

Kirklees Council



Council Chamber - Town Hall, Huddersfield

Tuesday 7 November 2017

Dear Member

The Council will meet on Wednesday 15 November 2017 at 5.30 pm at Council Chamber - Town Hall, Huddersfield.

This meeting will be webcast live and will be available to view via the Council's website.

The following matters will be debated:

Pages

1: Announcements by the Mayor and Chief Executive

To receive any announcements.

2: Apologies for absence

Group Business Managers to submit any apologies for absence.

3: Minutes of Previous Meeting 1 - 6

To receive the Minutes of the Meeting held on 11 October 2017.

4: Declaration of Interests 7 - 8

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

5: Petitions (from Members of the Council)

To receive any Petitions from Members of the Council in accordance with Council Procedure Rule 9.

6: Deputations/Petitions (from Members of the Public)

The Council 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.

7: Public Question Time

The Council will hear any questions from the general public.

8: West Yorkshire Combined Authority - Minutes 9 - 18

To receive the Minutes of the meeting of the West Yorkshire Combined Authority held on 3 August 2017.

9: Overview and Scrutiny Annual Report (Reference from Overview and Scrutiny Management Committee) 19 - 20

To receive the Overview and Scrutiny Committee Annual Report.

Contact: Penny Bunker, Governance and Democratic Engagement Manager

10: Report of Scrutiny Ad Hoc Panel (Reference from Cabinet) 21 - 60

To receive the report of the Ad Hoc Scrutiny Panel – Bereavement Support in Schools.

Contact: Alaina McGlade, Governance Officer

11: Reasonable Behaviour Policy (Reference from Cabinet) 61 - 70

To consider the report.

Contact: Julie Muscroft, Service Director – Legal and Governance

12: Property Investment Fund (Reference from Cabinet) 71 - 76

To consider the report.

Contact: Paul Kemp, Service Director – Economy, Regeneration and Culture

13: Kirklees Democracy Commission 77 - 86

To consider the report.

Contact: Carl Whistlecraft, Head of Democracy

14: Written Questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons

To receive written questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons in accordance with Council Procedure Rule 12.

(Note: The deadline for the submission of written questions is 10.00am on the day prior to the Council meeting).

The schedule of written questions will be tabled at the meeting.

15: Key Discussion - Children's Services

Council will receive a presentation from Councillor Erin Hill – Cabinet Member (Children’s Services), prior to the key discussion debate.

(Under the provision of Council Procedure Rule 5(5) , the Key Discussion shall commence no later than 7.00pm. Council Procedure Rule 18 (23) permits a maximum of 60 minutes for this item).

16: Motion submitted in accordance with Council Procedure Rule 14 as to the the Government's review of the Electrification of the Transpennine Railway

To consider the following Motion in the names of Councillors Sheard, D Hall, McBride, N Turner, Greaves and Cooper.

“The Council calls on the Secretary of State for Transport to recommit to the electrification of Transpennine Railway. We note that on the day he confirmed support for the £30 billion Crossrail project he cancelled electrification of strategic significance to Yorkshire, the Midlands, North West and South West and deferred a decision on Transpennine.

As the Transpennine Railway is the main artery for rail freight and passenger movements in the North, we therefore seek the support of our Yorkshire MP’s and particularly those in Kirklees, to join forces with the Mayors of Liverpool and Manchester and the Leader of Leeds Council, in stressing the urgency of this matter and its significance as a project which could in part redress the imbalance of regional investment in the UK and lend some meaning to the term Northern Powerhouse.”

17: Motion submitted in accordance with Council Procedure Rule 14 as to Clean Air for Kirklees

To consider the following Motion in the names of Councillors Khan and Kendrick;

“This Motion calls upon the Environment Secretary Michael Gove to urgently review the Government’s updated clean air plan and produce a national Clean Air Act which demonstrates the Government taking responsibility as well as local authorities.

Clean air is considered to be a basic requirement of human health and well-being. However, air pollution continues to pose a serious threat to health of the public. Air pollution is contributing to approximately 40,000 early deaths a year in the UK. When dissected down to a Kirklees level that was the equivalent to 137 deaths per year associated with poor air quality in 2015.

This Council believes that air pollution in the UK is a public health crisis, with the World Health Organisation and Public Health England describing it as the largest environmental risk to public health.

Currently Kirklees Council are working on the following improvement projects;

- Kirklees Council led on the creation of the West Yorkshire ECO-Stars freight recognition scheme. The scheme encourages operators of commercial vehicles to clean up their fleets and at the same time saves operating costs. This scheme is a free initiative to West Yorkshire businesses. The success of this scheme is currently under review and an extension to the scheme is being explored for 2017/18 & 2018/19
- Over 100 school transport buses have been retrofitted with exhaust technology to remove harmful exhaust emissions.
- Kirklees Council have installed Smart traffic lights at the busier junctions across the district to improve vehicle flows and reduce congestion where possible, which in turn reduces emissions
- Further to this Kirklees Council are working with a 3rd party company to rationalise this traffic management system to improve air quality further by running a pilot which uses modelled air pollution emissions to dictate traffic light changes. The pilot for this scheme is along the A62 Leeds Road.
- West Yorkshire has been awarded funding from central government to encourage low emission taxis. Kirklees along with the other 4 West Yorkshire Authorities are looking to install a strategic electric vehicle (EV) taxi charging network across the district, along with funding for the private hire sector.

- Kirklees Council are considering releasing further Hackney License plates for E.V Taxis in order to encourage further EV uptake
- Air Quality Assessments were conducted on the Local Plan to assess the cumulative impact of development on air quality across the district.
- Kirklees are working with the West Yorkshire Authorities and the combined authority to create a public electric vehicle charging network.
- Kirklees Council has the Green Parking Season Ticket, which allows Ultra Low Emission Vehicles to Park within Council car parks for free
- Working with DEFRA to improve the understanding of West Yorkshire Air Quality issues by installing a National AQ monitor within Kirklees
- Continuing to integrate the West Yorkshire Low Emission Strategy into Kirklees Council policy & operations and also working with partnership agencies to include relevant elements of the WYLES into their operations

The Council urges the Government to act immediately to protect the health, wellbeing and economic sustainability for our generation and those of the future. The Government is urged to work with local authorities and industry to make long-term sustainable evidence based changes.”

18: Motion submitted in accordance with Council Procedure Rule 14 to address removal of the 1% pay cap for all public sector workers

To consider the following Motion in the names of Councillors G Turner, Kendrick, N Turner and Lawson;

“This Motion calls on the Government to remove the 1% pay cap for all public sector workers.

The current plan to remove the cap for police and prison officers is divisive and unfair; why should nurses saving lives, be valued less than a prison officer?

The public sector needs a rise for all and this must be fully funded by government and not come from existing budgets, as this would continue the decline in the vital services provided by the public sector.

With inflation currently above 2% a rise of only 1% since 2013 and a total pay freeze for the two years before that means that the public sectors living standards will fall at well over 1% this year and have fallen significantly since 2010. Public sector workers are effectively

receiving real time pay cuts.

This policy has created staff shortages in large parts of the public sector and has added to the costs of parts of the public sector as agency staff have to be employed, only adding to the costs of the sector at a time when it's struggling to deliver services due to the general underfunding of public services.

A low wage public sector does nothing to attract the talent and much needed workers of the future in to the sector, and largely discriminates against woman who make up 2 thirds of the public sector.

Higher wages among public sector workers would lead to increased spending and increased income tax collected by the Treasury.

This Council, therefore, agrees that:

The Chief Executive should write to the Chancellor of the Exchequer and the Secretary of State for Communities and Local Government to request that:

- The pay cap is lifted across the public sector, to allow the implementation of the recommendations of Pay Review Bodies and negotiations with employers; and
 - Subsequent pay increases be fully funded via the central government settlement, not through existing departmental budgets, which could result in further cuts to public services.”
-

19: Motion submitted in accordance with Council Procedure Rule 14 as to Care Leavers Council Tax Exemption

To consider the following Motion in the names of Councillors N Turner, A Pinnock, K Pinnock, Burke, Marchington, Lawson, Eastwood and Wilkinson;

“This Council notes that:

- 1) Last year, a number of young people (aged 16 or over) left the care of Kirklees Local Authority and began the difficult transition into adulthood;
- 2) The recent Ofsted report on the authority's Children's Services identified the experiences and progress of care leavers as requiring improvement and recommended proactive support;
- 3) A 2016 report by The Children's Society found that when care leavers move into independent accommodation, they begin to manage their own budget fully for the first time. The report showed that care leavers can find this extremely challenging and with no family to support them and insufficient financial education, are falling into debt and financial difficulty;

- 4) Research from The Centre for Social Justice found that over half (57%) of young people leaving care have difficulty managing their money and avoiding debt when leaving care;
- 5) The local authority has a duty of care to care leavers.

This Council believes that:

- 1) Care leavers need support to make their transition from care to adult life as smooth as possible and to reduce the chance of falling into debt as they begin to manage their own finances;
- 2) Care leavers are a particularly vulnerable group for council tax debt.

This Council, therefore, resolves:

- 1) To investigate options to exempt care leavers from Council Tax until they are 25;
 - 2) To report back to Council in time for budget setting for 2018/19.”
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20: Motion submitted in accordance with Council Procedure Rule 14 as to Votes at 16

To consider the following Motion in the names of Councillors N Turner, A Pinnock, K Pinnock, Burke, Marchington, Lawson, Eastwood and Wilkinson;

“This Council notes:

- 1) That currently 1.5 million 16 and 17 year olds are denied the vote in public elections in the UK;
- 2) That 16 and 17 year olds are able to vote in local elections in Scotland, and in elections to the Scottish Parliament;
- 3) That the campaign to lower the voting age is supported by thousands of young people across the UK and that the Votes at 16 Coalition consists of a wide range of youth and democracy organisations;
- 4) The recent report by the Democracy Commission, which recommends that “National government should amend legislation to introduce the compulsory registration of young people at the age of 16.”

This Council believes:

- 1) 16 and 17 year olds are knowledgeable and passionate about the world in which they live and are as capable of engaging in the democratic system as any other citizen;
- 2) Lowering the voting age to 16, combined with strong citizenship education, would empower young people to better engage in society and influence decisions that will define their future;
- 3) People who can consent to medical treatment, work full-time, pay

taxes, get married and join the armed forces should also have the right to vote.

This Council resolves:

- 1) To join the Votes at 16 Coalition;
 - 2) To write to local MPs and the local media to inform them of this decision and ask them to support the campaign;
 - 3) To promote this policy through its communications;
 - 4) To encourage our local MPs to attend and debate at the second reading of Representation of the People (Young People's Enfranchisement and Education) Bill 2017-2019, which is taking place on 1 December 2017.
 - 5) To run activities to raise awareness of and support for Votes at 16 in the local area."
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By Order of the Council

A handwritten signature in cursive script, appearing to read "J. Geelman".

