

Chief Executive's Office

Chief Executive: N.M. Pringle

**To: All Members of Cabinet:
Councillors:
R.J. Phillips (Leader)
G.V. Hyde (Deputy Leader)
Mrs. L.O. Barnett
P.J. Edwards
Mrs. J.P. French
J.C. Mayson
D.W. Rule MBE
R.V. Stockton
D.B. Wilcox
R.M. Wilson**

Your Ref:

Our Ref: NMP/CD

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26th November, 2003

Dear Councillor,

**MEETING OF CABINET
THURSDAY, 4TH DECEMBER, 2003 AT 2.15 P.M.
COUNCIL CHAMBER, BROCKINGTON, 35 HAFOD ROAD, HEREFORD**

AGENDA (03/19)

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

To receive any declarations of interest by members in respect of items on this agenda.

3. 2003/04 CORPORATE PERFORMANCE OUTTURNS

To receive an update on the Council's corporate performance in relation to our national and Local Best Value Performance Indicators from 1st April to 30th September, 2003. *(Pages 1 - 4)*

4. DRAFT REGIONAL PLANNING GUIDANCE FOR THE WEST MIDLANDS - RESPONSE TO PROPOSED CHANGES

To consider the changes proposed by the Office of the Deputy Prime Minister (ODPM) to draft Regional Planning Guidance (RPG), and respond accordingly. *(Pages 5 - 10)*

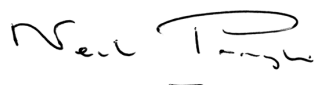
5. CONSULTATION ON FUTURE ARRANGEMENTS FOR FLOOD DEFENCE MANAGEMENT

To consider the options suggested by the Environment Agency and the Welsh Assembly Government in consultation papers on the future of flood defence funding in England and Wales. *(Pages 11 - 16)*

6. HEREFORDSHIRE CHILD CONCERN MODEL

To support this fundamental approach to protecting vulnerable children in Herefordshire. *(Pages 17 - 46)*

Yours sincerely,



**N.M. PRINGLE
CHIEF EXECUTIVE**

Copies to: Chairman of the Council
Chairman of Strategic Monitoring Committee
Vice-Chairman of Strategic Monitoring Committee
Chairmen of Scrutiny Committees
Group Leaders
Directors
County Secretary and Solicitor
County Treasurer

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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2003/2004 CORPORATE PERFORMANCE OUTTURNS

PROGRAMME AREA RESPONSIBILITY: AUDIT AND PERFORMANCE MANAGEMENT

CABINET

4TH DECEMBER, 2003

Wards Affected

Countywide

Purpose

To receive an update on the Council's corporate performance in relation to our National and Local Best Value Performance Indicators from 1st April to 30th September, 2003.

Key Decision

This is not a key decision.

Recommendation

THAT corporate performance in relation to the Council's National and Local Best Value Performance Indicators, from 1 April to 30 September 2003, be noted.

Reasons

1. The Council has developed revised performance monitoring arrangements as outlined in the Comprehensive Performance Self-assessment document submitted to the Audit Commission. The revised arrangements ensure that the Chief Executive's Management Team, the Strategic Monitoring Committee, Scrutiny Committees, and Cabinet are all involved in the performance monitoring process.

Considerations

2. During 2003/2004 corporate performance will be reported to Cabinet at 4, 6, 8, 10 and 12-monthly intervals in line with the Council's Performance Management Framework.
3. Corporate performance for the six month period 1 April 2003 – 30 September 2003 has been reported on an exception basis and only those indicators where there is a variation on the target of at least + or – 10% are highlighted.

Further information on the subject of this report is available from
Tony Michael, Policy Officer, on (01432) 261823

Above target performance

4. **Number of recorded complaints, both formal and informal (Local Indicator):** The target for this indicator during 2003/2004 is 285, whilst the number of complaints recorded for the first six months of this year is already up to 269. The high level of recorded complaints reflects improved collection arrangements and a greater focus on customer service issues across the authority.
5. **Staff mileage (Local Indicator):** The target for this indicator during 2003/2004 is to reduce mileage by 1%. Performance for the 6 months up to 30 September 2003, compared to the same period during 2002, showed an 18% reduction.
6. **Use of public transport by staff (Local Indicator):** The target for this indicator during 2003/2004 is to increase expenditure on the use of public transport by 5%. Performance for the 6 months up to 30 September 2003 showed a 45% increase, compared to the same period during 2002/2003.

Areas for Improvement

7. The number of Housing benefit claimants visited, per 1,000 caseload (**National Indicator – BVPI 76a**): The target for this indicator during 2003/2004 is 175 per 1000 caseload, whilst performance for the 6 months up to 30 September 2003 was 135 per 1000 caseload. Staffing levels were below the full complement level for the first six months of the year. This issue has now been addressed and performance is expected to improve.
8. **Average time for processing new housing benefit claims (National Indicator – BVPI 78a):** The target for this indicator during 2003/2004 is 33 days, whilst performance for the 6 months up to 30 September 2003 was 56 days. A significant amount of downtime in software systems, the implementation of tax credits and shortages in staffing resources, have all lead to a down turn in performance in this area. The assessment team is now at full complement and the majority of system issues have been resolved. As a result, it is anticipated that performance will improve over the remaining 6 months of 2003/2004.
9. **Average time for processing notifications of changes of circumstance for housing benefit claims (National Indicator – BVPI 78b):** The target for this indicator during 2003/2004 is 9 days, whilst performance for the 6 months up to 30 September 2003 was 12 days. The late notification by the Inland Revenue of working tax and child tax credits entitlements in April resulted in a significant amount of additional changes in circumstances to be dealt with by the Benefits Team, compared with the same period last year. The additional changes in circumstances have now been cleared and an improvement in this area is expected during the next monitoring period.
10. **Percentage of housing benefit renewal claims processed on time (National Indicator – BVPI 78c):** The target for this indicator during 2003/2004 is 83%, whilst performance for the 6 months up to 30 September 2003 was 33%. Due to system problems the number of renewal claims processed was down at the beginning of the period. These problems have now been resolved and performance is improving. From October 2003, there is no longer a requirement to issue renewal claims to pensioners and this will have a further positive impact on performance.
11. **Domestic burglaries per 1000 population (National Indicator – BVPI 126):** The

target for this indicator during 2003/2004 is 8 per 1000 population, whilst performance for the 6 months up to 30 September 2003, suggests that the annual figure will be approximately 11 per 1000. The West Mercia Police Force has established a burglary action plan in order to reduce the number of burglaries. A team of officers has been created that are dedicated to burglary and vehicle crime in support of this strategy. The Division is also working with neighboring Forces in order to reduce the number of cross-border offenders.

12. **The number of types of interactions that are enabled for electronic delivery as a percentage of the types of interactions that are legally permissible for electronic delivery (National Indicator - BVPI 157):** The target for this indicator by 31 March 2004 is 100%. Performance up to 30 September 2003 is 42%. The Chief Executive's Management Team is working with the the Head of e-Modernisation to increase the percentage of interactions that are enabled for electronic delivery.
13. **The percentage of standard searches carried out in 10 working days (National Indicator – BVPI 179):** The target for this indicator during 2003/2004 is 100%, whilst performance for the 6 months up to 30 September 2003 was 89%. However, this compares with an outturn performance of 58% for 2002/2003, demonstrating a significant improvement in the percentage of searches undertaken for the current year. Performance for the period 1 July to 30 September 2003 stands at 96%, suggesting that the upward trend in performance is continuing.
14. **Percentage of complaints resolved at Complaints Officer level (Local Indicator):** The target for this indicator during 2003/2004 is 70%. During the 6 months up to 30 September 2003, 269 complaints were received and 53 were dealt with at complaints officer level, resulting in percentage figure of 20%. An analysis of complaints is currently underway to identify measures to improve performance in relation to this indicator.
15. **Percentage of complaints resulting in change of practice (Local Indicator):** The target for this indicator during 2003/2004 is 6%. During the 6 months up to 30 September 2003, 269 complaints were received and 4 resulted in a change of practice, resulting a percentage figure of 1.5%. An analysis of complaints is currently underway to identify measures to improve performance in relation to this indicator.
16. **First Stop INFO customer enquiries resolved within agreed timescales (Local Indicator):** The target for this indicator during 2003/2004 is 80%, however performance for the 6 months up to 30 September 2003 was 64%. Service level agreements and the procedures for dealing with first stop customer enquiries are currently being reviewed in order to improve response rates.

Risk Management

Failure to review performance and improvement activity would undermine the implementation of the Council's Performance Management Framework.

