken into consideration.

## 7. Further Information

Further information about the Gambling Act 2005, this Statement of Licensing Policy or the application process can be obtained from:

Licensing Section  
Monmouthshire County Council  
The Drama Centre  
Pen-y-Pound  
Abergavenny  
NP7 5UD  
Telephone: 01873 735420  
Fax: 01633 644878  
Email: [licensing@monmouthshire.gov.uk](mailto:licensing@monmouthshire.gov.uk)  
Website: [www.monmouthshire.gov.uk/licensing](http://www.monmouthshire.gov.uk/licensing)

Information is also available from:

The Gambling Commission  
Victoria Square House  
Birmingham  
B2 4BP  
Telephone: 0121 230 6666  
Fax: 0121 230 6720  
Email: [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)  
Website: [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)



The Department for Culture, Media and Sport  
2– 4 Cockspur Street  
London  
SW1Y 5DH  
Telephone: 020 7211 6200  
Website: [www.culture.gov.uk](http://www.culture.gov.uk)

## **Appendix A Access to Premises**

### **Casinos**

- The principal access entrance to the premises must be from a street;
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons;
- No customer must be able to enter a casino directly from any other premises, which holds a gambling premises licence.

### **Adult Gaming Centre**

- No customer must be able to access the premises directly from any other licensed gambling premises.

### **Betting Shops**

- Access must be from a street or from another premises with a betting premises licence;
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

### **Tracks**

No customer should be able to access the premises directly from:

- a casino;
- an adult gaming centre.

### **Bingo Premises**

No customer must be able to access the premises directly from:

- a casino;
- an adult gaming centre;
- a betting premises, other than a track.

### **Family Entertainment Centre**

No customer must be able to access the premises directly from:

- a casino;
- an adult gaming centre;
- a betting premises, other than a track.

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

## Appendix B Schedule of Delegation of Licensing Functions and Decisions

Matters to be dealt with	Full Council	Sub-Committee	Officers
Three year Gambling Policy	x		
Policy not to permit casinos	x		
Fee Setting – when appropriate (Fee Setting for Premises Licence be delegated to the Licensing and Regulatory Committee,		x	
Application for Premises Licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn/authorised to dispense with a hearing if all parties are in agreeance/authorised to assess if a representation is valid.
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn/authorised to dispense with a hearing if all parties are in agreeance/authorised to assess if a representation is valid.
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representation has been received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn/authorised to

Matters to be dealt with	Full Council	Sub-Committee	Officers
			dispense with a hearing if all parties are in agreeance/authorised to assess if a representation is valid.
Review of a Premises Licence		x	
Revocation of a premises licence for failure to pay annual licence fee			x
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no representations received/representations have been withdrawn/authorised to dispense with a hearing if all parties are in agreeance/authorised to assess if a representation is valid.
Cancellation of club gaming/club machine permits		x	
Applications for other permits		Where objections have been made and not withdrawn	Where no representations received/representations have been withdrawn/authorised to dispense with a hearing if all parties are in agreeance/authorised to assess if a representation is valid.
Cancellation of licensed premises gaming machine permits		x	Authorised to cancel a permit, with the holder having the right to a hearing at the Sub-Committee.
Consideration of temporary use notice			Consideration/authorised to dispense with a hearing if all parties are in agreeance/authorised to assess if objection is valid.

<b>Matters to be dealt with</b>	<b>Full Council</b>	<b>Sub-Committee</b>	<b>Officers</b>
Decision to give a counter notice to a temporary use notice		x	
Small Society Lotteries		x	Registration, Refusal and revocation of a lottery registration with the applicant/holder having the right to a hearing at the Sub-Committee.

## Appendix C Definitions

**NOTE:** In this Policy, the following definitions are included to provide an explanation to certain terms included in the Act and, therefore, in the Statement of Licensing Policy. In some cases they are an abbreviation of what is stated in the Gambling Act 2005 or an interpretation of those terms. For a full definition of the terms used, the reader must refer to the Gambling Act 2005.

'The Council' means Monmouthshire County Council, acting as the Licensing Authority as defined by the Gambling Act 2005.

'The Act' means the Gambling Act 2005.

'The County' means the County of Monmouthshire.

'The Licensing Authority' the authority in whose area the premises is wholly/partly situated. The Licensing Authority (as in the issuing authority) is also a responsible authority.

'The Gambling Commission' a body set up by the Government as the unified regulator for gambling, replacing the Gaming Board.

'Responsible Authority' means a public body that must be notified of certain applications for premises licences and permits, and are entitled to make representations on any of the licensing objectives.

'Children' means individuals who are less than 16 years old.

'Young person' means individuals who are aged less than 18 years old and 16 years and over.

'Vulnerable person' will not be defined but the assumption is that this group includes people who gamble more than they want to, people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

'Mandatory Conditions' means a specified condition provided by regulations to be attached to premises licences.

'Default Conditions' means a specified condition provided for by regulations to be attached to a licence unless excluded by the Council.

'Premises' means any place, including a vessel or moveable structure.

'Tracks' means a horse-race course, dog track or other premises on any part of which a race or other sporting event takes place or is intended to take place.