Chief Executive

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Contact Officer: Andrea Woodside

COUNCIL

KIRKLEES COUNCIL

**At the Meeting of the Council of the Borough of Kirklees held at
Council Chamber - Town Hall, Huddersfield on Wednesday 11 October 2017**

PRESENT

The Mayor (Councillor Christine Iredale) in the Chair

COUNCILLORS

Councillor Masood Ahmed	Councillor Karen Allison
Councillor Bill Armer	Councillor Gulfam Asif
Councillor Donna Bellamy	Councillor Martyn Bolt
Councillor Cahal Burke	Councillor Jean Calvert
Councillor Nosheen Dad	Councillor Richard Eastwood
Councillor Fazila Loonat	Councillor Michelle Grainger-Mead
Councillor Charles Greaves	Councillor David Hall
Councillor Steve Hall	Councillor Lisa Holmes
Councillor Erin Hill	Councillor Edgar Holroyd-Doveton
Councillor James Homewood	Councillor Judith Hughes
Councillor Mumtaz Hussain	Councillor Paul Kane
Councillor Manisha Roma Kaushik	Councillor Viv Kendrick
Councillor Musarrat Khan	Councillor John Lawson
Councillor Vivien Lees-Hamilton	Councillor Robert Light
Councillor Gwen Lowe	Councillor Terry Lyons
Councillor Andrew Marchington	Councillor Naheed Mather
Councillor Peter McBride	Councillor Bernard McGuin
Councillor Darren O'Donovan	Councillor Marielle O'Neill
Councillor Andrew Palfreeman	Councillor Shabir Pandor
Councillor Nigel Patrick	Councillor Carole Pattison
Councillor Mussarat Pervaiz	Councillor Amanda Pinnock
Councillor Andrew Pinnock	Councillor Kath Pinnock
Councillor Hilary Richards	Councillor Cathy Scott
Councillor David Sheard	Councillor Ken Sims
Councillor Elizabeth Smaje	Councillor Richard Smith
Councillor Mohan Sokhal	Councillor Julie Stewart-Turner
Councillor John Taylor	Councillor Kath Taylor
Councillor Graham Turner	Councillor Sheikh Ullah
Councillor Michael Watson	Councillor Gemma Wilson
Councillor Linda Wilkinson	Councillor Rob Walker
Councillor Jim Dodds	

59 Announcements by the Mayor and Chief Executive

The Mayor advised Council of events that were taking place in recognition of Local Democracy Week, and also advised Members that they had each been provided with a 'Councillor Toolkit' which had been produced by Kirklees Youth Council. Council were informed that Kirklees Youth Councillors would be available to answer any questions regarding the use of the toolkit.

The Service Director – Legal, Governance and Monitoring, advised of the restrictions on voting relating to Agenda Item 8 in accordance with Section 106 of the Local Government Finance Act 1992.

Council were also advised that a Composite Motion had been submitted in respect of Agenda Items 18 and 21, which had been added to the Agenda as Item 22 (Minute No. 80 refers).

60 Apologies for absence

Apologies for absence were received on behalf of Councillors Akhtar, Cooper, D Firth, E Firth, N Turner and Sarwar.

61 Minutes of Previous Meeting

RESOLVED –

That the Minutes of the Meeting held on 13 September 2017 be approved as a correct record.

62 Declaration of Interests

Councillors Ahmed, Allison, D Hall, Hill, Hughes, Light, Lowe, Marchington, O'Donovan, Pandor, Scott and Smith declared an 'other' interest in Agenda Items 18 and 21 (Item 22) (Minute No. 80 refers) on the grounds that either they, or a family member, were employed within the public sector.

63 Petitions (from Members of the Council)

No petitions were received.

64 Deputations/Petitions (from Members of the Public)

Council received deputations from (a) Alisa Devlin, on behalf of Huddersfield Town Centre Action Group, in relation to Agenda Item 10 (Minute No. 68 refers) and (b) Peter Davies, on behalf of GMB Union, in relation to Agenda Items 18 and 21 (Item 22) (Minute No. 80 refers).

65 Public Question Time

Council received a question from Alisa Devlin, on behalf of Huddersfield Town Centre Action Group, in regards to the content of the report at Agenda Item 10.

66 Council Budget Update Report 2018/2022 - Reference from Cabinet

(Councillor G Turner reminded Members of the restrictions on voting relating to this item in accordance with Section 106 of the Local Government Finance Act 1992).

It was moved by Councillor G Turner, seconded by Councillor Pandor and;

RESOLVED -

1) That the updated general fund revenue, HRA and capital budget plans rolled forward into the MTFP 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 within the considered report.

4) That approval be given to the flexible capital receipts strategy, as set out within the considered report.

5) That approval be given to the corporate budget timetable and approach, as set out within the considered report.

6) That approval be given to the budget consultation approach and timetable, as set out within the considered report.

67 Overview and Scrutiny Management Committee - Huddersfield Town Centre Accessibility Scheme (Bus Gates) Findings Report

It was moved by Councillor Stewart-Turner, seconded by Councillor Burke and;

RESOLVED -

That the report be received and the findings of the Overview and Scrutiny Management Committee, as set out within the report, be noted.

68 Town Centre Working Party Report

It was moved by Councillor Pattison, seconded by Councillor Wilkinson and;

RESOLVED -

1) That the report be received and noted.

2) That Cabinet be asked to give consideration to the recommendations as set out within the report.

69 Written Questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons

(i) Question by Councillor Smith to The Leader of the Council (Councillor Sheard)

“In light of the recent increase in violence in the town centre after dark, tragically demonstrated last week by the death of Graham Bell from Dalton outside McDonalds, can you please advise Council as to the steps being taken to address this issue?”

(The Leader of the Council referred the question to the Chair of Licensing and Safety Committee)

The Chair of Licensing and Safety Committee (Councillor Pattison) replied thereto.

(ii) Question by Councillor J Taylor to The Cabinet Member for Corporate Services (Councillor G Turner)

“Can Cllr Turner update Council on the Labour Cabinet’s proposed timescale for the public consultation on Libraries?”

The Cabinet Member replied thereto.

- (iii) Question by Councillor Smith to The Cabinet Member for Economy (Councillor McBride)

“Can Cllr McBride advise what the Cabinet’s position is on an application for Huddersfield to become a City?”

The Cabinet Member to replied thereto.

70 Minutes of Cabinet

The Minutes of the Meetings of Cabinet held on 27 June, 11 July, 25 July and 31 July 2017 were received for information.

71 Holding the Executive to Account

Council received a portfolio update from Councillors Sheard and Pandor – Strategy and Strategic Resources, New Council and Regional Issues Portfolio, which included a presentation on (a) priorities and achievements, and (b) the Combined Authority and the Region.

72 Minutes of Other Committees

Item not considered (due to time constraints).

73 Oral Questions to Committee Chairs and Nominated Spokespersons to Joint Committees/External Bodies

Item not considered (due to time constraints).

74 Motion submitted in accordance with Council Procedure Rule 14 as to the the Government's review of the Electrification of the Transpennine Railway

Item not considered (due to time constraints).

75 Motion submitted in accordance with Council Procedure Rule 14 as to Clean Air for Kirklees

Item not considered (due to time constraints).

76 Motion submitted in accordance with Council Procedure Rule 14 as to address Removal of the 1% Pay Cap for all Public Sector Workers

Item not considered (due to time constraints).

77 Motion submitted in accordance with Council Procedure Rule 14 as to Care Leavers Council Tax Exemption

Item not considered (due to time constraints).

78 Motion submitted in accordance with Council Procedure Rule 14 as to Votes at 16

Item not considered (due to time constraints).

79 Motion submitted in accordance with Council Procedure Rule 14 as to Call to Lift the Public Sector Pay Cap

Item not considered (due to time constraints).

- 80 **Composite Motion submitted in accordance with Council Procedure Rule 14 to address removal of the 1% pay cap for all public sector workers (Agenda Items 18 and 21)**
Item not considered (due to time constraints).

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KIRKLEES COUNCIL			
COUNCIL/CABINET/COMMITTEE MEETINGS ETC			
DECLARATION OF INTERESTS			
Council			
Name of Councillor			
Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	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]	Brief description of your interest

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.



**MINUTES OF THE MEETING OF THE
WEST YORKSHIRE COMBINED AUTHORITY
HELD ON THURSDAY, 3 AUGUST 2017 AT COMMITTEE ROOM A, WELLINGTON
HOUSE, 40-50 WELLINGTON STREET, LEEDS**

Present:

Councillor Susan Hinchcliffe (Chair)	Bradford Council
Councillor Tim Swift (Vice-Chair)	Calderdale Council
Councillor Peter Box CBE	Wakefield Council
Councillor Keith Aspden	York Council
Councillor Judith Blake CBE	Leeds City Council
Councillor Simon Cooke	Bradford Council
Councillor David Sheard	Kirklees Council
Councillor Nicola Turner	Kirklees Council
Professor Bob Cryan CBE	University of Huddersfield

In attendance:

Ben Still	WYCA
Caroline Allen	WYCA
Angela Taylor	WYCA (minute 38 only)
Angie Shearon	WYCA

27. Appointment of the WYCA Chair

The Authority considered a report of the Director of Resources in respect of a vacancy in the office having arisen to appoint a Chair of WYCA and review committee membership and committee chairing arrangements.

Councillor Box advised members that he was resigning as Chair of the Authority because he had been appointed to the national role of chairing the Key Cities Group. He would however remain a member of the Authority.

Members were asked to consider nominations for the position of Chair of the West Yorkshire Combined Authority and Councillor Susan Hinchcliffe was proposed and seconded.

In reviewing committee membership, it was agreed that Councillor Box be appointed as Chair of the West Yorkshire & York Investment Committee and Councillor David Sheard as Chair of the Steering Inclusive Growth Group.

Resolved:

- (i) That Councillor Susan Hinchcliffe be appointed as Chair of the Authority.
- (ii) That Councillor Peter Box be appointed as Chair of the West Yorkshire & York Investment Committee.
- (iii) That Councillor David Sheard be appointed as Chair of the Steering Inclusive Growth Group.

28. Chair's Comments

Councillor Hinchcliffe thanked members for their support and was honoured to be given the opportunity to lead the organisation and build on the partnership progress to ensure the City Region continued to prosper. She also thanked Councillor Box on behalf of the Authority for his chairmanship, experience and wisdom since WYCA was established in 2014.

Members echoed Councillor Hinchcliffe's comments and paid tribute to the achievements made during Councillor Box's leadership which included securing the largest City Region Growth Deal outside London and supporting businesses to grow and create jobs in the City Region.

In response, Councillor Box thanked members for their support over the last 3 years and said he looked forward to continuing to play a constructive role with WYCA.

Members also welcomed Councillor Nicola Turner to her first meeting of the Authority.

29. Apologies for Absence

Apologies for absence were received from Councillor Andrew Carter and Roger Marsh.

30. Declarations of Disclosable Pecuniary Interests

Councillor Judith Blake declared an other interest in Agenda Item 10, Transport for the North, as she is WYCA's representative on the Transport for the North Partnership Board.

31. Exclusion of the Press and Public

There were no items on the agenda requiring exclusion of the press and public.

32. Minutes of the Meeting of the Combined Authority held on 29 June 2017

Resolved: That the minutes of the meeting of WYCA held on 29 June 2017 be approved and signed by the Chair.

33. Capital Spending and Project Approvals

The Authority considered a report of the Director of Delivery on the progression of and funding for the following schemes through WYCA's Assurance Process in line with WYCA's Assurance Framework:

- West Yorkshire Plus Transport Fund Transformational Scheme – Wakefield South Featherstone Link Road
- West Yorkshire Plus Transport Fund Transformational Scheme – York Outer Ring Road Dualling
- West Yorkshire Plus Transport Fund Transformational Scheme –North Kirklees Orbital Route
- WYCA's Portfolio Information Management System
- Pothole Action Fund

Details of the schemes were outlined in the submitted report. In respect of the Pothole Action Fund, it was reported that the decision to allocate monies was a Key Decision which should have been published 28 days in advance of consideration of the item. However, in view of the importance of passporting the funding to the District Councils as quickly as possible, the decision could not be deferred to a future meeting. It was therefore agreed to take this decision under the rules of General Exception as detailed in paragraph 5.2.1 of the submitted report. Further information in respect of the Pothole Action Fund would be circulated to members.

Resolved:

- (i) In respect of **West Yorkshire Plus Transport Fund Transformational Schemes - Wakefield South Featherstone Link Road -**

That following a recommendation from the Investment Committee, WYCA approves funding of £284k for the Wakefield South Featherstone Link Road scheme to progress through Decision Point 2 and develop a Strategic Case for the Transformational Project. In addition, that WYCA enter into a Funding Agreement with Wakefield Council for expenditure of up to £284K from the West Yorkshire Plus Transport Fund.

- (ii) In respect of **West Yorkshire Plus Transport Fund Transformational Schemes – York Outer Ring Road Dualling -**

That following a recommendation from the Investment Committee, WYCA approves funding of £295k for the York Outer Ring Road Dualling scheme to progress through Decision Point 2 and develop a Strategic Case for the Transformational Project. In addition, that WYCA enter into a Funding Agreement with York Council for expenditure of up to £295K from the West Yorkshire Plus Transport Fund.