Background Papers

None identified

DRAFT REGIONAL PLANNING GUIDANCE FOR THE WEST MIDLANDS - RESPONSE TO PROPOSED CHANGES

PROGRAMME AREA RESPONSIBILITY : ENVIRONMENT

CABINET

4TH DECEMBER, 2003

Wards Affected

County-wide

Purpose

To consider the changes proposed by the Office of the Deputy Prime Minister (ODPM) to draft Regional Planning Guidance (RPG), and respond accordingly.

Key Decision

This is not a key decision.

Recommendation

That the following comments on the proposed changes to the RPG be made:

1. Rural renaissance Chapter 5 - Concern be expressed in respect of apparent diminution of the importance of this aspect in the RPG.
2. Table 3 Housing on previously developed land in the Column "2001-2011 Target % on previously developed land" on the Herefordshire line be amended to read 63% not 44% as stated.
3. In policy PA16, the encouragement to development plans to include positive policies for farm diversification should be strengthened to include the possible use of non-agricultural developments in the wording.
4. Quality of the Environment Chapter 8 - the table in policy M2 be amended to refer to the Revised National and Regional Guidelines for Aggregates Provision 2001- 2016 issued on 10th June 2003 and the agreed sub regional apportionment (the current RPG refers to figures contained in MPG 6 1994)
5. In Policy M3 the requirement to "develop better systems to improve the way in which alternative sources of materials are used in construction projects", although necessary are quite beyond meaningful influence by planning authorities. The words should be deleted from the policy.
6. Minerals Output Targets and Indicators - M1 be amended by adding the word "only" after "To" in the first sentence.

7. the reference to 0% sterilisation in the third target wording be removed as being impossible to implement.
8. **Transport and Accessibility Chapter 9**
 - a) **RPG para 9.69 be re-drafted. Proposed wording:**

“The A49 in Hereford is subject to increasing congestion. This has a number of implications for sub-regional land use development and regeneration. To address this issue a Local Multi Modal Study has been carried out. The study identifies a package of measures to release travel capacity needed to accommodate development and regeneration and to allow Hereford to fulfil its identified role as a sub-regional centre. This role includes supporting long term balanced sustainable growth. Where appropriate, elements of the recommended package are included as priorities for investment in policy T12.”
 - b) **a line be added in table policy T12: “Hereford outer distributor road as recommended by the Hereford Local Multi Modal Study” (this should appear following reference to “A500 City Road & Stoke Road junctions”).**
 - c) **an entry be added at the end of table policy T12: “Implementation of recommendations from the Hereford Local Multi Modal Study”.**
9. **Fig. 6 on p. 141 be amended to show A417 Hope under Dinmore to Gloucester as 'primary route' providing alternative to travelling through Hereford on A49 in times of flood.**

Reasons

The recommendations are required in support of the Council's position on issues of regional planning significance, and to make an appropriate response to the changes proposed by the ODPM. A copy of the consultation material is available for inspection in the Members Room.

Considerations

1. Many of the proposed changes to the RPG are to be welcomed in principle, as the attempt has been made to give the document more clarity and brevity. However, in reducing the number of policies, by removing those perceived as duplications, it could be said that the emphasis on some elements is reduced. This is particularly the case with rural renaissance.
2. **Spatial strategy Chapter 3**
 - The spatial strategy, based on countering decentralisation and population drift from the conurbation, has been endorsed.
 - Emphasis is very much on recognising all places/settlements are important in their own right.
 - Hereford remains as one of five 'sub-regional foci for development' beyond the major urban areas (along with Rugby, Shrewsbury, Telford and Worcester. Burton on Trent has been deleted from the original list).

- All the policies previously contained in this chapter have been amalgamated into the more detailed policies in the later topic based chapters.

3. Rural renaissance Chapter 5

- Government has implemented all the EIP Panel's recommended changes to the Rural Renaissance Chapter. There are now just four policies in this Chapter compared to nine in draft RPG, thus:
 - RR1 is now 'Rural Renaissance',
 - RR2 is now 'Rural Regeneration Zone',
 - RR3 is now 'Market Towns' (previously draft RR5),
 - RR4 is now 'Rural Services' (previously draft RR9).

Whilst:

- Draft RR2 'Economic Development' removed and placed within PA15. This policy continues to feature the A49 as a corridor in the RRZ, with priorities to be given to traffic management and public transport improvements to aid accessibility, and this is to be welcomed. New investment opportunities should be considered within towns and villages in the A49 corridor, and this is very much in line with UDP proposals at Leominster, Hereford and Ross.
- Draft RR3 'Agriculture and Farm Diversification' removed and placed within PA16; see comments under this chapter for detail.
- Draft RR4 'Tourism' removed and placed within PA10,
- Draft RR6 'Villages' and Draft RR7 'Open Countryside' deleted, and
- Draft RR8 and text regarding community regeneration deleted but is reflected in paras 5.6 to 5.10.
- Overall, the reduction in the number of policies in this chapter does appear to diminish the importance of rural issues in the overall strategy, particularly in respect of the dominance of implementation actions outlined in the plan which are predominantly in and around the conurbation.

4. Communities for the future Chapter 6

- No change to housing figures for Herefordshire (800 dwellings per annum to 2006, then 600 to 2021). So far in UDP period, average is 870 dwellings per annum.
- UDP figures assume existing RPG provision will be met.
- In **Table 3 Housing on previously developed land** in the Column "2001-2011 Target % on previously developed land" on the Herefordshire line should read 63% not 44% as stated.

5. Prosperity for All Chapter 7

- The rural employment policies moved from the original Rural Renaissance

chapter appear as the last two policies in the Chapter together with elements of the rural tourism policy being amalgamated into policy PA10. It is also clear that the neither the EIP Panel or the SoS have taken on board this County's written comments in respect the range of uses suitable for rural regeneration.

- The preamble to Policy PA15 stresses the need to broaden the economic base, reduce the over-reliance on traditional employment in order to retain local people. However, neither Policy PA15 Economic Development and the Rural Community or PA16 Agriculture and Farm Diversification take this view forward. Policy PA16 Agriculture and Farm Diversification specifies "innovative business schemes including tourism, environmentally sustainable farming, forestry and land management, new and innovative crops, on-farm processing etc.", all largely agriculturally based added value activities.
- This stance does not match the policy statements in PPG7 para 3.4A advice which indicates "diversification into other forms of non-agricultural activities is vital to the continuing viability of many farm businesses". In the Council's view this aspect is largely absent from the policy statement and should be strengthened in the wording by including examples in addition to the farm based listing set out above.

6. Quality of the Environment Chapter 8

Suggested amendments to RPG Part 3 Minerals policies:

- Amend the table in policy M2 to refer to the Revised National and Regional Guidelines for Aggregates Provision 2001- 2016 issued on 10th June 2003 and the agreed sub regional apportionment. (The current RPG refers to figures contained in MPG 6 1994)
- In Policy M3 the requirement to "develop better systems" to improve the way in which alternative sources of materials are used in construction projects", although necessary are quite beyond meaningful influence by planning authorities. These words should be deleted from the policy.

Minerals output targets and indicators:

- Amend M1 by adding the word "only" after "To" in the first sentence. As drafted the target appears to actively promote the development of mineral sites in AONBs.
- Remove the ref to 0% sterilisation in the third target as being impossible to implement, if retained this would prevent any development on known mineral reserves, many of which may never be worked but which cover most of the county.

7. Transport and Accessibility Chapter 9

- RPG includes the regional transport strategy. This sets priorities for investment to support the regional strategy.
- In Herefordshire this would include the role of the A49 as summarised above in the context of the RRZ.
- By issuing RPG, the Government will be committed to taking forward those transport proposals for which central government is responsible subject to

statutory procedures and viable schemes that represent good value for money.

- The following changes should be sought to RPG to recognise the fact that the Hereford Local Multi Modal Study has been concluded and makes specific recommendations.
- RPG para 9.69 be re drafted. Proposed wording:
- “The A49 in Hereford is subject to increasing congestion. This has a number of implications for sub-regional land use development and regeneration. To address this issue a Local Multi Modal Study has been carried out. The study identifies a package of measures to release travel capacity needed to accommodate development and regeneration and to allow Hereford to fulfil its identified role as a sub-regional centre. This role includes supporting long term balanced sustainable growth. Where appropriate, elements of the recommended package are included as priorities for investment in policy T12.”
- An additional line should be added to policy T12: “Hereford outer distributor road as recommended by the Hereford Local Multi Modal Study”. This should appear following reference to “A500 City Road & Stoke Road junctions”.
- Addition of an entry at the end of table policy T12: “Implementation of recommendations from the Hereford Local Multi Modal Study”.
- Amend Fig 6 on p. 141 to show A417 Hope under Dinmore to Gloucester as 'primary route' providing alternative to travelling through Hereford on A49 in times of flood. De-priming could be accepted if Hereford ORR can be progressed.

