

# Public Document Pack



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Monday 9 October 2017

## Notice of Meeting

Dear Member

### Cabinet

The **Cabinet** will meet in the **Council Chamber - Town Hall, Huddersfield** at **4.00 pm** on **Tuesday 17 October 2017**.

This meeting will be live webcast. To access the webcast please go to the Council's website at the time of the meeting and follow the instructions on the page.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read "Julie Muscroft".

**Julie Muscroft**

**Service Director – Legal, Governance and Commissioning**

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

## **The Cabinet members are:-**

### **Member**

Councillor David Sheard  
Councillor Shabir Pandor  
Councillor Peter McBride

Councillor Naheed Mather

Councillor Musarrat Khan  
Councillor Erin Hill  
Councillor Viv Kendrick

Councillor Masood Ahmed  
Councillor Graham Turner

Councillor Cathy Scott

### **Responsible For:**

Leader of the Council

Deputy Leader of the Council & the Labour Group

Cabinet Member - Responsibility for Economy, Skills,  
Transportation & Planning

Cabinet Member - Housing & Enforcement  
Management

Cabinet Member - Highways & Neighbourhoods

Cabinet Member - Family Support & Child Protection

Cabinet Member - Adults, Health & Activity to Improve  
Health

Cabinet Member - Community Cohesion & Schools

Cabinet Member - Asset Strategy, Resources &  
Creative Kirklees (Arts)

Cabinet Member - Adults, Health & Activity to Improve  
Health

# Agenda

## Reports or Explanatory Notes Attached

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Pages

**1: Membership of the Committee**

To receive apologies for absence of Members who are unable to attend this meeting.

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**2: Minutes of previous meeting**

1 - 8

To approve the Minutes of the meeting of the Committee held on 19 September 2017.

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**3: Interests**

9 - 10

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests.

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**4: Admission of the Public**

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

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**5: Deputations/Petitions**

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

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**6: Public Question Time**

The Committee will hear any questions from the general public.

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**7: Member Question Time**

To consider questions from Councillors.

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**8: Ad Hoc Scrutiny Panel - Findings Report**

11 - 50

The purpose of this report is to:-

- a) present to Cabinet the findings of the Ad-Hoc Scrutiny Panel in relation to the support provided to young people in school after experiencing a bereavement;
- b) to request that Cabinet approve the response to the recommendations of the Panel

**Officer:** Alaina McGlade

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**9: Proposals for the partial conversions of Batley Sports & Tennis Centre and Dewsbury Sports Centre**

51 - 60

To seek permission for Kirklees Active Leisure (KAL) to convert elements of Batley Sports and Tennis Centre (BSTC) and Dewsbury Sports Centre(DSC) to provide alternative leisure facilities with a view to getting more people active, generating more income and creating employment opportunities.

A copy of the impact assessments are available for public inspection at The Reference Library, Huddersfield Library, and in Reception, Dewsbury Town Hall.

**Officer:** Martin Gonzalez

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**10: Access to Services Strategy**

61 - 78

To seek approval from Cabinet on the proposed future Access to Services model principles.

**Officer:** Carol Stump

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**11: Reasonable Behaviour Policy** 79 - 88

To seek Cabinet's support and approval for the Council's new Reasonable Behaviour Policy

**Officer:** Julie Muscroft

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**12: KNH Performance** 89 - 112

To update Cabinet on the performance of Kirklees Neighbourhood Housing (KNH) in delivering services for tenants and residents over the last financial year

**Officer:** Helen Geldart

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**13: To approve regulations establishing Transport for the North as a Sub-National Transport Body.** 113 - 128

The purpose of this report is for members to consent to the inclusion of highway powers in the making of Regulations by the Secretary of State to establish Transport for the North as a Sub-National Transport Body under section 102E and 102J of the Local Transport Act 2008.

**Officer:** Samantha Lawton

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**14: Exclusion of the Public**

To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business, on the grounds that they involve the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

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**15. To approve regulations establishing Transport for the North as a Sub-National Transport Body** 129 - 138

A private appendix in relation to agenda item 13 above.

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Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### CABINET

**Tuesday 19th September 2017**

Present: Councillor David Sheard (Chair)  
Councillor Shabir Pandor  
Councillor Peter McBride  
Councillor Musarrat Khan  
Councillor Erin Hill  
Councillor Masood Ahmed  
Councillor Graham Turner  
Councillor Cathy Scott

Apologies: Councillor Naheed Mather

Observers: Councillor Mussarat Pervaiz  
Councillor Mahmood Akhtar  
Councillor Gulfam Asif  
Councillor Fazila Fadia  
Councillor Manisha Roma Kaushik  
Councillor Darren O'Donovan  
Councillor Mohammad Sarwar  
Councillor Mohan Sokhal  
Councillor Rob Walker

#### **318 Membership of the Committee**

Apologies for absence were received on behalf of Councillor Mather.

#### **319 Interests**

No interests were declared.

#### **320 Admission of the Public**

It was noted that Agenda Item 14 would be considered in private session.

#### **321 Deputations/Petitions**

Cabinet received (i) a petition and deputations in relation to Agenda Item 9, at the consideration of that agenda item and (ii) a deputation in relation to Agenda Item 10 at the consideration of that agenda item. (Minute No's 326 and 327 refer)

**322 Public Question Time**

Cabinet received public questions in regards to Agenda Item 9 (minute no 326 refers) to which the Leader of the Council responded.

**323 Member Question Time**

No questions were asked.

**324 Council Budget Update Report 2018-22**

Cabinet received a report which set out an update on the Council's Medium Term Financial Plan, prior to its submission to Cabinet on 11 October 2017. The report highlighted that Council was the second lowest funded Metropolitan Authority, in accordance with spend per head of population, and was facing continuing and increasing service pressures, particularly in Children and Adult Services. The report advised that, based upon Quarter 1 financial monitoring (2017/18), the Council was forecast to deliver approximately £49m of planned savings (£54m) requirement in year, equating to 90% and indicating good overall progress against existing plans. Cabinet noted that the specific saving requirement for 2018-2019 was £28m, with a further £16m in 2019-2020 and £5m in 2020-2021.

The key assumptions underpinning the updated Medium Term Financial Plan general fund, specifically relating to Business Rates Retention Scheme, Council Tax, unringfenced grants and the Better Care Fund, were explained within the report. The report also provided detail on the current year financial performance, general fund reserves, the flexible capital receipts strategy, the housing revenue account, and capital.

Cabinet noted that the updated budget plans set out within the report provided the budget planning framework for proposals to be submitted for the remainder of the current budget round in order to deliver a sustainable and balanced overall multi year budget over 2018-2022.

**RESOLVED**

- 1) That the updated General Fund Revenue, Housing Revenue Account and Capital Budget Plans rolled forward into the Medium Term Financial Plan update over the 2018-2022 period be noted.
- 2) That the underlying cost and funding assumptions underpinning the updated plans at this stage, be noted.
- 3) That approval be given to the budget planning framework, as set out in the considered report.
- 4) That approval be given to the flexible capital receipts strategy, as set out in the considered report.
- 5) That approval be given to the corporate budget timetable and approach, as set out in the considered report.

- 6) That approval be given to the budget consultation approach and timetable, as set out in the considered report.
- 7) That the report be submitted to the meeting of Council on 11 October 2017 for consideration.

**325 Dog issues - Joint Working Protocols with West Yorkshire Police and Kirklees Prosecution Strategy**

Cabinet received a report which sought approval of (i) Responsibility Protocol for Dog Offences between West Yorkshire Police and Kirklees Council, and (ii) Kirklees Prosecution Policy (Dog Offences). The report advised that the protocols provided clarity and an operational agreement between West Yorkshire Police and the Council as to who would take responsibility and pursue sanctions or prosecutions for dog related offences.

The Responsibility Protocol, which was attached at Appendix 1 of the considered report, set out detail of the legislation, reporting pathways and definition of responsibility between the Council and West Yorkshire Police. Cabinet noted that the purpose of the protocol was to reduce operational duplication and provide clarity as to responsibility.

The Kirklees Prosecution Policy, which was attached at Appendix 2, supported the Responsibility Protocol by detailing the Council's response to dangerous dog offences.

Cabinet noted that, subject to approval, the formal adoption process with West Yorkshire Police for the dog offences would be completed, and the strategy on dog offence prosecutions would be adopted.

**RESOLVED**

That approval be given to the adoption of (i) Responsibility Protocol for Dog Offences between West Yorkshire Police and Kirklees Council and (ii) Kirklees Prosecution Policy.

**326 Bereavement Services – Fees and Charges**

(Under the provision of Council Procedure Rule 37, Cabinet received deputations on this agenda item from Khalid Khan and Ayzaz Khaliq (on behalf of Huddersfield Muslim Burial Council), Soyeb Yusuf (on behalf of North Kirklees Muslim Burial Council), Hasan Badat (on behalf of Snowden Mosque and PKWA), Aziz Daji (on behalf of Indian Muslim Welfare Society) and Paula Sheriff MP, and also received a petition.)

Cabinet received a report which sought approval to introduce an updated business model and charging strategy for Bereavement Services, to be reflective and responsive of changing market demands and trends. The report explained that Bereavement Services provided a variety of burial and cremation services, and

memorial items, across Kirklees, and a schedule of existing services was appended at Appendix 1 of the considered report. It advised that the service currently provided approximately 500 burials, 120 internments (burials) of cremated remains (ashes) and 3000 cremations each year.

The report set out details of a proposal to introduce a charging model to cover a five year period which aimed to achieve (i) long term adjustments in pricing to allow the Council to stabilise the market, and retain its market share (ii) benchmarking against competitors and maintaining competitiveness (iii) a gradual increase of the new charges to enable emerging trends and changing market demands to be responded to (iv) funeral choices for residents based on a transparent charging schedule offering scope for personal, cultural and price preferences and (v) the removal of funeral for persons under the age of 18 years. It advised that the introduction of a five year commercial model would ensure that pricing for cremations remained competitive within the market, generating a surplus and managing service demand effectively, and recovering the costs of burials.

Cabinet noted that the impact of the revised service delivery model would be (i) that there would be no charge for a cremation or burial of a child or young person up to the age of 18 (at the time of death) (ii) that fees and charges remain competitive within the region (iii) that customers pay a price that is reflective of the cost of providing the service (iv) that when an 'out of standard hours' burial request is made, a levy of £477 be introduced, reflecting the cost of providing this additional service (v) that where there is demand for a specific timeslot a premium be applied, and that Friday afternoon burials initially attract a premium of £99 (vi) that charges for non-residents of Kirklees be higher and (vii) that charges be introduced for accompanied visits to select a grave.

## **RESOLVED**

- 1) That the considered report be accepted in principle, and noted.
- 2) That approval be given to the implementation of the proposal to cease charges for the cremation or burial of a person under the age of 18 years old.
- 3) That authority be delegated to the Strategic Director (Economy and Infrastructure) to make arrangements for an engagement exercise on the proposed changes to fees and charges to be undertaken with affected community groups prior to the submission of a further report to a future meeting of Cabinet meeting.
- 4) That, pursuant to (3) above, any members of the public who wish to be informed of the engagement exercise be asked to register their interest with their local Ward Councillor/s.

### **327 Huddersfield Town Centre Access and Connectivity Project Impact Assessment Report**

(Under the provision of Council Procedure Rule 37, Cabinet received a deputation on this agenda item from Alisa Devlin (on behalf of Huddersfield Town Centre Action Group).)

Cabinet received a report which set out a summary of the Connectivity Project Impact Assessment Report, prior to the consideration of the report by the Town Centre Working Party. The report set out the evidence and indicators that had been considered to provide an evaluation of the impact of the 'Huddersfield Town Centre Access and Connectivity Project', against its original aims, and an overview of the changes that had occurred in the town centre since the delivery of the access and connectivity project in 2015/2016, which had included the introduction of bus gate enforcement cameras on five main streets.

The report provided a summary of business operations, car park income, bus journey times, traffic flow in bus gate areas, retail/commercial occupancy rates, footfall and air quality.

Cabinet noted the content of the report, prior to its submission to the meeting of the Town Centre Working Party on 20 September 2017.

**RESOLVED**

That the report be noted and submitted to the meeting of the Town Centre Working Party on 20 September 2017 for consideration.

**328 Specialist Provision for Kirklees Children with Communication and Interactive Needs.**

Cabinet received a report which advised on the outcome of the statutory processes on proposals to (i) create 12 new additional transitional places at Windmill Church of England Voluntary Controlled Primary School for children with complex communication and interaction needs and (ii) decommission 12 transitional places for children with speech, language and communication needs at Ashbrow School.

The report explained that the Council propose to make a prescribed alteration to Ashbrow School and that the information contained within the report advised on both the outcome of the statutory processes for the proposal and the conclusions and recommendations of the School Organisation Advisory Group.

Cabinet noted that the non-statutory consultation had been carried out from 24 April to 22 May 2017, following which Cabinet agreed to proceed with the statutory proposals. The considered report summarised the views of stakeholders for full consideration, giving due regard to the factors for decision making derived from guidance issued by the DfE. The report indicated that, subject to approval, implementation was scheduled for 1 October 2017.

**RESOLVED**

- 1) That the advice of Kirklees School Organisation Advisory Group that (i) the proposals for Ashbrow School to discontinue the provision of 12 transitional places for children with speech language and communication needs are valid and (ii) that the required statutory processes have been carried out, be noted.

- 2) That it be agreed that the decision regarding the proposals will be taken within the statutory time period.
- 3) That the outcomes and recommendations of the School Organisation Advisory Group from the meeting of 21 August 2017, and associated recommendations, noted.
- 4) That the human resource and financial implication of the approval of the proposals be noted.
- 5) That it be confirmed that, in meeting the obligations of the Equality Act 2010 and the Public Sector Equality Duty 2011, full regard has been given to the Equalities Impact Assessment throughout the statutory process for the proposal including the decision regarding approval.
- 6) That approval be given to the discontinuation of the provision of twelve transitional places for children with speech and language and communication needs at Ashbrow School.
- 7) That approval be given to the creation of twelve new transitional places at Windmill Church of England Voluntary Controlled Primary School for children with complex communication and interaction needs from 1 October 2017.

### **329 Ashbrow Housing Site – Contract and Land Disposal**

Cabinet gave consideration to a report which sought authority for the Council to enter into a contract with a development partner for the Ashbrow Housing site, and to dispose of the land to that partner. The report advised that the site was a key site for housing delivery as part of the Council's programme of work to address the growing housing crisis in Kirklees and that Cabinet had given approval in February 2017 for progress to be made with the scheme and for a preferred development partner to be appointed. The report confirmed that the Council would be entering into a legal contract with the development partner and sought authority to dispose of the land, specifically, to dispose of the land at less than best consideration and delegate authority to complete the disposal, and approve the use of the capital receipt from the disposal of land to subsidise the provision of additional affordable homes.

Cabinet noted that the preferred bidder's proposal was for a scheme of 159 new homes, comprising an extra care scheme, market and affordable homes, and details of the proposal were set out in the exempt information at Agenda Item 14. The report advised that the scheme would provide a mix of two and three bedroom houses, and one and two bedroom flats, and that it would provide a high quality layout with an area of public open space within the development.

(Cabinet gave consideration to Agenda Item 14 (Minute No. 331 refers) prior to the determination of this item).

#### **RESOLVED**

- 1) That approval be given to dispose of the land at less than best consideration to the preferred bidder, as detailed in the considered report.
- 2) That approval be given to the use of the capital receipt from the disposal of the land to subsidise the provision of additional affordable homes.



- 3) That the opportunity for Homes and Communities Agency funding, as set out in paragraph 3.3.5 of the considered report, be noted and that approval be given for officers to pursue this funding opportunity.
- 4) That the previous decision of Cabinet (dated 7 February 2017) to delegate authority to the Assistant Director (Legal, Governance and Monitoring), now Service Director (Legal, Governance and Commissioning), to finalise and enter into all appropriate contracts, deeds and documents in relation to the appointment of a preferred bidder, in consultation with the Assistant Director (Place), now Service Director (Economy, Regeneration and Culture) and the Service Director (Commercial, Regulatory and Operational Services), be noted and re-confirmed.

**330 Exclusion of the Public**

**RESOLVED**

That acting under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business, on the grounds it involves the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

**331 Ashbrow Housing Site - contract and land disposal**

(Exempt information relating to relating to Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Variation Order 2006 as it contains information regarding the financial or business affairs of any person including the Council. It is not in the public interest to disclose the exempt information as disclosure could adversely affect overall value for money and compromise the confidentiality of the bidders and the Council. The public interest in maintaining the exemption outweighs the public interest in disclosure of the information in terms of accountability, transparency in spending public money and openness in Council decision making.)

Cabinet received exempt information in relation to Agenda Item 12 (Minute No. 329 refers). Cabinet gave consideration to the exempt information prior to the consideration of Agenda Item 12.

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<b>KIRKLEES COUNCIL</b>			
<b>COUNCIL/CABINET/COMMITTEE MEETINGS ETC</b>			
<b>DECLARATION OF INTERESTS</b>			
<b>Name of Councillor</b>			
<b>Item in which you have an interest</b>	<b>Type of interest (eg a disclosable pecuniary interest or an "Other Interest")</b>	<b>Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]</b>	<b>Brief description of your interest</b>

Signed: ..... Dated: .....

## NOTES

### Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

**Name of meeting:** Cabinet

**Date:** 17<sup>th</sup> October 2017

**Title of report:** Ad Hoc Scrutiny Panel – Bereavement Support in Schools Findings Report

**Purpose of report**

To present the findings report of the Ad Hoc Scrutiny Panel – Bereavement Support in Schools and request that Cabinet approve a response to the recommendations of the Panel.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a>	No
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by <u>Strategic Director</u> & name	n/a
Is it also signed off by the Service Director for Finance IT and Transactional Services?	n/a
Is it also signed off by the Service Director for Legal Governance and Commissioning Support?	Julie Muscroft
Cabinet member <a href="#">portfolio</a>	Community Cohesion & Schools

Electoral [wards](#) affected: All Ward

Councillors consulted: N/A

Public or private: Public

## 1. **Summary**

- 1.1 The decision to look into the bereavement support available for children and young people in school was borne out of concerns that were brought to the attention of Cllr Burke. Initial enquires revealed that there did not seem to be a consistent approach to support provided to young people experiencing bereavement. It also highlighted that some schools had a bereavement policy in place, while others did not.
- 1.2 An initial phase of activity took place and the Children and Young People Scrutiny Panel decided that a Task Group should be set up to undertake a focus piece of work to explore this issue in more detail.
- 1.3 The Task Group sought to understand the role schools play in providing support or signposting children and young people going through bereavement, to appropriate services.
- 1.4 There was a preliminary phase of work undertaken between July 2013 and September 2014 and in September 2014, a general opportunity was provided for members of the public to comment on the work of the task group and provide comments regarding their experience of the issue.
- 1.5 Due to other work programme priorities, this issue was then put on hold whilst other emerging priorities were addressed.
- 1.6 The issue was then re-visited in 2016 and included within the 2016/17 priorities for the Overview & Scrutiny Management Committee. Cllr Burke, in his role as the Scrutiny Lead Member for Children and Young People, lead on the progression of the task and arranged a number of further evidence gathering meetings
- 1.7 Appended to this report is the findings report of the Scrutiny Panel. A summary of the recommendations arising from the investigation is set out on page 20 of the report.
- 1.8 An action plan is appended to the Findings report at pages 31 to 35 and includes responses from the Cabinet Member with responsibility for Community Cohesion and Schools.

## 2. **Information required to take a decision**

Not applicable

## 3. **Implications for the Council**

### 3.1 **Early Intervention and Prevention (EIP)**

There are no specific implications for the Council at this time.

### 3.2 **Economic Resilience (ER)**

There are no specific implications for the Council at this time.

### 3.3 **Improving Outcomes for Children**

There are no specific implications for the Council at this time.

### **3.4 Reducing demand of services**

There are no specific implications for the Council at this time.

### **3.5 Other (eg Legal/Financial or Human Resources)**

There are no specific implications for the Council at this time.

## **4. Consultees and their opinions**

N/A

## **5. Next steps**

Following the presentation of the report at Cabinet, the Overview and Scrutiny Management Committee will consider monitoring requirements to ensure agreed recommendations are implemented.

## **6. Officer recommendations and reasons**

That the Cabinet note the findings of the Ad-Hoc Scrutiny Panel – Bereavement Support in Schools and the response on the recommendations from the relevant Cabinet Member.

## **7. Cabinet portfolio holder's recommendations**

N/A

## **8. Contact officer**

Alaina McGlade – Governance & Democratic Engagement Officer Tel: 01484 221000,  
Email: [alaina.mcglade@kirklees.gov.uk](mailto:alaina.mcglade@kirklees.gov.uk)

## **9. Background Papers and History of Decisions**

N/A

## **10. Service Director responsible**

Julie Muscroft – Service Director, Legal Governance and Commissioning





# **Report of Ad Hoc Scrutiny Panel - Bereavement Support**

**Governance & Democratic Engagement Service  
Civic Centre III  
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**April 2017**

<b>CONTENTS</b>	<b>PAGE NO</b>
1. Rationale for the review	<b>5</b>
2. Terms of reference and methodology	<b>5</b>
3. Background Information	<b>8</b>
4. Term of Reference 1	<b>14</b>
5. Term of Reference 2	<b>16</b>
6. Term of Reference 3	<b>18</b>
7. Summary of Evidence Received	<b>19</b>
8. Recommendations	<b>20</b>
9. Appendix 1 – Summary of Background Information Sources	<b>21</b>
10. Appendix 2 – Bereavement Support Survey	<b>22</b>
11. Appendix 3 – Draft Policy Template	<b>23</b>
12. Action Plan (including response to recommendations)	<b>31</b>



## **1. RATIONALE FOR THE REVIEW**

1.1 The decision to look into the bereavement support available for children and young people in school was borne out of concerns that were brought to the attention of Cllr Burke. Initial enquires revealed that there did not seem to be a consistent approach to support provided to young people experiencing bereavement. It also highlighted that some schools had a bereavement policy in place, while others did not.

An initial phase of activity took place and the Children and Young People Scrutiny Panel decided that a Task Group should be set up to undertake a focus piece of work to explore this issue in more detail.

The Task Group sought to understand the role schools play in providing support or signposting children and young people going through bereavement, to appropriate services.

## **2. TERMS OF REFERENCE & METHODOLOGY**

### **2.1 Membership of the Ad Hoc Scrutiny Panel**

Councillor Cahal Burke (Chair)

Councillor Donna Bellamy

Reverend Richard Burge - Statutory Scrutiny Co-optee

Margaret Dobson – Voluntary Co-optee (appointment expired during the completion of the Task Group)

### **2.2 Terms of Reference of the Ad Hoc Scrutiny Panel**

The approved terms of reference of the Ad Hoc Scrutiny Panel – Bereavement Support are set out below:

1. To understand the role and responsibility of schools when supporting children and young people going through bereavement including any statutory guidance.
2. To contribute to the development of local guidance to be used by schools across Kirklees when supporting children and young people going through bereavement.
3. To examine proposals to promote the guidance within schools.

To assist with their findings in relation to the Terms of Reference set out above, the Task Group identified the below issues as additional lines of enquiry:

- A. The role of the Children's Emotional Wellbeing Service (CHEWS) in supporting children going through bereavement and do they undertake work in schools.
- B. The role of the Educational Psychology Service in supporting schools/young people going through bereavement, including information on the structure of the department and its work.
- C. Is there a dedicated officer within the department that deals with bereavement issues?
- D. How would the service be accessed?
- E. What support is available for children and young people going through bereavement?
- F. The policy that has been developed, how will this be disseminated across schools in Kirklees and will it include Academies, etc.

The Task Group was supported by Alaina McGlade and Jenny Bryce-Chan from the Governance and Democratic Engagement Team.

### **2.3 How the work was carried out:**

The Panel used a range of methods to gather the evidence that has been used to inform this report. There was a preliminary phase of work undertaken between July 2013 and September 2014, where the Panel held a number of planning and evidence gathering meetings with the following people:

Val Flintoff – Education Officer

Jayne Whitton – Principal Educational Psychologist

Leslie Vegeris – Educational Psychologist

Yvonne white – Northorpe Hall – Service Manager – Children's Emotional Wellbeing Service (CHEWS)

In September 2014, a general opportunity was provided for members of the public to comment on the work of the task group and provide comments regarding their experience of the issue.

Due to other work programme priorities, this issue was then put on hold whilst other emerging priorities were addressed.

The issue was then re-visited in 2016 and included within the 2016/17 priorities for the Overview & Scrutiny Management Committee. Cllr Burke, in his role as the Scrutiny Lead Member for Children and Young People, lead on the progression of the task and arranged a number of further evidence gathering meetings with the following people:

Jayne Whitton – Principal Educational Psychologist

Yvonne white – Northorpe Hall – Service Manager CHEWS

Michelle Ross – Children and Young People’s Engagement Officer

3 Youth Council representatives

Joseph Dennison – Chaplain, All Saints Catholic College

Kate O’Neil – Head of R.E. & Chaplaincy Manager, All Saints Catholic College

Bernice Manifold – Cover Supervisor, All Saints Catholic College

8 pupils from All Saints Catholic College

Lois Ward, Anglican Ordinand

Chris Minchin, Anglican Ordinand

### 3. BACKGROUND INFORMATION

As part of the research, the Panel looked at significant statistical information relating to child bereavement.