- (iii) In respect of **West Yorkshire Plus Transport Fund Transformational Schemes - North Kirklees Orbital Route -**

That following a recommendation from the Investment Committee, WYCA approves funding of £248k for the North Kirklees Orbital Route scheme to progress through Decision Point 2 to develop a Strategic Case for the Transformational Project. In addition, that WYCA enter into a Funding Agreement with Kirklees Council for expenditure of up to £248K from the West Yorkshire Plus Transport Fund.

(iv) That in respect of **WYCA's Portfolio Information Management System -**

That following a recommendation from Investment Committee, WYCA approves:

- (a) That the Portfolio Information Management System (PIMS) proceeds through Decision Point 3 onto Stage 2 Activity 5 (Full Business Case with Finalised Costs).
 - (b) That an indicative approval to the total project value of £150k capital for the development of the system and £50k per annum on-going licence fee (the on-going licence fee will be required from 18/19 onwards), to be funded as an overhead cost from the overall Portfolio Management Office costs, is given. Ultimate approval to spend will be granted once the scheme has progressed through the Assurance Process to Decision Point 5 (Full Business Case with finalised costs).
 - (c) That the future approvals at Decision Point 5 are made through a delegation to WYCA's Managing Director following a recommendation by WYCA's Programme Appraisal Team. This approval route will be subject to the scheme remaining within the tolerances set out in paragraph 3.1.6 of the submitted report.
- (v) That WYCA approves the £2.231m for the **Pothole Action Fund**, which will be funded from the DfT's allocation to WYCA.

34. A City Region Policy and Funding Framework for Inclusive Growth

The Authority considered a report of the Director of Policy, Strategy & Communications and the Project Director for Inclusive Growth which sought WYCA's agreement to update its policy and funding framework to better foster inclusive growth.

Members welcomed the report and supported the proposal to broaden WYCA's policy remit to ensure a positive impact can be made on both direct and indirect drivers of inclusive growth. It would also allow WYCA and the LEP to better focus the funding programme to make more impact on business competitiveness and the living standards of city region residents.

It was acknowledged that transformation required funding and the opportunity of the industrial strategy and the new impetus in devolution negotiations would be used to secure further investment to address the funding gap that has emerged with other city regions.

The Authority noted the importance of working with the local authorities to add value and help inform decisions and the need to take immediate action and monitor progress was recognised.

Resolved:

- (i) That WYCA agrees, in principle, to broaden its policy remit to ensure it can make a positive impact on factors that drive inclusive growth.
- (ii) That the Steering Inclusive Growth Group (SIGG) be formalised into an Inclusive Growth Panel and a report be brought to a future meeting to set an appropriate remit over public services and tackling fuel poverty.
- (iii) That WYCA agrees, in principle, to review WYCA programmes to take account of inclusive growth, subject to the conditions on delegated funding.
- (iv) That it be noted that currently, funding streams are likely to prove insufficient and inflexible to resource a wider range of city region investment interventions. WYCA therefore seeks to maximise resources (eg. Shared Prosperity Fund) and secure more freedoms over in year spending.

35. Transport Strategy Adoption

The Authority considered a report of the Director of Policy, Strategy & Communications which sought WYCA's approval to adopt the West Yorkshire Transport Strategy.

A copy of the document, which set out the high level vision and policy aspirations for the transport system over the next 20 years had been circulated to members and could be viewed online via <http://www.westyorks-ca.gov.uk/transport-strategy/>.

Members expressed their concerns regarding the disparity of transport investment between the north and south of the country. It was recognised that all transport systems were in need of improvement as transport was a key driver for inclusive growth and the benefits an ambitious devolution deal would bring to the City Region were noted. Members discussed the current under-investment in respect of existing assets including highways maintenance and also for the development of new technologies/systems eg. ticketing and taxis.

Resolved:

- (i) That the Transport Strategy, which sets out the high level vision and policy aspirations for the transport system over the next 20 years be adopted.
- (ii) That a decision on the final appearance and any minor amendments of the Transport Strategy for publication be delegated to WYCA's Managing Director in consultation with the Chair of the Transport Committee.
- (iii) That a progress report be prepared for a future meeting.

36. Bus Strategy Adoption

The Authority considered a report of the Director of Policy, Strategy & Communications which sought approval to adopt the West Yorkshire Bus Strategy.

In noting the summary document which was attached at Appendix 1, members were advised that initial steps in delivering the Strategy had commenced. It was noted that the Strategy set a target of 25% patronage growth from 2016 levels over the next 10 years. However, because of the level of housing and employment growth forecast, this could possibly be increased and had the potential to lead an economic uplift to the region's economy.

Members highlighted problems being experienced by those who relied on bus services to reach employment and areas which were socially isolated. They welcomed the aspirations of the Strategy and the successes reported to date which included park and ride facilities, the Bus 18 partnership and the £173.5m DfT funding to improve public transport in Leeds which focussed on developing bus services.

It was noted that the Bus Services Act 2017 and devolution will provide the City Region with the powers to enable the delivery of the full Bus Strategy.

The Authority asked for their thanks to be passed to the Transport Committee for overseeing the development of the Strategy and requested a progress report to a future meeting.

Resolved:

- (i) That the Bus Strategy, which sets out the vision and policy aspirations for the bus system for the next 20 years, be adopted.
- (ii) That a progress report be prepared for a future meeting.

37. Transport for the North

The Authority considered a report of the Director of Policy, Strategy & Communications which sought:

- To re-affirm WYCA's commitment to agreed TfN priority areas.
- Consent in principle to the making of regulations by the Secretary of State for Transport to establish Transport for the North (TfN) as a Sub-National Transport Body (STB) under Section 102E of the Local Transport Act 2008.
- Subject to TfN being established as a STB, to agree the transfer of Rail North Limited to TfN, to enter into a new Rail Franchise Management Agreement with TfN and to make payments in respect of functions currently carried out by Rail North Ltd, to TfN.

Members confirmed WYCA's priorities for TfN and noted the implications for TfN becoming a statutory body which were detailed in the submitted report.

The Authority expressed concern regarding the Secretary of State for Transport's recent comments in respect of the Transpennine Route Upgrade (TRU) as it was essential to have rail links across the North to drive forward economic growth. The TRU was a vital part of a phased approach to investment in the North as well as HS2 and members noted the importance of working with TfN to continue to press the case for such projects.

It was reported that a summit had been arranged for 23 August 2017 to discuss and consider the current position, concerns and opportunities for lobbying across the North.

Resolved:

- (i) That WYCA re-affirms its commitment to the priority areas set out in paragraph 2 of the submitted report.
- (ii) That WYCA consents in principle to the Secretary of State making regulations under Section 102E of the Local Transport Act 2008 to establish Transport for the North as a Sub-National Transport Body (STB), and delegates authority to WYCA's Managing Director, in consultation with the Chair of WYCA and with WYCA's representatives on the Transport for the North Partnership Board, to consent to the regulations once they have been finalised.
- (iii) That WYCA agrees in principle the transfer of Rail North Ltd to TfN, once TfN has been established as a STB, and delegates authority to WYCA's Managing Director to take any necessary steps on behalf of WYCA to effect this transfer.
- (iv) That WYCA agrees to enter a new Rail Franchise Management Agreement with TfN, once it has been established as a STB, on terms consistent with the Rail North Ltd Members' Agreement.
- (v) That WYCA agrees to fund TfN to carry out functions to supporting rail franchise management which are currently carried out by Rail North Ltd, on

the existing basis, once TfN is established as a STB, and has assumed those functions.

38. Proposed Pension Transfer

The Authority considered a report of the Director of Resources which sought approval to a preferred way of meeting WYCA's element of pension obligations towards First Group, in response to consultation on a Secretary of State Direction on this matter.

It was noted that currently WYCA was required to pay an element of pension increase relating to people who were previously employed by the former West Yorkshire PTE and Yorkshire Rider who are now part of First Group. First Group were now seeking to consolidate its pension arrangements to Greater Manchester and members discussed the options outlined in the submitted report.

Resolved:

- (i) That Option 1, Bulk Asset Transfer, was the preferred option and that further work should be undertaken with regard to the proposed transfer of First Group pension arrangements.
- (ii) That a report be prepared for a future meeting of WYCA for decision but should timelines dictate an urgent decision to be made, then that authority be delegated to WYCA's Managing Director in consultation with the Chair.

39. Governance Arrangements

The Authority considered a report of the Director of Resources in respect of an appointment to the Overview & Scrutiny Committee.

It was noted that the City of York Council had notified WYCA of a change in one of their nominations to the Overview & Scrutiny Committee and that Councillor Jenny Brooks would replace Councillor Helen Douglas.

Resolved: That the City of York Council's revised nomination to the Overview & Scrutiny Committee be noted and Councillor Jenny Brooks be co-opted onto the Committee in place of Councillor Helen Douglas.

40. Minutes of the Meeting of the West Yorkshire & York Investment Committee held on 16 June 2017

Resolved: That the minutes of the meeting of the West Yorkshire & York Investment Committee held on 16 June 2017 be noted.

41. Draft Minutes of the Meeting of the West Yorkshire & York Investment Committee held on 12 July 2017

Resolved: That the draft minutes of the West Yorkshire & York Investment Committee held on 12 July 2017 be noted.

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Name of meeting: Council

Date: 15 November 2017

Title of report: Overview and Scrutiny Annual Report 2016/17

Purpose of report

To present the Overview and Scrutiny Annual report to Council

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?	“ not applicable”
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	“not applicable”
The Decision - Is it eligible for call in by Scrutiny?	“ not applicable”
Date signed off by <u>Strategic Director</u> & name	“ not applicable”
Is it also signed off by the Service Director for Finance IT and Transactional Services?	“ not applicable”
Is it also signed off by the Service Director for Legal Governance and Commissioning Support?	Julie Muscroft 6.11.17
Cabinet member portfolio	“ not applicable”

Electoral wards affected: “ not applicable”

Ward councillors consulted: “ not applicable”

Public or private: Public

1. **Summary**

- 1.1 The Council's Constitution requires the Chair of Scrutiny to submit a report to Council at the end of each municipal year, setting out the activity of Overview and Scrutiny during the last twelve months.
- 1.2 The Overview and Scrutiny Annual Report is attached and highlights the work of Overview and Scrutiny in the 2016/17 municipal year.

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

A copy of the Overview and Scrutiny Annual Report is attached for Council to receive and note.

3. **Implications for the Council**

There are no specific implications for the Council

4. **Consultees and their opinions**

Not applicable

5. **Next steps**

Not applicable

6. **Officer recommendations and reasons**

That the Council receive and note the Overview and Scrutiny Annual Report

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

Not applicable

8. **Contact officer**

Penny Bunker , Governance and Democratic Engagement Manager
Tel: 01484 221000

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

Minutes and Reports to meetings of the Overview and Scrutiny Committee and its Panels in the 2016/17 municipal year.

10. **Service Director responsible**

Julie Muscroft , Service Director Legal Governance and Commissioning

Overview and Scrutiny Annual Report

2016/17

Hold to account
Bus gates **Improvement**
Investigation *STP view*
Play Strategy
Forward
Good practice
Impacts
OFSTED
Proposals
Focussed
Consultation
Strategic
Services
Podiatry
Ward councillors
Edge of Care

Review
Resilience
Health
Prevention
Healthy Child
Flooding
Intervention
Citizens

Care closer
Recommendations
Democracy Commission
Statutory *Social Care*
Housing **Briefings**
FOI KAL
Looking forward
Mental health
Safeguarding
Crime **Children**
Wellness **Monitoring**
Pre decision *Engagement*
Waste Management
Lessons learned
Ad Hoc Panel

Chair's Foreword

I'd like to thank all our Lead Members, Governance Officers, Co-optees, and others who have contributed to the work programme for 2016-17. The Council is going through unprecedented change, which means lots of work for Overview & Scrutiny. The whole team rose to the challenge this year; we looked into a wide range of issues, and maintained the high standards we expect while doing so.

This year I would like to specifically thank one of our long serving statutory Scrutiny vCo-optees. The Reverend Richard Burge has served as a statutory Diocesan Scrutiny Co-optee for eight years. He has been involved in the scrutiny of children's services and his calm and considered approach to scrutiny work has made him a valued member of any panel he has served on. He has stepped down to move on to other responsibilities, including being part of setting up a scrutiny function at Diocesan level.