Alternative Options

Comments on the proposed changes have to be made by 12th December, 2003 in order to present the Council's views, or not made at all.

Risk Management

Without making comments the Council would lose the opportunity to influence the development of the RPG.

Consultees

Following the announcement of the consultation, the Leader, the Cabinet Member for Highways and Transportation, Cllr B Hunt and officers attended a regional conference on the proposed changes. Planning Committee (28 November) has also considered the suggested responses.

Background Papers

None identified.

CONSULTATION ON FUTURE ARRANGEMENTS FOR FLOOD DEFENCE MANAGEMENT

PROGRAMME AREA RESPONSIBILITY: HIGHWAYS AND TRANSPORTATION

CABINET

4TH DECEMBER, 2003

Wards Affected

County-wide

Purpose

To consider the options suggested by the Environment Agency and the Welsh Assembly Government in consultation papers on the future of flood defence funding in England and Wales. Replies have been requested by 5 December 2003 for the Welsh Assembly and 31 December 2003 for the Environment Agency.

Key Decision

This is not a Key Decision

Recommendation

THAT it be recommended to the Environment Agency and the Welsh Assembly Government that:

- (a) any future Regional Flood Defence Committee having responsibility for Herefordshire should be sufficiently small to ensure that local interests can be properly represented;**
- (b) the funding arrangements for work undertaken by the Regional Flood Defence Committee must be consistent across the whole of the Committee area and not affected by national boundaries;**
- (c) in the event that Herefordshire remains within a Welsh system of Regional Committees, the creation of three Regional Committees for Wales be recommended; and**
- (d) if the English/Welsh border is adopted as the boundary for Flood Defence Committees, Herefordshire should become part of an English Regional Committee structure but within a smaller region than that proposed for the Midlands Regional Flood Defence Committee.**

Reasons

In March 2003 the Government announced the outcomes of the Flood and Coastal Defence Funding Review. One of the key recommendations of the review is the creation of Single Tier Flood Defence Committees. The proposals, if adopted, would apply to England and Wales and would result in the abolition of any current two tier (Regional and Local)

Further information on the subject of this report is available from
Stephen Oates, Head of Engineering and Transportation on (01432) 260780

committee structures.

Consultation on the proposals is now being undertaken by the Environment Agency for England and the Welsh Assembly Government for Wales.

Within Herefordshire, flood defence functions on the River Wye are the responsibility of the Environment Agency Wales and are generally discharged through the River Wye Local Defence Committee, which is subsidiary to the Welsh Regional Flood Defence Committee.

Considerations

1. The Council has been invited by both the Environment Agency and the Welsh Assembly Government to comment on options for future management of flood defence functions and funding arrangements in the areas currently administered by Local Flood Defence Committees.

Current Position

2. The current arrangements for funding flood and coastal defence are common to both England and Wales. Flood defence services are delivered through the Environment Agency (EA), local authorities and Internal Drainage Boards (IDBs). The EA is the main operating authority in respect of flood defence with powers to construct and maintain defences on watercourses designated as "Main Rivers". In Herefordshire, these include the rivers Wye, Lugg, Monnow, Arrow and Teme.
3. The Council has permissive powers to carry out flood defence works on non-main rivers outside the areas covered by IDBs. The largest current scheme under preparation by the Council is the Ross-on-Wye flood alleviation scheme for the Rudhall and Chatterley brooks.
4. The Environment Agency exercises its responsibility through Flood Defence Committees (FDCs). In some areas, including all of Wales, these Committees operate in a two-tier structure of Regional and Local Committees. In Herefordshire, the River Wye Local Flood Defence Committee (LFDC), covers the entire catchment areas of the Rivers Wye and Lugg. The majority of this area is in Wales and so the Wye LFDC is responsible to the Welsh Regional FDC and, through the Environment Agency, to the Welsh Assembly Government.
5. The LFDC is composed of representatives of each local authority in the area, the Environment Agency and the Welsh Assembly. By statute, the local authorities have a majority of one among the membership.
6. Funding for the work of the LFDC is supported by a levy on each local authority in the area. Capital works undertaken by LFDCs are also eligible for grant assistance from Government at levels dependent on the needs of the relevant Committee. Where Local Authorities undertake capital works on non-main rivers, grants are available from Government at levels dependent on the country within which the works are to be undertaken. LA schemes in Wales are eligible for grant assistance from the Welsh Assembly at a rate of 85% of the capital cost. The level of assistance for schemes in England (ie within Herefordshire) is only 45% and is managed through the Department for Environment, Food and Rural Affairs (DEFRA).

Proposals for Consultation

7. In both England and Wales, the Government has announced its intention to introduce a single tier Flood Defence Committee structure. Subject to changes in primary

legislation to be facilitated by the Water Bill, the changes are likely to be implemented in April 2005. This must inevitably have a direct effect on Herefordshire's future representation and role in the development of flood defences in the county.

8. In a parallel development, the Government proposes changes to the levy system of funding. The bulk of Environment Agency flood defence work will in future be covered by direct grant from government, whilst Regional Flood Defence Committees will retain the right to make supplementary levies for works of local importance which fail to achieve national priority.

Consultation for Wales

9. The consultation paper from the Welsh Assembly Government proposes two basic options together with a specific proposal for trans-border catchments such as the Wye.

Welsh Option 1 – Single Regional Committee for Wales

10. In this option, most of Wales would be covered by a single Regional FDC. Exceptions would be the part of Severn catchment in Wales, which would be the responsibility of the English Midlands FDC and the parts of the Wye and Dee catchments in England, which would be administered by the Welsh FDC.
11. Funding would be a combination of block grants from the Welsh Assembly for the geographical areas of Wales and from DEFRA for the areas within England. In addition, it is suggested that the funding formulae should take account of both the costs of any works and the areas where the relative benefits would accrue. The existing levy system would be abolished.
12. In terms of the membership of the FDC, the Welsh Assembly suggests that new legislation would be promoted to change the future composition of the Committee. Any change affecting Herefordshire would be subject to approval by the Secretary of State for Environment, Food and Rural Affairs.
13. The consultation paper suggests that this option for a single committee would ensure a focus on strategic rather than local issues and that funding arrangements would be compatible with those in England.

Welsh Option 2 – Three Regional Flood Defence Committees

14. In this option, Wales would be administered through 3 FDCs but, as with Option 1, a catchment based approach would be adopted and the Wye in Herefordshire would form part of the South-East Wales Region.
15. It is suggested that more local accountability would be retained with this option and that funding might be provided through local levies imposed by the Environment Agency. However, for activities outside Wales (ie within Herefordshire) it would be likely that funding would be by grant from DEFRA to the Environment Agency.
16. As with Option 1, consideration would be given to changing the representational arrangements on the FDCs, possibly by strengthening local authority representation.
17. The consultation paper suggests that a likely outcome for this option could be that capital works within Herefordshire would be funded by direct grant from DEFRA whilst all work within Wales would be funded through block grants from the Welsh

Assembly. Herefordshire could then be unique in England in its arrangements for capital flood defence works on main rivers. The consultation does not make clear how such a system of finance would be compatible with a key role identified for RFDCs under this option of determining programmes and priorities within their areas and introducing local influence and control over flood defence services.

Welsh Option 3 – The abolition of Cross-Border Committees for FDCs

18. Options 1 and 2 retain the current catchment-based approach to the management of flood defence. As can be seen, these impose serious constraints on Herefordshire in terms of representation to national bodies, the application of national policy and the consistent allocation of funding provision.
19. In its consultation paper, the Welsh Assembly Government makes clear that these options restrict the Assembly Government's ability to tailor the flood defence service to Wales and run counter to the principles of devolution.
20. An alternative proposal is that FDC boundaries follow the national boundaries, placing Herefordshire within the administrative area of the Midlands FDC. This would provide representation for elected Members of Herefordshire Council through an English structure for flood management.
21. Although the representational elements of flood defence would no longer be consistent with river catchments, the Environment Agency would continue to manage and operate its flood defence functions on a whole catchment basis.