#### 3.1 Statistics

- Every 22 minutes in the UK a child under the age of 18 is bereaved of a parent, leaving 111 children bereaved of a parent every single day. Many more are bereaved of a grandparent, sibling, friend or other significant person.\*
- 10,133 babies, children and young people (up to the age of 25), died in the UK in 2015.\*
- 1 in 29 pupils has been bereaved of a parent or sibling – that is a child in every class.\*
- 1 in 10 phone calls to the Child Bereavement UK (CBUK) helpline is from a school and they had over 4000 visits to the school section of their website in 2015.\*
- Only 1 in 10 British adults, bereaved by a child, said their school was very supportive at the time of their bereavement.\*\*
- A survey of primary schools in Hull found that over 70% had a child on roll who had been bereaved of someone important to them in the last two years (Holland, 1993). All schools will be affected by bereavement at some point.
- Currently, 41 schools have attended training provided by the Educational Psychology team on Bereavement Support out of a possible 179 (23%).

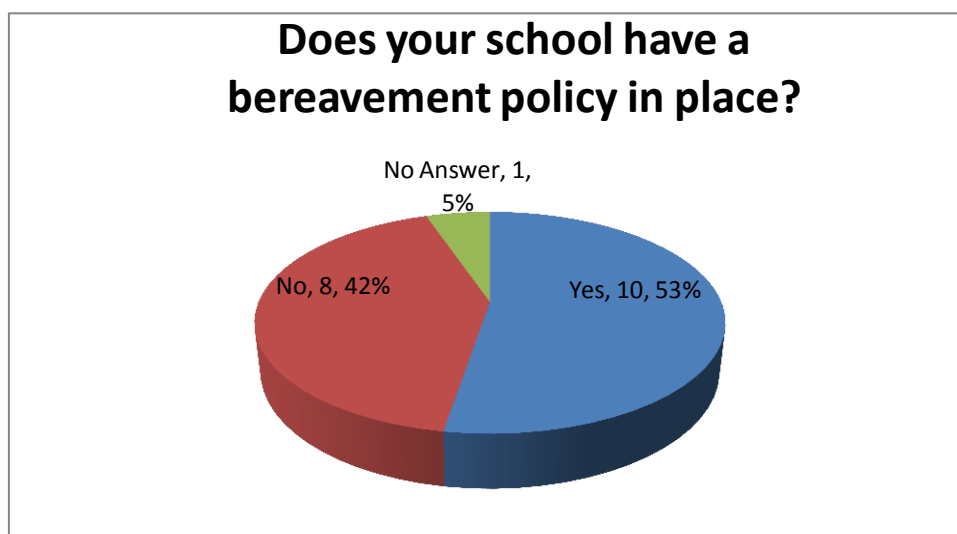
\*(Child Bereavement UK Research Statistics)

\*\* (Child Bereavement UK Omnibus Survey, YouGov, 2016)

#### 3.2 Survey Results

3.2.1 In November 2016, a survey (attached at Appendix 2) was distributed to all schools across Kirklees through the Heads Up information system, requesting schools to advise on the current bereavement support available within schools and whether there are trained staff available within school.

3.2.2 Nineteen schools responded to the request; three of the responses were from High Schools and sixteen from primary schools.

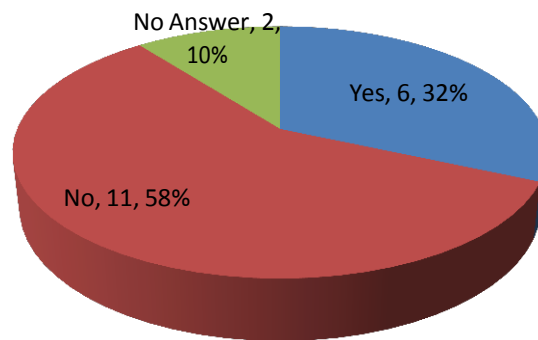




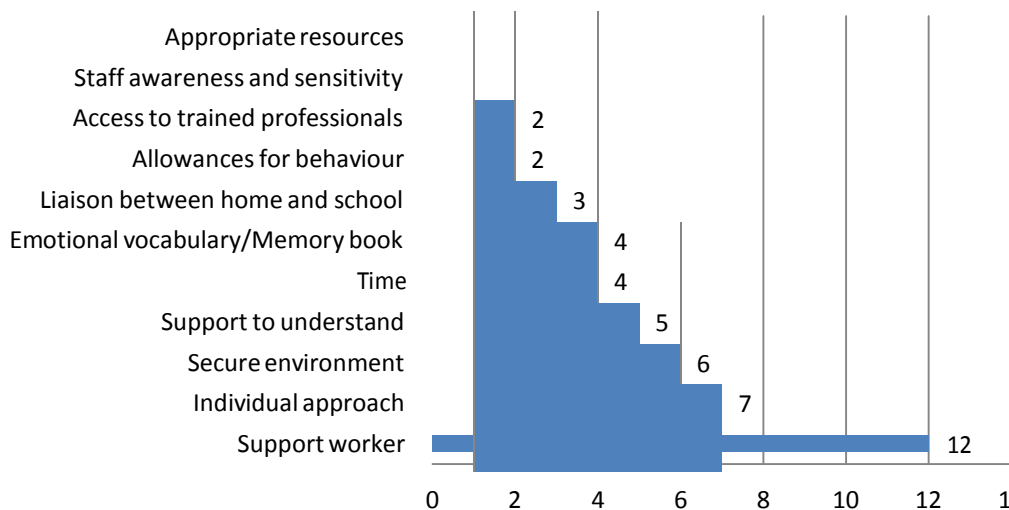
### Staff specifically trained?



### Attending the training session - January 2017?



### 3 most important factors when supporting young people through bereavement



### **3.3 Support already provided to schools**

As part of the investigation, the Task Group considered the support already provided across the district.

#### **3.3.1 Northorpe Hall**

3.3.1.1 Through the Children's Emotional Wellbeing Service (CHEWS) service at Northorpe Hall, support is provided where emotions are impacting on day to day functioning.

3.3.1.2 Northorpe Hall operates an open telephone referral and support line, ASK CAMHS, where anyone can call for advice or support, including schools and families. Support wouldn't be offered immediately after a bereavement as the natural grieving process needs to take place. A period of disruption to emotions and behaviour after bereavement is expected and this is classed as a normal response. Support would therefore be offered where this disruption does not rectify after a couple of months after the bereavement, as at this point it may have developed to an emotional health concern rather than a normal response.

#### **3.3.2 Educational Psychology Team**

3.3.2.1 Educational Psychologists (EPs) also have a key role in supporting schools, children and young people across a wide range of needs and have expertise in children and young people's emotional and mental health and events which can affect positive mental health, including bereavement.

3.3.2.2 Every school has a contact EP and this person will normally respond to requests for support. Depending upon the specific circumstances surrounding the bereavement and the extent of the impact upon the school and wider community, other team members will be available to provide a package of support as appropriate.

3.3.2.3 The EP Team offer support and guidance to Head Teachers and senior school leaders around how best they can meet the needs of the children and young people in their care.

3.3.2.4 Research suggests that children and young people find it more beneficial (and recover from distress more) speaking with familiar people who they will have an on-going relationship or contact with. As such, EPs work alongside key members of school staff with the aim of enabling and supporting them to be able to support their students and families of their school community. Research does not promote a need for counselling in the immediacy of a traumatic experience.

3.3.2.5 EPs support schools to recognise those children most at risk of requiring specific support following bereavement and provide support and advice to those staff involved with such children and young people.

3.3.2.6 The EP Team offer guidance on how to support the staff within school, including recognising and managing their own emotional needs as well as how they can meet the needs of their pupils. Depending on the situation, this may include opportunities for adults, either individually or in small groups, to share their feelings and experiences in order to promote their own wellbeing at emotionally difficult times.

### 3.4 Experiences of Young People

3.4.1 The Chair of the Ad-Hoc Panel met with 3 representatives of the Kirklees Youth Council on Thursday 23<sup>rd</sup> February 2017, all of whom were in attendance at secondary schools within Kirklees. Each of the young people in attendance had an experience of bereavement and the support provided to themselves and friends within the school environment.

3.4.2 The Ad-Hoc Panel had previously determined the questions that would be put to the young people:

- *What types of loss, change and bereavement have young people in your school experienced?*
- *What understanding do these young people have of these life events when they happen to them? [What kind of 'stories' do they tell themselves and/or other people about what these events mean]?*
- *How have these life events affected them and the people around them?*
- *What ways do children in school express their feelings about loss, and bereavement and what might assist them to do this in a way that is helpful to them?*
- *Who supports pupils when they experience loss, change or bereavement in school? How well do these people understand the experience of these pupils? How do they access this support and what does it look like? What else could be done to help?*
- *What opportunities are there for pupils to share their experiences of loss, change or bereavement?*

3.4.3 Richard Burge, Task Group member also met with another group of young people at All Saints Catholic College on Thursday 16<sup>th</sup> March 2017 and put the same questions to this group.

3.4.4 All of the young people shared similar views on the impacts of a bereavement and the support they felt would best address the situation. They outlined that they felt that:

- Honest explanations regarding the situation should be provided, using age appropriate, sensitive language;
- Support provided by a stranger (e.g. a qualified practitioner) would be poorly attended— because of the lack of familiarity as well as the perception of other pupils;
- Familiar adults with knowledge of relationships should be available for support, rather than strangers;

- Support sessions should not be offered on request as requests will very rarely be made due to the stigma attached to attending these sessions – the sessions should just be advertised at a set time and should take place, regardless of anticipated attendance rates;
  - Schools should acknowledge that sometimes, young people prefer to support each other and make private spaces available, as necessary;
  - Schools should acknowledge that the death of the affected person and the subsequent funeral is not the end of the situation – suffering can be experienced months and even years later and this should not be overlooked;
  - Traditions and practical arrangements relating to funerals should be covered within relevant lessons to provide young people with an understanding of what to expect.
  - Bereavement information should be considered when planning classroom based activities on special occasions such as Mother’s Day and the preferences of the young person should be acknowledged;
  - Bereavement information should transfer with the pupil throughout their education so that future support can be provided if required.
- 3.4.5 The young people at All Saints Catholic College had access to their on-site church on a regular basis and they felt that themed opportunities for “time to remember” often helped pupils deal with grief in a positive way.
- 3.4.6 The Task Group noted that the regular use of religious vocabulary within a faith school seemed to assist pupils in accepting the difficult language used when discussing bereavement issues.
- 3.4.7 It also became apparent to the Task Group that there was a natural community support network integrated within the ethos of the faith school that seemed to be enhanced by their shared religious beliefs.

## **YOUNG PEOPLE'S VIEWS**

1. A honest, age appropriate response regarding the situation is appreciated by young people;
2. Support provided to young people should be undertaken by a familiar adult who is aware of the circumstances and the relationships involved;
3. Support sessions should not be offered on request as young people don't like to make an issue or identify that they maybe require extra support; instead, support sessions should be advertised for a particular time and take place, regardless of requests to attend;
4. Schools should allow time and make use of the fact that young people tend to prefer to comfort each other and allow young people time to share common experiences;
5. Bereavement information should be transferred to feeder schools and other local schools so that there is awareness throughout a young person's education as support or consideration of the bereavement may be required in the future;
6. There was a slight contradictory view to the CBUK guidance, relating to the language that should be used when addressing young people; although the young people felt being honest about the situation was important, they felt that the use of clear language such as "death" and "die" felt abrupt, emotionless and almost disrespectful. They preferred softer descriptions such as "passed away" as they felt this description maintained the sensitivity required whilst still providing clarity.
7. They did however agree that misleading language such as "gone to sleep" or "gone away" should be avoided, although they understood the sentiments surrounding the use of this language;
8. Young People appreciated their access to the chaplain at the faith school as they felt it was easier to talk to this person because even though they were familiar and part of the school community, the chaplain also maintained an independent role, separate of the teaching staff.

## 4. TERMS OF REFERENCE

### 4.1 TOR 1 - To understand the role and responsibility of schools when supporting children and young people going through bereavement including any statutory guidance.

4.1.1 According to the statistics, every school in the UK will deal with a form of bereavement so it would seem appropriate for each school to have a policy to enable them to be prepared.

4.1.2 Research suggests that MOST children will be significantly helped by a supportive school environment and understanding social circle. SOME children may benefit from group work or one to one with a familiar adult. A FEW children may require further referral to psychological services or health practitioners. (NICE 2004)

4.1.3 This therefore suggests that a significant amount of support to a young person will be carried out within school, by school staff.

4.1.4 CBUK state that, just by carrying on with their usual day-to-day activities, schools can do a huge amount to support a grieving child. CBUK also advise that with the right help and support, most children and young people will not require help or a 'bereavement expert'.

4.1.5 It is important for young people to be surrounded by people who care; the understanding of familiar and trusted adults will normally be the main support mechanism required and also the preferred option of the young person.

4.1.6 It is because of these reasons that it is beneficial for schools to outline staff roles within a bereavement policy and the information that will be considered when identifying who will undertake the "familiar adult" role. The familiar adult requires considering on an individual basis as the adult required to provide support will differ on a case by case basis; therefore the relationships between the adults and young people is a key consideration for schools.

4.1.7 Schools should be aware that research undertaken by CBUK also suggests that honest and clear language around death will help prevent distress and misunderstanding.

4.1.8 Another consideration that schools should be aware of when providing support is that religious and cultural beliefs will also impact upon the way death is discussed, and schools will need to ensure that the wishes of the family are clearly understood. Schools need to understand that the individual beliefs of families may differ to the approach generally taken by the school.

## **TASK GROUP VIEWS**

1. The Task Group acknowledged that there isn't any statutory guidance applicable to this issue but that Kirklees had developed their own guidance document to refer to.
2. A school with a proactive response to the situation will be more successful in providing the support required.
3. A policy designed to fit the needs of each individual school and their cohort will significantly assist a school in being prepared for a sudden bereavement occurrence.
4. The policy should be flexible enough to allow the views and wishes of the bereaved family to influence the resulting actions.
5. Included within the policy should also be a list, identifying the staff responsible for initiating the procedures, a communications policy that includes both communication between staff members, the family affected and also the media(where applicable) and a set of template letters to avoid emotional letters being drafted at a time of upset and anguish
6. It is important for each school to understand that every individual will deal with bereavement differently and that different types of support will be required for different lengths of time. Training on bereavement support for staff that will be involved in supporting children affected will assist staff in identifying the correct, individual levels of support required.
7. Schools should aim to use clear, honest language when communicating with young people but should also find out what the young person has been told at home.
8. Support after the bereavement is also important and anticipating key events i.e. Mother's Day, Father's Day etc, which could trigger emotional responses from bereaved children, should be considered when planning classroom based exercises.

## 5. TERMS OF REFERENCE

### 5.1 TOR 2 - To contribute to the development of local guidance to be used by schools across Kirklees when supporting children and young people going through bereavement.

- 5.1.1 Advice on the Child Bereavement UK website reads “A school which takes time to formalise a response before a critical incident or tragedy occurs, will be much better placed to cope should it ever have to be put into practice. However, every school is different and every situation unique. What is deemed appropriate will vary.”
- 5.1.2 During the initial phase of work, a guidance document on developing a bereavement support policy was drafted by the Educational Psychology Team and issued to all schools within Kirklees.
- 5.1.3 This document was again distributed to schools in November 2016, along with details of a training session that was taking place on bereavement support.
- 5.1.4 The Task Group reviewed the guidance document, whilst considering the advice from Child Bereavement UK;
- “The policy should be viewed more as a framework to work around rather than something prescriptive.”
- 5.1.5 The Task Group noted that schools do not currently have access to a policy template which they can adapt to meet the requirements of their individual school. The Task Group felt that schools would benefit from a draft policy template being available, alongside the guidance document to assist them in developing a policy appropriate to the needs of their individual school.
- 5.1.6 The Task Group considered the advice from Child Bereavement UK regarding template letters being available for use by schools at the time of a bereavement and felt this was an important element to be included within a draft policy template.
- 5.1.7 The Task Group noted that within the guidance document, there is a brief reference to the fact that cultural and religious beliefs should be considered. Within each religion, there are often variations in understanding, interpretation and customs relating to the arrangements undertaken immediately after a death has occurred and that these arrangements will often impact on a number of considerations and actions to be taken by the school.
- 5.1.8 As mentioned previously, a familiar adult would usually be the most appropriate person to provide support within school and this requirement



should be outlined in the guidance issued to schools.

- 5.1.9 As part of this outline, a list of roles and responsibilities is also useful to ensure staff are aware of their duties, especially in the case of a sudden or unexpected bereavement.
- 5.1.10 The Educational Psychology team provide training for schools on Bereavement support. The next training session is due to take place in May 2017.
- 5.1.11 The Educational Psychology team have advised that a review of bereavement support will take place at Easter 2017 and the revisions will have been finalised and ready for prior to the training session. The review will incorporate to findings of this Task Group report in addition to amendments to the guidance document issued to schools.

### **TASK GROUP VIEWS**

1. The Task Group noted that the advice from Child Bereavement UK stated that the guidance document issued to schools should be more of a framework. They felt a draft policy template document should be produced to sit alongside the guidance document to provide an easy to follow structure that assists schools in developing their own policy.
2. The Task Group felt that the advice from Child Bereavement UK regarding template letters being available for use by schools at the time of bereavement was important to avoid mistakes being made due to drafting the letters at a time of grief.
3. The Task Group felt that different requirements of different religions and cultures should be addressed by schools and therefore a paragraph to advise schools should be included within the guidance document.
4. The Task Group considered the fact that everyone processes grief differently and in addition, deal with grief differently dependent on age. Because of this, they felt that there would be some differences in approach between primary and secondary schools and therefore felt that, as part of the review in April 2017, the benefit of drafting separate policy drafts for primary and secondary schools should be investigated.
5. A common message that came from young people was that approaches to supporting bereaved children need to be appropriate to their circumstances, including age and stage of development as well as degree of distress and the family support available outside of school.
6. Taking all of the above into account, the Task Group considered the information available on the CBUK website and developed a draft policy template (attached at Appendix 3) –they feel this initial draft of a policy template should contribute to the bereavement support review being undertaken by the Educational Psychology team in April 2017.

## **6. TERMS OF REFERENCE**

### **6.1 TOR 3 - To examine proposals to promote the guidance within schools.**

- 6.1.1 The guidance document was created by the Educational Psychology team in 2013 and advertised internally to schools in September 2013.
- 6.1.2 It was again advertised on the “Heads Up” system in November 2016 along with the Task Group survey attached at Appendix 2 of this report and an advertisement for the next training session that was to take place at Cliffe House on Tuesday 17<sup>th</sup> January 2017.
- 6.1.3 In addition to official training sessions put on by the Educational Psychology team, specific requests are also regularly dealt with on an individual basis. Going forward, the Educational Psychology team have advised that they would have the capacity to continue to provide two training sessions per school year as a minimum.
- 6.1.4 They have also advised that, going forward; details of the reviewed guidance will be distributed to all schools in summer term 2017 and referenced at subsequent training sessions.

#### **TASK GROUP VIEWS**

1. The Task Group noted that the Educational Psychology Team have a current training programme that is offered to schools for a small fee. The Task Group felt this training should continue to be offered regularly and felt that additional promotion of the training should be targeted at schools that have not previously attended a training session.
2. The Task Group felt that as part of the promotion of the training, a brief, one side of A4 “facts sheet”, including the statistics from CBUK website, would be helpful to demonstrate the importance of the issue and to clearly emphasise how likely it is that a school will be required to deal with an incident of bereavement.
3. Young People felt that it would be beneficial to include feedback from young people in the area as part of the revised training package. The Task Group felt investigation into the possibility of a short feedback video being created by a mixture of local young people would be worthwhile.

## **7. SUMMARY OF EVIDENCE RECEIVED**

### **7.1 Key Themes to be considered by schools**

- 7.1.1 1 in 29 pupils has been bereaved of a parent or sibling – given that this statistically equates to a child in every class, it is likely that every school will be required to support a bereaved child.
- 7.1.2 To prepare for bereavement occurrences, a policy relevant to the needs of each individual school will assist a school to respond appropriately and provide an effective and well managed approach.
- 7.1.3 Use age appropriate language when communicating with young people. 'Helpful' euphemisms can often confuse children, especially younger children.
- 7.1.4 Consider how the long term needs of the bereaved will be met, including the future impact on pupils, and ways in which support can be provided;
- 7.1.5 Consider the individual and cultural needs of the bereaved.
- 7.1.6 Having a suitable trained staff member in bereavement support will assist in a school being aware of all of the above issues.
- 7.1.7 Promotion of training available to schools is important to ensure schools are aware of the issues they may face when dealing with a bereavement.

## **8. RECOMMENDATIONS**

Set out below is a complete list of the recommendations made by the Panel. The response to the recommendations is summarised in the attached action plan.

1. That the draft policy framework developed by the Task Group (attached at Appendix 3) be incorporated into the review of the guidance for schools (2013) by the Educational Psychology team.
2. That the reviewed guidance documents be distributed to schools prior to September 2017 and be reinforced with a continued offer of training sessions for schools, delivered on at least an annual basis.
3. That, as part of the review in April 2017, the benefit of drafting separate policy drafts for primary and secondary schools be investigated.
4. That the Educational Psychology team continue to promote the guidance within all schools on at least an annual basis and encourage schools to develop a bereavement support policy that meets the individual needs of each school.
5.
  - a) That increased awareness of the importance of providing the correct support following a significant bereavement be committed to by the Educational Psychology Team and regularly communicated to schools;
  - b) The compilation of a fact sheet will assist in the communication of the key facts, questions and statistics relevant to bereavement incidents.
6. That specific advice be relayed to schools to suggest that the individual pupil information shared between schools at points of transition should include details of any significant bereavement experiences suffered by a child.

**Summary of background information sources**

- a) <http://childbereavementuk.org/about-us>
- b) <http://childbereavementuk.org/wp-content/uploads/2016/11/Schools-Presentation-Redacted.pdf?noredir=true>
- c) Holland, J (1993). 'Child bereavement in Humberside', *Educational Research*, 35, 3, 289–297
- d) <http://www.leicestershirehealthyschools.org.uk>
- e) <http://www.cruse.org.uk/for-schools/bereavement-policy>

## BEREAVEMENT SUPPORT SURVEY

Name of School:

**Q1 Does your school have a bereavement policy in place?**Yes  No 

a) If yes, when was this policy last reviewed?

b) If no,

i. Do you plan to put a policy in place and if so by when?

ii. Will you be attending the training session on Tuesday 17<sup>th</sup> January 2017 at Cliffe House (as advertised on Heads Up) to support you with this?Yes  No **Q2 What support does the school provide for children/young people going through bereavement?**

**Q3 Do you have staff specifically trained to provide support to children/young people going through bereavement and loss?**Yes  No **Q4 What do you consider to be the 3 most important factors when supporting children/young people going through bereavement and loss?**


1.

2.

3.

# Draft Policy for Schools dealing with bereavement



Approved by Governors.....

To be reviewed.....

**April 2017**

# [INSERT SCHOOL NAME] School

## Bereavement Policy

### School Background:

*Provide overview of school's aims and ethos (take from school website)*

### 1. Rationale:

In the event of a sudden or unexpected bereavement school staff may feel considerable anxiety about knowing how to best respond. This is understandable in a culture where death is seldom openly discussed.

Every 22 minutes in the UK a parent of dependent children dies, leaving about 41,000 bereaved children each year. Many more are bereaved of a grandparent, sibling, friend or other significant person, and, sadly, around 12,000 children die in the UK each year.

Within our school community there will almost always be some recently bereaved children who are struggling with their own situation – or sometimes the entire school community is impacted by the death of a member of staff or a pupil. We would hope to not encounter such circumstances, but the statistical inevitability of such an occurrence implies the necessity of having a Bereavement Policy in place in order that we might be proactive, rather than reactive, when responding to these sensitive situations.

As children spend a significant amount of their time at school, teachers and staff members will be the primary source of care and support. Bereaved children may see school as a safe haven away from the turmoil of emotions at home and may look to trusted staff members for help. Empathic understanding in the familiar and secure surroundings of school may be all the bereavement support some children – or staff – require, though referral to more specialist support should be a consideration where the impact of grief is more complex. Additional information and resources can be accessed at [www.childbereavement.org.uk](http://www.childbereavement.org.uk)

The purpose of the Bereavement Policy is to help everyone involved at a time when there may be shock, upset and confusion, ensuring that there is as little disruption as possible, effective communication takes place and each member of the school community is supported to help them through a very difficult time.



## **2. Objectives:**

The core intentions of the policy are:

- To support pupils and/or staff before (where applicable), during, and after bereavement
- To enhance effective communication and clarify the pathway of support between school, family and community.
- To identify key staff within school and LA, and clarify the pathway of support.
- The Children Act 1989 aimed to ensure that the welfare of the child was paramount, working in partnership with parents to protect the child from harm ([http://www.careandthelaw.org.uk/eng/b\\_section2](http://www.careandthelaw.org.uk/eng/b_section2)). All intentions of this policy endorse that aim as we endeavour to counter any adverse effects of bereavement and maintain pupils' emotional well-being.

### **3. The role of the governing body**

- To approve policy and ensure its implementation, to be reviewed annually.