I have been very pleased with the way Cabinet Members and Senior Officers have engaged with Overview & Scrutiny; improving on forward planning, and pre-scrutiny. I am also delighted that the value of Overview & Scrutiny has achieved greater recognition. The whole team work very hard, but we're all under pressure to keep up with demands. I was delighted to be asked to present new proposals to enhance Overview & Scrutiny, and that going forward, we will have a bigger team to keep up with the rapidly changing Council



Chair of Scrutiny 2016/17
Councillor Julie Stewart Turner



Thanks

Thank you to everyone who has contributed to Overview & Scrutiny in some way over the past year, particularly, the OSMC, to Cllr Smaje and her team, to our Co-optees, and to the Governance team that support us.

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2016/ 2017 Headlines

Specific Issue Ad-Hoc Panels

- Adult Mental Health
- Children's Services Development Review
- Bereavement Support
- Bus-Gates

OSMC

With statutory responsibility for Crime & Disorder and Flood Risk Management

Health & Social Care Panel

With statutory responsibility for Health Scrutiny

OSMC Members portfolios

Cllr Julie Stewart Turner –

Chair of Overview & Scrutiny Management Committee and responsible for Strategy and Strategic Resources, New Council and Regional Issues.

Cllr Gulfam Asif –

Scrutiny Lead with responsibility for Corporate portfolio issues.

Cllr Cahal Burke –

Scrutiny Lead with responsibility for Children's portfolio issues.

Cllr Ken Sims –

Scrutiny Lead with responsibility for Regeneration and Economy portfolio issues.

Cllr Liz Smaje –

Lead Member of the Health & Social Affairs Scrutiny Panel with responsibility for Adult & Public Health portfolio issues.

JHSCs

Wakefield and Kirklees JHSC

- Mid Yorkshire Hospital Trust 'Meeting the Challenge' – implementation phase

Calderdale & Kirklees JHSC

To review the proposals for future hospital services in Calderdale and Greater Huddersfield.

OSMC Headlines

Overview & Scrutiny Management Committee

Cllr Julie Stewart-Turner

(CHAIR & PORTFOLIO LEAD FOR CORPORATE & NEW COUNCIL)

Cllr Cahal Burke (PORTFOLIO LEAD FOR CHILDREN)

Cllr Kenneth Sims (PORTFOLIO LEAD FOR PLACE)

Cllr Gulfam Asif Sims (PORTFOLIO LEAD FOR RESOURCES)

The Overview and Scrutiny Management Committee has had another busy year looking at a cross cutting range of strategic issues and priorities, below are some of the highlights:

Holding the Executive to account:

Cabinet Members were invited to attend OSMC meetings for discussions on any item that fell within their portfolio. Scrutiny looked to build a constructive relationship with Cabinet portfolio holders through regular engagement. In addition to formal committee meetings, each member of the Management Committee had a portfolio responsibility and maintained an overview of the corresponding Cabinet portfolio, through meeting with the Cabinet Members and Director. This led to the early identification of potential issues for the Scrutiny work programme and enabled Scrutiny members to flag up issues directly with the portfolio holder.

Each OSMC Member /Lead Member also received briefings on key issues and performance monitoring information and reported back to the OSMC on any work undertaken between meetings.

Cabinet Members were also involved in the work of some of the Ad hoc Scrutiny Panels, through attending panel meetings, discussing panel findings and formally responding to panel recommendations.

Pre Decision work:

Pre decision scrutiny work remained an important area of work, with Scrutiny looking for opportunities to influence priorities at an early stage, before a decision is taken.

The Play Strategy - The OSMC scrutinised and commented on the proposed approach to a review of play areas and how local ward councillors would be engaged in the process.

The Future Waste Management Contract – The OSMC received a comprehensive briefing on the considerations prior to the Cabinet making a decision on the approach and content of a future waste management contract. An overview will be maintained by Scrutiny at key milestones.

Investigation work:

Bus Gates - As part of a petition to Council a request was made for Scrutiny to look at the consultation process for the Bus Gate project proposals. The OSMC undertook a focussed piece of work to look at the decision making process for the bus gates element of the Huddersfield Town Centre Accessibility Project. This included the rationale for the scheme and how the proposals were promoted and consulted on.

The Terms of Reference for the work were:

1. To understand the rationale for the bus gate proposals;
2. To consider how the proposals were developed including any engagement activity;
3. To consider the consultation process, including the statutory requirements, promotion of the proposals and responses received;
4. To examine how responses to the consultation were considered;
5. To consider the proposals for the evaluation of the project against the anticipated outcomes, feedback and impacts;
6. To identify any lessons learned.

OSMC Headlines continued

Overall the Committee concluded that there had been a thorough consultation process and appropriate decision making processes were followed. Lessons to be learned included ensuring that comprehensive and current baseline data is collated before moving to the implementation stage of a project. This will mean that there is a baseline against which to measure the impact of new measures. The Committee also felt the Council needed to be more innovative in how it captured consultation and engagement feedback, making better use of a range of technologies to allow verbal views to be recorded.

Statutory Scrutiny:

The OSMC also took on responsibility for the statutory scrutiny requirements around flood risk management and crime and disorder. Statutory responsibility for the scrutiny of health was undertaken through the Health and Social Care Scrutiny Panel and the Joint Health Scrutiny Committees (see pages 9 – 13 and 16 -17).

The OSMC looked at **Flood Risk Management** at two meetings, focussing in October on preparation for the flood season and in February looking at the annual flood risk management update. This included looking at progress against the priorities in the flood risk management action plan.

Improvements included:

- A more frequent emptying of high priority trash grilles
- A community engagement programme to continue in future years to work with communities at higher risk of flooding to provide information, advice and encourage self-help. The OSMC will consider the progress of a pilot project in Cleckheaton.

The OSMC had concerns about the limited amount of preventative work that could be resourced. It intends to look at the outcomes of natural

preventative work in adjacent council areas and identify how best practise might be adapted for the Kirklees district.

The OSMC also recommended the development of flooding profiles for individual wards, to support local ward members, in discussions with local communities, to understand the flood risks for their area.

Crime and Disorder

The OSMC considered Crime and Disorder issues at two meetings. The September meeting focussed on the Kirklees Community Safety Plan, with particular scrutiny of the protecting people from serious harm theme. This included discussion on Prevent, work in schools and human trafficking.

The second meeting looked at performance against the community safety plan and included discussion of the Kirklees Victims Hub and services and crime statistics. The OSMC expressed frustration that it was not possible to track year on year trends in local crime due to the frequent national changes in how crime is recorded. Following the meeting it was agreed that a local set of recording measures would be identified so that the OSMC could better monitor progress or identify concerning trends. In 2017/8 the OSMC will also look in more detail at the refreshing of the Kirklees Gangs Strategy.

Council Priority Themes

The Council has two priority themes, Economic Resilience and Early Intervention and Prevention. The OSMC carefully tracked the work of both themes at key milestones and looked in detail at specific proposals and proposed consultations. It was briefed on the themes emerging from consultation and engagement work, including how the views expressed were being considered as part of shaping proposals.

Monitoring and Overview

CSE and Safeguarding Member Panel

The OSMC continued to monitor the work of the CSE and Safeguarding Member Panel, with the Cabinet Portfolio holder updating on the areas of focus for the Panel. These included:

- Education work in schools, initially starting at secondary level then rolling out to primary schools
- Consideration of practice issues within Children’s Services, including the work of the Multi Agency Safeguarding Hub and CSE case management.
- Development in the regionalisation of adoption
- An update on changes to taxi licensing arrangements

Monitoring past Scrutiny recommendations, for example the CAMHS report.

The OSMC considered the implementation of a transformation plan for CAMHS which included an update on the Scrutiny Ad Hoc Panel recommendations which related to the clarity of care pathways and the transparency of the CAMHS referral system. The Panel had wanted to see more publicly available information to support public understanding as well as referring agencies, such as schools and GPs. The Committee welcomed the progress that had been made in introducing a single point of access and the pathways diagrams that had been produced.

OSMC – Work Programme	
Kirklees Corporate Plan/ Journey to New Council	Overview of Key Strategies: Early Intervention and Prevention Economic Resilience
CSE/ Corporate Parenting/ Safeguarding of Children	
Crime and Disorder- including Community Safety priorities and work with vulnerable groups	Monitoring of previous recommendations: CAMHS
Pre Scrutiny – Future Waste Management Contract	Business Intelligence – approach to policy development
Pre Scrutiny - Play Strategy	Safeguarding Children’s Annual Report
Housing Futures	Community Cohesion
Flood Risk – Preparation for the Flood Season and progress against Flood risk management plan	Equality & Diversity Strategy
Performance Management – revision to approach within the Council	Education Attainment – Learning Landscape
Complaints Annual Report	Effectiveness of Comoodle
Overview of progress in delivering MTFP	PSHE curriculum in schools
Asset Management	Reports of Ad Hoc Scrutiny Panels <ul style="list-style-type: none"> - Bereavement Support in Schools - Adult Mental Health Assessment - Children’s Services

Health & Social Care Panel Headlines

Health & Social Care Overview & Scrutiny Panel

Councillor Andrew Marchington

Councillor Sheikh Ullah

Councillor Steve Hall

Councillor Fazila Fadia

Councillor Judith Hughes

Peter Bradshaw (Co-Optee)

David Rigby (Co-Optee)

Sharron Taylor (Co-Optee)

1. Proposed changes to the Podiatry Services in Kirklees

In 2016 Locala Community Partnerships won the contract to provide podiatry services in Greater Huddersfield and went on to develop proposals which would reduce the service locations; provide daily clinics with longer opening hours in the new locations; and review the pathway of care. The Scrutiny Panel felt that the proposed changes posed a significant change to public service and agreed to scrutinise the proposals. In November 2016, the Panel considered the proposed public consultation document and recommended a number of amendments before it was sent to the public.

The Panel will consider the outcomes of the Locala's consultation at its meeting in November 2017.

2. Healthy Child Programme

The Kirklees Integrated Healthy Child Programme (KIHCP) is seen as a catalyst for transforming work with children and young people across a range of systems, interventions, sectors and services over the next 5 -10 years.

At its meeting in March 2017 the Panel received an update on the KIHCP procurement process; the approach being taken to implementing the programme; and progress of implementation. The Panel was supportive of the work that is being done to develop a comprehensive integrated 0-19 service that will improve outcomes for children and young people and will continue to monitor the development of the service.

3. Wellness Model

The wellness approach goes beyond looking at single-issue, healthy lifestyle services with a focus on illness, and instead aims to take a whole-person and community approach to improving health.

At the March 2017 meeting the Panel received an update on the progress of work that had taken place to develop a Kirklees Wellness Model and agreed that a further meeting be scheduled early in the 2017/18 municipal year to include: a more detailed discussion on the Wellness Model's functions; the Service Specification; and understanding the outcomes and impact for service users.

4. Diabetes in Kirklees

This focus on Diabetes had been carried forward from the Panel's 2015/16 programme to follow up on the work being undertaken by Public Health, CCGs and Locala on prevention, supported self-care/education, primary care, foot care and specialist diabetes services.

Two further meetings were held in 2016/17 that provided the Panel with an update on actions and planned work to support people in Kirklees living with diabetes and to provide details of the current position of the condition in Kirklees. The Panel concluded that it was satisfied with the work being done to tackle Diabetes in Kirklees and agreed that no further work on the issue was required.

5. Kirklees Sustainability and Transformation Plan

NHS England is requiring every health and care system to come together, to create its own ambitious local blueprint (Sustainability & Transformation Plan) for accelerating its implementation of the Forward View. The local NHS planning process will have significant central money attached and Sustainability and Transformation Plans (STPs) will become the single application and approval process for being accepted onto programmes with transformational funding for 2017/18 onwards.

At its October 2016 meeting the Panel was presented with an update on the process for developing Kirklees and West Yorks STPs which included the current financial position of CCGs. The update also included details of a consultation called 'Talk Health Kirklees' which outlined plans to reduce costs and provide better value for NHS spending.