Consultation for England

22. The Environment Agency consultation on proposals for England is being undertaken on an informal basis to enable them to finalise their proposals for submission to DEFRA prior to formal consultation by the Secretary of State. The Environment Agency did not include Herefordshire Council in its initial circulation of the consultation papers but provided the information immediately on request when the omission was pointed out.
23. The principles adopted by the Environment Agency in reviewing their arrangements make clear that they wish to maintain Flood Defence Committees based on river catchment boundaries. However, they wish the Committee areas to be small enough to provide accountable democratic input but large enough to adopt a strategic approach.
24. There is no direct reference to Herefordshire or the River Wye in the consultation document and it is made very clear that, for England, the Environment Agency does not consider that a change to national boundaries is justified at this time. Whilst recognising that the parallel changes in Wales could promote the adoption of national boundaries for flood defence management, the Environment Agency regards this as an issue to be considered at a future review.
25. The only change recommended by the Environment Agency for the Midlands is that the existing Severn-Trent RFDC be renamed the Midlands RFDC.
26. The Midlands RFDC (currently Severn-Trent) covers a very large area and contains 64 local authorities (excluding Herefordshire). If Herefordshire was to be added, it could be argued that the area should be split into two separate regions to secure greater local accountability.

Associated flood management issues

27. In conjunction with the proposed abolition of the Local tier of Flood Defence Committees, the Government is also proposing to transfer the responsibility for “Critical Ordinary Watercourses” (COWs) to the Environment Agency. These are watercourses which have been identified as having the potential to cause significant flooding even though they are not Main Rivers. In Herefordshire there are several COWs, including the Rudhall and Chatterley Brooks in Ross-on-Wye and the Yazor, Widemarsh and Eign Brooks in Hereford.
28. Although the transfer of these watercourses to the Environment Agency may appear to remove some existing responsibilities for Herefordshire Council, it must be remembered that the Council will retain its responsibilities as Riparian Owner along many parts of these watercourses. Riparian Owners are responsible for the maintenance of their watercourse and it will become the function of the Environment Agency to enforce these responsibilities on Critical Ordinary Watercourses.
29. Combining the effects of the package of proposals, it is conceivable that with the Welsh Options 1 or 2 the future delivery of flood defence solutions for the areas of Hereford City affected by flooding from COWs (eg the Edgar Street Grid area) could become the responsibility of an Environment Agency Regional Flood Defence Committee in Wales.
30. This highlights the potential weaknesses of perpetuating a system of representation for flood defence matters in isolation from their relationship to local communities and the development of devolved or regional government. Both Options 1 and 2 presented by the Welsh Assembly Government have inherent weaknesses in their application to Herefordshire.
31. Provided that the actual management of flood defence continues to be on the basis of whole catchments, the representational and funding functions for Herefordshire should logically be part of the English regions. This option has been suggested by the Welsh Assembly Government but dismissed, so far, by the Environment Agency in both England and Wales. If the EA view prevails, Herefordshire will remain within a Welsh RFDC system until at least a further review of arrangements, possibly in three years time.
32. It is unfortunate that the two sets of consultations are progressing in relative isolation at this stage rather than addressing the trans-border issues together. This leaves Herefordshire very much at risk of being seen as either an “add-on” to a Welsh RFDC pending a further review or an “uninvited guest” to an English RFDC not yet prepared to operate within a regional rather than catchment based framework.
33. Despite the assertions of the Environment Agency about the requirement for catchment based approach to flood defence (essentially a management issue), it is fundamental to the composition of RFDCs that they are principally representative bodies of the local authority areas but holding executive powers. In these circumstances, the long term interests of Herefordshire need to be considered in terms of the likely ability of this Authority to have influence within the decision-making framework.

Alternative Options

As described in the report.

Financial Implications

Covered in the report above.

Risk Management

Flooding poses a risk to many areas of Herefordshire. In particular, communities along the River Wye in Hereford, Hampton Bishop, Lower Bullingham and Rotherwas have the potential to be seriously affected. Mitigation of these risks is important to the future well-being of the community and economic activity in these areas and should be the over-riding factor in the recommendations for future policy on flood defence.

Background Papers

None identified.

HEREFORDSHIRE CHILD CONCERN MODEL

PROGRAMME AREA RESPONSIBILITY: SOCIAL CARE AND STRATEGIC HOUSING

CABINET

4TH DECEMBER, 2003

Wards Affected

County-wide

Purpose

To support this fundamental approach to protecting vulnerable children in Herefordshire.

Key Decision

This is not a Key Decision

Recommendations

- That
- (a) the outlined Child Concern Model (Appendix 1) be approved;
 - (b) Cabinet makes any comments regarding the Model and approach to vulnerable children in Herefordshire;
 - (c) appropriate Councillors and officers be signatories to the Model with other significant agencies in the area of protecting vulnerable children;
 - (d) the Model be endorsed by the Council from its implementation date in April 2004; and
 - (e) the frequency of reporting on the Child Concern Model from the Chair of the Area Child Protection Committee (or proposed Local Safeguarding Board) be agreed. This report to be at least annually or deferred by any proposed legislation.

Reasons

The Child Concern Model is an important aspect of responding to the Victoria Climbié report (Laming) and the Green Paper, "Every Child Matters".

Considerations

1. The Child Concern Model is an approach developed by the Herefordshire Area Child Protection Committee (ACPC) to help develop an appropriate response to vulnerable children.

Further information on the subject of this report is available from
Henry Lewis, Head of Social Care (Children) on 01432 261605

2. This model evolved from discussions in December 2002 between agencies (voluntary, police, education, social services, NSPCC, health, school representatives, Women's Aid). A draft document was produced in July which following widespread consultation was approved in October 2003 by the Area Child Protection Committee. Henry Lewis, Head of Social Care (Children) chairs ACPC.
3. The model is part of Herefordshire's Multi-agency response both to the report on the death of Victoria Climbié (Laming Report) and the Green Paper "Every Child Matters" with particular emphasis on the area of 'Effective Protection'.
4. The Model's emphasis on shared views across the agencies (voluntary sector and private sector) on what a child's needs are (level of vulnerability); a common language of need across the agencies the development of a common assessment and capturing information about vulnerable children earlier. The object of this is to improve forward planning of services in Herefordshire.
5. The agencies' aim to develop such an approach across Herefordshire is ambitious. Continuity, shared definitions and approaches across the statutory and voluntary sector will take some time to achieve. From implementation this will be a two year programme which will be evaluated to help refinement and development.
6. The Model has already been seen by Herefordshire Council's Social Services Inspectorate link business manager. It was positively approved as contributing to the Council's response to the Joint Review of the Authority in June 2003.
7. The Laming Report made it clear that accountability for Child Protection was from 'the top to the bottom' and any changes to approach should be properly scrutinised and endorsed by the major agencies. All should be informed of progress and concerns in child protection and issues associated with vulnerable children. The Chair of the ACPC is presenting the Model for initial endorsement to Herefordshire Council (Cabinet, December 2003) and Herefordshire Primary Care Trust (December 2003). He will also be presenting the Model at a primary and secondary head teacher meeting in early 2004, executive committees/boards of Probation service and voluntary sector (HCCA).
8. The Model will be implemented in April 2004. There is a period of briefings in January – March 2004, groups include childminders/playgroups to social workers, community based health staff and police officers. The process is being co-ordinated by the ACPC using a project manager based in the children's division of Social Care and Strategic Housing.
9. It is important that the Model is endorsed by Herefordshire Council, Herefordshire Primary Care Trust and West Mercia Police.
10. The progress of the Model should be reported at executive level. The possible changes in the way children's services are organised over the next two years should not make any essential difference to the Model which is practice focused.

Alternative Options

There are no alternative options

Risk Management

None identified in financial terms.

Consultees

Constituent agencies/voluntary sector as reflected in Herefordshire Area Child Protection Committee.

Background Papers

None identified

HEREFORDSHIRE CHILD CONCERN MODEL – A Professionals Guide

Final Draft October 2003



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6	Consent – the full involvement of children and families
7	Towards a culture of performance – How are we all doing?
8	Identification, Referrals and Tracking (IRT)
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Appendices

A	Vulnerable Children – Levels of vulnerabilities and definitions
B	Pro forma - Consultation
C	Consultation – Agency listings (available from January 2004)
D	Pro forma – Child in Need meetings
E	Revised inter-agency protocol “Framework for Assessment”
F	Agency representatives: Herefordshire Child Concern Model (available from January 2004)
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H	Framework to evaluation and performance (available January 2004)

1 Introduction

Vulnerable children and their families are the concern of all agencies within Herefordshire.

The Herefordshire Child Concern Model is the result of an initiative begun in Autumn 2002 by Herefordshire Area Child Protection Committee. The initiative was prompted by a number of factors of which five were especially significant.