### **4. The role of the head teacher**

- To monitor progress and liaise with external agencies.
- To respond to media enquiries.
- To be first point of contact for family/child concerned.
- To keep the governing body fully informed.
- To identify the person responsible to have bereavement support training and cascade learning to other staff.
- To identify the person responsible for recognising complex grief and make referrals to external agencies, as appropriate.
- In the absence of the Head Teacher, a designated lead should already have been identified.

### **5. The role of the LA**

- To advise and support staff. Consult on referral pathways and identification of complex grief.

### **6. Individual roles & responsibilities**

*Complete narrative relevant to individual school*

### **7. Child new to the school**

Before children join the school, we find out as much as possible about every child, to tailor the academic, social and emotional teaching in school to match their needs. Parents should be asked about any previous changes that might have profoundly affected their child (divorce, bereavement etc), in order for appropriate support to be in place for the child.

### **8. The first few days**

*Schools to outline their approach to this area*

### **9. The funeral**

*Schools to outline their approach to this area*

### **10. Support for staff**

*Schools to outline their approach to this area*

### **11. Support for pupils**

*Schools to outline their approach to this area*

### **12. Remembering**

*Schools to outline their approach to this area*

### **13. Procedures: in the event of the death of a child or staff member**

1. Contact with the deceased's family should be established by the Head teacher and their wishes respected in communicating with others. Factual information is essential to avoid rumour and confusion, whilst being sensitive to cultural and religious considerations.
2. Staff should be informed before pupils and be prepared (through prior training) to share information in age-appropriate ways, as agreed for each individual circumstance.
3. It is essential that all staff - including those in the front office - are informed straightaway, ideally before pupils.
4. Pupils who are affected should be informed, preferably in small groups, by someone known to them.
5. A letter to all school families affected should be composed at the earliest opportunity and a decision made as to whom, and how, it should be distributed.
6. The school should be aware that the school timetable may need a degree of flexibility to accommodate the needs and wellbeing of children affected by the situation. However, minimal disruption to the timetable also offers a sense of security and familiarity.
7. Staff affected by the death will be offered ongoing support as appropriate.
8. In consultation with the bereaved family, arrangements for funeral attendance may be clarified, with the consideration of full or partial school closure in some circumstances.
9. Where necessary a press statement should be prepared by the Head Teacher.
10. School should be aware that the impact of bereavement follows a child throughout their school life so information should be recorded and shared with relevant people, particularly at transition points.

#### 14. Suggested templates for letter to parents:

##### ***Template of a letter informing parents of the death of a member of staff***

Dear Parent/ Carer

I am sorry to have to tell you that a much-loved member of our staff [NAME] has died. Your child's [Class Teacher/Form Tutor/Head of Year] had the sad task of informing the children of his/her tragic death.

[NAME] has been a [teacher/teaching assistant etc] at this school for a number of years. Our thoughts are with their family at this time and in an effort to try to respond to his/her death in a positive way, all the children have been informed. Many of the children will have been quite distressed at the news, but we are very aware that factual information and emotional support are the best means of helping children deal with bereavement. I am sure there will be many parents who are also saddened by the news.

As you know, when someone dies it is normal for family and friends to experience many different feelings, and children are likely to ask questions about the death, which we will answer in an age-appropriate way in school, but if you feel you would like more support and advice yourself, please do not hesitate to contact the school office.

I am sorry to be the bearer of sad news, but I appreciate an occurrence like this impacts the whole school community. I am so grateful for the thriving partnership we have with parents and trust that we, together, will be able to guide and support the children through what may be, for many, a very new experience in their lives.

Yours sincerely

Head Teacher

**\*Think about sharing details of the funeral or a collective worship/ remembrance session**

## ***Template of a letter informing parents of the death of a pupil***

*Before sending a letter home to parents about the death of a pupil, permission must be gained from the child's parents.*

*The contents of the letter and the distribution list must be agreed by the parents and school.*

Dear Parent/ Carer

Your child's [class teacher/form tutor etc] had the sad task of informing the children that [NAME], a pupil in [CLASS] has sadly died as a result of an ongoing illness/ tragic accident etc. He/She was a very popular member of the class and will be missed by everyone who knew him/her.

As you know, when someone dies it is normal for family and friends to experience many different feelings, and children are likely to ask questions about the death, which we will answer in an age-appropriate way in school.

I am sorry to be the bearer of sad news, but I appreciate an occurrence like this impacts the whole school community. I am so grateful for the thriving partnership we have with parents and trust that we, together, will be able to guide and support the children through what may be, for many, a very new experience in their lives. However, if you feel you would like more support and advice yourself, please do not hesitate to contact the school office.

Yours sincerely

Head Teacher

## ***Template of a letter to bereaved parents***

Dear [NAME]

We are so very sorry to hear of [NAME'S] death. There are no words to express the sadness of losing a child and our thoughts are with you in the anguish you must be experiencing at this current time.

[He/She] was a much loved member of our school family. Clearly, as a school community, they will be greatly missed and we are doing our best to offer comfort and support to [his/her] friends and classmates.

If we can do anything to help as you plan [NAME'S] funeral service or other memorial opportunities, please let us know. We will be writing out to the parents of pupil's within school to advise them of [NAME'S] death and will share the content of the letter with your family prior to its distribution. In the meantime, if you would like us to include any specific details regarding the funeral, please let us know.

Be assured that you are in our thoughts at this very sad time and do not hesitate to contact us if we can be of support in any way.

With sympathy,

Headteacher

**\*Think about a collective event and consider whether this letter is the right moment to discuss with family**

## SCRUTINY ACTION PLAN

**Project:** Ad-Hoc Scrutiny Panel – Bereavement Support

**Lead Governance Officer:** Alaina McGlade

No.	Recommendation	Directorate and Cabinet Member asked to coordinate the response to the recommendation?	FOR COMPLETION			
			Do you accept the recommendation? If no, please explain why.	How will it be implemented?	Who will be responsible for implementation?	What is the estimated timescale for implementation?
1	That the draft policy framework developed by the Task Group (attached at Appendix 3 to the report) be incorporated into the review of the guidance for schools (2013) by the Educational Psychology team.	Guidance to schools on responding to bereavement and advice on developing a policy was developed and circulated to all schools by the educational psychology team in 2013. The Task Group developed a draft policy framework to add to the guidance for schools to use when developing their own policies. This will be added to the guidance which is currently being revised.	YES	The Task Group developed a draft policy framework to add to the guidance for schools to use when developing their own policies. This will be added to the guidance which is currently being revised.	Jayne Whitton, Principle Educational Psychologist	By 1 <sup>st</sup> November 2017

2	That the reviewed guidance documents be distributed to schools prior to September 2017 and be reinforced with a continued offer of training sessions for schools, delivered on at least an annual basis.	The training offered previously to schools will be repeated on at least an annual basis. This training builds schools' understanding further in relation to the impact of bereavement upon children and young people and how they can provide effective support.	YES	The training offered previously to schools will be repeated on at least an annual basis.	Jayne Whitton, Principle Educational Psychologist	By 1 <sup>st</sup> November 2017  (The original agreement of September 2017 has been delayed due to capacity issues)
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3	That, as part of the review in April 2017, the benefit of drafting separate policy drafts for primary and secondary schools be investigated.	The benefit of having separate policies for primary and secondary schools will be considered.	YES	The Educational Psychology Team will consider whether it is deemed necessary to establish separate policies for primary and secondary schools.	Jayne Whitton, Principle Educational Psychologist	By 1 <sup>st</sup> November 2017  (The original agreement of September 2017 has been delayed due to capacity issues)
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4	That the Educational Psychology team continues to promote the guidance within all schools on at least an annual basis and encourage schools to develop a bereavement support policy that meets the individual needs of each school.	Given that the Educational Psychology both developed the guidance and also have regular contact with all schools, they are ideally placed to promote the guidance and need for a bereavement policy. This will happen at least annually.	YES	The guidance will be shared with schools on at least an annual basis.	Jayne Whitton, Principle Educational Psychologist	Before the end of the 2017/18 school year
5	f) That increased awareness of the importance of providing the correct support following a significant bereavement be committed to by the Educational Psychology Team and regularly communicated to schools;	The Educational Psychology team will promote the guidance and offer training at least annually. They will also provide advice to schools following a bereavement.	YES	Training and guidance will be offered to schools on at least an annual basis.	Jayne Whitton, Principle Educational Psychologist	At the start of the 2018/19 school year

5	b) The compilation of a fact sheet will assist in the communication of the key facts, questions and statistics relevant to bereavement incidents.	This will be developed and added to the flier promoting the training –to get across to schools the prevalence of bereavement.	YES	A fact sheet will be incorporated within the flier that is issued when training is made available to schools – this will happen on at least an annual basis.	Jayne Whitton, Principle Educational Psychologist	At the start of the 2018/19 school year
6	That specific advice be relayed to schools to suggest that the individual pupil information shared between schools at points of transition should include details of any significant bereavement experiences suffered by a child.	This will be appropriately enhanced in the updated guidance and also reinforced in the training sessions.	YES	The advice will be incorporated into the updated guidance and also included within the training sessions.	Jayne Whitton, Principle Educational Psychologist	At the start of the 2018/19 school year

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**Name of meeting:** Cabinet

**Date:** 17<sup>th</sup> October 2017

**Title of report:** Proposals for the partial conversions of Batley Sports & Tennis Centre and Dewsbury Sports Centre

**Purpose of report:** To seek permission for Kirklees Active Leisure (KAL) to convert elements of Batley Sports and Tennis Centre (BSTC) and Dewsbury Sports Centre(DSC) to provide alternative leisure facilities with a view to getting more people active, generating more income and creating employment opportunities.

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	<b>Yes</b>  <b>If yes give the reason why:</b> These conversions affect a number of wards across North Kirklees and will require prudential borrowing in the region of £3.1m
<b>Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a></b>	<b>Yes</b>  <b>If yes also give date it was registered:</b> First published on 26 June 2017
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	<b>Yes</b>
<b>Date signed off by Strategic Director &amp; name</b>	<b>Naz Parkar - 5.10.17</b>
<b>Is it also signed off by the Service Director Finance, IT, and Transactional</b>	<b>Debbie Hogg - 5.10.17</b>
<b>Is it also signed off by the Service Director - Legal Governance and Commissioning</b>	<b>Julie Muscroft - 6.10.17</b>
<b>Cabinet member <a href="#">portfolio</a></b>	<b>Cllr Graham Turner and Cllr Musarrat Khan - Corporate</b>

**Electoral wards affected:** Batley East, Batley West, Birstall and Birkenshaw, Dewsbury East, Dewsbury South, Dewsbury West.

**Ward councillors consulted:** Cllrs in Batley West, Birstall and Birkenshaw, Dewsbury East and Dewsbury South

**Public or private:** Public

## 1. Summary

- 1.1 This report seeks permission for Kirklees Active Leisure (KAL) to convert part of the sports hall at Dewsbury Sports Centre (DSC) and part of the indoor tennis facility at Batley Sports and Tennis Centre (BSTC) to accommodate soft play, Clip'n'Climb and associated facilities. As the Council is the landlord for these facilities KAL must first seek the Council's permission in order to be able to make any alterations to the internal arrangements of these buildings. At DSC the Council is also a Tenant and consent of the Head Lessee will also be required.
- 1.2 The existing spaces are underutilised and the development proposals aim to considerably increase usage thus significantly improving financial performance and creating additional employment opportunities within the local area.
- 1.3 The impact on affected existing users can be mitigated with alternative provision being available within a reasonable travel distance.
- 1.4 It is intended that the BSTC site proposals would be prioritised given the scope of the anticipated growth in income and anticipated lower risk, followed by the DSC scheme.
- 1.5 The BSTC proposals have been developed after discussions with the Lawn Tennis Association (LTA) and the Tennis Foundation to maximise the potential of achieving forecast income and utilisation targets and to lead to an improved, more sustainable model for local tennis. The LTA and Tennis Foundation's preferred option is not in line with the officers' recommendation as their aim is to at least preserve the present number of courts and to increase the number of indoor courts in Britain.
- 1.6 These proposals are part of a plan of investment to improve North Kirklees leisure facilities.

## 2 Information required to take a decision

- 2.1 KAL currently manages the Council's stock of leisure facilities under a 20 year funding agreement which began in 2012. The Council is also the landlord for these facilities and KAL have been granted a 20 year term co-terminus with the funding agreement. The terms of the leases dictate that KAL must not make any alterations to the internal arrangements of these buildings without first obtaining the Council's prior written consent.
- 2.2 As the Council is also a Tenant at DSC regard has to be had to the terms of its Lease which provides that the Council will be able to be able to carry out internal non-structural alterations or additions to the property with the Landlord's prior permission which in this instance is to be by way of a formal Licence. Officers have been trying since summer 2013 to obtain the Landlord's retrospective consent to historic works and to enter into a formal Licence but are struggling to get the Landlord to engage, going so far as to threaten them for unreasonably withholding consent. If KAL makes changes to the building and it is not possible to gain the Landlord's permission, there is a risk that the council or KAL will have to pay to rectify the works.
- 2.3 The Council's approved Medium Term Financial Plan requires a reduction of £750K in the funding allocated to KAL in 2017/18
- 2.4 Further reductions in Council funding are planned in 2018/19 and 2019/20. Overall, the level of Council support to KAL will have reduced from £2.5m in 2014/15 to £934K in 2019/20. The Council and KAL are working together to identify opportunities to generate increased income surpluses to mitigate the impact on customers of reduced Council funding.
- 2.5 The spaces at BSTC and DSC which are proposed for conversions are both significant in size. The budgeted surplus for the tennis facility was £43.7k in 2016/17 from income of £76.8k. Guidance from the LTA suggests a facility of this size should yield an income figure of around £180k per annum. According to the Tennis

Foundation, other facilities of a similar size are presently generating an income in excess of £300K.

- 2.6 In respect of the DSC site, there is no separate account for the Sports Hall and costs are spread against the wider operating costs of the site so it is not possible to give a specific surplus figure for this area. However, other KAL usage data indicates that the space is significantly underutilised.
- 2.7 Given the relatively low levels of usage and therefore income from existing activity in these spaces, KAL has identified the potential to diversify the use of these spaces to generate additional income and deliver increased usage at the sites.
- 2.8 KAL has worked with the LTA and Tennis Foundation over a number of years to try to increase usage/income levels but without significant improvement to date. As a result of this dialogue and also feedback from the customer engagement programme that KAL conducted, KAL has developed an alternative proposal for BSTC which now looks to retain some indoor tennis provision, as well as enhancing the outdoor tennis courts whilst also developing facilities for other physical activities.
- 2.9 In summary, 4 options have now been considered in detail for the BSTC site:
- 1) Do nothing – model remains as is
  - 2) Progress KAL's original proposal i.e. 2 indoor courts converted to play activities/2 indoor courts developed as 3G indoor 5-a-side pitches
  - 3) Progress with the LTA's alternative business plan for the full retention of Tennis
  - 4) Progress with an alternative model, as outlined below.

The alternative proposed developments at BSTC include:

- Conversion of 2 tennis courts to soft play/"TAG Active" and associated facilities
  - Retention of and improvements to 2 indoor tennis courts and improvements to the surfaces/fencing of the 4 outdoor tennis courts
  - Development of ancillary areas – entrance and food and beverage area/party rooms
  - Redevelopment of external areas to provide additional car parking and improved access, especially for the disabled.
- 2.10 A summary of the appraisal for the BSTC options is included within this report as appendix 1.
- 2.11 The LTA and Tennis Foundation have also developed a proposal based upon evidence of other facilities achieving similar improvements to those projected. This proposal includes a number of community roadshows and the employment of a Tennis Manager to develop the programme at Batley Tennis Centre. The LTA and TF have stated that they are prepared to fully fund the proposed interventions (£75k to kick start projected growth) for two years.
- 2.12 The LTA/TF business plan is for ten years. The business plan proposes that the funding for the interventions transfers to KAL after the first two years. The LTA and Tennis Foundation concede that if the business plan does not reach targets for the first two years, they would concede that the tennis centre was no longer viable and would withdraw from the centre enabling it to be developed for other uses. They have not agreed to underwrite any income below target and so the financial risk would lie with KAL. Officers are concerned that the LTA/TF business plan carries a high level of risk as it is predicated on achieving above a 90% occupancy rate at peak times (evenings/ weekends).
- 2.13 In 2016, the LTA/TF were given 12 months to work with KAL to try to increase tennis usage at BSTC. KAL and the LTA were unable to appoint a suitable development officer and so targets have not been met. Officers therefore do not have confidence that the LTA/TF business plan will achieve the targets included within it.
- 2.14 The proposed developments at DSC include:
- Conversion of 4 courts to soft play/Clip'n'Climb and associated facilities
  - Retention of a 4 court sports hall but with improved flooring

- Utilisation of current storage and associated rooms for food and beverage provision, access, party rooms, etc. (n.b. not all space identified is necessarily required)
  - Development of a lift to the 1<sup>st</sup> floor link-bridge to facilitate access.
- 2.15 KAL has engaged external consultants to provide a feasibility analysis for the proposed developments which shows clear market demand exists and, furthermore, that both developments can be viable within the same market, as KAL consider it essential that the facilities provided are complementary, offering different customer experiences at each site developed.
- 2.16 Initial financial modelling suggests that these projects will deliver the following projected net surplus to KAL, after all costs, including the costs of financing the capital expenditure incurred and the loss of existing income is taken into account;

	10 year net surplus to KAL's MTFP
Batley Sports and Tennis Centre	£645,327
Dewsbury Sports Centre	£507,978

- 2.17 The remaining 4 court sports hall at DSC will be able to cater for the majority of existing activities. However, there will be some impact on football coaching and badminton and, to a lesser degree, table tennis and the Access Project activity session. There may need to be some retiming of current slots to accommodate the new activities.
- 2.18 Where current users of DSC cannot be accommodated in the reduced space, KAL will actively engage with them to identify suitable alternative facilities.
- 2.19 At BSTC, the proposals may result in the displacement of a small number of the current tennis users, with activity concentrated onto the remaining courts. Catchment analysis shows the users of the tennis centre are travelling from quite a wide geographic area at present (only 22% of tennis users live in the 3 local wards compared to 45% of whole centre users), suggesting there is a willingness to travel further to play indoor tennis where necessary.
- 2.20 Preliminary discussions have taken place between KAL and Leeds City Council who operate the John Charles Centre for Sport. This is 6 miles away from the BSTC site and offers indoor tennis facilities (6 courts), as well as a further 6, all weather, outdoor tennis courts, and, as with BSTC, has significant spare capacity. This provides the opportunity to develop a strategic approach between the two sites.
- 2.21 To offset this risk, KAL is being conservative with projections for usage and income of the soft play, etc. aspects of the development, allowing the potential for over achievement against targets to add a degree of sensitivity to any shortfalls on the tennis side of the operation.
- 2.22 These proposals are part of a plan to improve leisure facilities in North Kirklees over the next five years.

### 3 Implications for the Council

#### 3.1 Early Intervention and Prevention (EIP)

- 3.1.1 It is projected that these conversions will lead to significantly more visits to the two sports centres.

	Existing usage of proposed areas (Visits per year)	Business plan usage projections - including projected retained usage. (Visits per year)
BSTC	16,153	80,708
DSC	34,324	98,019



- 3.1.2 The Kirklees Joint Strategic Assessment shows that in both Batley and Spennings Dale and in Dewsbury and Mirfield only one in six 14 year olds achieves the recommended levels of 60 minutes of physical activity a day and almost one in five do not take part in any regular exercise.
- 3.1.3 Much of this new usage will be from children and young people, helping to contribute to a healthy lifestyle at an early age and embedding behaviours to support that activity in to adulthood.
- 3.1.4 This is also consistent with the Government's Childhood Obesity Plan which recommends 30 minutes of daily activity, supported by family and carers, take place outside of the school setting. Activities such as the proposed TAG Active and Clip'n'Climb elements in particular lend themselves to intergenerational use.

## **3.2 Economic Resilience (ER)**

- 3.2.1 These developments will allow KAL to achieve greater income surpluses helping to offset the impact of reductions in Council funding.
- 3.2.2 The expectation is that these developments will provide additional employment opportunities of approximately 15 full time equivalent posts per site.
- 3.2.3 It is important to note that a significant proportion of KAL's employees are young people and there is no reason to suppose that a similar proportion of young people may not be employed in these new positions.

## **3.3 Improving Outcomes for Children**

- 3.3.1 It is believed that the proposals will lead to significantly improved outcomes for children with regards to leading healthy and active lives.
- 3.3.2 The proposed soft play, TAG Active and Clip'n'Climb products are primarily targeted at children and young people with soft play aimed at children under the age of 12 and TAG Active/Clip'n'Climb for children and young people aged 5 to 18, although there is expected to be an element of accompanying adult participation as well.
- 3.3.3 There is also strong evidence to support the link between physical activity and educational attainment, which in turn enhances the prospect of children as they develop.

## **3.4 Reducing demand of services**

- 3.4.1 As outlined previously, the ability of KAL to generate greater levels of income surplus helps to mitigate reductions in Council funding.
- 3.4.2 There is compelling evidence linking physical activity levels to improved mental and physical health and wellbeing. These developments are expected to result in significant increases in participation, in particular among children and young people, and help to contribute to them leading more active lifestyles which in turn should reduce their demand for services for health and care related issues.

## **3.5 Legal/Financial or Human Resources**

- 3.5.1 Finance Officers will need to work with KAL, who will seek to prudentially borrow the funds required to pay for this scheme. The total amount required as capital will be in the region of £3.1m. This amount is covered by KAL's self-funding capital allocation. KAL is asking for a re-phasing of the capital allocation between financial years to match the proposed project phasing.
- 3.5.2 The intention is to carry out the BSTC conversion at a cost of £1.6m in the 2017/18 financial year and the DSC conversion, at a cost of £1.5m, in 2018/19.

3.5.3 This re-phasing of the capital allocation will see £441K held over to the 2018/19 financial year and is illustrated below in a table outlining KAL's self-financed 5 year capital plan.

	2017/18	2018/19	2019/20	2020/21	2021/22	Total
	£000's	£000's	£000's	£000's	£000's	£000's
Current capital plan	2,266	1,059	617	617	617	5,176
Amended capital plan	1,825	1,500	617	617	617	5,176
Re-phasing	-441	441	0	0	0	0

3.5.4 The Council will incur the capital expenses through prudential borrowing and procure, manage and pay for the work directly, recovering the financing costs from KAL through a further reduction in the Council support to KAL over and above that detailed in point 2.3 above. The repayment terms for KAL would be over a 20 year period and based on the current borrowing rate of 3.25%, the repayments will be £213,900 per annum.

3.5.5 The Council will need to procure specialist contractors to carry out the proposed work. Officers from the Council's Risk, Legal and Procurement teams have held positive discussions with KAL regarding the options for engaging the most suitable contractors.

#### 4. **Consultees and their opinions**

4.1 KAL has been in consultation with the LTA and Tennis Foundation for a number of years to improve the performance of the indoor tennis centre.

4.2 The Tennis Foundation and LTA would prefer the retention of the whole site for tennis.

4.3 Separate briefings have been held for Members from the Batley East, Batley West and Birstall and Birkenshaw wards and the Dewsbury East, Dewsbury South and Dewsbury West wards. Feedback has largely been positive from those Members who attended.

4.4 A briefing note has been provided to Tracy Brabin MP, who is keen to retain tennis on the site as a sport, but also supportive of the suggested new activity products.

4.5 Meetings have also been held with Cllr Liz Smaje, who was especially concerned about increased vehicle traffic and the impact on local residents/an adjacent play park at Millers Croft, which will be addressed as part of the planning process.

4.6 KAL has also carried out a customer engagement programme over two sets of feedback sessions to which all tennis users from the previous 12 months were invited. Users were, understandably, more favourable towards option 4 rather than option 2 as it retains and improves some indoor tennis provision and upgrades the outdoor court, rather than the complete loss of indoor tennis provision and no improvement to the outdoor courts. As many of those who attended these sessions were tennis users, their preferred option was option 3 i.e. the LTA's proposed tennis only development.

4.7 As the Dewsbury Sports Centre conversion will not take place until late 2018, KAL has presently not undertaken any engagement with the centre's users but will involve them in the development of the proposals there at the appropriate time. Given the development proposed at Dewsbury, it is likely that there will only be limited displacement of current customers to alternative times/days/ venues.

## 5. Next steps

### **If the proposals in this report are agreed by Cabinet the next steps would be:**

- 5.1 The Council and KAL would seek to appoint specialist contractors for the works.
- 5.2 The appointed contractors will help to finalise the specific detail of the facility mix and layout of the developments.
- 5.3 The Council and KAL will continue to engage with current users of the facilities regarding the timetable for the redevelopment, accommodating existing users as far as is possible and seeking to negotiate relocation to suitable alternative locations to minimise any disruption for the small number of users who cannot be accommodated
- 5.4 Equality Impact Assessments  
(<http://www.kirklees.gov.uk/you/kmc/deliveringServices/impactAssessments/impactassessments.asp> - see conversion of sports centres section) have been undertaken for both proposed developments and officers are satisfied that the Council has properly carried out its Public Sector Equality Duty. This will continue to be kept under review. Members are advised to review them carefully and have them in mind when making a decision in this matter

## 6. Officer recommendations and reasons

- 6.1 That approval be given to redevelop the existing indoor and outdoor tennis space at Batley Sports & Tennis Centre (option 4) and the sports hall at Dewsbury Sports Centre into soft play, Clip'n'Climb and associated facilities, notwithstanding that officers have, currently, been unable to secure Head Landlord's consent to the alterations.
- 6.2 That the required capital expenditure and method of funding the financing costs as set out in Section 3.5 of this report be approved.
- 6.3 The reason for these recommendations is to enable KAL to increase its surpluses as a way to offset the reductions in Council funding over the next three years and to attract more children, young people and adults to be physically active which is a proven way to reduce long term, dependency on health and social care services. Officers do not believe that options 1 and 3 produced by the LTA and Tennis Foundation for Batley Sports and Tennis Centre will achieve these outcomes.
- 6.4 Option 4 is recommended over option 2 as it will ensure that there is still provision for tennis at Batley Sports and Tennis Centre.