The Panel plans to continue its focus on the Kirklees STP which will include monitoring the impact of any proposed changes and assessing how local changes link to the wider transformational changes taking place across West Yorks.

Focus for Next Year (2017/18)

The Health and Adult Social Care Scrutiny Panel had its first meeting of the 2017/18 municipal year on 4 July 2017 to: reflect on the work it had undertaken in 2016/17; identify where work had been completed; highlight projects that remained and ongoing priority; and to consider additional issues for inclusion in the 2017/18 work programme.

Key areas that panel members agreed should be looked at in 2017/18 include:

- The Financial position of Greater Huddersfield Clinical Commissioning Group (CCG) and North Kirklees CCG.
- The Kirklees Sustainability and Transformation Plan (STP) including how it links with the wider transformational changes taking place across West Yorks.
- Integration of Health and Social Care
- The Healthy Child Programme
- Integrated Wellness Model
- Robustness of Adult Social Care in Kirklees
- Changes to Podiatry Services
- Kirklees Suicide Prevention Plan
- Care Closer to Home
- The Better Care Fund
- Health Optimisation Programme



Health & Social Care Scrutiny Panel – Work Programme 2016/17

Full Panel Discussion Items	
Early Intervention and Prevention (EIP)	End of Life Care
All Age Disability (AAD)	North Kirklees CCG (NKCCG) Key transformation programme
Mental Health Services – Transformation Programme	Proposed changes to the Podiatry Service in Kirklees
Yorkshire Ambulance Service	Pre-Payment Cards and Direct Payments
Diabetes in Kirklees	Quality of Care in Kirklees
Attention Deficit Hyperactive Disorder (ADHD) - Adults	Primary Care Strategy
Kirklees Joint Strategic Assessment	Kirklees Sustainability and Transformation Plan
Care Closer to Home (CC2H)	Talk Health Kirklees Campaign
The Healthy Child Programme (0-19 services)	Wellness Model for Adults
Re-Procurement of the Whitehouse Centre	CQC Inspection of Calderdale and Huddersfield NHS Foundation Trust
Lead Member Briefing Issues	
Robustness of the Adult Social Care System	Integration of Health and Social Care
Changes to the GP Contracts and implications for Kirklees	The Care Act 2014 (to include Client Financial Affairs)
Art Psychotherapy (AP)	NHS Dentistry
Deprivation of Liberty Safeguards	Developing a working protocol with Healthwatch Kirklees and Kirklees Health and Wellbeing Board
Mid Yorkshire NHS Hospitals Trust – Cancer Peer Review (of Unknown Primary)	
Ad-Hoc	
Review of Adult Mental Health Assessments	
Monitoring Items	
Sexual Health – Chlamydia Screening in Kirklees	Tuberculosis (TB) in Kirklees



Adult Mental Health Ad-Hoc Scrutiny Panel

Following feedback to Councillor Smaje, Chair of the Health and Social Care Scrutiny Panel, about the length of time people had to wait from referral to assessment for mental health problems, a request was made to set up an Ad Hoc Scrutiny Panel to look at the issue. Concerns were also raised about perceived difficulties in accessing mental health intervention prior to crisis and how this is balanced against the increasing need for crisis mental health care.

The Ad Hoc Panel carried out most of its evidence gathering work between April 2016 and November 2016

Membership:

Cllr Elizabeth Smaje

Cllr Musarrat Khan (replaced by Cllr Paul Kane from June 16)

Cllr John Lawson

Peter Bradshaw, Co-optee

Sharron Taylor, Co-optee

David Rigby, Co-optee

Terms of Reference:

To understand the pathway for Adult Mental Health Assessments in Kirklees from the initial need for referral to assessment and onto treatment. In particular, to explore the current approach and effectiveness of Adult Mental Health Assessments in Kirklees, this will include:-

Service Provision

- To look at the Mental Health Service provision for Adults in the Kirklees District and to explore any differences between adult mental health services and memory service.

Access

- Accessing mental health intervention for Adults – to explore the links between the perceived increased difficulties in accessing mental health intervention prior to crisis and how this is balanced against the increasing need for crisis mental health care;
- To understand how people access services before they reach a crisis point, or if people can only gain help at crisis point, to establish the reasons for this approach.
- To explore and understand the accessibility of services to the public

- To identify the waiting times for adults to access services - including those that are provided at home, in the context of the timescales from referral to assessment.
- To develop an understanding of the referral process and the volume of referrals, by type in Kirklees
- To understand the assessments process and the range of clinical input into the process, e.g. therapeutic input

Performance

- To undertake an in-depth look at performance targets, how they are measured and performance levels in Kirklees;

Capacity

- To develop an understanding of the demand on services and the capacity locally to respond; to include accessing private secure facilities and those that are provided by the Trust, public sector partners and the voluntary sector.

The Ad Hoc Panel spoke to a Mental Health trust and CCG representatives. It was also particularly useful to talk to a range of support group providers, service users and carers. Their openness and honesty in discussing such an emotive and sensitive subject enabled the Panel to gain a much better understanding of what service users and carers have experienced when accessing essential adult mental health services.

The findings of the Panel were welcomed at the Council meeting in September 2017. It was the Panel's view that there appeared to be a disconnect between the information presented by the service providers and the experiences of service users and those supporting service users. This indicated to the Panel that service providers did not always meet the needs of service users.

Wide ranging recommendations were made by the Panel aimed at improving service delivery and outcomes for service users. The Panel will monitor the recommendations and will want to hear the views of service users, support group providers and carers to learn if, from their standpoint, any improvements have been made.

Children's Services Ad-Hoc Panel

Terms of Reference	Membership
<ol style="list-style-type: none"> 1. To consider the work programme of the Children's Development Board within the Term of Reference set for it. 2. To challenge the prioritisation of the work of the Board and contribute ideas on the achievement of the programme. 3. To comment on the performance framework developed to provide oversight for the work of the Board. 4. To assist the portfolio holders for Children's Services in providing Councillor input to the development programme. 5. To consider the fit of identified development work with the developing Early Intervention and Prevention (EI&P) approach within New Council Programme. 	<p>Councillor Julie Stewart -Turner (CHAIR)</p> <p>Councillor Robert Light</p> <p>Councillor Andrew Marchington</p> <p>Councillor Amanda Pinnock</p> <p>Reverend Richard Burge - STATUTORY SCRUTINY CO-OPTEE</p> <p>Dale O'Neill - VOLUNTARY SCRUTINY CO-OPTEE</p>

In August 2015, an audit sampled the casework of social workers within the Children and Young People's Service. The aim was that the findings of the audit would inform areas of focus for the new directorate leadership team. The audit identified an inconsistency in casework management and recording. This meant that when judged against Ofsted criteria, some cases were deemed inadequate. Furthermore the current performance monitoring data was not sufficient to highlight discrepancies at the earliest opportunity.

A Development Board, led by the former Chief Executive, Adrian Lythgo was established to prioritise and take forward a programme of development work. The Chief Executive approached Overview and Scrutiny to ask that an Ad Hoc Scrutiny Panel be established to act as an independent challenge to the work of the Board.

The Ad Hoc Panel met 11 times between May and October 2016 as well as undertaking informative site visits to talk to front line practitioners at the Multi Agency Safeguarding Hub and the Children's Social Work Team. The Panel completed its findings report by December 2016 and it was well received when presented to Council in January 2017.

Conclusions:

Scrutiny welcomed the improved openness in sharing information with the Ad Hoc Panel and recognised that there are significant challenges

ahead to continue the transformation of the service.

Effective performance management, underpinned by timely and targeted information is critical in ensuring that high standards and legal compliance are maintained. The Council needs to be able to measure not only quantitative compliance but also the qualitative improvement of the service provided to children and their families.

The national spotlight on areas of Children's Services highlighted the need to have clarity on the role of councillors and governance arrangements in respect of Children's Services. The nature of the relationship between officers and councillors is critical to moving forward, as highlighted by the Rotherham case where the need for trust and openness was identified. All councillors need to have an understanding of their role in children's services issues and a basic awareness.

The Panel feels there is the risk of duplication within current governance structures relating to children's services areas. There is a need to develop structures that are fit for purpose within the new council model with clarity on where statutory responsibilities lie and the role of members within those bodies.

The agreed recommendations of the Panel have been incorporated within the Children's Services Improvement Plan. The Children's Scrutiny Panel will be monitoring the progress made in implementing the Improvement.

Bereavement Support in Schools

Ad-Hoc Panel Headlines

Terms of Reference	Membership
<ol style="list-style-type: none"> 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. 	<p>Councillor Cahal Burke (CHAIR)</p> <p>Councillor Donna Bellamy</p> <p>Reverend Richard Burge - STATUTORY SCRUTINY CO-OPTEE</p> <p>Margaret Dobson - VOLUNTARY CO-OPTEE (APPOINTMENT EXPIRED DURING THE COMPLETION OF THE TASK GROUP)</p>

Following concerns raised with Cllr Burke as a ward councillor, about a perceived lack of bereavement support for children and young people in school, an ad hoc panel was established to look more closely at the issue. Initial enquires revealed that there did not seem to be a consistent approach to support provided to young people experiencing bereavement across Kirklees schools. Some schools had a bereavement policy in place, while others did not.

The Ad Hoc Panel sought to understand the role schools play in providing support or signposting children and young people going through bereavement, to appropriate services. The Panel considered evidence received from a wide audience including school staff, young people in attendance at Kirklees schools, council officers and members of the public.

The panel also looked at guidance on good practice and statistics offered by a range of charities providing support in this area. It was specifically noted that:

“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”

And

“1 in 29 pupils has been bereaved of a parent or sibling – that is a child in every class”

Following analysis of all the evidence received, the Panel made the following 6 recommendations to Cabinet for consideration:

Panel Recommendations:

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 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.
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.

JHSC Panels' Headlines

Calderdale & Huddersfield JHSC

Councillor Julie Stewart-Turner
Councillor Andrew Marchington
Councillor Elizabeth Smaje
Councillor Carole Pattison

Councillor Jane Scullion - CALDERDALE COUNCIL
Councillor Marilyn Greenwood - CALDERDALE COUNCIL
Councillor Chris Pearson - CALDERDALE COUNCIL
Councillor Adam Wilkinson - CALDERDALE COUNCIL

Background:

During the early part of the 2016/17 municipal the Joint Committee continued with the evidence gathering phase of its work that focused on the proposals of Calderdale and Greater Huddersfield Clinical Commissioning Groups future arrangements for hospital and community health services in Calderdale and Greater Huddersfield.

In September 2016 the Joint Committee published its response to the proposals which include 19 recommendations. At a Governing Body meeting held in October 2016 Calderdale CCG and Greater Huddersfield CCG agreed their response to the recommendations and also agreed to proceed to Full Business Case (FBC) in relation to the proposals.

At its meeting held 16 November 2016 the Joint Committee considered the response to its recommendations and identified areas where it was not fully satisfied with the response. In line with regulations steps were taken to reach agreement on areas of difference. This was done through a consensus building session that took place in January 2017 and was supported by an independent facilitator.

At a Joint Committee meeting held 23 February 2017 members considered the outcomes of the consensus building session and a report produced by the CCGs and Calderdale and Huddersfield NHS Foundation Trust (CHFT) which provided committee members with an overview of the planned work to develop the FBC and associated information.

The Joint Committee agreed that the CCGs and CHFT submit the completed FBC and associated documentation by the end of June 2017. In addition it was agreed that a further meeting be held in July 2017 to assess whether the Joint Committee's recommendations had been satisfactorily addressed and consider exercising the Committee's power of referral to the Secretary of State.

Current position:

The Joint Committee met on 21 July 2017 and expressed serious concerns about some of the consequences associated with the proposals and agreed to exercise its right to refer the proposals to the Secretary of State for Health.

The referral letter was sent to the Secretary of State in early September and a response is currently awaited.

West Yorkshire Joint Health Overview & Scrutiny Committee (JHSC)

Cllr Elizabeth Smaje **Cllr Eric Firth** **Cllr Gulfam Asif** **Cllr John Lawson**

Since May 2014, the JHSC has been scrutinising the implementation process for the agreed changes to hospital services. Activity in the last twelve months included:

- a meeting in July 2016 to specifically discuss the implementation timetable
- a meeting in April 2017 that highlighted that bed usage figures continued to increase, and that as such, the Trust was recommended

to complete the remaining reconfiguration over a phased period culminating in the reconfiguration of acute medicine week in early September 2017.