- a) The need to develop a common language in which needs are understood.
- b) The need to develop more clearly prescribed processes of assessment and referral across services for vulnerable children.
- c) The need to improve the use of scarce resources without duplication of effort to benefit those children most in need in Herefordshire.
- d) The need to promote equitable and efficient access to an increasingly diverse range of resources for children, young people, their families and carers.
- e) The need to encourage the dissemination of single-agency expertise across the inter-agency network.

The model should be seen as the result of a review of inter-agency working two years after the implementation of the framework for the Assessment of Children in Need and their Families (Department of Health, 2000). We have wanted to take into account key issues arising from evaluation at a local level, best practice experiences from elsewhere as well as research findings from national studies. In particular we wish to acknowledge the advice and encouragement of Bolton Social Services, the development group of Herefordshire ACPC and colleagues within Adult Services provision of Herefordshire Council Social Services.

Fully implemented, the model will provide Herefordshire with an effective inter-agency response to key messages for us all highlighted by the Laming enquiry as well as recommendations arising from the 2002 Joint Review of Social Services in Herefordshire.

2 The Model

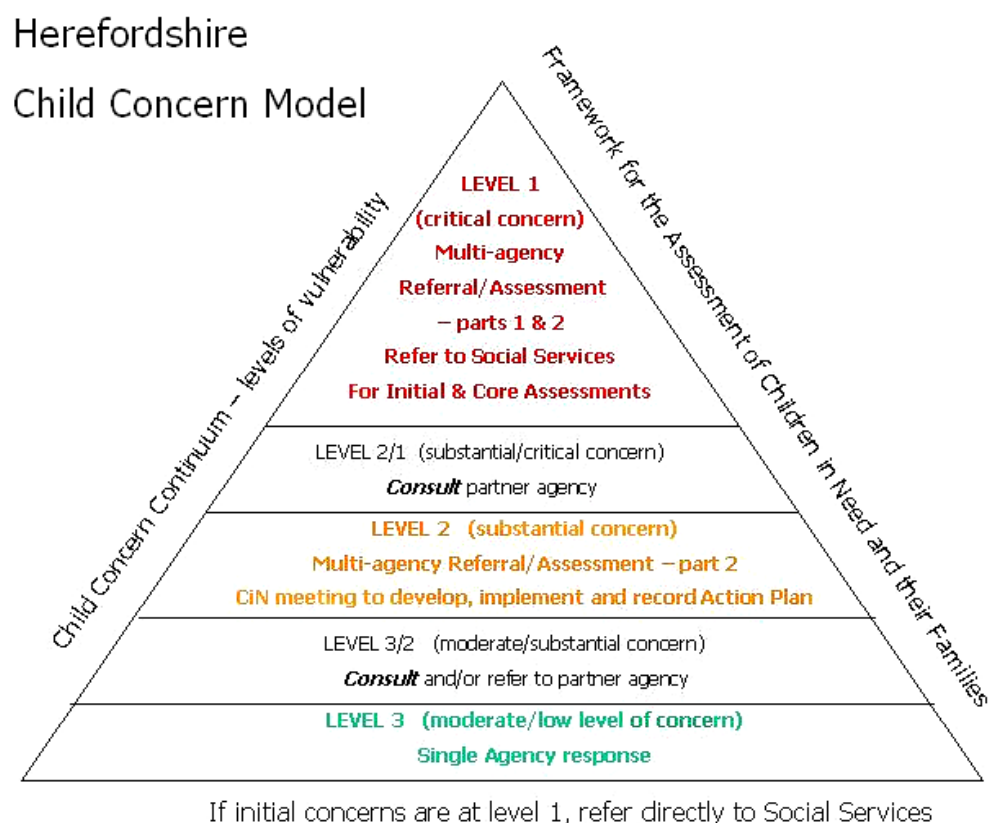
The model is intended to provide a conceptual centre and clarity of process to professionals working with vulnerable children within an inter-agency context. It has been designed for ease of understanding by practitioners and families alike. Experience from elsewhere suggests that the approach brings positive benefits to users of our services and that the model itself can be readily adapted to accommodate change in the light of review or additional requirements.

The model itself is comprised of three inter-dependent constituent parts

- Shared inter-agency definitions of needs and the prioritisation through a grouping of these needs into levels of vulnerability
- The provision of consultation particularly at the points of transition from one band to another
- A common framework to the assessment and referral of need within and across each level of the model

Each of these constituent parts is described in more detail within sections 3 – 5 below. The extent to which each of the three parts can be fully realised will clearly impact on the success of the model as a whole both for practitioners and families.

Taken together, the levels of vulnerability provide a continuum of concern. Children and their families may move across this continuum in either direction. The model focuses on the outcomes of action planning at each level based on a standard approach to assessing needs and vulnerabilities of children and their families. At any one stage in the model families and professionals alike will (i) be able to ask the question “what is the plan and is it working?” (ii) be clear about what will happen next depending on the answer to that question.



3 Vulnerable Children – Imminence and Consequence in the prioritisation of need and provision of services

- 3.1 Agreed inter-agency definitions of needs are attached as Appendix A. These have been grouped into three Levels of vulnerability from lower (Level 3) to higher (Level 1). Taken together with two transitional levels, these represent as a whole a continuum of concern. The descriptors are derived from DoH Fair Access to Care Services (2002) to allow for a commonality of approach to assessment and identification of need at the interface with providers of Adult Services.
- 3.2 The process a practitioner should follow will be determined by the level of identified need. Where there are a range of needs located at different levels, then the location of the greatest need should determine the process to be followed.
- 3.3 The identification of vulnerability will be by assessment at each stage of the process utilising the three domains of the Framework for Assessment. In determining vulnerability, the practitioners involved will need to take into account the following
- What is the imminence of the need or needs for the child
 - What are the likely consequences for the child of providing a service
 - What are the likely consequences for the child of not providing a service

A timeframe of around three months should be considered in determining both imminence of need and consequence of provision.

- 3.4 For children with disabilities and their families, the needs arising from Level 1 vulnerabilities will be considered as eligible needs in the provision of services (beyond assessment) by the Social Services department.
- 3.5 Certain specific circumstances, for example court directed assessment or provision, will be exempt from this process of determination.
- 3.6 The Five Levels of the Model

3.6.1 Level 3 (Moderate/Low) Single Agency Response

If your initial concerns are assessed at Level 3, arrange for provision of needs from within your own agency whenever possible. To access additional services from another agency use part one of the multi-agency referral and assessment form

Where needs remain unmet and/or your concerns persist ...



Level 3/2 (Moderate/Substantial)

Identify in conjunction with your line manager or named designated professional the agency best placed to provide consultation to you. If, following consultation or a plan arising from consultation

Needs remain unmet and/or your concerns persist ...



Level 2 (Substantial) Inter- agency Response

Complete part two of the multi-agency referral/assessment form and convene a Child in Need Meeting. This will develop, implement and record an action plan

If needs remain unmet and/or the concerns of the professional group persist ...



Level 2/1 (Substantial/Critical)

Identify in conjunction with your line manager or named designated professional the agency best placed to provide consultation to you. At this stage, if following consultation or a plan arising from consultation

Needs remain unmet and/or the concerns of the professional group persist ...



Level 1 (Critical) Social Services Assessment under Framework for Assessment

Complete parts one and two of the multi-agency assessment/referral form (and attach where appropriate the record of any Child in Need meeting/s) and refer to the Social Services Department who will co-ordinate an initial and/or core assessment of need.

The process described above is incremental and will be applicable to some but not all children and their families. **In circumstances where your initial concerns are located at Level 1 then you must refer directly to Social Services.** For guidance on the issues of consent and disclosure of information refer to section 6.0 below and Appendix E.