## 7. Cabinet portfolio holder's recommendations

- 7.1 The Cabinet Portfolio Holders recommend that Cabinet:
  - approve the redevelopment of the existing indoor and outdoor tennis space at Batley Sports & Tennis Centre and the sports hall at Dewsbury Sports Centre into soft play, Clip'n'Climb and associated facilities, notwithstanding that officers have, currently, been unable to secure Head Landlord's consent to the alterations.
  - approve the required capital expenditure and method of funding the financing costs as set out in Section 3.5 of this report.
- 7.2 The Cabinet Portfolio Holders note that the proposed conversions have been developed following KAL engagement with customers and the LTA and Tennis Foundation, listening to their feedback and reflecting on options which accommodate both existing users and provides opportunities for increased participation for children and young people more generally.

8. **Contact officer**

Adele Poppleton, Head of Culture and Vibrancy  
[adele.poppleton@kirklees.gov.uk](mailto:adele.poppleton@kirklees.gov.uk)  
07814 448594

9. **Background Papers and History of Decisions**

- 9.1 Informal discussion with joint portfolio holders Cllr Viv Kendrick and Cllr Graham Turner on 14 March 2017. Approval was given to continue to work up plans.
- 9.2 Outline presentation to Economy and Infrastructure SLT on 16 May 2017. Approval was given to continue to work up plans.
- 9.3 Initial proposals were considered by LMT on 10 July 2017. KAL was asked to carry out an initial public engagement exercise and also to reconsider the tennis options following further conversations with the LTA.
- 9.4 Appendix 1: Options appraisal for the Batley Tennis Centre proposals  
<http://www.kirklees.gov.uk/you-kmc/deliveringServices/impactAssessments/impactassessments.asp>

10. **Service Director responsible**

Paul Kemp - Service Director - Economy, Regeneration and Culture.  
[paul.kemp@kirklees.gov.uk](mailto:paul.kemp@kirklees.gov.uk)  
(01484) 221000

	NO CHANGE MODEL	FULL CONVERSION – ORIGINAL KAL BUSINESS PLAN	LTA PROPOSAL FOR RETENTION OF TENNIS * KAL amended version	COMPROMISE MODEL
<b>Project detail</b>	<ul style="list-style-type: none"> <li>4 Indoor tennis courts</li> <li>4 Outdoor tennis courts <ul style="list-style-type: none"> <li>Court currently of a poor standard and offer limited opportunity to play in adverse weather.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>2 Courts converted to <ul style="list-style-type: none"> <li>Soft play</li> <li>Clip and climb / TAG active</li> <li>Ancillary facilities.</li> </ul> </li> <li>2 Courts converted to indoor 3G facility</li> <li>Outdoor courts unaffected</li> </ul>	<ul style="list-style-type: none"> <li>Retention of existing tennis facilities in full</li> <li>Upgrade of tennis facilities (*) <ul style="list-style-type: none"> <li>Re-surface of indoor courts and refurbishment of facility (new curtains etc.)</li> <li>Re-surface of the outdoor courts to all weather surface <ul style="list-style-type: none"> <li>Potential to improve court surrounds</li> </ul> </li> <li>Installation of Wi-Fi to support Learn 2 system.</li> </ul> </li> <li>Supported by LTA funding in years 1 and 2</li> <li>Capital funded later in business plan mentioned but not specified nor committed.</li> </ul>	<ul style="list-style-type: none"> <li>2 Courts converted to <ul style="list-style-type: none"> <li>Soft play</li> <li>Clip and climb / TAG active</li> <li>Ancillary facilities.</li> </ul> </li> <li>3G provision removed from proposal</li> <li>Retention of 2 tennis courts <ul style="list-style-type: none"> <li>Re-surface of remaining indoor courts and refurbishment of facility (new curtains etc.)</li> <li>Re-surface of the outdoor courts to all weather surface</li> <li>Installation of Wi-Fi to support Learn 2 system.</li> </ul> </li> </ul>
<b>Usage levels (projected)</b>	16,153 visits per annum – Tennis only (School / OWLS excluded as retained in all models)	82,463 visit per annum	42,480 visits <ul style="list-style-type: none"> <li>39630 – indoor courts</li> <li>2850 – outdoor courts</li> </ul>	<ul style="list-style-type: none"> <li>80,708 visit</li> </ul>
<b>Health and Wellbeing Benefits</b>		<ul style="list-style-type: none"> <li>Usage levels at over 500% of existing.</li> <li>Ability to target young people across a variety of age groups with fun, accessible and innovative leisure opportunities.</li> <li>Ability to target groups including disabled users</li> </ul>	<ul style="list-style-type: none"> <li>Usage levels over 250% of existing</li> <li>Ability to protect and enhance tennis provision</li> </ul>	<ul style="list-style-type: none"> <li>Usage levels over 500% of existing</li> <li>Ability to target young people across a variety of age groups with fun, accessible and innovative leisure opportunities.</li> <li>Ability to target groups including disabled users</li> <li>Ability to protect and enhance some tennis provision</li> </ul>
<b>Employment</b>	Tennis manager role currently covered by activators / central staff. <ul style="list-style-type: none"> <li>Recruitment, by KAL with LTA support has not been successful in this area over an 18 month period, prior to alternative models being developed.</li> </ul>	<ul style="list-style-type: none"> <li>Estimated 15 additional FTE opportunities between KAL and catering provider.</li> <li>14 hours SE coaching displaced <ul style="list-style-type: none"> <li>Potential for mini red coaching to be maintained in sports hall</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Expansion of coaching program from 14 to 54 hrs <ul style="list-style-type: none"> <li>Coaches are self employed</li> </ul> </li> <li>Tennis manager post part funded by LTA in first 2 years.</li> </ul>	<ul style="list-style-type: none"> <li>Estimated 15 additional FTE opportunities between KAL and catering provider.</li> <li>Expansion of coaching program from 14 – 54 hrs <ul style="list-style-type: none"> <li>Self employed</li> </ul> </li> <li>Tennis manager – aim to work in partnership with Leeds CC (JCCS) <ul style="list-style-type: none"> <li>LTA support unconfirmed in 2 year model</li> </ul> </li> </ul>
<b>Capital investment</b>	LTA transforming tennis fund potentially available – however KAL would not sign long term lease at current performance levels.	<ul style="list-style-type: none"> <li>£1.6 million</li> </ul>	<ul style="list-style-type: none"> <li>£120k into tennis facility – fully funded by KAL</li> </ul> LTA transforming tennis fund potentially available – noted as an option by LTA but not committed	<ul style="list-style-type: none"> <li>£1.5 million</li> <li>Plus £100k into tennis facility fully funded by KAL</li> </ul> LTA transforming tennis fund still an option but unclear as to level of support LTA would offer in 2 court option.
<b>External investment</b>		<ul style="list-style-type: none"> <li>£0 – All aspects fully funded by KAL</li> </ul>	<ul style="list-style-type: none"> <li>LTA “support package” - £72k <ul style="list-style-type: none"> <li>£7k – Management consultant</li> <li>£20k Tennis manager contribution (x 2 years)</li> <li>£20k school roadshow funding (over 2 years)</li> <li>£5k Coach recruitment support</li> <li>External funding consultant – fully funded by LTA</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>LTA “support package” unconfirmed <ul style="list-style-type: none"> <li>Current BP assumes support would be halved in 2 court model</li> <li>Loss of 30k to business plan if funding withdrawn</li> </ul> </li> </ul>
<b>Cross promotion benefits – Ability to strengthen other KAL products</b>		<ul style="list-style-type: none"> <li>Targeted pricing giving added value to KAL members and KAL card holders.</li> <li>Link between play / activity products and football product <ul style="list-style-type: none"> <li>Pathways for customers into more structured sporting activity.</li> </ul> </li> <li>Links for Clip and Climb / TAG active into KAL’s Junior fitness offering.</li> </ul>	<ul style="list-style-type: none"> <li>Development of existing Jnr membership links</li> </ul>	<ul style="list-style-type: none"> <li>Targeted pricing giving added value to KAL members and KAL card holders.</li> <li>Link between play / activity products and tennis product <ul style="list-style-type: none"> <li>Move users into more structured sporting activity.</li> </ul> </li> <li>Links for Clip and Climb / TAG active into KAL’s Junior fitness offering.</li> </ul>

<b>Positive PR aspects</b>	<ul style="list-style-type: none"> <li>Retention of Tennis</li> <li>LTA partnership maintained</li> </ul>	<ul style="list-style-type: none"> <li>Increased usage / Additional employment / Additional Jobs.</li> <li>Major investment into facility and into North Kirklees.</li> <li>Accessible young people's activity opportunities across all ages / groups. <ul style="list-style-type: none"> <li>Health and wellbeing benefits from increased activity levels.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Retention of Tennis</li> <li>LTA partnership developed</li> </ul>	<ul style="list-style-type: none"> <li>Retention of improved tennis facility after user / stakeholder engagement. <ul style="list-style-type: none"> <li>Willingness to compromise.</li> </ul> </li> <li>Increased usage / Additional employment / Additional Jobs.</li> <li>Major investment into facility and into North Kirklees.</li> <li>Accessible young people's activity opportunities across all ages / groups. <ul style="list-style-type: none"> <li>Health and wellbeing benefits from increased activity levels.</li> </ul> </li> </ul>
<b>Negative PR aspects</b>		<ul style="list-style-type: none"> <li>Complete loss of indoor tennis provision <ul style="list-style-type: none"> <li>Tennis community reaction</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>None specific due to lack of action</li> </ul>	<ul style="list-style-type: none"> <li>Loss of 2 courts <ul style="list-style-type: none"> <li>Elements of displacement would still occur (social sessions / limited time for pay and play)</li> </ul> </li> <li>Partially dependent upon LTA stance</li> </ul>
<b>Headline risks</b>		<ul style="list-style-type: none"> <li>Ability to progress with development due to adverse political reaction to complete loss of tennis.</li> <li>Achievement of financial targets within new business model <ul style="list-style-type: none"> <li>MTFP impact of underachievement</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Huge increase in tennis program / booking required to achieve target. <ul style="list-style-type: none"> <li>349% growth in Junior program</li> <li>90% utilisation of pay and play space in winter months (29 out of 50 weeks)</li> </ul> </li> <li>If increases not achieved time lost in development of alternative model leading to MTFP shortfall.</li> </ul>	<ul style="list-style-type: none"> <li>Ability to progress with development due to adverse political reaction to some loss of tennis.</li> <li>Achievement of financial targets within new business model</li> <li>Although viability rates reduced still large growth in Junior tennis program. <ul style="list-style-type: none"> <li>Limited pay and play space available.</li> </ul> </li> <li>Limited evidence base around successful 2 court tennis centre. <ul style="list-style-type: none"> <li>Increased importance of outdoor provision.</li> </ul> </li> </ul>
<b>Wider benefits</b>		<ul style="list-style-type: none"> <li>Diversification of KAL income streams giving broader long term sustainability benefits.</li> <li>Targets set with a degree of sensitivity.</li> <li>5-Aside provision relatively low risk compared to tennis. <ul style="list-style-type: none"> <li>Links to development in KAL's football product with HTFC</li> <li>Potential links to parklife project</li> </ul> </li> </ul>		<ul style="list-style-type: none"> <li>Diversification of KAL income streams giving broader long term sustainability benefits.</li> <li>Assists with political / PR process. <ul style="list-style-type: none"> <li>Shows willingness to compromise, potential to appease users.</li> </ul> </li> <li>No delay in development of key income streams from new products to MTFP.</li> <li>Sensitivity of wider business plan and associated broader income streams reducing risk on tennis income targets.</li> </ul>

**Name of meeting:** Cabinet

**Date:** 17 October 2017

**Title of report:** Access to Services Strategy

The purpose of this report is to seek approval from Cabinet on the proposed future Access to Services model principles.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	YES Significant impact on all wards Will save in excess of £250K
Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a>	YES Registered 15 September 2017
The Decision - Is it eligible for call in by Scrutiny?	YES
Date signed off by <u>Strategic Director</u> & name	Naz Parkar - 4.10.17
Is it also signed off by the Service Director Finance IT and Transactional Services?	Debbie Hogg - 5.10.17
Is it also signed off by the Service Director Legal Governance and Commissioning?	Julie Muscroft - 6.10.17
Cabinet member <a href="#">portfolio</a>	Cllrs Graham Turner and Musarrat Khan Portfolio Holders for Corporate (Place, Environment and Customer Contact Services)

**Electoral wards affected:** ALL

**Ward councillors consulted:** N/A

**Public or private:** Public

## 1. Summary

1.1 The purpose of this report is to seek approval from Cabinet on the proposed future Access to Services model principles. These will then be developed further and further work will be done to bring back proposals/ updates for members. The outcome the Council is seeking is for residents and communities to be able to readily access information, signposting and services in order to improve the customer experience and journey, first time, more of the time. It is important that we become less reliant on buildings. **74%** of the public when asked said 'I would generally **prefer to travel to a central location**, with a wider range of services available' (vs 26% support for 'I would generally prefer to travel to separate places to access different services')

1.2 In order to deliver this outcome the principles underpinning the service proposition are:

- **Digital by design** in an inclusive way that recognises that not all sections of the population will be digitally literate or have access to technology.
- **Telephone and Face to Face** access where appropriate.
- **Hub Approach:** The Councils 4 (Early Intervention and Prevention) EIP Hubs will provide four bases for high quality back office functions and a range of adult and social care and communities teams. Teams will be mobile and agile and will respond to opportunities for collaboration and co- location presented at local community hub level, aiming to work as close to the frontline as possible.
- **Local access points** which have due regard to the wider assets within neighbourhoods, wards and communities which are well networked and supported by high quality back office.

1.3 In the North of the District, there are 5 Kirklees Community Hubs (formally known as Schools as Community Hubs) which fit coterminously within the councils 2 EIP areas. In the South of the District there are 11 Kirklees Community Hubs which largely fit within the Councils 2 EIP areas.

1.4 We must work in partnership and engage with the existing assets in our communities to deliver our services. Many of our services are already supported by our partners, peers and volunteers and we must continue to support and enable this model of working.

1.5 Having due regard for the most vulnerable in our communities a number of Equality Impact Assessments have been completed (**See Appendix B**). We will continue to keep these in view

## 2. Information required to take a decision

### 2.1 Digital by design

2.1.1 In order to meet the needs of customers, Kirklees Council must provide services that are:

- Easily accessible



- Simple to use
- Streamlined
- Convenient
- Cost effective
- Robust

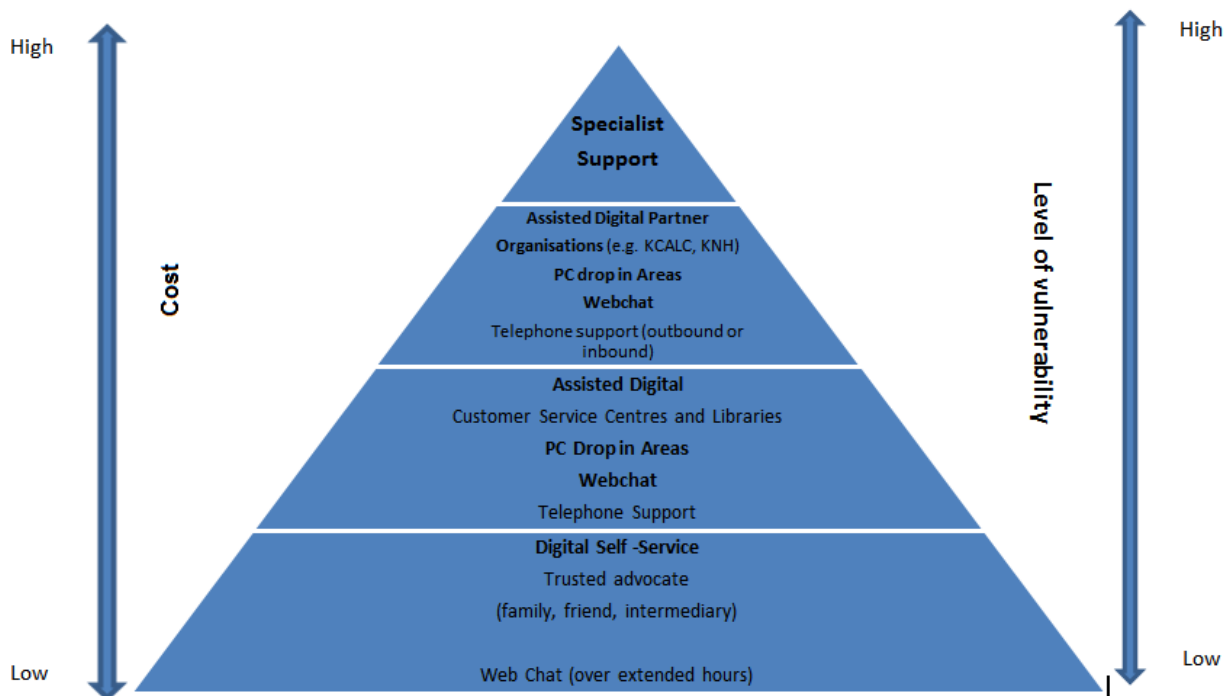
It is also important to bear in mind the target audience’s access to technology, the type and complexity of the contact, their personal preferences as well as their skill sets when selecting channels to access services

2.1.2 As we go through a series of challenging service reviews we need to develop and hone all our access channels to ensure we are providing optimum service for greatest of value.

2.1.3 Rising internet use and customer expectations of accessing public services online present an ongoing opportunity for us. Competent online services are easy and quick to use, available whenever customers need them and have a relatively low administrative burden. Managed well, online access to services is a very effective channel with considerable benefits for customers and taxpayers.

2.1.4 We must however also meet the needs of people who do not (yet) have access to the internet, or lack the skills and/or capability to use it. Assisted digital therefore needs to be a core part of our thinking and approach. **(See Figure 1 below)**

**Figure 1**



The biggest two layers (bottom of pyramid) account for 75 - 80% of contacts, the top two layers accounts for 20 - 25% with the actual tip of the pyramid likely to be less than 15%.

### 2.1.5 Indicative savings

Cashable benefit opportunity afforded by this approach analysed by the IT and Change Team, in a three stage approach:

<b>Face to Face</b>	<b>Assisted Online</b>	<b>Online Channel Shift</b>	<b>Outsourced Digital</b>	<b>Digital by Design</b>
Customer Centres Back Offices Field Officers	Telephone Email Post	Online but not meeting Digital by Design automation standards	Transaction Cost of Gov.Net (Excluding Implementation)	End to End, Integrated, Self-Service to Digital by Design Standard
<b>£9.11</b>	<b>£2.40</b>	<b>£2.40</b>	<b>£1.00</b>	<b>9p</b>

### 2.1.6 Case Study – Impact of Digital by Design

2.1.6.1 The aspiration of Adult Social Care is to have service users and carers self-serve wherever possible, completing an online Person Led Assessment and Financial assessment. The testing of the financial element has commenced and the impact of this will be evaluated in due course. The testing of the Care Assessment has not yet commenced, although a great deal of work has taken place in preparation for it.

2.1.6.2 Mobile and Agile working pilots have commenced and this is proving very positive, enabling practitioners to undertake assessments in a more efficient and effective way. It is expected that productivity will be increased across the service and improved service user outcomes will be achieved as a result. The evaluation of the early adopters is ongoing through regular learning sets.

2.1.6.3 Over the last 12 months we have seen 98.6 % access Choose n Move (our choice based lettings system) independently with just 1.18% being assisted by the call centre. There were over 148000 bids placed last year.

2.1.6.4 We received 100 % on line applications for Normal Round school admissions for September 2017 admissions - that is around **12,000** applications. For September 2018 Normal Round admissions we also expect to receive 100% online applications. Work is ongoing to enable In Year admission applications to also be 100% online during 2018 around **4000** applications.

2.1.6.5 Increasingly more services will deliver their service digitally.

## 2.2 Telephone and Face to Face access

2.2.1 Our approach for **Universal Customers**.

Develop a single 'universal front door' delivered via:

- an accessible, effective and preferably digital offer to all customers for transactions and information, advice and guidance services

- an effective and efficient customer contact centre with a critical mass of council services
- Improved common processes, delivered end to end.

2.2.2 Minimise the cost of delivering services to universal customers, so that we can invest more in the services we provide to customers who are ‘at risk’ or have ‘high needs.’

2.2.3 This means we need to:

- Invest in improving our ‘universal front door’ by designing and implementing digitally enabled services for as many council services as possible – Digital by Design programme - supported by a channel shift and take-up implementation plan.
- Build-on our approach to supported access for those customers who in the short to medium term will not exploit digitally enabled services e.g. consolidate our assisted digital arrangements, consider availability 24/7 and training council staff to support customer access to use online services.
- Develop and implement joined-up, technologically enabled front to back office processes to deliver improved customer service.

#### 2.2.4 Principles - Access to Services Front Door

##### **Integrate and transform existing customer access points:**

- Resolve more contacts at the first point of contact (*improved efficiency and cost of service*)
- Expedite the customer journey and signpost to 3<sup>rd</sup> parties where appropriate (*Reduced demand, improved outcomes*)
- Provide a consistent customer experience across all channels
- Focus staff resources on ‘assisted service’ whilst supporting vulnerable customers with more specialised and complex needs
- Enable citizens and their representatives to **self-serve online** to:
  - Reduce demand - particularly ‘failure’ demand
  - Improve service efficiency and cost
  - Enhance convenience in terms of access - 24/7
  - Better manage their interactions with the Council

This is in development as part of the development of the Front Door Policy

### 2.3 Community hubs

2.3.1 It is proposed that we use community hubs where appropriate that co-locate a number of services – these could include adult and children’s social care and communities teams.

- This would rationalise the real estate occupied by public, voluntary and private sector organisations
- Support the regeneration of the main Kirklees town centres
- Create opportunities for greater voluntary sector and community involvement in the future delivery of localised services

- Remove the silo-based operation of services and promote greater integration and joint provision of delivery
- Reduce costs of provision yet meeting and achieving greater targets through focussing on outcome based performance and collaboration
- Increase the “wealth” of the community and focus on reducing hotspots of need
- Work holistically and enable early intervention to assist families and family members to develop skills and resilience to resolve existing concerns.
- Contribute to statutory duties including Children Missing Education, Children Missing, Youth Conditional Cautions, and Improving Young People’s Well Being.
- Improve and enhance a cohesive partnership between collocated partners in a bid to provide safer communities and dedicated support to rising concerns.

2.3.2 In terms of physical locations the offer will be as follows:

- Two Customer Contact Centres, one in Huddersfield and one in central Dewsbury. Only at Huddersfield will access to specialist officer advice be offered on a face to face basis. Access to specialist officers from Dewsbury Contact Centre to be via online link.
- Four EIP Hubs in Huddersfield Civic Centre 1, Dewsbury Town Hall, Batley Town Hall and Slaithwaite Town Hall.
- Four Children’s Centres for Early Years support at Fieldhead co-location Centre, The Chestnut Centre, Slaithwaite Town Hall and Dewsbury Moor Children’s Centre.

2.3.3 Although it is important to note that an EIP Hub involves all partners working in an area in Council and private sector buildings as well as outreach workers who do not physically work from a fixed location.

2.3.4 There is a need for a multi-agency approach with shared outcomes and working to avoid duplication of service. The EIP hubs are developing with Batley being the first. More information will be provided at a later stage as all four progress.

## 2.4 Local Access Points

2.4.1 In addition to the above we will use Local Access Points which have due regard to the wider assets within neighbourhoods, wards and communities, which are well networked and supported by a high quality back office. These access points need not be in Council owned or managed buildings, they could be in any suitable facility e.g. school, community facility, and GP surgery.  
This means we need to:

- Introduce technology that enables a single view of our customers in a secure, accessible, appropriate way and enables joint responses to meet their needs – it is especially important for us to know and share information on our ‘at risk’ and ‘high need’ customers and at a time of predicted increases in need (e.g. Welfare Reform).
- Join up the assessment of customer needs and entitlements where appropriate by having more common assess and decide processes within the council and with partners. E.g. Bringing Care and Financial Assessment together in a joined up process saves time and leads to improved outcomes.

- Local Access Points will be developed as services review their delivery methods but should be cost neutral.

## 2.5 **Buildings**

2.5.1 Implementing the above principles will support rationalisation of buildings as use of buildings diminish, as the project proposes to consolidate multiple partner premises into four EIP hubs, delivering targeted services to vulnerable communities, children, young people and families.