The JHSC agreed with the Trust's Star Chamber recommendations and the decision not to reduce the bed base as originally planned. It was advised that a further briefing would be presented to the JHSC in September 2017.

Portfolio Highlights

Resources and Crime & Disorder

During the 2016/17, the Portfolio Lead for Resources and Crime and Disorder, Cllr Asif has concentrated on issues relating to Freedom of Information requests and how the process could become more streamlined. The 2017/18 municipal year will see services proactively publishing requests so that they can become signposts for future Freedom of Information requests. Cllr Asif also considered how the implementation of the permit system for recycling centres had progressed, and the impact this had on reducing trade waste. Cllr Asif received briefings about the SITA PFI contract which ends 2022/23 and consideration of any future contract will likely be developed in the newly formed Corporate Scrutiny Panel.

Children and Young People

During 2016/17, the Portfolio Lead for Children's Services, Cllr Burke has focussed his attention on school's performance information, Corporate Parenting with a specific focus on Fostering and the OFSTED Inspection and the subsequent Improvement Plan developed by the Council in relation to the inspection report delivered by OFSTED. The priority for the 2017/18 municipal year will be to continue to monitor progress against the recommendations and actions contained within the Improvement Plan, along with developing the work programme for the newly formed Children's Scrutiny Panel.

Place

In 2016/17 Cllr Ken Sims, Scrutiny lead for Place had regular briefings with Cabinet portfolio holders and senior officers. Initially getting an understanding of the full breadth of services within the portfolio, Cllr Sims then drilled down

into the main challenges facing those services in the next 12 months. This led to a range of in-depth briefings on issues such as museums and galleries, waste, the Local Plan, the work priorities of the Regional Transport Committee, Bereavement Services, Public Rights of Way and bin collection. Councillor Sims also received quarterly briefings on performance issues and reported findings to the Overview and Scrutiny Management Committee as part of the regular Lead Member Updates item.

New Council and Corporate

Councillor Stewart Turner had a wide range of briefings throughout the municipal year including meetings with the Leader and Deputy Leader and regular briefings with the Chief Executive.

Issues covered included updating on the Scrutiny work programme and issues on the Cabinet agenda plan. There were regular discussions on the issues being identified by the Ad Hoc Scrutiny Panel into Children's Services Improvement. The Chief Executive also provided updates on the progress of the Democracy Commission work. Cllr Stewart Turner also raised concerns about the timeliness of information to Scrutiny and how Scrutiny might be able to work more proactively and how pre decision scrutiny might become further embedded.

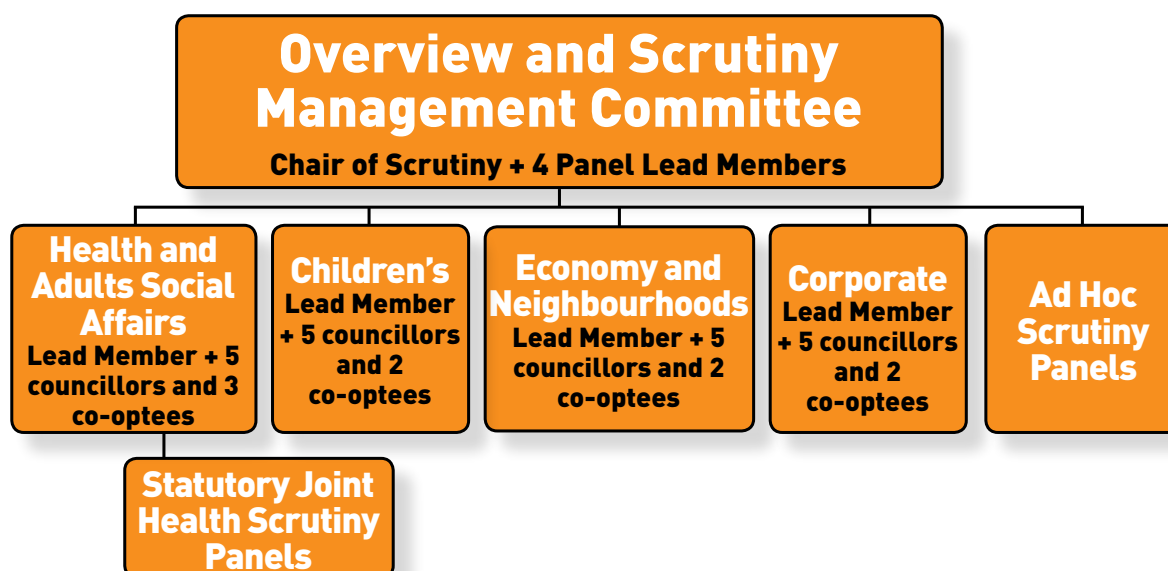
Cllr Stewart Turner also attended a number of briefings with lead officers to discuss issues such as the Education Area Review, the performance management of Kirklees Active Leisure, the Play Strategy, the relationship between scrutiny and policy work and the outcomes of the Ofsted inspection.

PORTFOLIO



Looking Forward 2017/18

A revised structure for Overview and Scrutiny was agreed at Annual Council in May 2017, which saw the introduction of three additional Standing Scrutiny Panels, as shown on the diagram below, to further strengthen the scrutiny function:



Contributing to the developments of the scrutiny function were the findings of the Kirklees Democracy Commission, which looked in depth at governance, accountability and decision making. The findings of the Democracy Commission supported the Council's proposal to strengthen the scrutiny function to enable the following:

“Effective checks and balances – we should make sure we have effective ways of scrutinising decisions. If we continue the Overview and Scrutiny function we need to change our approach, culture and the profile of Scrutiny within the council. This is an issue for officers and councillors alike. We should have a greater focus on the scrutiny of strategic priorities, early dialogue as part of the decision making process and much greater citizen involvement in the scrutiny process.”

“There is a responsibility on the decision makers to share information as early and openly as possible, to listen and not to come with a closed mind.”

“It will be another busy year as the Council drives through the changes required to meet the budget challenges and redesign how the Council works. Scrutiny wants to focus on adding value to areas of strategic priority. The Children's Scrutiny Panel has an important role in scrutinising the implementation of the Children's Services Improvement Plan and the ongoing improvement of practice. With all the Panel Lead Members now sitting on the Management Committee, there will be an ongoing overview of the work programme and an element of peer challenge to ensure Scrutiny is focussing work in the right areas. Scrutiny is keen to get out and about a bit more this year, in order to test what it is being told in formal meetings against the experience of customers and those at the operational end of service delivery.”

Cllr Julie Stewart-Turner, Chair of Scrutiny

Frequently Asked Questions

Here are some brief answers to the most frequently asked questions about Overview & Scrutiny.

What is Overview & Scrutiny?

Overview & Scrutiny acts as a check and balance on the Council's decision maker (the Cabinet) by holding it to account for its decision. Overview & Scrutiny aims to:

- Improve services for local people & their communities
- Ensure Cabinet is accountable to the public
- Improve the performance of the Council's services;
- Improve the performance of other public services for which the Council has responsibility or is a stakeholder in;
- Actively engage local people in Overview & Scrutiny and promote issues which are of importance and of relevance to them.

Who is involved?

Any councillor, other than those who hold a Cabinet post, can take part in Scrutiny work. Panels in Kirklees also include statutory and voluntary co-optees and are supported by Governance & Democratic Engagement Officers. Cabinet Members and Senior Officers are invited to attend Scrutiny Panels to discuss issues that the scrutiny panel has identified as a priority.

Is scrutiny a party political activity?

Scrutiny is a key part of the political process; however it is not party political. The Scrutiny Committee and panel structure are made up of Councillors from across all the political groups. Councillors aim to leave their party politics at the door and look objectively at issues, basing their findings on the evidence they receive.

How do you choose what to scrutinise?

The councillors and voluntary co-optees involved in Overview & Scrutiny decide which issues they want to prioritise, with the Overview & Scrutiny Management Committee responsible for managing the overall Overview & Scrutiny Work Programme. Carrying out effective scrutiny takes a lot of time, commitment and effort so it is simply not possible to look at every issue. When choosing issues, Overview & Scrutiny will consider whether it is can make a real difference by looking at the issue (for example, whether recommendations could result in improved services.)

What can't Scrutiny look at and why?

Overview & Scrutiny is not appropriate for considering individual complaints. The Panels also cannot investigate regulatory or 'quasi-judicial' decisions, such as planning or licensing decisions.

How can the public get involved?

- Attend public meetings of Overview and Scrutiny Management Committee and the Panels.
- Suggest a topic for Overview & Scrutiny.
- Provide evidence at a panel or send us your views.
- Join a pool of people interested in being co-opted on to a panel when vacancies are advertised.





Scrutiny





Team contact details

Contact the Team

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Lead officer details

Overview & Scrutiny OSMC Lead –

Penny Bunker, Governance & Democratic Engagement Manager

Children's Panel

Yolande Myers, Governance & Democratic Engagement Officer

Corporate Panel

Alaina McGlade, Governance & Democratic Engagement Officer

Economy & Neighbourhoods Panel

Steve Copley, Principal Governance & Democratic Engagement Officer

Health & Adult Social Affairs Panel

Richard Dunne, Principal Governance & Democratic Engagement Officer

Joint Health Scrutiny

Richard Dunne, Principal Governance & Democratic Engagement Officer

Alaina McGlade, Governance & Democratic Engagement Officer

Name of meeting: Council

Date: 15 November 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

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 Council's Forward Plan (key decisions and private reports?)	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 portfolio	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. 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.

1.3 There was a preliminary phase of work undertaken between July 2013 and September 2014 including providing a general opportunity for members of the public to comment on their own experience of the issue. Due to other work programme priorities, the work was put on hold whilst other emerging priorities were addressed.

1.4 The work recommenced in 2016 and Cllr Burke, in his role as the Scrutiny Lead for Children and Young People, lead on the progression of the task and arranged a number of further evidence gathering meetings.

1.5 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.

1.6 An action plan is appended to the Findings report at pages 31 to 35 which sets out the Cabinet response to the recommendations. .

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

The report is here for Council to note and consider the findings of the Ad Hoc Scrutiny Panel.

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 consideration by Council the Overview and Scrutiny Management Committee will consider monitoring requirements to ensure the agreed recommendations are implemented.

6. Officer recommendations and reasons

That the Council note and consider the findings of the Ad-Hoc Scrutiny Panel – Bereavement Support in Schools and the Cabinet response to the recommendations.

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

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
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April 2017

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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%).

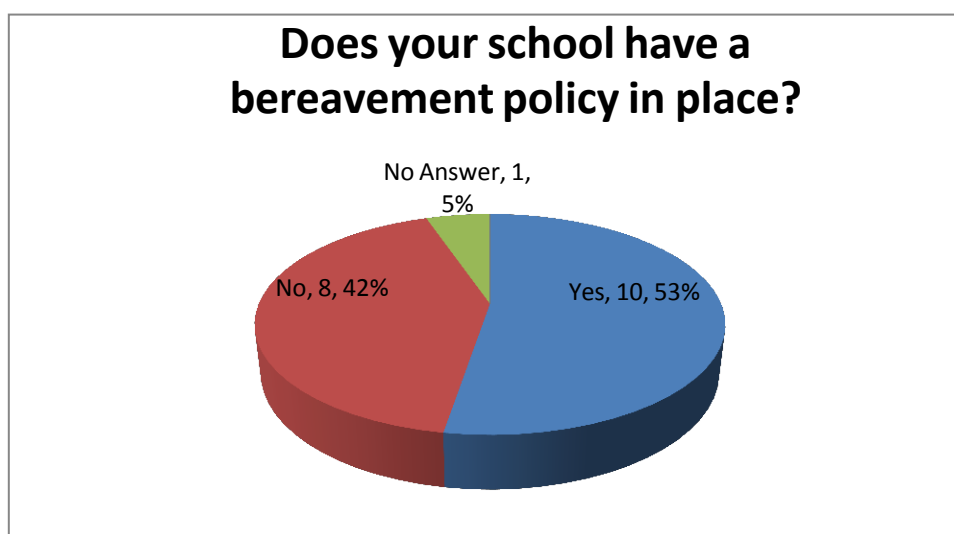
*(Child Bereavement UK Research Statistics)

** (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.

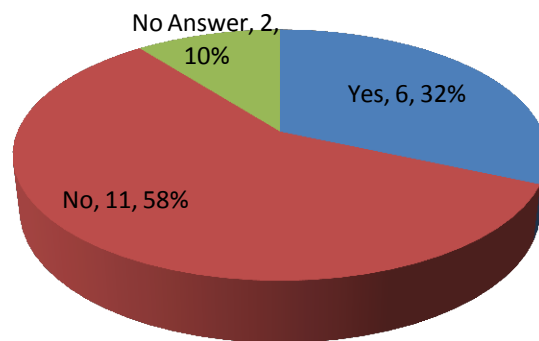
3.2.2 Nineteen schools responded to the request; three of the responses were from High Schools and sixteen from primary schools.