4 Consultation – making use of professional resources

- 4.1 **Consultation is a means whereby members of relevant statutory and voluntary agencies can have ready access to consistent information and advice from suitably qualified and experienced practitioners, in order to explore situations, obtain support and to decide together on appropriate actions.**
- 4.2 The model both encourages and relies on the development and use of inter-agency consultation to improve assessment and referral processes. It formalises existing informal or ad hoc arrangements by ensuring partnership and support for individual

practitioners across agencies. **The model should ensure that no-one who has concerns for the welfare of a child should be left alone with those concerns.**

- 4.3 Consultation will be available at any stage of the model but is likely to be most effective at or around the transition points between the stages i.e. when it appears needs continue to be unmet and professional concerns persist. It is likely although not inevitable that the agency providing consultation at Level 2/1 will be Social Services.
- 4.4 To access consultation, a practitioner in conjunction with their line manager or designated named professional should identify the most appropriate agency to offer consultation. The agency should then be contacted directly and a consultation arranged. For cases identified at level 3/2 the consultation will be provided within 10 working days of the request. For cases identified at level 2/1, the consultation will be provided within 2 working days of the request. A comprehensive list of agencies providing consultation is attached as Appendix C.
- 4.5 The agency providing consultation will complete and retain a pro-forma record (Appendix B), and provide a copy to the consultee.
- 4.6 The agency providing consultation does not assume supervisory or line management responsibilities through virtue of that provision.
- 4.7 The consultee is responsible for advising the family on the outcome of the consultation including the actions agreed.
- 4.8 **Consultation is not intended to be a vehicle for the transfer of problems to another agency.** It is intended to be a supportive and problem solving resource that identifies and agrees practical solutions and future actions. These might include referral to another agency. Where issues are not agreed these should be recorded on the pro-forma. Where there is disagreement (particularly on the actions required) and either the consultant or consultee judge that the welfare of a child will be prejudiced, then they should alert their manager or designated named professional without delay.
- 4.9 Where consultation recommends referral to another agency, a copy of the consultation record should be attached to the referral form.
- 4.10 Where the original meeting recommends further consultation, this should be noted on the pro-forma including prospective dates where known.
- 4.11 Each agency identified within Appendix C will make arrangements to maintain an organised record of consultations provided to enable inter-agency audit on the use, pattern and outcomes of this provision.

5 Child in Need Meeting – A common framework to assessing need

- 5.1 **Vulnerable children located in Level 2 will always require an inter-agency response.** That response is centred on the Child in Need meeting that will assess, plan and review provisions for identified need/s. The approach is structured to utilise the three domains of the Framework for Assessment in reaching decisions about the child and family.
- 5.2 The meeting should be convened by the agency who has raised concerns for the child or family. The meeting should include the family together with those professionals

who have **current** and **direct** involvement with them. If consultation is being provided to the convening agency then the agency providing consultation should, if appropriate, be invited to attend. The convening agency is responsible for the completion of Part Two of the Referral and Assessment record.

- 5.3 The meeting will be chaired by a representative of the convening agency. They will be responsible for the collation and dissemination of the assessment and action plan using the pro-forma (Appendix D).
- 5.4 The venue chosen for the meeting should be the most convenient and comfortable place to meet for a confidential meeting.
- 5.5 Where a further Child in Need meeting is agreed the group will need to consider and agree which agency should convene that review.
- 5.6 Where an agency is concerned that services agreed at a Child in Need Meeting have not in fact been provided, they should draw their concerns to the attention of the convening agency. The meeting should be reconvened if the lack of provision is judged to compromise the objectives of the existing plan.
- 5.7 Where the Child in Need meeting recommends referral to Social Services then the completed pro-forma (Appendix D) should be attached to the multi-agency referral and assessment form
- 5.8 Each agency will make arrangements to maintain an organised record of Child in Need meetings convened by them to enable inter-agency audit on the use, pattern and outcomes of this provision.

6 Consent – the full involvement of children and families

- 6.1 The full and active involvement of families is encouraged at all stages in the model in assessing need, determining vulnerabilities and agreeing future action. Consent to referral and consultation should be sought from parents, carers or young people where appropriate. This requirement does not apply when in the view of the professional the seeking of consent would be actively and significantly prejudicial to the welfare of a child. These considerations will be confined to specific circumstances located in Level 1.
- 6.2 The principles of consent outlined above apply equally to the disclosure of information. Most families, in the majority of circumstances, will consent to and indeed expect communication to take place across agencies on a “need to know” basis. In circumstances where a family expressly refuses consent to the disclosure of information then practitioners will need to determine whether the circumstances of a child justify disclosure, taking into account what is to be disclosed, for what purposes and to whom. The test is one of proportionality: “is the proposed disclosure a proportionate response to the need to protect the welfare of a child”
- 6.3 Where a family located in Level 2 **do not** consent either to a referral being made or consultation being sought, then the agency or inter-agency group will need to consider the impact of that refusal on the welfare of the child/children. **If, in the view of the individual professional or inter-agency group the refusal effectively progress concerns to Level 1 and the proportionality test is satisfied then a consultation or referral to Social Services must be arranged.** In circumstances

where the proportionality test cannot be satisfied, then a referral to or consultation with Social Services cannot be initiated.

7 Towards a culture of performance – how are we all doing?

The model disseminates the framework for the assessment of need across all levels of vulnerability. This allows for and actively promotes the potential for inter-agency review and audit of process and outcome for users and providers of services. Local targets and good practice indicators can then be identified, monitored and appraised in a routine and systematic way. This will provide information on where the model may or may not be working well but also indicate where future developments in identifying needs and the response to them might best be achieved.

The Framework to the evaluation and performance of the model, including performance indicators and targets is attached as Appendix H. The audit and evaluation group of Herefordshire ACPC will take lead responsibility for collating specified information and producing an annual performance report to all agencies.

8 Identification, Referral and Tracking (IRT)

This is part of an initiative from central government via the Children and Young People's Unit. It is intended to ensure that :

- Every child who is vulnerable or at risk is identified
- Children are referred to appropriate preventive services as required
- The progress of children within, between and outside of agencies is tracked to ensure that they do not “fall through the net”.

It is intended that the Child Concern Model definitions and protocols form the basis of IRT development in Herefordshire. This will underpin the requirement for a **Local Preventative Strategy**. IRT will, in time, provide a practical tool for monitoring and measuring the progress of the Child Concern Model in Herefordshire. Work undertaken at national level on data protection and human rights issues should ensure it is possible for all children assessed at Level 3 or above to be monitored through IRT. In doing so, it will support a culture of performance within organisations that encourages and enables us to ask how well we are serving children and their families.

9 Conclusion

Herefordshire's Child Concern Model is a significant inter-agency initiative to improve the use of and access to childcare resources and professional expertise. It includes, for the first time, an agreed framework to the definitions of vulnerabilities and the needs that may arise from them. It also recognises that the circumstances of children and their families are unique and that these will change over time. These changes though, can now be located within a common approach to the assessment of need, and the provision of services.

The model also acknowledges the need for support that all professionals require by providing commitment to consultation and the proper sharing of inter-agency concerns.

10 Frequently Asked Questions

Q Is the model replacing the Framework for Assessment?

A No. The Framework informs every stage of the model and will be fully used for all cases identified at Level 1.

Q I have a number of concerns which are located at different levels, which level should I use in terms of what I do next?

A You should always follow the actions required for your highest rated concerns (e.g. Level 1 is higher than Level 2).

Q I have identified my concerns but don't agree with the Level they are located in. What should I do?

A The contents of the three levels have been agreed by Herefordshire ACPC following extensive consultation with all agencies. The implementation group will review this content on an annual basis. You should pass your comments to your agency representative on this group.

Q I can't find a definition within any of the levels that describes the concerns that I have. What should I do?

A Discuss your concerns with a colleague and see if you agree which definition best approximates to your concerns. If this doesn't resolve the dilemma approach your line manager or named designated professional for a decision.

Q I agree with what the model is trying to do but I'm simply not going to have enough time to fill in the paperwork. What should I do?

A All agencies have agreed to cooperate with this approach. Completing the forms will provide us all with essential information as to how the model is working. Experience from elsewhere suggests that this task does become less onerous as we become familiar with a new way of working. Again, please forward constructive comments to your agency representative.

Q I am wanting to arrange a consultation but the parent won't agree to this. What should I do?

A Explore with the parent whether they would consent to another agency providing consultation. If they aren't prepared to agree to this and your concerns still fall outside Level 1 then you should note that in your own agency records for the child.

Q My request for a consultation has not been responded to. What should I do next?

A All agencies have agreed to provide consultation within an agreed timescale. If you are experiencing problems please communicate your concerns to both your agency representative as well as to the representative of the agency you are looking to consult with.

Q I don't agree with the actions recommended from a consultation. What should I do?

A In circumstances where either a consultant or consultee judge that the recommended actions would not adequately safeguard a child, then they should alert their line manager or named designated professional without delay.

Q Who can convene a Child in Need meeting?

A Any agency that has concerns located in Level 2 of the model can convene a Child in Need meeting.

Q How should we manage records of meetings and consultations within the model.

A All agencies should apply their existing policies and procedures on the retention, archiving and destruction of confidential records. Agencies will need to make arrangements for straightforward statistical returns to enable audit and evaluation of the model. Initial requirements will be made available from January 2004.

Q I am not sure if I need the consent of the family to make referral or to seek consultation. What should I do?

A The model encourages cooperation and partnership with families wherever possible and for so long as this is compatible with safeguarding a child's best interests. If you are unsure whether you can or should dispense with parental consent then seek advice of your line manager, named designated professional or legal advisor.