- The project proposes bringing multiple community services into single, accessible community hubs across Kirklees, transforming the service offer to communities.
- The project proposes investment in Council real estate (e.g. such as town halls) to accommodate local services and keep the buildings in use and in service to the communities. This will potentially enable vacation of other partner premises which can be subject to reuse, sale and/or regeneration.

## 3. **Implications for the Council**

### 3.1.1 **Early Intervention and Prevention (EIP)**

Community Plus (as described in the Proposal for Early help for Children, Young People and Families – Cabinet Report 17 Jan 2017) is additional help provided by partners and the Council to communities who need some support to access community groups, resources, provision and services that already exist in communities and local areas.

3.1.2 Community plus has a key role in promoting inclusion for those who are unlikely to engage with support unless it is obtainable for them in ways they find acceptable.

3.1.3 Support might come in the form of advice and information or signposting by schools and health care practitioners for example. Where there are gaps in partners being able to provide this additional support, the Council will invest in building the right kind of community capacity where it doesn't already exist.

3.1.4 Those who are most likely to be excluded, or will find it more difficult to interact via digital methods, usually experience one or more of the following challenges:

- **Access** - the ability to actually go online and connect to the internet (includes cost and connectivity)
- **Skills and confidence** - to be able to use the internet and online facilities
- **Motivation** – not having a desire to use online facilities and/or unaware what the benefits might be.
- **Trust** - a fear of crime, inappropriate use or compromise of personal or financial details or not knowing where to start to go online.

3.1.5 In Kirklees we are responding to a number of these challenges through the following arrangements:

**Providing Access:**

- Self-service facilities (PC drop in areas) at our two main customer service centres in Huddersfield and Dewsbury
- Self-service facilities (PC drop in areas) at the two main 'Advice Kirklees' centres (Brook Street, Huddersfield and Empire House, Dewsbury)
- Self-service facilities to be available in designated children's centres
- Roll-out of superfast broadband

**Providing skills:**

- Paddock Community Trust (operates across Kirklees)
- Huddersfield Methodist Mission
- Electronic Village (Dewsbury)

**Easy to use website and e-forms**

- Mobile responsive/enabled – ease of use via a mobile device
- Web site accessibility standard – minimum level AA
- Smart forms - only presenting the questions on the form relevant to the circumstances
- Citizen account (from October 2017 onwards) as a single place to access and manage online interactions with the Council
- Available 24 hours a day, 7 days a week

**Providing support:**

- Online via Web chat (08:00 – 22:00 Mon – Fri; 08:00 – 18:00 Saturday and Sunday)
- Telephone support via Kirklees Direct (outbound and inbound) and 'Advice Kirklees'
- Face to face at Huddersfield Customer Service Centre and at 'Advice Kirklees' for welfare benefits, employment, financial, debt, homeless and housing advice services
- Kirklees Neighbourhood Housing – for Kirklees council tenants

**Cost**

There are no additional cost implications presently.

## 3.2 Economic Resilience (ER)

3.2.1 The Economic Resilience Vision - Kirklees is a district which combines a strong sustainable economy with a great quality of life leading to:

- Economic competitiveness and profitable businesses (Business)
- Skilled, able and healthy people and communities with good employment rates and incomes (People)
- High quality places, environments and infrastructure that supports business, health and quality of life (Place)

3.2.2 Around 25,000 people approach the council's Benefits Advice Team and Citizens Advice Bureau each year for benefits or employment related issues, and they are increasingly under pressure to help get these people back into work.

We know that people who are in full receipt of their entitled benefits are more likely to find work because they are better able to travel and be ready for interviews, can afford childcare and - with fewer money worries - are able to focus more on job hunting. So Better Off Kirklees is based exactly on this principle.

3.2.3 **“BetterOff” Kirklees** [www.betteroffkirklees.org.uk](http://www.betteroffkirklees.org.uk) the new self-service digital platform went live w/c 2<sup>nd</sup> Nov 2015. It was developed by staff at Advice Kirklees, the CAB and other partners with our Kirklees owned IT developers, Looking Local. “BetterOff Kirklees is web based but assisted self-service webchat support is available along with assisted digital at other sites. This is part of our mobile and agile work.

3.2.4 The new self-service technology has “Video and Audio Content” and Webchat (including a virtual co-browsing service meaning that officers can physically assist a resident at home), the added content in the forms has been provided by our welfare rights manager; which means that people can:

- Carry out their own benefits check to see if they are missing out from claiming any welfare benefits
- Find advice and guidance on appealing against a benefits decision
- Check if they will be BetterOff in-work depending on the hours worked and amount paid - recorded as a snapshot in BetterOff
- Fill in the following benefits e-forms and submit them
- Automatically re-use data collected for other claims.

3.2.5 The stats as at June 2017 are:-

We have recently added CTR/HB and the financial assessment for Adult Social Care

BetterOff - Usage so far:-

- Unique users 16,745 on the “BetterOff” platform
- New unique web page views 100,023 on the “BetterOff” platform

- Monetary gains over £11,163,806.27 for customers
- Unique job searches – 30,369

### 3.2.6 Feedback from Customers

“In the past I have had to look a quite a few different websites to search for jobs. BetterOff draws all of the jobs from these other websites into one place. It makes life so much easier looking for work. I wanted to find out if my mother-in-law, who is disabled, would be entitled to any benefits. I went on BetterOff and found that she could be entitled to claim Attendance Allowance. I would definitely use the site again and I have already recommended BetterOff to other people.”

- 3.2.7 BetterOff Kirklees has been so successful in such a short time, that the platform has already been sold to five local councils, with several other organisations also showing an interest.
- 3.2.8 Through new ways of thinking, using modern technology and working collaboratively, the BetterOff Kirklees website can only go from strength to strength as it is rolled out further in 2016 for all new claimants, helping even more local people receive their entitled benefits and back into work.

### 3.3 **Improving Outcomes for Children**

- 3.3.1 The Council will offer a **core offer** of Early Help to those children, young people and families who need support from both the Community Plus and Targeted Offers, through a Locality Based Partnership Model, currently in development.
- 3.3.2 The vision of Access to Services is to work across Kirklees with partners and communities to support people and families to plan ahead, stay well and get support when they need it. Working together to keep people safe and help people in the most appropriate way with the resources we have available.  
The two key aims of Early Help are to:
- Safely prevent family breakdown
  - Maximise the independence of children, young people and adults
- 3.3.3 Early Help activities will promote better outcomes for children, young people, and their families by providing quick access to effective interventions from people with the right skills at the right time, before problems escalate, using the combined expertise of participating agencies.
- Better targeting of the most vulnerable families -to meet their needs and address growing inequalities across Kirklees.
  - Delivering support to children, young people and their families across Kirklees in a creative, innovative, flexible way to those who need it most.
  - Save money and prevent duplication.
  - Address the quality improvement necessary to address OFSTED’s priorities, relating to health and protection.



### 3.4 Reducing demand on services

3.4.1 The Digital Kirklees (Digital by Design) Programme is picking up pace and will shortly have the new “**Citizen Account**” ready for release to the Community. This will be a significant development for residents to access information and services 24/7 through an online account, and also make the delivery of the service far more efficient and effective. Examples below:

- **Parks and open spaces** – Fieldworkers are now fully mobile, able to report and deal with issues without going into the office; this has reduced travel and data input by admin staff into the back office.
- **Memorials** – providing the ability for citizens to order or renew memorials; savings in face to face staff time and printing out brochures, order, orienting out brochures, map of grounds where memorial can be placed
- **Waste Recycling Centre permits** – 114K permits have now been issued; SITA have access to handheld devices to check permits and report issues on site. Rich business intelligence on site activity being actively used.
- **Application for new Taxi Driver licence** - reducing face to face interactions from five to two and enabling new drivers to book, pay, rearrange/cancel appointments by self-service
- **Council Tax statements** – residents can access their statement using account number and postcode. Includes payments made this year, next payment date and amount, yearly breakdowns where debt is outstanding from previous years.
- **Pothole reporting** – enhanced to assist workforce by capturing map coordinates and address when reporting.

3.4.2 **The Innovation Centre** - As part of the Digital by Design programme we have established an Innovation Centre; adopting proven, best practice principles and ways of working derived from the Government Digital Service (GDS). This translates into using a much more modern, agile and collaborative way of working with services; the approach proving to be very beneficial and allowing new digital services to be delivered at pace and savings realised quickly.

3.4.3 In the Customer Service Centres occupancy levels of services are being reduced by using robust data and performance intelligence. By using data to reduce the usage of booths in the centres this can mean more services can work out of the centre, therefore reducing demand on Council owned buildings.

We need to ensure:

- We commission and provide accessible, responsive, quality and cost effective services to our customers, and are clear if and why we cannot provide a service to a customer.
- Increased consistency and quality of information and advice provided, with greater depth fulfilled at the initial point of contact.
- Staff are empowered and trusted to resolve issues that customers raise – specialist support is available to be called on to increase fulfilment.
- Consistent customer experience across all channels – most customers self-serving as a preference

- A single view of customers is developed and shared in accordance with agreed protocols and permissions.

#### 3.4.4 Underpinned by a **Mobile and Agile Workforce**

- **Making the Workforce fully Mobile and Agile**, able to work from any partner, home, field or remote location, or from the EIP hubs, with the full functionality to fully execute their role without the need to return to a base or undertake previously essential travel.
- **Making the Council Paperlite**, ensuring that all mail, files, archives, operational documentation are captured, stored and delivered to the place of need fully electronically, dispensing with production, storage, archiving, retrieval, and transport costs, together with relieving many current document archiving issues and risks.
- **Making the Council Collaborative**, able to work closely with partners at disperse locations , fully functional and effective regardless of their location, preferred technology, or security level, enabling decreased travel and associated time, and subsequently increased time collaborating and delivering.
- **Keeping the Council Enabled**, in both a leading position to deliver to the community through collaborating with partners by ensuring the technology barriers of an out of date infrastructure do not impede delivery, and ensuring that the Council remains secure and compliant with its desktop estate while operating in more open environments.

#### 3.4.5 The Customer Journey Case study:

Although I can access lots of information on the Council's website I sometimes need to speak to someone. I am helpfully directed to a customer service officer who can usually help me with common things like housing benefit, planning, and noise nuisance. If my enquiry is a little more complicated then they connect me to a specialist there and then which means I'm not left waiting to be contacted or worse still having to ring back.

Recently my father had a nasty fall which has left him with mobility problems, but when I spoke to the Council they told me about all the help and support he could get and arranged a visit. I was also directed to BetterOffKirklees, where I could undertake a single assessment to find out what financial support he may be eligible for and to complete the appropriate forms online. He now gets Attendance Allowance, a blue badge and help towards care costs.

### 3.5 Other (eg Legal/Financial or Human Resources)

- 3.5.1 It will be important to ensure that staff become ambassadors of the Access to Service Strategy. There is a requirement to change the way the community and staff think around services, staff empowering the community to do more for themselves. The Council's Target Operating Model sets out these expectations. **See Appendix A**
- 3.5.2 As mentioned at paragraph 1.5 of this report members are requested to read the Appendix B which contains the Equality Impact Assessments so as to be able to discharge the public sector equality duty before making their decision .

3.5.3 Section 149 of the Equality Act 2010 places a duty on the council in carrying out its functions to have due regard to the need (a) eliminate discrimination; harassment; victimisation, and any other conduct that is prohibited by or under the Act; and (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. Section 149(7) of the 2010 Act set out the protected characteristics which are age, disability, gender reassignment; pregnancy and maternity, race, religion or belief, sex and sexual orientation .

#### 4. **Consultees and their opinions**

4.1 **Access to services** - previous engagement work and consultations in the last few years has told us:

*From Budget consultation 15/16 (in 2014; c4600 people in 2 phases; surveys) and Budget consultation 16/17 (in 2015; 1400 people; survey)*

On how they contact the council:

- **81.5%** support for ‘the council should **use modern technology to deliver services** and reduce costs wherever possible’ (vs 18.5% support for ‘Modern technology doesn't really suit me - I need to have other options available to me’)

On the locations where people access Kirklees services:

- **74%** support for ‘I would generally **prefer to travel to a central location**, with a wider range of services available’ (vs 26% support for ‘I would generally prefer to travel to separate places to access different services’)
- **71%** felt positive about **removing more expensive payment options** and promoting Direct Debit and Debit Card payments (20% felt negative)
- **65%** agreed that the council should **sell some of its assets** (land and buildings) for cash

4.2 Elected Members agreed the above principles but stressed the need for due regard to the more vulnerable in society and asked that Equality Impact Assessments were robust and reflected any changes to the way customer’s access our services.

#### 5. **Next steps**

5.1 Officers will continue to implement the move to the new Access to Services Strategy outlined in the report. Member’s approval will give officers a clear steer on the principles they need to take into account when designing or reconfiguring services in future. Further reports will come back on any future plans which impact on Access to Services (as appropriate)

#### 6. **Officer recommendations and reasons**

Cabinet is asked to:

- A) Approve the principles in the paper and agree the “Access to Services Strategy” as described above.

- B) Note that many of the principles are already being implemented through previous decisions but note that they form part of the wider strategy
- C) Note that there are more steps to be taken to implement this and to develop the principles further
- D) Note that there will be further reports back with future decisions as appropriate to develop the Access to Services Strategy further once work has developed more with services on the principles outlined in this report.  
Portfolio Holders will be kept updated on progress and any further decisions required.

**7. Cabinet portfolio holder's recommendations**

Joint portfolio holders, Councillor G Turner and Councillor M Khan note the report and the strategic principles and ask that the report proceeds to Cabinet.

**8. Contact officer**

Carol Stump  
Access Strategy and Delivery  
[carol.stump@kirklees.gov.uk](mailto:carol.stump@kirklees.gov.uk)  
(01484) 221000

**9. Background Papers and History of Decisions**

- Proposal for Early help for Children, Young People and Families – Cabinet Report 17 Jan 2017.
- Customer Service Centre Reports to Cabinet 8 Nov 2011 and 21 Jun 2011.

**10. Service Director responsible**

Dave Thompson - Head of Access Strategy and Delivery  
[dave.thompson@kirklees.gov.uk](mailto:dave.thompson@kirklees.gov.uk)  
(01484) 221000

Rachel Spencer-Henshall - Service Director - Policy, Intelligence and Public Health  
[rachel.spencer-henshall@kirklees.gov.uk](mailto:rachel.spencer-henshall@kirklees.gov.uk)  
(01484) 221000

## **Appendix A Target Operating Model (People Layer)**

### **People Layer: Customers**

**The design of Council services is driven by an understanding of customer need.**

- Customer demand will change as service delivery models become embedded. Overall, customer demand is expected to decrease.
- As the high-volume transactions are moved online, customers presenting face-to-face and on the phone are likely to present us with more complex and time consuming issues, along with an increase for information, advice and guidance and related signposting.
- The sharpest increase in customer contact is expected in the area of adult social care and health, given the population change amongst the elderly and particularly over 85's. However, contact is more likely to come from an advocate of this population group.
- Customer service/front-line staff will be empowered to make decisions that best meet customer needs
- Customer experience, feedback and insight will be used to shape service delivery and drive service improvement
- Customers can expect high-levels of service being dealt with/fulfilled at the first point of contact (c.80%).
- Customers will expect a greater degree of joining-up and personalisation based on their situation/circumstances
- Customers will increasingly use self-service and self-management facilities
- Increasingly, customers will need and expect to be involved directly in the design of services to meet their needs.

### **People Layer: Staff**

**As part of transforming services, staff will be working in a modern, flexible and emotionally intelligent organisation:**

- Our staff profile reflects the requirements of the council's Joint Health and Wellbeing Strategy and the Kirklees Economic Strategy
- Managers will be actively encouraging new ways of working and transformational thinking
- We will have cross directorate and inter-service working as a well-established norm across the Council
- Managers will be utilising a coaching leadership style to build long-term capabilities which is improving organisational performance

- Performance Management will be ensuring that goals are consistently met in an effective and efficient manner
- Staff will clearly understand their role and how they contribute to the wider vision of the Council
- Staff will be flexible, motivated, and productive and empowered to use their creativity
- Behaviours will have become an embedded part of the Council's culture. All staff demonstrate the standards/expectations of them
- We will have an established, modern, proactive working relationship with representative trade unions

### **People Layer: Community**

**The Council will pursue a new relationship between the Council and local people. It will focus on building healthy and resilient communities who are able to do more for themselves and each other.**

Staff – equipped with the right skills, knowledge, understanding and support – always seek to draw and build on the strengths and assets of individuals and the community, focusing on the capacities of citizens, not their deficits. The services and systems they work with empower and support them to do this.

- The Council focuses on enabling people to connect to the available resources in their neighbourhoods. Staff roles and purpose are redefined as enablers and connectors. Community life and social networks are stronger so communities are more resilient and able to do more for themselves and each other.
- Citizens and communities can draw on our intelligence to enable heightened knowledge in communities.
- The Community and Voluntary Sector is strong, sustainable and diverse. Better outcomes for local people have been achieved through a strong, effective relationship between the council and the VCS, who work together to plan and deliver services in new ways. Services and outcomes are shaped by active, independent and resilient citizens.
- There is a culture of leadership in Kirklees' key organisations that naturally promotes, enables and nurtures volunteering and all kinds of social action. It is easy for citizens to take part in their own way, applying their time and skills to our most pressing challenges
- Staff are skilled at supporting, mobilising, managing and valuing volunteers and take an impact focus.
- Innovative and impactful community activity has been enabled through building relationships, collaborating and sharing stuff, space and skills.
- Investments are made at a grass-roots level to maximise return on the Council's investment.

## Appendix B

The following Equality Impact Assessments are relevant to this report:

### Adult Commissioning and Public Health Directorate

EXAD1 [Medium risk service efficiencies](#) – mentions self-assessment using online tools

### **Communities, Transformation and Change**

[EXCT1 Community Capacity](#)

### **Early Help Offer**

#### **EXCH5 & EXCH6**

[Early Help EIA additional info Jan 17.docx \(49.88Kb\)](#)

[Early Help EIA Template - Stage 2 Jan 17.doc \(106.5Kb\)](#)

[Early Help EIA Template Sept 16.xlsm \(58.56Kb\)](#)

[EIA map Batley Spen Jan 17.pdf \(1688.56Kb\)](#)

[EIA map Dewsbury Mirfield Jan 17.pdf \(1984.1Kb\)](#)

[EIA map Huddersfield Jan 17.pdf \(1825.26Kb\)](#)

[EIA map Kirklees Rural Jan 17.pdf \(2460.12Kb\)](#)

[EPS3 EIA Stage 1 Oct 2015.xlsx \(35.24Kb\)](#)

[EPS3 EIA Stage 2 Oct 2015.doc \(48.13Kb\)](#)

[EPS4 EIA Stage 1 Oct 2015.xlsx \(34.71Kb\)](#)

[EPS4 EIA Stage 2 Oct 2015.doc \(48.13Kb\)](#)

[vssver2.scc \(0.74Kb\)](#)

Documents relevant to the report that went to cabinet in January 2017 are available [here](#)

### **RE12 Access to Services**

[RE12 EIA Stage 1 Access to Services.xlsx \(47.04Kb\)](#)

[vssver2.scc \(0.24Kb\)](#)

### **Digital by Design**



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**Name of meeting:** Cabinet  
**Date:** 17<sup>th</sup> October 2017  
**Title of report:** Reasonable Behaviour Policy

**Purpose of report:**

‘To seek support and approval for the Council’s new Reasonable Behaviour Policy’

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a>	No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Director</u> & name	Chief Executive
Is it also signed off by the Service Director - Finance, IT and Transactional Services?	
Is it also signed off by the Service Director - Legal, Governance & Commissioning?	Yes
Cabinet member <a href="#">portfolio</a>	Leader of the Council - Cllr David Sheard Deputy Leader of the Council - Cllr Shabir Pandor

**Electoral wards affected:** All

**Ward councillors consulted:** None

**Public or private:** Public

## 1. Summary

Kirklees Council is committed to providing a fair, consistent and accessible service for all our residents and the people we deal with. We feel they have a right to be heard, understood and respected, across a wide variety of forums and mediums. In return, the Council expects its employees and councillors to be respectful and in turn be treated in a respectful manner.

Unfortunately in a small number of cases these standards are not adhered to. Often, the actions of some individuals result in unreasonable demands that could affect the service we provide to others (because the demands made are disproportionate to the matter causing them concern which leads to extra time being taken by staff to resolve

or investigate the complaint), or communicate with us in a manner which causes unreasonable offence and upset to our staff and councillors.

After informal discussions with Cabinet, officers were asked to look at developing a clear policy about unreasonable behaviour and to start to take a much more proactive and robust response in identifying such actions and in how these behaviours / cases are dealt with. Whilst it is understood that people sometimes get frustrated or become disappointed when we cannot offer the outcome they wish; we will no longer tolerate behaviour which is deemed unacceptable, threatening, abusive or unreasonably persistent and will take a strong line where actions contravene this policy.

The Council will have a new start in terms of dealing with vexatious individuals and will take a more proactive approach to managing behaviour in the future.

The aim of the policy is to help residents, councillors and staff understand what we mean by unreasonable behaviour and explain how the council manages such cases. It includes examples of said behaviour and sets out a series of measures the council will take to limit the impact and try to resolve the matter.

The scope of this policy is widespread; it is applicable in all settings including formal meetings and appointments, public meetings, telephone calls, written correspondence and social media

We are also looking at our complaints procedures, the way we manage meetings and interchange with individuals in the above settings. We will provide guidance and help to members of staff and councillors about the impact of this policy and what to do in the event that someone behaves unreasonably.

## **2. Information required to take a decision**

The Council already have a robust formal complaints procedure in place and are able to deal with the numerous issues that come our way. However, we do not have anything in place that specifically sets out the type of behaviour or actions we consider unacceptable or how we formally expect staff to deal with such incidents.

The objective of this policy is to readdress the current situation where we have a number of individuals who constantly display behaviour that is unacceptable and affects service delivery for others. The Policy aims to manage the behaviour and expectations of those individuals whilst supporting staff in dealing with the situation

## **3. Implications for the Council**

Without such a policy we are hindering how we deal with cases of unreasonable behaviour and are not supporting staff and councillors who have to deal with such incidents. The implications of an individual's unreasonable behaviour is widespread including reducing a service's ability to deliver to other residents, causing distress and upset to staff or councillors, spending unnecessary time on issues that have previously been fully addressed and preventing officers from doing their job.

## **4. Consultees and their opinions**

n/a

5. **Next steps**

Once approved, the policy will be published on the council's website. There will also be further guidance and training developed for both staff and councillors about the policy and its impact on their work/ activities.

6. **Officer recommendations and reasons**

For Cabinet to:

- Support and approve the new Reasonable Behaviour Policy
- Recommend that the policy be reported to Council for information and endorsement by all members

7. **Cabinet portfolio holder's recommendations**

Cllrs David Sheard and Shabir Pandor recommend that the policy is approved and taken forward to Full Council.

8. **Contact officer**

Chris Read, Corporate Customer Standards Officer  
Email: [chris.read@kirklees.gov.uk](mailto:chris.read@kirklees.gov.uk)

Nick Howe, Corporate Policy Officer, Policy Unit  
Email: [nick.howe@kirklees.gov.uk](mailto:nick.howe@kirklees.gov.uk)

Alun Ireland, Communications & Marketing Team Manager  
Email: [alun.ireland@kirklees.gov.uk](mailto:alun.ireland@kirklees.gov.uk)

9. **Background Papers and History of Decisions**

N/A

10. **Service Director responsible**

Julie Muscroft; Legal, Governance & Commissioning

# Kirklees Council's Reasonable Behaviour Policy

September 2017

## Introduction

Kirklees Council is committed to providing a fair, consistent and accessible service for all our residents. We feel they have a right to be heard, understood and respected.

Occasionally the behaviour or actions of individuals makes it very difficult for us to help or to respond to their points, issues or complaints. In a small number of cases the actions of certain persons results in unreasonable demands that affect the service we provide to others, or communicate with us in a manner which causes offence and upset to our staff. The Council will no longer tolerate poor behaviour and will take a much more proactive response in identifying such actions and the how these cases are dealt with.

Kirklees Council expects its employees and councillors to be respectful and in turn be treated in a respectful manner. Whilst it is understood that people sometimes get frustrated or become disappointed when we cannot offer the outcome they wish; we will no longer tolerate behaviour which is deemed unacceptable, threatening, abusive or unreasonably persistent and will take a strong line where actions contravene this policy.

## Purpose

The aim of this policy is to set out what our understanding is of unreasonable behaviour and provide a clear procedure for how we will deal with individuals who display such actions. It will strengthen the existing complaints procedure and ensure the Council responds more assertively to poor behaviour.

It replaces the 'Unreasonable Persistent Complainant Policy' and emphasises a more assertive and immediate approach for dealing with individuals who display unreasonable behaviour.

The policy will help employees, members of the council and residents to understand our approach to managing those individuals whose actions or behaviour are considered unacceptable and are either having a harmful impact on our staff or our ability to provide a consistent level of service to others. It will enable challenging situations to be dealt with more quickly and prevent issues prolonging.

It includes examples of what we mean by unreasonable behaviour and sets out a series of measures the council will take to limit the impact and resolve the matter. The scope of this policy is widespread; it is applicable in all settings including formal meetings and appointments, public meetings, telephone calls, written correspondence and social media.