## Appendix D Summary of Machine Provisions by Premises

Machine category							
Premises type	A	B1	B2	B3	B4	C	D
<b>Large casino</b> (machine/table ratio of 5-1 up to maximum)				Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)			
<b>Small casino</b> (machine/table ratio of 2-1 up to maximum)				Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)			
<b>Pre-2005 Act casino</b> (no machine/table ratio)				Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead			
<b>Betting premises and tracks occupied by pool betting</b>				Maximum of 4 machines categories B2 to D (except B3A machines)			
<b>Bingo premises 1</b>		Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4			No limit on category C or D machines		
<b>Adult gaming centre 2</b>		Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4			No limit on category C or D machines		
<b>Licensed family entertainment centre 3</b>				No limit on category C or D machines			
<b>Family entertainment centre (with permit)<sup>3</sup></b>				No limit on category D machines			
<b>Clubs or miners' welfare institute (with permits)<sup>4</sup></b>				Maximum of 3 machines in categories B3A or B4 to D			
<b>Qualifying alcohol-licensed premises</b>				1 or 2 machines of category C or D automatic upon notification			
<b>Qualifying alcohol-licensed premises (with licensed premises gaming machine permit)</b>				Number of category C-D machines as specified on permit			
<b>Travelling fair</b>		No limit on category D machines					

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## REPORT

<b>SUBJECT:</b>	<b>THE PUBLIC HEALTH (CONTROL OF DISEASE) ACT 1984 AND HEALTH PROTECTION REGULATIONS</b>
<b>DIRECTORATE:</b>	<b>Chief Executive's</b>
<b>MEETING:</b>	<b>Council</b>
<b>DATE:</b>	<b>19<sup>th</sup> November 2015</b>
<b>DIVISION/WARDS AFFECTED:</b>	<b>All</b>

### 1. PURPOSE:

- 1.1 To consider the appointment of Proper Officers and the delegation of powers to the Head of Community Protection under the Public Health (Control of Disease) Act and Regulations made there-under.

### 2. RECOMMENDATIONS:

- 2.1 To appoint the designated Consultants in Communicable Disease Control and Health Protection as set out in Appendix One, as Proper Officers under section 113 (1A) of Local Government Act 1972.
- 2.2 To delegate powers to the Head of Community Protection, as outlined in Appendix One, and to replace previous reference to 'Chief Officer R & C' with 'Head of Democratic and Regulatory Services'.

### 3. KEY ISSUES:

- 3.1 The Authority has statutory duties for communicable disease control and health protection. It has previously appointed Proper Officers for such purposes and delegated powers have been provided to Environmental Health Officers to discharge the Authority's statutory functions.
- 3.2 A report to Council updated existing powers, as a consequence of amendments to the Public Health (Control of Disease) Act 1984, on 13<sup>th</sup> January 2011. Those delegated powers are still valid, albeit reference to 'Environmental Health Manager' now needs to be replaced by 'Head of Community Protection', and 'Chief Officer R & C' with 'Head of Democratic and Regulatory Services'.
- 3.3 In addition, due to changes to personnel at Public Health Wales, it is necessary to update Proper Officers for the purposes of this Act. The latest Officers are provided in Appendix One.

### 4. REASONS

- 4.1 Monmouthshire County Council has a duty under the Public Health (Control of Disease) Act 1984 to implement the provisions of the Act in its area and its current arrangements require updating.
- 4.2 The Local Government Act 1972 allows local authorities to appoint suitable persons as Proper Officers to perform specified functions in support of its responsibilities for communicable disease control.
- 4.3 The delegation of powers to officers is necessary for the efficient discharge of the Authority's statutory responsibilities to secure effective protection of public health.

**5. RESOURCE IMPLICATIONS:**

None

**6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

The recommendations of this report will make a positive contribution to sustainable development through the effective protection of public health.

**7. CONSULTEES:**

Corporate Management Team  
Cabinet Members  
Chairs of Select Committees  
Head of Legal Services

**Results of Consultation**

**8. BACKGROUND PAPERS:** Report to Full Council 13<sup>th</sup> January 2011

**9. AUTHOR:** David H Jones, Head of Community Protection

**10. CONTACT DETAILS:**

[davidhones@monmouthshire.gov.uk](mailto:davidhones@monmouthshire.gov.uk) tel x 4101

## Appendix One

### 1. **Appointments as Proper Officer (NHS Consultants in Communicable Disease control and Health Protection):**

It is recommended that Council appoint the following under section 113 of the Local Government Act 1972, as Proper Officers for Communicable Disease Control and Health Protection:

- a) Mrs Heather Lewis as **Proper Officer**
- b) Dr Rhianwen Stiff as **Proper Officer**
- c) Mr Sion Lingard and Dr Graham Brown as **Alternate Proper Officers**

Other appointments as previously agreed by Monmouthshire County Council on 13<sup>th</sup> January 2011.

### 2. **Officer Appointments and Delegated Powers under The Public Health (Control of Disease) Act 1984**

As per report to Council 13<sup>th</sup> January 2011, with replacement of reference to 'Environmental Health Manager' to 'Head of Community Protection'. Also reference to 'Chief Officer R & C' to be replaced by 'Head of Democratic & Regulatory Services'.

**David H Jones**  
**Head of Community Protection**  
**19 November 2015**

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