APPENDIX A

Herefordshire Child Concern Model
Levels of Vulnerability

LEVEL ONE

Critical – when:

Life is, or will be threatened; and/or

- *Threats to kill a child*
- *A child's behaviour puts their own life in immediate danger*
- *Children who are living in a dangerous environment*

Serious abuse or neglect has occurred or will occur; and/or

- *Unexplained physical injury*
- *Information that a child has been sexually or physically harmed*
- *Failure to protect from a potentially dangerous offender*
- *A child involved in sexual or other forms of exploitation*
- *A child is emotionally rejected by their parent or carer*
- *The supervision or physical care of the child is severely neglected*

Significant health problems have developed or will develop; and/or

- *Children with acute or chronic mental, physical or developmental needs that will have a serious impact upon themselves and their families*

Vital social support systems and relationships cannot or will not be sustained; and/or

- *Current arrangements for the care of a child are at significant risk of imminent breakdown*
- *A child who immediately needs to be cared for outside their own family*

There is, or will be, little or no choice and control over vital aspects of the immediate environment; and/or

- *A parent or carer is unable to recognise the needs of a child (whether for physical, intellectual, emotional or social reasons)*
- *The presence of recurrent and severe violence between parents or carers*
- *A child, who has caring responsibilities, which have a significant impact on their social, emotional and intellectual development.*
- *Chaotic substance use by a parent or carer*

There is, or will be, an inability to carry out vital personal care or domestic routines; and/or

- *Children with a high level of special needs or disability where constant care or supervision is needed*
- *The presence of severe mental or physical illness restricting a parent or carer ability to care for a child*

Vital involvement in work, education or learning cannot or will not be sustained; and/or

- *Children with complex needs that cannot be met by local provision*

Vital family and social roles and responsibilities cannot or will not be undertaken

- *Unaccompanied child asylum seekers*
- *A child who has been abandoned*
- *Children who disappear or who are missing from home regularly or for long periods*

LEVEL TWO

Substantial – when:

Abuse or neglect has occurred or will occur; and/or

- *Children who are in an unsafe environment*
- *A child who is involved in self harming behaviour*
- *A child who is not adequately protected or looked after by their parents or carers*
- *A child who has been previously looked after by Social Services or whose name has been on the Child Protection Register*

The majority of social support systems and relationships cannot or will not be sustained; and/or

- *Children who are experiencing multiple carers creating inconsistency and insecurity in their lives*
- *Children who may need to be looked after outside their own family*
- *Children with emotional and/or behavioural disorders which may promote rejection by their family or community*

There is, or will be, only partial choice and control over the immediate environment; and/or

- *A child who has caring responsibilities which may have a serious impact on their social, emotional and intellectual development*
- *Children in families where there has been one serious incident of domestic violence (or several lesser incidents)*

There is, or will be, an inability to carry out the majority of personal care or domestic routines; and/or

- *Levels of alcohol or substance use by a parent or carer which occasionally affects their ability to care for a child*
- *A child or young person with substance dependency*
- *The parent/carer has an alcohol dependency or physical disability or history of mental health problems or a learning disability which may have an impact on their ability to care for a child*
- *The care of a child with complex needs is placing a significant strain upon their parents or carers*

Involvement in many aspects of work, education or learning cannot or will not be sustained; and/or

- *Children who are excluded from or regularly absent from school*

The majority of the family and other social roles and responsibilities cannot or will not be undertaken

- *A child or young person who is homeless*

LEVEL THREE

Moderate/Low

There is, or will be, an inability to carry out one or more personal care or domestic routines; and/or

- *Substance use by parents or carers*
- *Children who may be vulnerable through experimentation with alcohol or substance use*
- *Parents who need practical advice to support them in their care of a child*
- *Children showing behaviour that might put them at future risk*
- *Families with a high number of children or more than 2 under 5 years of age*
- *Children in families where there is poor hygiene*
- *Children who present management problems to their parents*

Involvement in one or more aspects of work, education or learning cannot or will not be sustained; and/or

- *Children who have started to or are already having regular and unauthorised absence from school*
- *Children identified by schools as requiring additional educational support*

One or more Social Support Systems and relationships cannot or will not be undertaken; and/or

- *Parents are unable to secure some aspects of their child's health and development*
- *Children who have started involvement in anti social and criminal activities*

One or more family and other social roles and responsibilities cannot or will not be undertaken

- *The demands of caring for children are adversely affecting family relationships*
- *Children who experience inconsistent parenting which may impair their social, emotional and intellectual development*
- *Children who are involved in residence or contact disputes*
- *Children of parents with mental or physical health difficulties*
- *Parents do not ensure children's health appointments are met*

- *Children whose parents through extreme poverty are unable to meet their basic needs.*
- *Children who are living with isolated and unsupported or unsupportive parents or carers, restricting reliable access to services.*

APPENDIX B HEREFORDSHIRE CHILD CONCERN MODEL

Consultation Form

Ref:

DATE OF THIS REQUEST FOR CONSULTATION:

FAMILY NAME / ADDRESS:

NAME OF PERSON REQUESTING CONSULTATION:

AGENCY:

ADDRESS:

CONTACT No/e-mail:

FIRST CONSULTATION? Y/N WITH FAMILY APPROVAL? Y/N

(if No, dates of previous consultations)

(if no give reason)

VULNERABILITY (please circle) 1 1-2 2 2-3 3

DESCRIPTOR/S

OUTLINE OF MAIN CONCERNS:

RECORD OF DISCUSSION AND AGREED ACTIONS

PLEASE NOTE ANY ISSUES/ACTIONS NOT AGREED

NAME OF PERSON GIVING CONSULTATION:

DATE OF CONSULTATION:

AGENCY:

ADDRESS:

CONTACT No/e-mail:

OUTCOME OF CONSULTATION: (please tick)

CHILD IN NEED MEETING

FURTHER CONSULTATION MEETING

REFERRAL TO SSD FOR INITIAL CORE ASSESSMENT

REFERRAL TO OTHER AGENCY (Specify)

OTHER (Specify)

APPENDIX D **HEREFORDSHIRE CHILD CONCERN MODEL**

Child in Need Meeting – Pro forma

Ref:

DATE AND VENUE OF MEETING

NAMES OF CHILD/FAMILY (include significant others if appropriate)

HOME ADDRESS

PRESENT AT MEETING – (to include apologies)

REASON FOR MEETING – Nature of current concerns and assessed level of vulnerability

AGENCIES CURRENTLY INVOLVED AND SERVICES BEING PROVIDED

SUMMARY OF DISCUSSION – include, update and attach where appropriate, current assessment (Part Two, Referral and Assessment record)

OBJECTIVE/S OF PLAN

DETAIL OF ACTION/S REQUIRED – who will do what and by when (including family members)

Action	Timescale	Responsible individual/agency
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DATE PLAN TO BE REVIEWED (within 6 months if required)

AGENCY RESPONSIBLE FOR CONVENING REVIEW (where appropriate)

SIGNED

Chairperson

APPENDIX E

Revised Multi-agency Protocol “Framework for the Assessment of Children in Need and their Families”

1.0 Introduction

“Local Authority Social Services Departments working with other Local Authority departments and health authorities have a duty to safeguard and promote the welfare of children in their area who are in need and to promote the upbringing of such children, wherever possible by their families, through providing an appropriate range of services. A critical task is to ascertain with the family whether a child is in need and how that child and family might best be helped. The effectiveness with which a child’s needs are assessed will be the key to the effectiveness of subsequent actions and services and ultimately the outcomes for the child”.

(Framework for the Assessment of Children in Need and their Families, paragraph viii.)

‘Voluntary and independent agencies are key providers of a number of different types of services for children and families. They may be undertaking, or contributing to, assessments for a range of purposes under the terms of a service agreement with a social services department, in partnership with other agencies, or in organisations or as part of the services they provided in response to direct referrals from children and families. Their staff’s knowledge and use of the Assessment Framework when undertaking an assessment will enable information to be organised within a common framework using a common language’.

(Framework for the Assessment of Children in Need and Their Families, paragraph 5.16.)