## Background

Individuals are entitled to share their views on how the council should operate or on wider aspects of how the council is managed and run. They may attend public meetings to express their views, become involved with the decision making processes or comment on social media. They are also entitled to make complaints about services they receive. The council has a robust and formal complaints procedure (available at [www.kirklees.gov.uk/complaints](http://www.kirklees.gov.uk/complaints)). Residents can also contact the council's Audit Department or Customer Standards Officer confidentially if they have any evidence of impropriety.

However, if people pursue their concerns or behave in an unreasonable way then the council may have to modify the way it responds to that individual. If this behaviour continues then the council will take a more proactive and assertive approach to managing such behaviour in the future.

### Examples of unreasonable behaviour and actions

The following list offers examples of actions and behaviours which can be deemed as unreasonable and/or unreasonably persistent. It is by no means exhaustive but is designed to give an indication of the type of behaviour that is considered unacceptable. For further advice, please contact the Corporate Customer Standards Officer.

- Shouting and/or behaving in an aggressive or threatening way (*To be clear, an individual does not have to make explicit threats or physically swear before officers might conclude that their behaviour is inappropriate*)
- Making physical threats to staff; e.g. threatening violence, to physically follow staff, stalking staff on social media, finding out personal information about staff, taking images and recordings when requested not to etc. (the council has a separate advice note on staff being recorded)
- Attempting to belittle staff members; e.g. making unsubstantiated comments about an officer's competence to a series of senior managers, making comments about physical appearance or attributes, referring to unrelated historic cases, threatening to put individual names into the public domain (press/blog/social media etc)
- Disrupting council business at meetings and ignoring set meeting processes and agendas
- Making unsubstantiated and potentially libellous or slanderous comments about the service or council e.g. accusations of fraud, personal financial gain, inappropriate relationships, membership of private organisations etc
- Progressing an aggressive campaign against the council and its officers when in pursuit of a personal beneficial outcome
- Being very unclear about what actual outcome they might wish to see, or having a varying set of demands
- Unreasonable pursuit of a complaint
- Refusing to accept that certain issues are not within the Council's scope/remit
- Insisting on their complaint or query being dealt with in ways that are incompatible with the Council's complaints procedure
- Contacting us repeatedly about the same or similar issues when we are unable to add any further information to that which has already been provided

- Making unreasonable demands on the time and resources of staff, such as excessive phone calls or detailed emails and letters every few days
- Changing or denying statements made at an earlier stage (aside from where it is considered there had been a genuine error)
- Submitting repeat complaints or FOI requests essentially about the same issue(s) with minor additions/variations which the resident insist make these 'new' issues
- Raising numerous, detailed questions that are immaterial to the case or complaint
- Using racist or discriminatory tone and language

### **What actions/measures can be taken to stop or limit the behaviour?**

The actions that can be taken will depend upon the nature and extent of the individual's behaviour, as well as the context. For example the approach taken to inappropriate behaviour in a public meeting will need to be more immediate than say a written correspondence or interaction on social media. Any action taken should be appropriate and proportionate to the nature and frequency of the individual's contacts with the council.

#### **Stage 1: Initial Contact and actions**

In most cases the individual will initially be sent a letter by a senior officer setting out that their conduct is becoming a concern. The letter should ask that the behaviour exhibited is moderated and will suggest, where appropriate, a code of behaviour and responsibilities. If the unreasonable behaviour persists and becomes more regular then there are a number of tools that can be considered; which one to use depends upon the situation and circumstances. They include:

- Writing a letter offering the individual advice about the contact, and setting out more information about the process and how the decision was made
- Request individuals substantiate claims regarding members of staff, councillors, service delivery etc whilst being mindful of communication and equality issues
- Advising the individual to progress matters through the complaints procedure or any relevant appeals procedure
- Advising the individual to see external review where relevant (such as Ofsted, the Information Commissioner, the Housing or Local Government Ombudsman etc)
- Suggesting mediation/training/ learning
- Involving the Police
- Considering legal action to restrict access to officers

Where possible any action should be agreed and decided by a senior manager, and/or the Corporate Customer Standards Officer. This will ensure there is no connection between any staff member who felt concerned by the contact and the determination of the subsequent action taken against the perpetrator, which will help depersonalise the situation and deescalate any negative personal feelings.

Obviously the council response needs to be measured, proportionate and the implications considered. For example, we do not take any decision to involve the Police or to take legal

action without careful consideration.

Staff should always consider how they interact with a complainant; many long-term incidents escalate because the customer believes an officer or the council is in some way abusing their power. Decisions should be clearly outlined and explained, with reference to the appropriate procedure and/or legislation if available. Officers should recognise the individual's point of view, even if they don't accord with legislation and procedures. Demonstrating some empathy with the individual can go a long way to show that you understand their concerns.

## **Stage 2: Further action and responses**

If the above terms and conditions are contravened and the unreasonable behaviours or actions persist then the senior officer will consider, along with the Corporate Customer Standards Officer implementing other stronger action such as;

- The service concerned should appoint a named officer to deal with and review any future correspondence or contact from the individual. When reviewing any future correspondence, the officer should consider whether this relates to an existing issue or whether it is a new concern.
- Advise the individual they have exhausted the complaints procedure and confirm there is nothing to add to the points already raised. Explain that further contact with the council on this specific issue will be noted only. If the individual has not already done so, they may contact the Ombudsman
- If the matter relates to a council policy or decision which the individual continues to raise at meetings, it may be pointed out that the matter has been considered, the individual's opinion taken into account, and the opinions of others also. If the individual feels there is an issue around "process" about how the decision has been formed, the council will consider if there is a formal appeals or review process for the individual to progress matters. However, it will not continue to spend time discussing matters.
- In telling an individual their contact and behaviour is unreasonable, our letter should clearly set out;
  - The impact their action is having on the service
  - The reasons for our decision
  - The restrictions imposed on the customer access
  - The time limit for the restriction
  - The remaining points of contact
  - A right to appeal the decision
- Decline contact with the individual either in person, by telephone, by letter or email, provided that one form of contact remains open via a nominated contact. This will be for a fixed period not exceeding 12 months but will in most circumstances be 6 months. The Corporate Customer Standards Officer will investigate and decide which other service contact needs to be advised that an individual has been considered as unreasonably persistent or vexatious.

### **What can an individual do to challenge the Council's decision?**

Our staff members come from all walks of life and have many different personal experiences and tolerances. When considering a concern about individual behaviour and how to respond to it, senior managers will discuss the situation to determine what happened, and whether the council could have dealt with matters in a different way. Senior managers will also consider any other relevant incidents involving the staff member. In this way, we intend to consider the situation from the individual's point of view at the time the matter is considered, although we must also fully recognise that some behaviour is simply unacceptable irrespective of the circumstances.

If an individual wants to challenge the Council's decision they will need to set out in writing what their concerns are, and how they see the matter being addressed. It would be helpful for them to explain their view of the context behind their behaviour. It is rarely useful for the council to speak with individual witnesses and the evidence contributing to the decision to restrict an individual's access is not as rigorous as it might be in a court of law. It is also worth bearing in mind that while a restriction on access to services can be inconvenient there are never any circumstances where access to the council and its services might be fully withdrawn.

### **How does the Council review the decision?**

At the end of the review period, the council considers the contact during the intervening period. If it feels that the individual has not attempted to contact the service inappropriately, and there is no other information in relation to the individuals' behaviour (the council may receive information via partner organisations, or even the local press for example) then it may well consider restoring access to the individual. It may also ask the resident to commit to contact the council in a reasonable way in future and to not approach officers about historic concerns.

### **What training does the council provide to assist employees to manage unreasonable behaviour?**

The council provides a range of training options which may help employees and councillors to anticipate difficult situations, prevent them from arising or escalating if possible and diffuse them when they occur. We will continue to assess the impact of this policy as well as developing the training and support offered to employees and councillors.

**August 2017**

#### **Key Links, documents and other relevant complaint processes**

Kirklees Council's Compliment and Complaints Procedure

<http://www.kirklees.gov.uk/beta/contact-the-council.aspx#complaints-comment>

Childrens Complaints: statutory complaints process

<http://www.kirklees.gov.uk/beta/contact-the-council/children-young-people-complaints.aspx>



Business Rates/Council Tax: Valuation Tribunal -

<https://www.valuationtribunal.gov.uk/your-appeal-type/council-tax/>

and <https://www.valuationtribunal.gov.uk/your-appeal-type/business-rates/>

Housing Benefits: Tribunal Service

<https://www.kirklees.gov.uk/beta/benefits/pdf/housing-benefit-appeals.pdf>

Planning Inspectorate

<https://www.gov.uk/government/organisations/planning-inspectorate>

School Admissions Appeals Panel Process

<https://www.kirklees.gov.uk/beta/admissions/pdf/pupil-admissions-appeals.pdf>

Local Government Ombudsman

<http://www.lgo.org.uk>

Housing Ombudsman

<http://www.housing-ombudsman.org.uk>

Department for Education (some Schools and Childrens Service matters)

<https://www.gov.uk/government/organisations/department-for-education/about/complaints-procedure>

Standards Process

<http://www.kirklees.gov.uk/beta/contact-the-council/councillor-complaints.aspx>

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**Name of meeting:** Cabinet  
**Date:** 17 October 2017  
**Title of report:** KNH Performance

**Purpose of report**

To update Cabinet on the performance of Kirklees Neighbourhood Housing (KNH) in delivering services for tenants and residents over the last financial year

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No If yes give the reason why
Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a>	No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Director</u> & name	Naz Parkar - 4.10.17
Is it also signed off by the Service Director for Finance, IT and Transactional?	Debbie Hogg - 6.10.17
Is it also signed off by the Service Director - Legal, Governance and Commissioning?	Julie Muscroft - 21.09.17
Cabinet member <a href="#">portfolio</a>	Cllr Cathy Scott - Adults and Public Health (Housing Delivery)

**Electoral wards affected: All**

**Ward councillors consulted: N/A**

**Public or private: Public**

**1. Summary**

- 1.1 KNH is an arms-length management organisation which is wholly owned by the Council. This means that ownership of all the housing stock and land remains with the Council and the tenants are Council tenants.
- 1.2 The Council commissions KNH to implement Council policies and achieve joint outcomes for the benefit of the people of Kirklees.
- 1.3 The attached annual report to Cabinet and Council is part of the governance arrangements which enable the Council to hold KNH to account. This is supported through a variety of mechanisms including :-
  - a. Councillor representation/nomination on the Board of KNH. There is a direct line of accountability through the Council political nominees from each party on the KNH board. This strengthens direct accountability to the Council.
  - b. Direct reporting to the lead Portfolio holder / Place by Service Director Economy, Regeneration & Culture and KNH Chief Executive.

- c. Monthly reporting to the corporate resource briefing on the management of the Housing Revenue Account.
- d. The Service Director Economy, Regeneration & Culture and the head of Housing have a primary role in holding KNH to account. This has been supported by internal mechanisms including monthly liaison and quarterly reviews.
- e. In addition to the representation of tenants and residents views by Councillors, KNH has challenge through tenant scrutiny; Published annual reports with feedback channels available; Independent surveys which check tenants' perceptions. On an annual basis an independent comprehensive survey takes place to gain the views of over 500 randomly selected tenants.

1.4 The attached report looks at achievements against and progress towards :-

- KNH's contribution to Council and its partner's strategic priorities.
- The Council's core housing management and maintenance contractual requirements of KNH. Successes included :-
  - Creating a new organisation through the merger with Building Services.
  - Merger delivered in partnership with the Council ahead of a challenging schedule.
  - Medium Term Financial Plan developed in collaboration with the Council - this meant reassess/refresh/reset the 30 Year Housing Revenue Account (HRA) Business Plan and affordability model to deliver the required savings and a balanced account.
  - Overall tenant satisfaction of 81%.
  - 97% of tenants who have had repairs are satisfied with the service.
  - Properties - 99.8% occupancy rate.
  - Total rent due for the year 2016-17 was £81m, of which 97.4% was collected by KNH – a top quartile result within an increasingly challenging climate.
  - 72,785 responsive repairs carried out.
  - Appointments made and kept rose to a new high of 96.44%
  - 97.22% of anti-social behaviour cases were successfully resolved by the Safer Kirklees partnership.

1.5 The report also highlights opportunities and challenges including, but not limited to, national policy changes and the related budget implications.

## **2. Information required to take a decision**

2.1 The attached report is for information. No decision is requested.

## **3. Implications for the Council**

The management and maintenance of Council housing is delivered effectively in Kirklees within the allocated resources.

The perception of tenants and residents is positive towards the Council / KNH.

- 3.1 Early Intervention and Prevention (EIP)  
No impact
- 3.2 Economic Resilience (ER)  
No impact
- 3.3 Improving Outcomes for Children  
No impact

3.4 Reducing demand of services  
No impact

3.5 Other (e.g. Legal/Financial or Human Resources)  
No impact

#### **4. Consultees and their opinions**

N/a

#### **5. Next steps**

5.1 KNH take on board feedback from Cabinet and continue to work in partnership / work towards delivering the Council's strategic objectives as outlined in the delivery plan.

5.2 The report is shared for information at Council in November/December 2017.

#### **6. Officer recommendations and reasons**

6.1 Cabinet note the achievements of the last financial year and the basis on which KNH are commissioned to deliver services/outcomes.

#### **7. Cabinet portfolio holder's recommendations**

There has been significant joint work between KNH and the Council this year as well as excellent direct services delivered by KNH. Cabinet to note the positive impact for the people of Kirklees.

#### **8. Contact officer**

Helen Geldart, Head of Housing Services

Direct dial: **07976 497659**

Email: [helen.geldart@kirklees.gov.uk](mailto:helen.geldart@kirklees.gov.uk)

#### **9. Background Papers and History of Decisions**

9.1 KNH performance report - please see Appendix A.

#### **10. Service Director responsible**

Paul Kemp, Service Director - Economy, Regeneration & Culture

(01484) 221000

[paul.kemp@kirklees.gov.uk](mailto:paul.kemp@kirklees.gov.uk)

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Kirklees Neighbourhood Housing

# ▶ Annual Report

2016/17





# ▶ Contents

<b>04</b>	Chair's Welcome	<b>28</b>	Financial Performance
<b>06</b>	CEO Introduction	<b>30</b>	Social Responsibility
<b>08</b>	Our Business	<b>32</b>	KNH Board
<b>10</b>	Our People	<b>36</b>	Company Information
<b>12</b>	Community Engagement and Investment		
<b>16</b>	Our Neighbourhoods		
<b>18</b>	Letting Our Homes		
<b>20</b>	Repairs and Investment in Council Homes		
<b>22</b>	Rent Collection and Debt Advice Services		
<b>24</b>	Private Rented Sector		
<b>26</b>	How We Performed		





# ▶ Chair's Welcome

**This is the fourth Annual Report I have presented to the Council since I became Chair of KNH and I am pleased to say we have improved our performance year on year despite the challenges we all face across the housing sector.**

This Annual Report for 2016-17 is no exception. This is due to our great staff led by our new management team and to the dedication and hard work of my fellow Board members. A big thank you to all of them and to our Council colleagues who have worked alongside us in partnership for another year.

This has been a year of transition for KNH. In October, after months of hard work by colleagues from KNH and Kirklees Council, we merged with Kirklees Building Services, becoming a much larger organisation, with twice the number of staff and four times the budget (£60m). The merger was only the start of our transformation into a new body with the ambition to provide a wider range of integrated services in the future as the 'go to' housing organisation in Kirklees. It is a long journey, but an essential one, for our tenants and their communities.

External challenges such as the 1% rent reduction, the Housing & Planning Act and Welfare Reform are all having a direct impact on our ability to provide services for those who need them most. In such times, partners have to work ever more closely together, examine other ways of delivering services and use all the creativity and commitment we collectively have in planning and designing for the future.

KNH is part of the Kirklees family, and together, we help deliver the Council's corporate priorities and support our most vulnerable residents. We are proud to manage nearly 23,000 homes on the Council's behalf and are committed to doing everything we can to keep them decent places to live in and to protect them for future generations.

But we have always been about more than bricks and mortar, which this report exemplifies very well.

It tells a story of continuing high performance, strong achievements and a sense of pride in the work we do with our partners for our communities.

The housing crisis goes on, both nationally and locally. As I said last year we still have not answered the question posed at the full Council meeting in November 2014 "where are our children going to live?".

The sheer scale of the problem dwarfs our ability to respond adequately. The recent Shelter report that a million people could be homeless by 2020 is truly shocking.

We all need to prioritise building homes for our citizens and break down the barriers to achieving this. If we do not, nothing is going to change. I am hoping that the national debate and our local responses will see a step change in the coming year.

I would like to thank all the Group Leaders for their support to KNH this year and I would especially like to thank all our elected members who have helped our work in their communities with their knowledge and commitment to improving the lives of our tenants and their families. I thank Councillor Naheed Mather for her support and encouragement as Cabinet Member for the past year'.



## 23,000\*

homes proudly managed by KNH

\* number rounded up

**Dave Harris**  
Chair of KNH





# ▶ CEO Introduction

**2016/17 has been an exciting and busy year for KNH as we embarked on our journey to be the 'go to' tenant led housing organisation in Kirklees, to deliver social regeneration, be outward facing and the anchor organisation in our communities.**

Our fundamental achievement for 2016/17 was to create our new organisation and culture. In creating our new organisation in partnership with Kirklees Council we have established the medium and long term vision for KNH and signed the Partnership Charter and a new 20 year contract. Our focus is to maximise our reach by building effective relationships.

Critical to our success was to establish the financial structure for the new organisation. Co-production with the Council in 2016/17 enabled a smooth transition in April 2017. Our Medium Term Financial Plan has been developed in collaboration with Kirklees Council to reassess and reset the 30 Year Housing Revenue Account (HRA) Business Plan refresh the affordability model and deliver the required savings.

So our primary target to deliver the shadow organisation by October 2016 was completed 17th October 2016, with the New KNH commencing April 2017.

Sustain & improving our core business was critical at a time of change to prevent a reduction in quality of service. So in 2016/17 we focused energy on customer service and reviewed our customer service standards, our Customer Strategy & Communications Plan. We have connected complaints to service improvement to ensure our services reflect our tenants & community's needs through the delivery of personalised services to meet individual needs. Our tenant & community engagement work is increasing engagement with communities. During 2016/17 our key performance metrics remained strong.

We have continued to address the challenges of welfare reform and proactively manage the impacts of welfare reform by working in partnership and despite the challenges we have continued to deliver excellent rent collection performance.

As Universal Credit is rolled out we have enhanced our services to tenants and developed a close working relationship with DWP as a trusted partner. In partnership we have delivered a number of campaigns to provide information to customers.

We have been getting ready to respond to the Housing & Planning Act working with Kirklees to review the Tenure Strategy and prepare for fixed term tenancies. Despite

the introduction of fixed term tenancies the need for stability and sustainable tenancies within communities remains a priority.

Our focus on partnership, culture and communication is key to our success. We have developed, our KNH Behaviours and launched them April 2017. 2016/17 has been a transitional year setting the foundations for us to develop, grow and enable us to assess where we can have the most sustainable impact. KNH has the ambition to increase its level of engagement to work with the Council to deliver its strategic priorities. Working with is the way KNH works.

Looking forward to continuing our journey in 2017/18.



**Liz Cook**  
Chief Executive Officer, KNH



# Our Business

Through developing service plans we have a clear set of actions that will ensure that we deliver against the strategic priorities in 2017/2018 and place customers at the centre of all that we do.

The existing KNH brand has been refreshed to provide a more up to date and modern look. The refreshed brand will be gradually rolled out in line with the procurement of new fleet and staff uniforms in 2017/2018.



**2016/17 was a landmark year for KNH. In October, we completed a merger with Kirklees Building Services, signed a new 20 year contract and agreed a Delivery Plan with the Council.**

Our purpose remains the same, quality homes and services in successful communities and throughout the year, we continued to work closely with the Council to help deliver their key priorities around early intervention and prevention and economic resilience whilst creating the new organisation post-merger.

We have commenced the creation of a new refreshed ambitious organisation starting with a new vision and set of strategic priorities.

#### **The vision for KNH is to be:**

- The 'go to' housing and property organisation in Kirklees
- A social regeneration organisation
- Outward facing and the anchor organisation in our communities.

#### **The existing strategic priorities have been revised and are:**

- Sustain and Improve our Core Business
- Grow our New Organisation
- Develop and Drive a Strong Culture of Collective Endeavour and Partnerships.



# Our People

**Our staff are our greatest asset; our current and future success depends on making sure they are valued and engaged.**

**KNH welcomed a new Senior Leadership Team in 2016:**



Liz Cook CEO, Penny Gilyard Director of Resources, Heidi Thompson Director of Property and Christine Gummerson Director of Neighbourhoods.

One of our priorities for the year was to create a cohesive culture for our new organisation. One way we are doing this is with a new set of shared behaviours, which

have been developed in consultation with all our staff, the Board and Trade Unions.

The new behaviours – progressive, engaged, respectful, customer-focused and honest have been launched and we'll be embedding these throughout 2017/18.

We have also embarked on a comprehensive programme of training and internal dialogue with the new "Working With" programme. This is designed to embed a culture that provides high support and high challenge so as to drive up customer service and satisfaction. The engagement and feedback has been very positive to date.

Post-merger we now employ nearly 1000 staff. In terms of our gender profile 65% of our team are male and 35% female.

KNH has a Diversity and Inclusion Steering Group, chaired by an Independent Board Member and the Chief Executive. We have started using the Employers Network for Equality and Inclusion (enei) to help us improve, and during the year we have focused on an approach looking at protected characteristics.

In addition we have set up KNH Inspiring Women to support the development of women in the organisation. In 2017/2018 we will be looking to develop a BME Networking Group and LGBT Group.

Providing employment and development opportunities has remained a key focus in 2016/2017 and we delivered:

- 38 apprenticeships across the trades and corporate teams
- 9,641 hours of training in a wide range of subjects, including technical certifications, safeguarding, risk management, health & safety, professional qualifications, leadership, communications and customer services
- Offered a range of work experience placements and work taster days.

The recognised trade unions have played a vital role in supporting our staff through the merger and we continue to work together to build effective employment relations. KNH currently has 3 employees, who are full time convenors, a trade union learning representative and local stewards.

In terms of accreditations we have retained Investors in People and Customer Service Excellence and this is down to the hard work and dedication of our staff.

The focus of 2017/18 will be the reshaping of KNH, whereby we will work with the trade unions and staff on ensuring we have in place the right structures, job roles and resources to deliver the business.

To support the reshaping exercise and developing a high performing culture in KNH a new People and Organisational Development Strategy and Health & Wellbeing Strategy will be prepared. These strategies will support the delivery of our vision and priorities by ensuring we recruit, retain, reward, recognise, develop and support people with the right behaviours, attitude and skills and have a mind-set that is resilient, able to adapt to change and embrace innovation.

**65%**  
of our team  
are male



**35%**  
of our team  
are female





# ▶ Community Engagement and Investment

- We organised 15 summer play schemes with over 700 children attending activities including science, art, drama, growing, farming and forest schools
- 897 children took part in 164 play and young people's sessions, which we run with the Council's Integrated Youth Support Service to reduce anti-social behaviour, instil good behaviour and promote healthy habits and mutual respect between boys and girls
- Four of the ten volunteers involved in the scheme now have jobs in play work, thanks to the experience they gained on the programme
- We worked with six community groups to develop new volunteers and partnerships with local providers to establish externally funded play provision



- Our annual garden competition attracted 40 entries, and this year, we had our first ever 'best street,' where neighbours worked together on their gardens for the benefit of the wider community
- School children and older customers have taken part in 75 intergenerational music and craft sessions at our retirement living schemes. This has had a profound impact on the quality of life of some of our most vulnerable customers
- To help achieve all of this, we worked with 77 partners from a variety of sectors e.g. Barclays Bank, First Bus, Lawrence Batley Theatre, Huddersfield University, Kirklees College and PPG (formerly Johnsons Paint in Birstall). Close partnership work and new collaborations has helped unlock valuable resources to help customers living in KNH communities
- More than 400 older customers benefitted from 167 activity sessions to support their general health and wellbeing
- We teamed up with Kirklees College and the Library and Information Service to promote 'College in the Community.' By mid-March, 226 people had enrolled onto courses run by the college.

**Tenants into work – supporting the Councils Economic Resilience Strategy**



**Supporting the Councils goal of getting people to do more for themselves (active citizenship)**





- Our employment advisors supported 187 people with CV writing, helped 322 to do job searches and provided general advice to 231 people. The scheme helped 126 residents to gain a new qualification. A further 93 residents have found employment, 34 have taken up places on a training or apprenticeship programme and 157 have started volunteering
- We installed free WiFi in five community centres and 19 retirement living schemes, provided free digital skills training and started recruiting 'digital champions' – tenants and staff who help others develop IT skills
- Our play in the community and summer play scheme programmes have brought in an additional £141,000 of funding to our communities. External funding sources include BIFFA, Lottery, Royal Chemistry Society and District Committee funding
- We invested £14,700 in local community-led initiatives aimed at promoting health and wellbeing and reducing isolation, including lunch clubs, coffee mornings, Queen's birthday celebrations, school holiday activities, youth clubs and gardening schemes



- Our partnership with Fusion Giving, which runs a household recycling scheme, helped 1,116 tenants to obtain new or recycled goods. The scheme as a whole delivered nearly 8,000 separate pieces of equipment with 5,478 items (68%) going to KNH tenants.