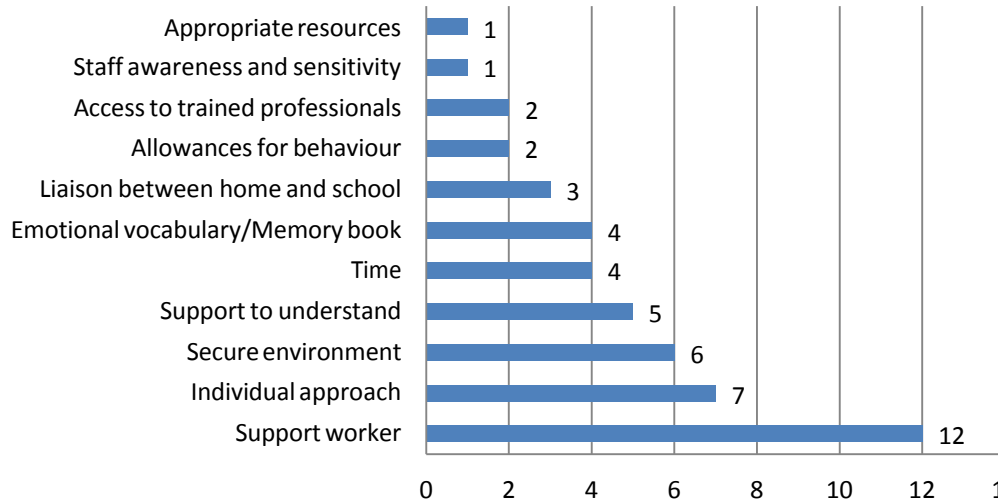
Staff specifically trained?



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 23rd 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 16th 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 17th 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>

DRAFT

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 17th 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

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). 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 st 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 st 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 st 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: Council (Reference from Cabinet)

Date: 15th November 2017

Title of report: Reasonable Behaviour Policy

Purpose of report:

‘To seek support and endorsement 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 Council’s Forward Plan (key decisions and private reports?)	No
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by <u>Director</u> & name	Chief Executive
Is it also signed off by the Service Director - Finance, IT and Transactional Services?	N/A
Is it also signed off by the Service Director - Legal, Governance & Commissioning?	Yes
Cabinet member portfolio	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 measure 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 has 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**

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 Council to:

- Support and endorse the new Reasonable Behaviour Policy

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

That Council supports and endorses the Reasonable Behaviour Policy.

8. **Contact officer**

Chris Read, Corporate Customer Standards Officer
Email: chris.read@kirklees.gov.uk

Nick Howe, Corporate Policy Officer, Policy Unit
Email: nick.howe@kirklees.gov.uk

Alun Ireland, Communications & Marketing Team Manager
Email: 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

November 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). 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.

In terms of a more immediate response, if you are involved or chairing a meeting where an individual displays behaviour that you feel is unreasonable then you should challenge that person stating that they're actions, language or unsubstantiated claims are not acceptable, and that they should refrain from behaving in such a manner including retracting personal insults or false accusations. If they continue in the same vein then in line with the Council's Committee Procedures you may ask the individual to leave the meeting and indeed the premises. You may then want to follow the procedure set out below.

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.

November 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: Council (Reference from) Cabinet
Date: 15 November 2017
Title of report: Property Investment Fund

Purpose of report

To consider a proposal to create a Property Investment Fund (PIF) which would allow the Council to support major development projects which produce wider economic benefits to the Council and the wider Kirklees economy

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 Expenditure of more than £250k
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Yes Registered: 16th June 2017
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Director</u> & name 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?	Naz Parkar - 17.07.17 Debbie Hogg - 21.07.17 Julie Muscroft - 14.07.17
Cabinet member portfolios	Cllr Naheed Mather: Economy (Strategic Housing, Regeneration and Enforcement) Cllr Peter McBride: Economy(Strategic Planning, Regeneration and Transport) Cllr Graham Turner: Corporate (Place, Environment and Customer Contact Services)

Electoral wards affected: All

Ward councillors consulted: N/A

Public or private: Public

1. Summary

This report considers a proposal to create a Property Investment Fund (PIF) with an initial allocation of £25m from the Capital Plan. The PIF will allow the Council to offer loans to development projects which offer significant economic benefits to the Council and the wider Kirklees district. Any funding offers made will be on the basis that the loan repayments made by the recipient will cover the Council's financing costs and allow for an appropriate margin on cost of funds reflecting the level of risk involved and consistent with State Aid principles. All funding offers made will be subject to appropriate due diligence and security arrangements and each individual loan offer will be the subject of a further Cabinet report.

2. Information required to take a decision

2.1 A significant number of local authorities nationally have created similar arrangements to the proposed PIF to allow them to make returnable investments in development projects. For most authorities who have adopted such schemes the key focus has been:

- to stimulate their Economic Strategy and
- promoting development to sustain and develop a robust local economy
- growth in the Business Rate base
- allowing land and property owned by the authority to be transferred to a different ownership model reducing revenue budget exposure.

In short capital investment can be used on an 'invest to save basis' to improve local economic growth, increase income flows or remove revenue costs.

2.2 Some Councils have gone further down this route and have adopted schemes which acquire commercial property or invest in funding vehicles, both within the local authority's boundary or outside of it, on a purely commercial basis as a means of using the revenue flows generated by such schemes to fund local services.

2.3 The proposal discussed in this report does not fall into this category being a proposal to fund schemes in Kirklees only that fulfil the broad objectives set out in 2.1.

2.4 Within Kirklees there are a number of potential schemes which would meet the broad objectives of a PIF and allow the council to intervene to stimulate the local economy and increase revenue flows or reduce liabilities.

2.5 The two most advanced proposals in terms of discussions with the scheme promoters are:

- the Kingsgate Huddersfield extension where Council investment would allow the scheme to be delivered more quickly than via mainstream market funding mechanisms allowing the benefits of increased Business Rate yields and a positive impact on town centre footfall and vibrancy to be delivered earlier and;
- 103 New Street, Huddersfield (the Council owned extension to the former Co-op building) where a proposal being developed would allow the building to be brought back into use removing a significant liability to

the Council and improving the appearance of a significant and prominent gateway to Huddersfield town centre.

- 2.6** The above schemes are illustrative only and the PIF would give due consideration to other proposals. However in creating a PIF it would not be the intention for the Council to directly compete with existing providers of investment funding. The Council would only look to invest, at its discretion, when there was a clear and demonstrable added value case to be made in terms of local economic benefits for PIF involvement.
- 2.7** In many instances the Council investment would be short term to cover the construction phase of development which for is the most critical for schemes to locate finance that is timely and on reasonable terms. Once out of the development phase there is sufficient liquidity at an appropriate risk margin in the existing investment markets for schemes to be refinanced at which point the Council investment would be repaid. In terms of the two illustrative schemes referenced at 2.3 above that has been the basis on which discussions have progressed to date.
- 2.8** As stated above any investment from the PIF would be on terms that allowed the Council to fully cover its costs, including the costs of borrowing to fund any advance, and create an appropriate risk contingency.
- 2.9** Any proposals would have to comply with all relevant legislation re public sector support for commercial private sector investment and would involve a reasonable security package to be put in place. The aim of the PIF would allow the Council to invest on a shared risk basis with private sector investors to maximise the benefit to the local economy and realise the ambitions of the Kirklees Economic Strategy and the requirements of the Council's Medium Term Financial Plan to both increase income and reduce revenue expenditure and liabilities.

3. Implications for the Council

3.1 Early Intervention and Prevention (EIP)

Not directly applicable although a robust and vibrant local economy with the consequent benefits for increased employment and improvements in the quality of the public infrastructure make a contribution to improving individuals resilience to avoid higher cost interventions.

3.2 Economic Resilience (ER)

Clearly the main benefits will be reflected in this ambition in terms of the difference that the interventions from the PIF can make to maintain and increasing the resilience of the local economy. Direct Council investment would be targeted at those schemes which were felt to produce significant added value in terms of an improvement over and above the outcomes that a purely market focussed solution could produce.

3.3 Improving Outcomes for Children

Not directly applicable.

3.4 Reducing demand of services

It is entirely possible that some of the interventions, e.g. 103 New Street, could reduce the cost of mainstream budgets from the Council by allowing property assets to be redeveloped thus removing existing and future maintenance and rates liabilities.

3.5 Legal/ Financial or Human Resources

No Legal implications to the concept of creating a budget for a PIF but clearly any proposals for specific interventions funded from the PIF would require suitable Legal Agreements to be prepared, these arrangements would be dealt with in subsequent reports on the individual schemes.

In terms of Financial implications it is suggested that a budget of £25m be provided in the Capital Plan for the PIF. This would be phased as follows:

- 2017/18 £5m
- 2018/19 £15m
- 2019/20 £5m

As no provision currently exists in the approved Capital Plan for this purpose this report if approved would need to be referred to Council for a decision to increase the overall Capital Plan to provide for a PIF.

In terms of revenue implications it is intended that the costs associated with providing support via the PIF would be covered by the repayments made by the recipients including any borrowing costs and costs associated with due diligence on the proposals and preparing the required Legal Agreements.

The legal powers for the Council to set up the Fund would be Sections 1&12 of the Local Government Act 2003. In respect of any individual loans from the Fund these would be under Section 1 of the Localism Act 2011.

4. Consultees and their opinions

N/A

5. Next steps

Subject to that approval, officers would continue to work with the sponsors of the two most advanced schemes to bring reports setting out proposals for the specifics of PIF support for the individual investments to a future Cabinet meeting for consideration.

6. Officer recommendations and reasons

That approval be given to the setting up of a Property Investment Fund (PIF) with £25m of provision being made in the Capital Plan phased as per para 3.5.

7. Cabinet portfolio holder's recommendations

The relevant Portfolio Holders support the officer recommendation to set up a Property Investment Fund (PIF) with £25m of provision being made in the Capital Plan and would ask that Cabinet/Council do the same.

8. Contact officer

Paul Kemp
Service Director Economy, Regeneration and Culture
Email: paul.kemp@kirklees.gov.uk
Tel: 01484 221000

9. Background Papers and History of Decisions

N/A

10. Strategic Director responsible

Naz Parkar
Strategic Director Economy & Infrastructure
Email: naz.parkar@kirklees.gov.uk
Tel: 01484 221000

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Name of meeting: Council

Date: Wednesday 15 November 2017

Title of report: Kirklees Democracy Commission – Recommendations and Next Steps

Purpose of report

To allow Council the opportunity to discuss, and as determined amend, the recommendations of the Kirklees Democracy Commission. The outcome of this discussion will form a clearer mandate for the next phases of the work.

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?	Not applicable
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Not applicable
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by <u>Strategic Director</u> & name	Jacqui Gedman, Chief Executive
Is it also signed off by the Service Director for Finance IT and Transactional Services?	Not applicable
Is it also signed off by the Service Director for Legal Governance and Commissioning Support?	Not applicable
Cabinet member portfolio	Councillor Cathy Scott

Electoral wards affected: All

Ward councillors consulted: All ward councillors have had the opportunity to consider the Commission's report and recommendations at the extraordinary meeting of Full Council on 10 May 2017.