2.0 Children in Need

- 2.0.1 *He/she is unlikely to achieve or maintain or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him of services by a local authority under this Part of the Act;*
- 2.0.2 *His/her health or development is likely to be significantly impaired, or further impaired, without the provision for him of such services; or*
- 2.0.3 *He/she is disabled (which is defined as being blind, deaf, dumb or suffering from a mental illness, injury or congenital or other such disability as may be prescribed).*

(Section 17, Children Act, 1989)

- 2.1 The integration of the Assessment Framework with Herefordshire’s Child Concern Model provides an opportunity for a consistent approach for those working with children in need. The model identifies a clear point of vulnerability (level 1) for which social service departments will take lead responsibility, whilst also acknowledging that lower levels of need will require co-ordinated access to assessment and services from a range of agencies.
- 2.2 Children with disabilities who satisfy the definition in 2.0.2 above and/or the carer of a child with disabilities are entitled to a Social Services assessment under the Framework regardless of which level of vulnerability their needs are located within.
- 2.3 Social Services will determine their response within twenty-four hours on receipt of a referral. An Initial Assessment will be completed within seven working days of the referral being made and a Core Assessment within thirty-five working days of its being initiated. In the majority of cases an Initial Assessment will be undertaken first and this will then inform the decision whether or not to proceed to a Core

Assessment. The only exception to this process will be child protection referrals which require an immediate response under Section 47 of The Children Act 1989, when a Core Assessment will be initiated.

- 2.4 Social Services will not accept a referral where the referral **either** (i) does not indicate that consent has been obtained, **or** (ii) where consent has not been obtained, that the conditions for dispensing with it are not satisfied. In these circumstances it may be appropriate to access provisions for consultation as defined within the Child Concern Model.

3.0 Multi Agency Assessment and Referral

- 3.1 To enhance the commitment by all agencies to a consistent approach to child in need concerns and to avoid any unnecessary duplication, the multi-agency assessment and referral form has been developed. The form provides agencies with an assessment and referral tool that can be used across and within agencies. It helps agencies working with families build up information in accordance with the level of vulnerability identified for the child.

- 3.2 The form is based on the Assessment Framework and promotes a common language and approach to assessment. The form is in two parts, the first of which is designed to gather factual information.

Part one enables professionals to gather all the information that is required for referrals to preventative and support services at the lowest level of vulnerability.

Part two will assist agencies in identifying levels of vulnerability and the identification of appropriate services. It should, wherever possible, support referrals to social services departments of children (i.e. identified at level one vulnerability and/or who have a right to assessment arising from disability).

In this way knowledge of a child/family's needs can be collected and collated in layers appropriate to the level of vulnerability, avoiding unnecessary intrusion, bureaucracy and duplication. The form can therefore be used with agencies as a single agency assessment or as a significant tool in a more complex assessment, e.g. Social Services led initial or core assessments.

- 3.3 For cases of child protection identified under Level One, Herefordshire ACPC inter-agency guidelines for the management of Child Abuse determine agency responsibilities.

4.0 Issues of consent and the sharing of information

- 4.1 In accordance with Article 8 of the European Convention on Human Rights and in the spirit of the Children Act 1989, consent should be sought from families both to referral under the Framework and to the sharing of information between agencies. Where on the issue of consent there is a conflict of opinion between a parent and a young person, practitioners should seek advice as to how to proceed from their line management, designated named professionals or legal advisor.

- 4.2 The law recognises that the disclosure of confidential information without consent or where consent has been refused may be justified in the public interest to prevent harm to others.
The key factor in deciding whether or not to disclose confidentiality is *proportionality* i.e. is the proposed disclosure a proportionate response to the need to protect the welfare of the child.

In assessing whether or not another agency needs to be made aware of the information you hold, four questions need to be addressed

- What is the purpose of the disclosure?
- What is the nature and the extent of the information to be disclosed?
- To whom is the disclosure to be made (and is the recipient under a duty to treat the material as confidential)?
- Is the proposed disclosure a proportionate response to the need to protect the welfare of a child to whom the confidential information relates?

In circumstances where you are unclear as to your response to any or all of these questions consult your line manager, designated named professional or seek legal advice.

5.0 Keeping families informed of the assessment process and agency complaints procedures

Agencies who are undertaking assessment at any level of vulnerability have, wherever possible, a responsibility to share information with families, unless to do so would jeopardise the safety of a child. They have a duty to explain the process, the aim of assessments and any relevant information that they receive. Agencies have a responsibility to give children and their carers and/or family the opportunity to share their views and give them clear information regarding individual agency complaint procedures.

6.0 Health and safety

Staff using the multi-agency referral and assessment form have a responsibility to record risks (both to the child/family and staff) when these have been identified together with a suggested approach to the management of those risks.

7.0 Keeping the referrer informed of outcomes

Agencies accepting referrals should make a commitment to keeping referrers informed on the outcome of their referral. Lack of knowledge can result in misinterpretations and lead to complacency whilst also raising the possibility of children “getting lost in the system”. Some families may drop out of, or fail to take up, services offered. Informing the referrer also allows for the opportunity to consider reassessment.

8.0 Meeting the criteria

Prior to referral at any level of vulnerability, professionals should satisfy themselves that the child/family meet the criteria for the service to which they are referring. The use of consultation provides all agencies with an opportunity for assessing the appropriateness of prospective referrals.

9.0 Performance, Audit and Development

Full implementation and future development of the Framework for Assessment through Herefordshire’s Child Concern Model will require periodic audit and review. Commitment to improvement will involve all agencies both maintaining and making available essential information on the use and outcomes of key provisions within the model.

Review: This protocol will be reviewed by the implementation group in July 2006.

APPENDIX G

SAMPLE**HEREFORDSHIRE CHILD CONCERN MODEL**
Multi-agency Referral and Assessment Form

Ref:

PART 1 REFERRAL. For preventative services at lowest level of vulnerability 3
For Levels 1 & 2 also complete Part 2

CHILD'S NAME			DOB	
ETHNIC ORIGIN	FIRST LANGUAGE	GENDER	SCHOOL/NURSERY	RELIGION
COMMUNICATION ISSUES WHERE ASSISTANCE IS REQUIRED				
HOME ADDRESS		ADDRESS OF MOTHER/FATHER IF DIFFERENT		
POSTCODE		POSTCODE		
TELEPHONE NO.		TELEPHONE NO.		
NAME(S) OF THOSE WITH PARENTAL RESPONSIBILITY				
FAMILY MEMBERS	DOB	OCCUPATION/ SCHOOL/NURSERY	GP	
Mother/Carer				
Father/Carer				
Siblings				
Significant Others				
LEVEL OF VULNERABILITY				
DO THE CHILDREN/PARENTS/CARERS HAVE ANY SPECIAL NEEDS? IF SO, PLEASE SPECIFY. This may include cultural identity or religious affiliation.				

PERSON MAKING REFERRAL	AGENCY	TELEPHONE NO.
REFERRERS CURRENT INVOLVEMENT WITH FAMILY		
OTHER AGENCIES INVOLVED WITH FAMILY. Please record contact name, designation and telephone number.		
REASONS FOR REFERRAL		
<p>DOES THE CHILD/FAMILY PRESENT ANY RISKS TO STAFF? ARE THERE ANY POTENTIAL HAZARDS TO THE CHILD/FAMILY FROM SERVICES THEY ARE BEING REFERRED TO?</p> <p>IF SO, HOW DO YOU SUGGEST THESE RISKS ARE MANAGED?</p>		
WHAT SERVICE IS REQUIRED?		
DESIRED OUTCOMES FROM SERVICE		
<p>PARENTS'/CHILD'S VIEW OF REFERREL</p> <p>Copy given to family members Signatures _____</p>		
DATE OF REFERRAL		
REFERRAL ACCEPTED – TIMESCALE FOR SERVICES		
REFERRAL NOT ACCEPTED – REASON WHY		

HEREFORDSHIRE CHILD CONCERN MODEL**SAMPLE****Multi-agency Referral and Assessment Form****Ref:*****PART 2. ASSESSMENT***

CHILD/YOUNG PERSON'S DEVELOPMENTAL NEEDS Please include strengths as well as areas requiring development.
Health
Education
Emotional and behavioural development. Self-care skills
Identity and social relationships
Family relationships
PARENTS'/CARERS' CAPACITY TO RESPOND TO CHILD'S NEEDS. Please record strengths as well as difficulties.
Basic care
Ensuring safety
Emotional warmth
Stimulation
Guidance and boundaries
Stability
PLEASE SPECIFY ANY ISSUES AFFECTING PARENTS' CAPACITY TO MEET CHILD'S NEEDS

ADDITIONAL INFORMATION FOR THOSE VISITING THE FAMILY	
FAMILY AND ENVIRONMENTAL FACTORS IMPACTING ON CHILD AND FAMILY	
How family functions	
Wider family and community resources	
Housing	
Income/employment	
ANALYSIS AND CONCLUSIONS	
NAME AND SIGNATURE OF PERSON COMPLETING ASSESSMENT	DATE
DATE COPY(IES) OF ASSESSMENT GIVEN TO FAMILY MEMBERS	