**we invested**  
**£14,700**  
 in community health and wellbeing initiatives

**In 2017/18 we will:**

- Review our approach to tenant and resident involvement to ensure that a wider range of customers have a say in the decisions that affect their homes and communities through a broader range of channels
- Continue to develop relationships with local schools and community groups to improve opportunities for children and families
- Look at ways to increase the number of tenants who have internet access and IT skills
- Focus more resources on helping tenants into employment, education or training, which will help lessen the impact of welfare reforms
- Continue to work with a variety of partners to attract external funding and resources to support KNH and Council priorities, especially around economic resilience.





# ▶ Our Neighbourhoods

**We understand how important the local area is to our tenants and residents and aim to create neighbourhoods that are safe, clean and desirable places to live in.**

We work in partnership with other services, including the Council, Police and Communities Who Can to keep our estates clean, tidy and safe.

Several estate improvement schemes were completed and these included improving parking in Birkby; installing new fencing in Bradley, Golcar, Honley, Newsome and improving footpaths in Deighton, Honley, Lowerhouses, Newsome & Slaithwaite.

We worked with Kirklees Community Association (KCA) and the Council to obtain funding to install a £70,000 skate park in Wilton Park in Batley. The partnership was awarded £50,000 funding from Biffa Waste.



# 97.22%

of antisocial behaviour cases were successfully resolved

The Communities Who Can tenant scrutiny panel review of untidy gardens included a number of recommendations that we are currently implementing for example, introducing a gardening skills course with Kirklees College and reviewing the assisted garden scheme to make it more consistent.

KNH works closely with Safer Kirklees contributing to the Kirklees Hate Crime Strategy using our Hate Crime Action Plan. This plan helps us work with partners across the borough and contributes to building community cohesion. We continue to enhance our Safeguarding training, processes and procedures to ensure that we are doing our best for vulnerable people in our communities. 97.22% of anti-social behaviour cases were successfully resolved by the Safer Kirklees partnership.

### In 2017/18 we will:

- Continue to work closely with the Council to reduce waste and encourage more recycling on our estates
- Support the Safer Kirklees Team to help make sure we effectively deal with antisocial behaviour and protect our tenants and residents from harm.





# ▶ Letting Our homes

**We manage 22,321 properties this includes general needs, supported and affordable homes across Kirklees on behalf of the Council with a 99.8% occupancy rate.**

We understand that getting the right home is vitally important to tenants, so we work hard to get empty homes ready quickly and support those who need a little help to find the right place to live.

This year more than 11,000 people were on the housing register and we helped 2,750 of those find new homes, mostly with the Council but also in Housing Association and Private Rented properties.



# 816

people received extra help with bidding for a home

# 61

people were helped to downsize their home so are now no longer affected by the under occupancy charge

## Services for Older and Younger People

Our work to support the Councils early intervention and prevention strategies has continued and the Older People's Support Team helped 489 tenants living in and around our retirement living schemes with health, money, shopping and emotional support.

Within a year of moving into a retirement living scheme, 32% of new tenants felt their health had improved, 31% felt better about where they live and 31% felt that their social life had improved.

At the other end of the age scale, there were 109 new tenancies for 16 to 18 year olds. 94% of those had positive outcomes, for example getting into education, employment or training; being able to equip their homes with the essential items required to live; as a result, they no longer needed intensive tenancy support.



## Stronger Families

The Stronger Families consultants have held over 250 consultations with frontline staff supporting them in completing whole family assessments, working towards the stronger families outcomes and assisting Housing Officers in taking on key worker or lead professional roles. In addition 130 consultations have been held with other partners outside of KNH, who are working with families living in council properties.

## In 2017/18 we will:

- Continue to improve re-let times, so that tenants are able to move into new homes more quickly
- Introduce new processes, including risk assessments and annual visits, to help make sure tenants have the best chance of a successful and sustainable tenancy
- Work with the Council to make sure the allocations policy meets the requirements of new legislation such as the Housing & Planning Act and Welfare Reform.



# ▶ Repairs and Investment in Council Homes

**Our Property Directorate, including the former Kirklees Building Services team, work with tenants and our supply chain to make sure tenants' homes are safe and well maintained.**

We are always looking for new, energy efficient and environmentally friendly ways to improve our tenants' homes. 99.85% of our homes meets the Government's Decent Homes Standard, meaning they are modern, safe and warm.

## In 2016/17 we:

- Invested £18m in planned improvement and maintenance schemes
- We worked on 300 homes as part of our maintaining decency programme and carried out 350 rewires
- We installed 71 new communal doors, which not only look great but also make our flats more secure
- At Overthorpe, we installed new solar panels on 79 homes

- We treated 260 homes for condensation or damp problems
- We insulated 98 'hard to treat' homes and converted 77 all electric properties to gas
- We carried out £4m work on schools in Kirklees and £300k work for external clients



# 72,785

responsive repairs carried out

## Repairing Your Home

Measure	2015/16	2016/17
% of repairs carried out right first time	94.13%	94.2%
% of tenants who have had repairs satisfied with the service	95%	97%
Appointments kept	96.14%	96.44%



## In 2017/18 we will:

- Prepare a new Asset Management Strategy
- Develop a new approach to procurement with a new Sustainable Procurement Policy linked to local business and the economy including our social value commitments
- Invest £17.4m in refurbishment of Council homes
- Strengthen our approach to compliance and Health & Safety
- Review existing policies and processes
- Review the current fleet and transport strategy in partnership with Kirklees Council
- Over life chances through an Employment and Skills Strategy
- Develop our Growth Strategy that provides opportunities for our employees and local people
- Use efficiencies to modernise our workforce, invest in training for our people and maximise the use of technology
- Maximise the Apprenticeship Levy to provide opportunities for the people of Kirklees.

## Keeping You Safe

KNH and Kirklees Council have a legal obligation to ensure that Council homes are safe to live in. This means we have to carry out a service to all gas appliances every year and issue a gas safety certificate.

For the year 99.88% of the homes that KNH manages on behalf of the Council had a current gas certificate.



# ► Rent Collection and Debt Advice Services

**Benchmarking with similar organisations shows that we are one of the top performers in terms of current arrears, former arrears and service cost for rent collection.**

It's our job to make sure that we collect as much rent as possible so that we can continue to fund all the services that matter to tenants, as well as develop new ones to meet our customers' changing needs.

Our successful performance to date has been a result of operating an intensive early intervention approach to rent collection since the introduction of welfare reforms in 2012.

This means that we identify people who may be struggling to pay their rent or have other financial problems and provide general help and support or specialist debt and money advice for those who need it – things like practical budgeting support, money saving advice, help to access bank accounts, benefits advice applications to charitable trusts and support with legal debt arrangements.



## Key achievements for the year are:

- At the end of the year, rent arrears were £1,552,496, a reduction of £75,790 over the previous year and more than £98,000 under our own target
- There were 1285 referrals to our specialist debt advice team, an increase of 11%, largely because of problems caused by Universal Credit and the benefit cap
- We helped 61 tenants have nearly £70,000 of personal debt written off and made 98 applications for Debt Relief Orders
- We supported 102 tenants to claim all the benefits they were entitled to. They received an average of £58 extra per week

- We made 54 successful applications to charities resulting in awards totalling £20,000
- 125 children received presents at Christmas via KNH toy store
- The team also arranged for 81 food parcels and 24 fuel vouchers to be given to tenants via Kirklees Council's local welfare provision and local food banks.

## In 2017/18 we will:

- Continue to prepare tenants for the full implementation of Universal Credit, which begins in November 2017
- Increase the number of tenants paying their rent by Direct Debit to help prevent them falling into arrears.



# ▶ Private Rented Sector

**There is always much more demand for council housing than we have available, so we help tenants find new homes in other ways and work with partners to increase affordable housing in the area.**

We understand that getting the right home is vitally important to tenants, so we work hard to get empty homes ready quickly and support those who need a little help to find the right place to live.

This year more than 11,000 people were on the housing register and we helped 2,750 of those find new homes, mostly with the Council but also in Housing Association and Private Rented properties.

As well as managing council homes in Kirklees, we provide tenancy management services for a number of private landlords. The “KNHLiving” scheme aims to improve standards in the private sector; manage private homes for reluctant landlords; and increase the availability of well-managed homes for those who need them. As of March 2017, we managed 19 private rented properties.

We are also working with the council to buy back homes on our estates that were sold through right to buy and we’ve partnered with private investment company, QSH, on an innovative rent to buy scheme. In March, we let 15 new QSH homes at Upperthong.

Under the scheme, tenants pay affordable rents and have the opportunity to buy the property, with half of the tenant’s rental payments put towards the deposit they need to secure a mortgage to buy their home. We also signed a contract with QSH to manage 49 new homes in Chickenley.



**15**

new QSH homes at Upperthong let.



**2,750**  
people helped to find a new home

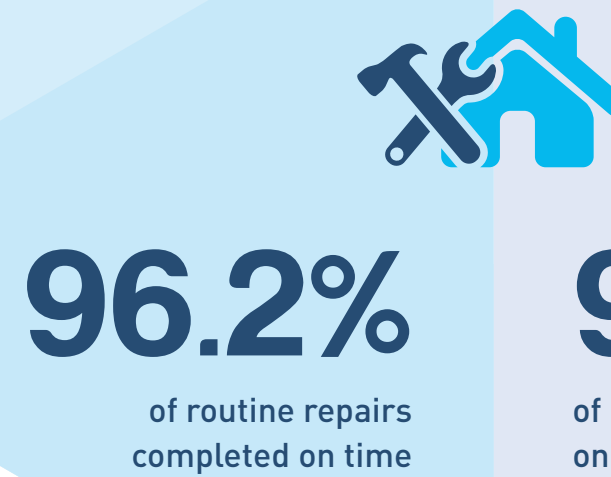
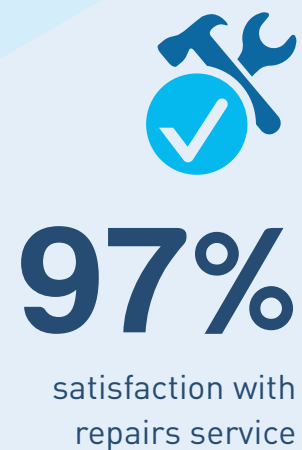
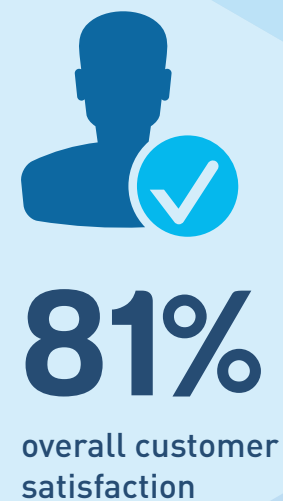
### In 2017/18 we will:

- Let and manage the new homes at Chickenley. These properties will all be managed under our innovative “rent to buy” model
- Review the KNHLiving Brand
- Continue to refine and develop KNHLiving by offering management and maintenance services to more private landlords. By April 2018, we aim to manage 50 homes under the KNHLiving brand.

# ▶ How We Performed

We will continue to review performance against our Service Standards, benchmarking against our peers and Value for Money Strategy.

In addition we will ensure that we involve our tenants and lease holders in consultations and challenge sessions to help KNH continually improve.





## Financial Performance

The Housing Revenue Account (HRA) funds all social housing and related activity for council owned properties in Kirklees. From this fund, Kirklees Council pay KNH a fee to manage housing services on their behalf, which in 2016/17 was £23M. In 2016/17 KNH had a turnover of £24M and in 2017/18 (post-merger) this is forecast to increase to £60M.

A key focus for the year has been the production of the Medium Term Financial Plan (MTFP) which sets out the budget for KNH for 2017/18 and indicative figures for the subsequent four years. This represents a step-change improvement in financial planning.

The HRA had been showing shortfalls of £354M on capital funding and £77M on revenue (£77M) over the 30 year profile. The remodeling work that we have completed has helped to show a breakeven position on revenue and the shortfall on capital funds reduced to only £17M over the revised 30 year profile. This is a substantial achievement and a really promising early example of strong partnership working under the auspices of the new management agreement.

The KNH Medium Term Financial Plan (MTFP) was developed to deliver annual savings of £8.1M by year 4 which was sufficient to deliver the balanced HRA over the 30 years described above. The top down budgets have been developed to incorporate these indicative savings but significant work needs to follow to firm

up on these savings given the transition to the new organisation and new Senior Leadership Team (half of whom joined KNH during quarter 4 of 2016/17).

The accounts reported a deficit of £31.9m, which includes the transfer of the pension liability of £28.1m relating to Property Services (Previously Kirklees Council Building Services Department) joining KNH. This is an exceptional item and will only be reported on the face of the income statement in the first year of transfer. The total pension liability as at 31st March 2017 was £33.9m (2016 - £7.4m) which is reported on the Balance Sheet. The deficit for the year excluding this transfer would have been £3.8m (2016 - £1.6m), which is made up of depreciation and other non-cash items.

## Value for Money

KNH is developing in 2017/18 a new Value for Money Strategy (VFM) using the principles of the 3Es:- Economy – how much things cost Efficiency – how efficiently things work Effectiveness – what we have achieved with the money we have spent. A value for money register will be created to capture and record the savings that we make.

## Income Statement for the year ended 31st March 2017

	31 March 2017 (£)	31 March 2016 (£)
<b>Turnover</b>	<b>23,622,784</b>	<b>15,426,225</b>
Administration expenses	(26,871,968)	(16,714,257)
<b>Operating Deficit</b>	<b>(3,249,184)</b>	<b>(1,288,032)</b>
*Transfer of pension liability	(28,115,000)	
	(31,364,184)	(1,288,032)
Interest receivable and other income	1,645	5,128
Other finance costs	(542,000)	(286,000)
	(31,904,539)	(1,568,904)
Tax on deficit	(2,858)	(3,917)
<b>**Deficit for the financial year</b>	<b>(31,907,397)</b>	<b>(1,572,821)</b>

\*The transfer of the pension liability relates to the amount that has been transferred to KNH as par of the transfer of Building Services. this balance is a one off exceptional item which will only be shown in the year of transfer and has been underwritten by Kirklees Council.

\*\*All costs are covered by a management fee from Kirklees Council. The deficit has arisen due to non cash items including depreciation and the accounting treatment of the pension liability under FRS102.

## Balance sheet as at 31st March 2017

	31 March 2017 (£)	31 March 2016 (£)
*Fixed assets	98,912	-
**Current assets	8,885,648	3,401,908
Creditors	(7,479,035)	(1,151,986)
Total assets less current liabilities	1,505,525	2,249,922
***Pension liability	(33,974,000)	(7,422,000)
<b>Net liabilities</b>	<b>32,468,475</b>	<b>(5,172,078)</b>
<b>Reserves</b>		
Pension reserve	(33,974,000)	(7,422,000)
Income and expenditure account	(1,505,525)	(2,249,922)
	<b>(32,468,475)</b>	<b>(5,172,078)</b>

\*Fixed Assets are made up of laptops and IT equipment.

\*\*The bank and cash balance at 31 March was £8.1m included in Current Assets

\*\*\*The pension liability relates to the whole of KNH including the transferred Building Services.



# ► Social Responsibility

Organisations like ours do not operate in a vacuum. Our business activities impact on our customers, employees, partners, the community, the environment and the economy.

That means we must behave in a 'socially responsible' way and strive to have a positive impact in all that we do – for example by creating jobs for Kirklees residents, delivering value for money and investing in local communities.

**We want to help our customers and communities thrive, so this year, we have:**

- Invested in employment, education, skills and training
- Supported our staff in a variety of charity fundraising efforts for the British Heart Foundation, The Welcome Centre and local food banks
- Promoted health and well-being for staff and customers
- Prepared and supported our customers for welfare reform changes
- Supported customers with budgeting, financial and energy advice
- Invested in community-led programmes, projects and facilities
- Developed new procurement frameworks that help support local suppliers wherever possible.





# The KNH Board

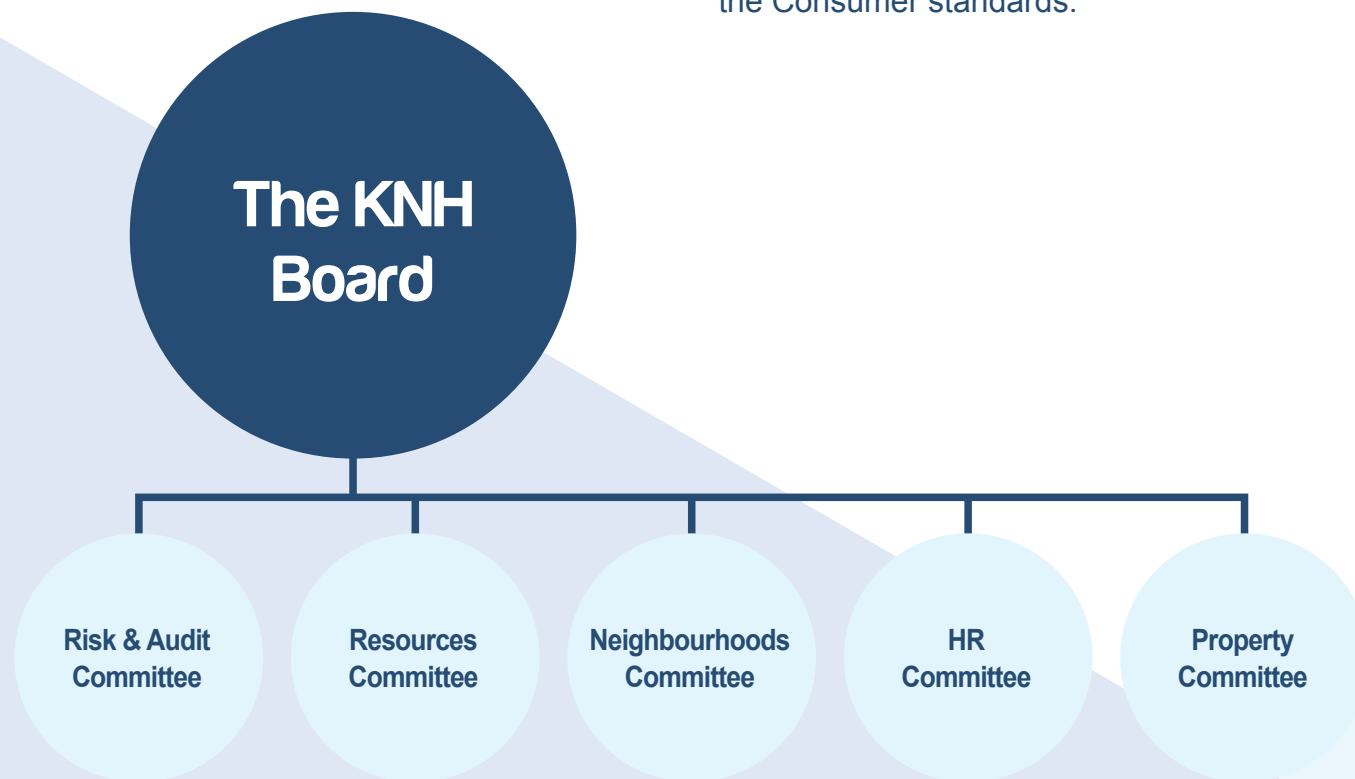
The KNH Board is made up of 15 Members, five tenant representatives, five council representatives and five independents.

Board Members are responsible for the strategic direction of the company. Following the merger with Building Services in October 2016, the committee structures were revised to better meet the needs of our expanded company. The current governance structure is as follows:

Throughout the year the Board has received specific training and masterclasses on Finance, Risk Management and Equality & Diversity (Protected Characteristics) in addition to attendance at relevant seminars and briefings.

During the latter part of the year we have commenced a governance review and the focus for 2017/18 will be to develop an action plan and implement any areas of improvement or change.

It is also the intention of the Board to conduct a compliance self-assessment against the full Homes and Communities Agency's regulatory framework for Governance and Financial Viability and the Consumer standards.



## Board Members as at 31 March 2017

### Council Nominees:



Dave Harris  
(Chair)



Cllr Andrew  
Marchington



Cllr Elizabeth  
Smaje



Molly Walton



Paul White

### Tenant Representatives:



Terry Clapham



Jack Gannon



Mary Potts



Vacancy



Vacancy

### Independents:



Paul Webley  
(Vice Chair)



Conroy Gray



Tony Hood



Jan Thornton



Kate Smyth



## Resignations and Appointments as at March 2017

**Angela Ellam**  
- termination of  
appointment  
5 September 2016

**Cora Carter**  
- sadly passed  
away so term of office  
ended on the  
1 November 2016

**Conroy Gray**  
- appointed to Board  
26 September

Sadly, in November 2016, we lost our longest serving Board Member and one of the true heroes of the housing sector, Cora Carter (MBE).

Cora was a pioneer of the tenants' movement, not just in Kirklees, but nationally too.

A devoted local activist throughout the years working tirelessly to give tenants and residents a say in the decisions that affect them.

She made a massive difference to the lives of thousands of people, many of whom will have no idea how much they have to thank her for.

Very few people leave behind them such an exceptional legacy and we are all privileged to have known and worked with her.



## Executive Directors

**Liz Cook,**  
Chief Executive

**Penny Gilyard,**  
Director of Resources

**Heidi Thompson,**  
Director of Property

**Christine Gummerson,**  
Director of Neighbourhoods

**Rhona E. M. Davidson,**  
Company Secretary







## Company Information

Kirklees Neighbourhood Housing (KNH) is a wholly owned Kirklees Council company.

**Registered with Companies House:**

Company Registration No: 04394471

**Registered head office:**

Perseverance House, St Andrews Road,  
Huddersfield HD1 6RZ

**Auditors:**

Revell Ward, 30 Market St,  
Huddersfield HD1 2HG



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Tel: **18002 + 01484 + 414886**

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**Name of meeting: Cabinet**

**Date: 17<sup>th</sup> October 2017**

**Title of report: To approve regulations establishing Transport for the North as a Sub-National Transport Body.**

**Purpose of report**

The purpose of this report is for members to consent to the inclusion of highway powers in the making of Regulations by the Secretary of State to establish Transport for the North as a Sub-National Transport Body under section 102E and 102J of the Local Transport Act 2008.

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	N/A
<b>Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports)</a>?</b>	N/A
<b>The Decision - Is it eligible for "call in" by Scrutiny?</b>	No – The Chair of Scrutiny has withdrawn the right for call-in on this report.
<b>Date signed off by Director &amp; name</b>  Is it also signed off by the Service Director for Finance, IT and Transactional Services?  Is it also signed off by the Service Director - Legal Governance and Commissioning?	Yes/ No financial implications If yes give date  Yes/ No legal implications If yes give date
<b>Cabinet member portfolio</b>	Cllr Peter McBride

**Electoral wards affected: All**  
**Ward councillors consulted: N/A**

**Public or private: Public with a private appendix**

**1. Summary**

1.1 Members are requested to consent to the inclusion of highway powers in the making of regulations by the Secretary of State to establish Transport for the North as a Sub-National Transport Body under section 102J of the Local Transport Act 2008. The consent of each Constituent Authority is required to the making of Regulations by the Secretary of State.

1.2 Members are asked to note the transfer of Rail North Limited to TfN following its inauguration and the signing of a new Rail Franchise Management Agreement with TfN replicating as far as possible the arrangements entered into in respect of Rail North Limited.

**2. Information required to take a decision**

## Consent to the Regulations

- 2.1 Each of the Highway Authorities within the areas of the Combined Authorities which are Constituent Authorities must consent to the making of the Regulations. The Secretary of State has sent a letter to each of the Highway Authorities requesting formal consent to the making of the Regulations. The letter requests a response before by 20th October 2017
- 2.2 A copy of the letter to Kirklees as highway authority requesting the consent is attached at Appendix 3. The deadline for consent is the 20th October, to allow sufficient parliamentary time for the regulations to be approved by the end of the year.
- 2.3 The regulations are still in draft format and may be subject to change. It is not anticipated that the principles relating to highway functions will change greatly. It is clear that the exercise of the functions will require to be made in conjunction with the relevant Highway authorities and that appropriate protocols will need to be developed to do this. On that basis it would be appropriate to consent as set out in the recommendation below with the knowledge that further work will be needed to develop the way of doing this.
- 2.4 Attached at Appendix 1 is a report prepared by Transport for the North which explains the development of the proposals for TfN together with details of its proposed operation. Attached as an exempt document is Appendix 2 which contains the draft regulations which all Constituent Authorities and Highway authorities are asked to approve. Appendix 2 is exempt from disclosure. The Department of Transport has requested that the draft regulations remain confidential at this stage as they may be subject to amendment during the parliamentary process.
- 2.5 The Department of Transport have now agreed that Kirklees's consent is needed to the regulations, given that the concurrent highways/footpath functions are district functions, not functions of the Combined Authority.
- 2.6 It is anticipated that WYCA as a constituent authority will consent to the regulations at its meeting on 5 October.
- 2.7 The Department of Transport have it as a priority to establish TfN as a statutory body, and, subject to the consents, have indicated that TfN can be established as a Sub-national Transport Body to commence operations in April 2018. (They anticipate that the Statutory Instrument establishing TfN as a statutory body will be able to complete the full parliamentary process by the end of the year). TfN are working towards the inaugural meeting of TfN as a Sub-national Transport Body in April 2018.
- 2.8 As far as this Council's highway functions are concerned TfN may not exercise any highway function mentioned in regulation 11 in relation to the area of a local authority unless the manner in which it proposes to exercise the function has been approved by the local authority.
- 2.9 West Yorkshire Combined Authority as a constituent authority will appoint one of its elected members to be a voting member of TfN.