Public or private: Public

1. Summary

The [Kirklees Democracy Commission](#) has now reported its [findings](#). The Commission's work has received significant national profile and is being cited as an exemplar in terms of approach. The ground breaking report, containing 48 recommendations, was discussed at Council on 10 May 2017 and was launched on 30 June 2017.

It is very important to note that Council resolved to “note and welcome” the report and its findings. This in part explains why this report is being put before Council

Since the report launch work has been taking place to try and determine how the outcomes of the Commission's work will be worked through in a systematic way in order to inform the following:

- The emerging strategic priorities for the Council in light of the Commission's work;
- The consequent expectations placed on the wider council, and partners, in delivering those priorities;
- The operational implications for The Democracy Service in the context of wider service redesign.

To facilitate this process a series of high level outcomes have been developed and the relevant recommendations have been placed alongside those outcomes. Full details are set out at Appendix 1 to this report.

Council is asked to discuss (and as determined amend) the recommendations of the Kirklees Democracy Commission with a view to thereafter agreeing and providing a clear mandate for the next phases of the work.

2. Information required to take a decision

Since the report launch work has taken place to consider the Commission's recommendations with a view to determining a way forward in terms of next steps. As part of this process the Chief Executive consulted with Leading Members at their meeting on 18 July 2017. As a result a number of recommendations have been identified that should be implemented by the Head of Democracy as part of operational service change and delivery. These have therefore not been included in this report.

The remainder of the recommendations require a further strategic steer or they require a councillor-led approach. It is for these reasons that, on balance, it was felt appropriate to bring those recommendations back to Council with a view to gaining clarity in terms of a mandate for future work.

In order to assist this process work has taken place to develop a number of high level outcomes which are derived from the themes in the Commission's report. The relevant recommendations have been placed under the respective outcome(s). This information is captured at Appendix 1.

In order to move progress Council is now asked to consider the high level outcomes and underpinning recommendations with a view to determining the way forward. It is important that there is agreement and clarity as to the next steps. The recommendations set out in the report have been developed with this in mind.

If Council is minded to move progress we will be better placed to:

- Have an innovative and ambitious programme with a focus on local citizens – placing Kirklees at the vanguard nationally;
- Accelerate achievement of the Council's 7 shared outcomes;
- Promote civic innovation and placed-based working, helping to develop a new local "social contract" with citizens, public services, business etc.;
- Help modernise the councillor role and the way it is supported now and for the future;
- Help modernise our governance and decision making arrangements now and for the future;
- Actively address devolution (from the bottom-up) and the perceived democratic deficit.

3. Implications for the Council

3.1 Early Intervention and Prevention (EIP)

The focus on a citizen-led approach, in the context of the Active Citizen, has the potential to contribute to the delivery of EIP outcomes.

3.2 Economic Resilience (ER)

The focus on the notion "Business Citizenship" has the potential to contribute to the delivery of ER outcomes

3.3 Improving Outcomes for Children

The focus on civic pathways for young citizens has the potential to contribute to improving outcomes for children.

3.4 Reducing demand of services

To be determined following the outcome of the Council discussion

3.5 Other (eg Legal/Financial or Human Resources)

To be determined following the outcome of the Council discussion

4. Consultees and their opinions

Initial dialogue has taken place with all Leaders of Political Groups at the Chief Executive's Leading Members meeting on 18 July 2017.

Group Leaders, and their political groups, have been given the opportunity to consider the Commission's recommendations in order to facilitate the discussion at Council. Discussion with group leaders took place on 1st and 7th of November.

The following have been consulted on the approach set out in this report and endorse it as a way forward:

- The Chief Executive;
- Cllr Cathy Scott, Cabinet Member with responsibility for the Democracy Commission;
- Members of the Democracy Commission namely Dr Andy Mycock and Councillors Marchington, Cooper, Wilson, Palfreeman, Loonat and E Firth

5. Next steps

In line with the Commission's expectations the Head of Democracy will have strategic responsibility for progressing work required to deliver the intended outcomes and underpinning recommendations which will be shaped by the resolution of Council. Where such recommendations require constitutional changes there will be opportunities for Council to consider these matters as part of future business.

6. Officer recommendations and reasons

Council is asked to:

- Consider and agree (or amend as appropriate) the strategic outcomes and underpinning recommendations set out at Appendix 1 to this report which will form the basis of a mandate for future work;
- Agree to the creation of a cross party working group (with a ratio of 2:1:1:1) to facilitate delivery of future work;
- Agree that the Head of Democracy, in accordance with the Commission's expectations, has strategic responsibility for progressing the work required to deliver the intended outcomes and underpinning recommendations.

7. Cabinet portfolio holder's recommendations

That Council agree the officer recommendation.

8. Contact officer

Carl Whistlecraft. Head of Democracy
Carl.whistlecraft@kirklees.gov.uk

9. Background Papers and History of Decisions

All background information on the Commission's work (including formal reports, background papers, evidence and research) can be found on the [Commission's website](#).

10. Service Director responsible

Jacqui Gedman, Chief Executive

Outcome A:

Active citizens have a stake in the place they live and are able to inform and influence the future of their community and the decisions affecting it;

Outcome B:

Young citizens are interested and have the opportunity to be engaged in local democracy;

Relevant Commission Recommendations:

1. Kirklees Council should make Active Citizenship a shared strategic priority and use this as a basis for developing a new democratic relationship between Kirklees citizens and the state;
2. Kirklees Council should ensure that schools play a central role as local democratic hubs as part of the delivery of an Active Citizens Strategy. This should involve designing (and putting into practice) a range of approaches which will create pathways for young citizens to become involved in civic society, including raising awareness about being a councillor. These should include:
 - Designing local democracy resources for Kirklees schools to be used in the context of civic education.
 - Strengthening the links between local councillors and the schools in their wards through programmed “school surgeries” as part of citizenship education.
 - Working with the National Citizen Service to develop a mentoring scheme, to be piloted in Kirklees.
 - Working with the Local Government Association (LGA) to develop a young councillor apprenticeship scheme, to be piloted in Kirklees.
 - Working with the University of Huddersfield and local colleges to develop a structured approach to work placement.
 - Developing a mentoring scheme between Kirklees Councillors and Kirklees Youth Councillors;
 - Kirklees Council should work with local businesses to develop the idea of “Business Citizenship” as part of delivering an Active Citizens Strategy with our partners;
3. Kirklees Council should develop a strategic approach to working with the local media, one that seeks to develop a shared responsibility and understanding of the contributions that the media can make to nurturing local civic society;
4. We should clarify the roles and relationships of MPs and local councillors in the context of Active Citizenship and arrange Constituency Contact Meetings annually to discuss key strategic issues for the area.

Outcome C:

Councillors have the confidence, skills, support and capacity to lead the changing relationship between the council and local citizens. They are placed at the heart of the Council;

Outcome D:

The councillor role is clear, widely communicated and universally understood;

Outcome E:

Councillors are accessible and confident in their role in a digitally networked society;

Relevant Commission Recommendations:

5. The Local Government Association (LGA) should develop a core national framework for councillors' allowances, which councils can use now as a basis for determining the rates of allowances locally;
6. National government should revisit the legislation relating to councillors allowances, in light of the increased expectations now placed on the role and the tensions associated with the current approach to determining allowances;
7. National government, in the context of corporate social responsibility, should address the real challenges faced by councillors who are employed;
8. Kirklees Council should redesign support for councillors in a way that has a greater focus on their wards. This should enable councillors to provide better support for communities in developing effective facilities, programmes and social networks to improve people's quality of life;
9. Kirklees Council should use the evidence gathered by the Democracy Commission to re-define the role profile for Kirklees councillors, so that this reflects the changing and long term expectations and needs of the role. The revised profile should include core expectations, linked to ongoing performance. These should be used to demonstrate the impact that councillors are having, particularly in their wards;
10. Kirklees Council should make performance evidence about what councillors do available to the public, in an easy-to-digest format;
11. Kirklees Council should support all our councillors to understand and embrace digital technology. Digital literacy should be a core expectation of the councillor role. It should be part of new councillor induction and councillor development, so that we support councillors in developing their digital skills and confidence, and enable them to play an active part in explaining our decision-making processes to our citizens. Commission members should pilot this approach;
12. Kirklees Council should review and improve the ways in which we support senior councillors to carry out their role in the context of the wider region. This should involve improving the information flow, in both directions, between the City Region and local areas. We should make sure that all our councillors receive timely information about the regional devolution agenda;

Outcome F:

Decision making is built around the needs of the citizen; it is open, engaging, based on dialogue and has effective checks and balances; any arrangements should safeguard the health and reputation of the council;

Outcome G:

Council meetings are open, accessible and engaging for citizens and councillors alike;

Outcome H:

Democratic content is accessible, digestible and delivered in a way that considers the needs of the citizen and councillors alike;

Outcome I:

Citizens and councillors understand how decisions are made and have an opportunity to be engaged throughout the process wherever possible;

Relevant Commission Recommendations:

13. Kirklees Council should carry out a full review of our governance and decision making arrangements. The review should be based on the issues and core design principles that are set out in the report:
14. Kirklees Council should revisit our approach to consultation. We should place a greater emphasis on timely, selective citizen engagement as part of the policy development and decision-making process. We should test this on a pilot basis to begin with, and consider models of good practice from elsewhere:
15. Working with key partners and providers, Kirklees Council should use the learning from international examples to develop an approach for blending online and off-line engagement processes, as part of strategic planning, policy making and decision-making. This should form part of a pilot that will explore innovative approaches to planning and priority setting in a particular area of Kirklees.

Outcome J:

Registering to vote should be easy, accessible and convenient especially for our young citizens;

Outcome K:

Citizens are able to access accurate, timely, trustworthy and relevant information about elections and candidates standing;

Relevant Commission Recommendations:

16. Kirklees Council should continue to support the innovative approaches we have developed to electoral outreach work as a means of ensuring that registration levels are maintained and continue to rise beyond the period of central government funding for Individual Electoral Registration (IER);
17. National government should amend legislation to introduce the compulsory registration of young people at the age of 16;
18. National government should lower the voting age to 16 and agree that such arrangements be piloted in Kirklees in order to fully evaluate the benefits and implications.
19. All schools in Kirklees should make their premises available to be used as a polling station on the day of an election;
20. National government should continue to explore all options (for example, online voting, early or weekend voting and registration on polling day) to increase voter registration, accessibility and turnout;
21. National government should consider the importance of local democracy when it is planning and legislating in respect of the timing and sequencing of elections. Local elections are important events and should be recognised as such. We do not wish to see a further dilution of local democracy;
22. National government and the West Yorkshire Combined Authority should plan and sequence Mayoral elections for the region in a way that does not have a negative impact on local democracy.

Outcome L:

Our approach to local devolution is from the ground up, based on local identity and the specific priorities of our towns, villages and communities;

Outcome M:

Citizens and councillors understand the opportunities and implications of regional devolution;

23. National government should provide clearer information about the purpose of (and processes for) regional devolution. This should:

- Be clear about the outcomes that national government is seeking to achieve through regional devolution.
- Provide greater clarity about the role, responsibilities and expectations of an Elected Mayor.
- Provide greater clarity in terms of the power and responsibilities that exist at the relevant tiers of governance (region, district and local). This should involve more transparency about financial issues.

24. The West Yorkshire Combined Authority should improve the quality and flow of information in order to help citizens and local councillors understand (and have better awareness of) regional issues and their relevance. This should include improving the way in which its democratic content is produced, published and communicated;

25. Kirklees Council should engage with local citizens to address the issue of local identity. Local devolution and governance are an ongoing challenge. We should be clearer about our local identity so that we can make a strong and powerful contribution to regional discussions;

26. Kirklees Council should develop local approaches to strategic planning and priority setting (within different parts of Kirklees), based on the findings of our engagement work with citizens on local identity;

27. Kirklees Council, together with our partners, should do some pilot work to explore innovative approaches to planning and priority setting in a particular area of Kirklees. This work should make use of some of the successful practice that the Democracy Commission have discovered as part of our work.

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