- 2.10 TfN will establish a Rail North Committee which will advise on TfN's Statutory Partner role in relation to rail investment and will have oversight of the management of the TransPennine Express and Northern Rail Franchises. This will replace the Association of Rail North Authorities and will include representatives of the six non-TfN Rail North Authorities as co-opted Members. Voting in the Rail North Committee will be on the basis of weighted votes which replicate the voting provisions of Rail North Limited.
- 2.11 TfN will also establish a Rail North Sub-Committee that will be appointed according to provisions which replicate the provisions for appointing the Rail North Limited Board.

### **3. Implications for the Council**

#### **3.1 Early Intervention and Prevention (EIP)**

N/A

#### **3.2 Economic Resilience (ER)**

N/A

#### **3.3 Improving Outcomes for Children**

N/A

#### **3.4 Reducing demand of services**

N/A

#### **3.5 Legal and Financial Implications**

The legal and financial implications are set out in the attached report.

### **4. Consultees and their opinions**

N/A

### **5. Next steps**

Once consent is provided by the 19 constituent authorities TfN will continue to work closely with the Department for Transport to ensure TfN are provided with the statutory powers necessary to carry out the functions. TfN will keep the authorities updated as to the progress and once the regulations are finalised and enacted.

### **6. Officer recommendations and reasons**

Members are asked to: -

- a. provide consent under section 102J of the Local Transport Act 2008 to the making by Secretary of State of Regulations to establish Transport for the North as a Sub-National Transport Body and giving Transport for the North concurrent highway powers.
- b. note the transfer of Rail North Limited to TfN following its inauguration

- c. note the signing of a new Rail Franchise Management Agreement with TfN replicating as far as possible the arrangements entered into in respect of Rail North Limited.

**7. Cabinet portfolio holder recommendation**

N/A

**8. Contact officer**

Samantha Lawton  
Senior Legal Officer - 01484 221 000  
[samantha.lawton@kirklees.gov.uk](mailto:samantha.lawton@kirklees.gov.uk)

**9. Background Papers and History of Decisions**

None

**10. Service Director responsible**

Julie Muscroft – Service Director – Legal, Governance and Commissioning  
01484 221 000  
[julie.muscroft@kirklees.gov.uk](mailto:julie.muscroft@kirklees.gov.uk)

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## Transport for the North – Incorporation as a Sub-National Transport Body

### 1. Purpose of the Report

- 1.1 The purpose of this report is for Members to consent to the making of Regulations by the Secretary of State to establish Transport for the North as a Sub –National Transport Body under section 102E of the Local Transport Act 2008. The consent of each Constituent Authority is required to the making of Regulations by the Secretary of State.
- 1.2 Members are also asked to approve in principle the transfer of Rail North Limited to TfN following its inauguration and the signing of a new Rail Franchise Management Agreement with TfN replicating as far as possible the arrangements entered into in respect of Rail North Limited.

### 2. Background

- 2.1 Getting transport right is central to achieving the Northern Powerhouse ambition which is itself central to a successful UK industrial strategy. A world class transport system linking towns and cities across the North will create a unified economic area, attracting new business, improving productivity in the North and thereby rebalancing the UK economy.
- 2.2 There has been long term underperformance of the Northern economy when compared with other parts of the UK. There is a significant economic performance gap between the North and the rest of the UK economy – a difference in income of £4,800 per person in 2014, compared with the national average, and £22,500 compared with London. Having been on a downward trend since the early 2000s, the gap has widened since the 2008/09 recession.
- 2.3 Productivity accounts for the largest proportion of the 'performance gap', driven by an underdeveloped skills base, under-investment by the private sector and low enterprise rates. This has worsened since the recession, in part due to out-migration of skilled workers to the southern regions where employment prospects are better.
- 2.4 Poor connectivity is central to understanding the economic challenges of the North. There is disproportionately low investment in the North compared with London and other city regions across Europe. A series of studies have shown how investing in transport infrastructure can unlock the economic potential of the North.

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- 2.5 The Independent Economic Review of the Northern Powerhouse shows the scale of the benefits to the UK of closing the productivity gap. Advances in productivity, driven by key sectors of digital technologies, health innovation energy and advanced manufacturing have the potential to transform the North of England's economy adding £97 billion and 850,000 jobs by 2050.
- 2.6 The North has had no way of agreeing strategic priorities, with the responsibility for transport divided over many organisations at different geographical levels. This has made it hard to properly consider and prioritise the right strategic transport interventions to transform economic growth at the regional scale. As a result, the North has been unable to speak with one clearly evidenced voice to Government on its transport priorities in Spending Rounds or rail and road investment plans.
- 2.7 To address these concerns in 2014 Local Transport Authorities and Local Enterprise Partnerships across the North of England came together in partnership with the Department for Transport and the National Transport Agencies to form Transport for the North (TfN). Together they have developed an ambitious pan-northern transport strategy to drive economic growth in the North. The purpose of TfN is to transform the transport system of the North of England and the aim of TfN is to plan and deliver the improvements needed to truly connect the region with fast, frequent and reliable transport links, driving economic growth and creating a Northern Powerhouse.
- 2.8 The ambition of TfN over time is to achieve significant devolution of transport responsibilities for the North of England and specifically to:
- Develop and deliver a multi-modal, integrated strategic transport plan that drives transformational economic growth in the North;
  - Set the strategic outcomes, outputs and priorities for the North of England's rail infrastructure and strategic road network; and
  - Determine specifications and contracts for future rail service franchises in the North of England.
- 2.9 As part of this programme of improvements and devolution of transport strategy to a more local level the Local Transport Authorities came together to form Rail North Limited a company whose objects include the management of the TransPennine Express and Northern Rail Franchises on behalf of the Secretary of State for Transport.
- 2.10 In October 2016 with the agreement of all the Constituent Authorities TfN submitted a proposal to the Secretary of State for Transport that TfN should be established as the first Sub-national Transport Body (STB) under the provisions of section 102E of the Local Transport Act 2008 as amended by the Cities and Local Government Devolution Act 2016.
- 2.11 The 19 Constituent Authorities of TfN are:
- Greater Manchester Combined Authority



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Liverpool City Region Combined Authority  
North East Combined Authority  
Sheffield City Region Combined Authority  
Tees Valley Combined Authority  
West Yorkshire Combined Authority  
Cumbria County Council  
Lancashire County Council  
North Yorkshire County Council  
Blackburn with Darwen Unitary Authority  
Blackpool Unitary Authority  
Cheshire East Unitary Authority  
Cheshire West and Chester Unitary Authority  
Warrington Unitary Authority  
City of York Unitary Authority  
East Riding of Yorkshire Unitary Authority  
Hull Unitary Authority  
North Lincolnshire Unitary Authority  
North East Lincolnshire Unitary Authority

### **3. The Submission Proposal**

- 3.1 The Proposal submitted by the Constituent Authorities included the following key provisions:
- a) All Constituent Authorities will be entitled to appoint a representative to TfN, such representative to normally be the Elected Mayor, Leader or Member with delegated responsibility for transport;
  - b) Decisions will be expected to be unanimous but where voting is required votes will be weighted in accordance with the populations of the Constituent Authorities;
  - c) Decisions in relation to the Budget, the adoption of a Transport Strategy and the Constitution will require a Super Majority;
  - d) Funding will be provided by the Secretary of State and no decision to require financial contributions from Constituent Authorities can be made without the agreement of each Authority;
  - e) There will be appropriate mechanisms for Scrutiny of TfN's decisions;
  - f) Rail North Limited will be wholly owned by TfN;
  - g) A wider Partnership Board including representatives of government bodies and the LEPs will be set up to inform TfN's decision making.

### **4. The Secretary of State's Response**

- 4.1 The Secretary of State has now formally responded to the Proposal and has indicated that he is minded to make Regulations creating TfN as the first Sub-national Transport Body with the following functions:
- a) The preparation of a Northern Transport Strategy;
  - b) The provision of advice on the North's priorities, as a Statutory Partner in the Department's investment processes;

- c) The coordination of regional transport activities, (such as smart ticketing), and the co-management of the TransPennine Express and Northern rail franchises through the acquisition of Rail North Ltd.

## 5. The Draft Regulations

- 5.1 TfN are positively engaging with the Department for Transport to ensure that the draft regulations reflect the terms of the Proposal in so far as they have been agreed by the Secretary of State and will give TfN the statutory powers necessary to carry out these functions. Engagement thus far has provided TfN with confidence that the regulations will do this, however TfN will continue to work closely with the Department as this work progresses, and will of course update Constituent Authorities as soon as possible with any further information.

## 6. The Draft Constitution

- 6.1 A Draft Constitution has been drawn up which includes provisions which reflect and implement the Submission Proposal. The Constitution contains the following Provisions:

### 6.2 Articles

- 6.2.1 The Articles set out the statutory basis for TfN and its membership. TfN is made up of representatives from the 19 Constituent Authorities who are the Transport Authorities for the North of England. TfN will operate through a delegation to its Chief Officers of all its functions other than decisions in relation to the Constitution, the Budget and the statutory Transport Strategy and any other matters which are specifically reserved to TfN by statute.
- 6.2.2 The Articles contain an overview of the functions of TfN and the major partnerships through which it will exercise these functions, in particular its role as Statutory Partner in determining priorities for road (Highways North Board) and rail investment and its role in managing the TransPennine Express and Northern Rail Franchises.
- 6.2.3 TfN will establish a Partnership Board with representatives of all the Constituent Authorities, representatives of the other Authorities who were members of Rail North Limited, representatives of the 11 LEPs and representatives of the Department for Transport and of other Government Agencies. This Board will be responsible for setting the strategic agenda for transport in the North of England.
- 6.2.4 TfN will also engage with its partners in the Rail North Partnership Board setting the strategic priorities for rail investment and in the Highways North Board setting the strategic priorities for road investment.
- 6.2.5 TfN will co-manage the TransPennine Express and Northern Rail Franchises through a Committee which will include representatives of all the other Authorities who were members of Rail North Limited.

### 6.3 Voting

- 
- 6.3.1 The Articles provide for weighted voting in accordance with a matrix which gives the representative of each Constituent Authority a vote which is weighted to reflect the population of the area of the Constituent Authority.
- 6.3.2 A decision to approve the Budget, to approve the Constitution or to adopt the Transport Strategy will require an increased majority of 75% of the weighted votes and a simple majority of the Members of TfN.
- 6.3.3 It is proposed that TfN should be entitled to co-opt Members and that such co-opted Members should have voting rights. It is further proposed that those Authorities which are members of Rail North Limited but which will not be a Constituent Authority of TfN (the Rail North Authorities) should each be entitled to appoint a representative to be a co-opted Member of TfN with a right to speak and vote on rail franchise matters. The voting in relation to rail franchise matters shall be weighted in accordance with a voting matrix which reflects the voting arrangements for Rail North Limited.
- 6.4 Financial Contributions**
- 6.4.1 TfN is funded through government grant and although future funding decisions will remain the responsibility of the government at the time, establishing TfN in statute ensures it has the stability and permanence to be confident of long term central Government support.
- 6.4.2 At present the Constituent Authorities and the Rail North Authorities make the Rail North Support Payment and the Authorities in receipt of rail administrative grant make the Rail North Supplemental Payment to support Rail North Limited. Upon TfN assuming the responsibilities and functions of Rail North Limited these payments will continue to be made to TfN to enable it to continue to support rail franchise management.
- 6.4.3 The Submission Proposal provides that the Constituent Authorities may all agree to contribute to the costs of TfN in the future. However a decision to raise such contributions and the amount would require a unanimous decision of the Constituent Authorities and could only be taken after written consent to the proposal has been received from each of the Constituent Authorities.
- 6.4.4 Unless unanimously agreed otherwise, the apportionment of any financial contributions would be determined on the basis of the Resident Populations of each of the Constituent Authorities.
- 6.4.5 TfN would be entitled to accept voluntary contributions towards its costs from any of the Constituent Authorities.
- 6.5 Powers and Functions**
- 6.5.1 This section sets out the powers and functions which will be given to TfN.
- 6.5.2 These are as follows:
- a) To prepare a Transport Strategy for the Combined Area in accordance with section 102l of the Local Transport Act 2008;

- 
- b) To provide advice to the Secretary of State about the exercise of the transport functions in the Combined Area;
  - c) To be a Statutory Partner with the Secretary of State in both road and rail investment processes and to be responsible for setting the objectives and priorities for strategic road and rail investments in the Combined Area;
  - d) To be consulted in relation to rail franchise agreements for services to and from or within its area;
  - e) To co-manage with the Secretary of State the TransPennine Express and Northern Rail Franchises;
  - f) To co-ordinate the carrying out of specified transport functions that are exercisable by its different Constituent Authorities with a view to improving the effectiveness and efficiency of the carrying out of those functions;
  - g) To promote and co-ordinate road transport schemes;
  - h) To make proposals to the Secretary of State for the transfer of transport functions to TfN;
  - i) To make other proposals to the Secretary of State about the role and functions of TfN;
  - j) To undertake Smart Ticketing within the Combined Area;
  - k) To promote and oppose local or personal bills in Parliament;
  - l) To pay Capital Grants to support the funding and delivery of joint projects;
  - m) To exercise powers to acquire land and to construct highways under Section 24.

6.5.3 In carrying out these functions, TfN will be a statutory partner of the Department for Transport, devolving responsibilities from the Secretary of State and speaking to the Department with a strong, single voice for the North. It is not intended that TfN should take responsibilities away from the Constituent Authorities, instead exercising a coordinating role in relation to specified transport functions and continuing to work in partnership with members. It is not the intention that TfN becomes a Highway Authority.

## 6.6 Concurrent Functions

6.6.1 Before exercising any transport powers or functions it holds concurrently with any of the Constituent Authorities or Highways Authorities within the TfN area, TfN will consult those Authorities and enter into a Protocol covering the way in which those functions will be exercised.

## 6.7 Responsibility for Functions

6.7.1 The Membership of TfN will together be responsible for approving the Budget, the Constitution and the Transport Strategy.

6.7.2 Officers of TfN will have delegated responsibility to carry out all of TfN's day to day functions and to implement the strategic decisions made by TfN.

6.7.3 In carrying out these functions TfN and its officers will have due regard to the views and advice of the Partnership Board, DfT and other Statutory Agencies.

## 6.8 Audit and Governance Committee

6.8.1 TfN will appoint an Audit and Governance Committee to provide independent review and assurance to Members on governance, risk management and control frameworks. It oversees financial reporting, the Annual Governance Statement process and internal and external audit, to ensure efficient and effective assurance arrangements are in place.

#### 6.9 **Scrutiny Committee**

6.9.1 Each of the Constituent Authorities will be entitled to appoint a representative (and a substitute) to the Scrutiny Committee.

6.9.2 The role of the Scrutiny Committee will include:-

- a) reviewing the decisions of TfN and of officers of TfN under the scheme of delegations;
- b) making reports or recommendations to TfN with respect to the discharge of the functions of TfN and on transport matters that affect the TfN area.

#### 6.10 **The Rail North Committee**

6.10.1 TfN will establish a Rail North Committee which will advise on TfN's Statutory Partner role in relation to rail investment and will have oversight of the management of the TransPennine Express and Northern Rail Franchises. This will replace the Association of Rail North Authorities and will include representatives of the six non-TfN Rail North Authorities as co-opted Members. Voting in the Rail North Committee will be on the basis of weighted votes which replicate the voting provisions of Rail North Limited.

#### 6.11 **The Rail North Sub-Committee**

6.11.1 TfN will also establish a Rail North Sub-Committee that will be appointed according to provisions which replicate the provisions for appointing the Rail North Limited Board.

6.11.2 Rail North Area Sub-Committees - Where requested TfN will also establish Rail North Area Sub-Committees to take the place of the Regional Business Units permitted under the provisions of the Rail North Members Agreement.

#### 6.12 **Officers**

6.12.1 TfN will appoint its 3 Statutory Officers, the Chief Executive as the Head of Paid Service, the Monitoring Officer and the Finance Director as its Chief Officers to whom it will delegate day to day operations of TfN.

6.12.2 Chief Officers will have due regard to the recommendations of the Partnership Board, the Rail Partnership Board and Highways North Board in carrying out their functions.

#### 6.13 **Procedure Rules**

6.13.1 This section sets out the procedures which shall apply to meetings of TfN. The Rules of Debate reflect the nature of the business of TfN and that most decisions are expected to be consensual without the need for formal debating procedures.

#### 6.14 **Scrutiny Procedure Rules**

6.14.1 These set out the role of Scrutiny within TfN.

6.14.2 The Scrutiny Procedure Rules provide for Scrutiny Committee to set up smaller Scrutiny Panels to review discreet topics and to allow these Panels to invite representatives of outside bodies to attend to inform their Reviews.

#### 6.15 **Financial Procedures**

6.15.1 This section sets out the financial rules and controls which will govern all expenditure by TfN. It also contains the Contract Procurement Rules which will govern how TfN tenders and awards contracts.

6.15.2 It is expected that more detailed financial controls in relation to individual projects will be set out in the Funding Letter from the Secretary of State.

#### 6.16 **Codes and Protocols**

6.16.1 It is not intended that TfN should have its own Code of Conduct for Members but Members will be expected to adhere to the Code of Conduct of their appointing Authority in the conduct of TfN's business and any Standards issue would be referred back to the appointing Authority by the Monitoring Officer.

6.16.2 The section includes the Codes of Conduct for Officers of TfN, the Protocol on Member/Officer Relations, the Code of Corporate Governance, the Anti-Fraud and Corruption Policy and the Whistleblowing Policy.

6.16.3 Although TfN is not required to adopt its own Code of Conduct for Members it will need to have a separate Disclosure of Interests by each Member in respect of their interests within the whole of the TfN geographical area.

6.16.4 The Code of Conduct for Officers sets out the standards of behaviour expected from TfN's officers.

6.16.5 The Protocol on Member/Officer Relations sets out guidance on the mutual respect which should exist between officers and Members and the way in which they should interact with each other.

6.16.6 The Code of Corporate Governance sets out the core principles and values which will govern the way in which TfN operates.

6.16.7 The Anti-Fraud and Corruption Policy sets out the measures that TfN will put in place to avoid and address fraud and corruption in any of its dealings.

6.16.8 The Whistle Blowing Policy sets out the ways in which whistle-blowers may bring their concerns to management and the protections that are in place to ensure that whistle-blowers are not victimised or discriminated against.

#### 6.17 **Role of the Partnership Board**

6.17.1 TfN has evolved over the years from the inception of Transport for the North as a partnership representing all those with an interest in the improvement of transport in the North of England to the creation of TfN as the first Sub-National Transport Body. Although TfN as a corporate body will consist of the representatives of the 19 Constituent Authorities there is an aspiration that it will continue to operate through the Partnership Board taking decisions in partnership with the representatives of the 11 LEPs as representatives of the business community and with representatives of the Department for Transport and other Government Agencies and will continue to have an independent chair.

6.17.2 The Draft Constitution reflects the legal requirements for decision making within TfN as a corporate body but it will be open to TfN to operate these constitutional arrangements in a way that is consistent with continuing the present arrangements of the Partnership Board if Members so agree.

#### 6.18 **Rail North Limited**

6.18.1 One of the drivers for the creation of TfN as a Sub-National Transport Body was to create a body which could speak with one voice on all transport matters affecting the North of England. To achieve that, it is proposed that TfN should take over ownership of Rail North Limited and subsume all of its functions directly into TfN.

6.18.2 Rail North Limited would be replaced by a Committee of TfN on which the former Rail North Member Authorities would be represented and have the same voting rights as under the Memorandum and Articles of the Company.

6.18.3 Before this can be achieved all the current members of Rail North Limited will need to formally agree to the proposals for the transfer of Rail North Limited to TfN

6.18.4 The current Members Agreement with Rail North Limited will be replaced by a Rail Franchise Management Agreement between TfN and the current Members of Rail North Limited which will replicate as far as possible the provisions of the Members Agreement.

#### 6.19 **The Rail Partnership Board**

6.19.1 A Rail Partnership Board will be set up which will replicate the existing Rail North Board and will include Members of TfN along with representatives of the Department for Transport. This Board will make recommendations in relation to strategic priorities for rail investment and in relation to existing and future rail franchises.

#### 6.20 **The Highways North Board**

6.20.1 TfN will participate in the Highways North Board which will consist of the Members of TfN along with representatives of the Department for Transport and Highways England. The role of the Board will be to make recommendations in respect of the future Roads Investment Strategy and competitive major roads funding programmes.

6.21 **The Chief Executives Meeting**

6.21.1 The Chief Executives or their representatives will continue to meet to provide oversight of the activities of TfN and review draft Board papers and advise on policy and strategy proposals.

6.22 **Consent to the Regulations**

6.22.1 Draft Regulations are being drafted to create TfN as a Sub-National Transport Body. Before the Secretary of State may make these Regulations each of the Constituent Authorities must consent to the making of the Regulations. It is anticipated that the Secretary of State will send a letter to each of the Constituent Authorities requesting formal consent to the making of the Regulations to be provided by early September 2017.

**7. Recommendation**

It is recommended that you formally consent to:

- a) the making by the Secretary of State of Regulations under section 102E of the Local Transport Act 2008 to establish Transport for the North as a Sub-National Transport Body.
- b) The transfer of Rail North Limited to TfN so that it can be subsumed within TfN
- c) The signing of a new Rail Franchise Management Agreement with TfN replicating as far as possible the current Rail North Limited Members Agreement
- d) Continuation of the payment of the current funding for Rail North Limited to TfN after its inauguration.



**Transport for the North**  
2nd Floor  
4 Piccadilly Place  
Manchester  
M1 3BN  
Tel: 0161 244 0855

Dear Colleagues,

**Re: Regulations to establish TfN as a Sub-National Transport Body**

I am writing to you in connection with the establishment of Transport for the North (TfN) as a Sub-National Transport Body under section 102 E of the Local Transport Act 2008 (LTA 2008). At the outset I would like to apologise for the timing of this present approach and in particular the quick response which is required.

The purpose of this letter is to request that your Authority give formal consent to the inclusion in the Regulations establishing TfN of certain highway powers exercisable concurrently with the local Highway Authority.

The background and context to the matter, together with the required action, is set out in detail in the accompanying report. This letter provides a summary of the content of the report to facilitate your decision making process. As the report indicates 19 Local Authorities came together in 2016 to submit a proposal to the Secretary of State for Transport seeking the establishment of TfN as a Sub-National Transport Body. The 19 Constituent Authorities are identified in paragraph 2.11 of the report. You will notice that the list includes a mix of County Councils, Combined Authorities and Unitary Authorities as prospective members of TfN.

Section 102F of the LTA 2008 clearly requires the consent of the Constituent Authorities to the making of the Regulations establishing TfN as a Sub-National Transport Body. Part of the statutory proposal submitted included a request for certain local authority highway powers to construct highways, with the consent of the highway authorities affected, and the power to acquire land for this purpose. Section 102J of the LTA 2008 allows the Secretary of State to allocate functions to TfN which are exercisable to local authorities in its area. Those powers would be additional to TfN's general functions set out in section 102H LTA 2008.

Since the submission of the statutory proposal in October 2016 discussions have taken place with the Secretary of State about the proper procedure for seeking consent to the inclusion of highway powers in the regulations. Initially DfT's view had been that the consent of each Combined Authority would be sufficient to provide the necessary consent to the inclusion of highway powers in the regulations. After further consideration by DfT it has now been confirmed that the consent of each local highway authority within the Combined Authority areas is required to enable relevant highway authority functions to be included in the Regulations.

The economic and policy case for establishing TfN as a Sub-National Transport Body is set out in paragraph 2 of the report. TfN's Partnership Board met on 14<sup>th</sup> September 2017 and remains committed to the establishment of TfN on a statutory basis by the end of this year, with a "go live" date of 1<sup>st</sup> April 2018. Given the pressure of the parliamentary timetable DfT have requested all

consents to be submitted to DfT by 20<sup>th</sup> October 2017 to enable them to meet this programme.

Again I apologise for the lateness of this approach but I hope that the accompanying report and the summary of the report's key points set out in this letter enable you to provide your authority with sufficient information to enable it to give its formal consent to the inclusion in the Regulations of local highway authority powers, by the date indicated.

We have asked DfT to write direct to each of you to request the necessary consent. Should you require any further information upon these issues please do not hesitate to contact any of the following TfN officers:

Timothy Date – [timothy.date@transportforthenorth.com](mailto:timothy.date@transportforthenorth.com) – telephone number 0161 244 0855  
Deborah Dimock – [Deborah.dimock@transportforthenorth.com](mailto:Deborah.dimock@transportforthenorth.com) – telephone number 0161 244 0855  
Megan Bradley – [megan.bradley@transportforthenorth.com](mailto:megan.bradley@transportforthenorth.com) – telephone number 07717631989

I am copying this letter to Elizabeth Allen at the West Yorkshire Combined Authority.

Yours sincerely



Timothy Date

Legal Services Manager

By virtue of paragraph(s) 7a of Part 1 of Schedule 12A of the Local Government Act 1972.

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