

Public Document Pack



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

Julie Muscroft

The Democracy Service

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Please ask for: Andrea Woodside

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Monday 7 December 2020

Notice of Meeting

Dear Member

Cabinet

The **Cabinet** will meet in the **Virtual Meeting - online** at **3.00 pm** on **Tuesday 15 December 2020**.

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

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

A handwritten signature in black ink, appearing to read 'Julie Muscroft', on a light-colored background.

Julie Muscroft

Service Director – Legal, Governance and Commissioning

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

The Cabinet members are:-

Member

Councillor Shabir Pandor
 Councillor Paul Davies
 Councillor Viv Kendrick
 Councillor Musarrat Khan
 Councillor Naheed Mather
 Councillor Peter McBride
 Councillor Carole Pattison
 Councillor Cathy Scott
 Councillor Graham Turner

Cabinet Portfolio

Leader of the Council
 Culture and Greener Kirklees
 Children (Statutory responsibility for Children)
 Health and Social Care
 Environment
 Deputy Leader of the Council / Regeneration
 Learning, Aspiration and Communities
 Housing and Democracy
 Corporate

Emergency Cabinet Portfolio Responsibilities During Covid-19

Cllr Shabir Pandor	Leading the immediate response to the pandemic Leading recovery strategy Public Health
Cllr Peter McBride	Immediate support to business Planning the post-pandemic inclusive economy
Cllr Viv Kendrick	Statutory responsibility for children's social care Safeguarding our most vulnerable children throughout the pandemic
Cllr Musarrat Khan	Statutory responsibility for vulnerable adults Responsible for vulnerable adult social care, and safeguarding our most vulnerable adults throughout the pandemic
Cllr Carole Pattison	Working with schools to maintain services Planning for return to school
Cllr Graham Turner	Financial oversight Resources
Cllr Naheed Mather	Council staff, including staff wellbeing
Cllr Cathy Scott	Engaging and supporting voluntary sector capacity for immediate responses to the pandemic Strengthening place-based working for the future (North Kirklees)
Cllr Paul Davies	Engaging and supporting voluntary sector capacity for immediate responses to the pandemic Strengthening place-based working for the future (South Kirklees)

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of Cabinet

1 - 2

To receive (i) details of revised Cabinet Portfolios with effect from 23 November 2020 and note the appointment of Councillor Paul Davies as Cabinet Member for Culture and Greener Kirklees Portfolio and (ii) to receive apologies for absence from Cabinet Members who are unable to attend this meeting.

2: Interests

3 - 4

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

3: Admission of the Public

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

4: Deputations/Petitions

The Cabinet 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.

5: Public Question Time

Due to current Covid-19 restrictions, Members of the Public may submit written questions to the Leader, and/or Cabinet Members.

Any questions should be emailed to executive.governance@kirklees.gov.uk no later than 10.00am on Monday 14th November 2020.

In accordance with Council Procedure Rule 11(5), the period allowed for the asking and answering of public questions shall not exceed 15 minutes. A maximum of 4 questions per person may be submitted.

6: Questions by Elected Members (Oral Questions)

Cabinet will receive any questions from Elected Members (via remote access).

In accordance with Executive Procedure Rule 2.3 (2.3.1.6) a period of up to 30 minutes will be allocated.

7: Half Yearly Monitoring on Treasury Management Activities 2020-2021

5 - 26

To receive half yearly treasury management activity monitoring, covering the period 1 April to 30 September 2020.

Wards affected: All

Contact: James Anderson, Head of Accountancy

8: Colne Valley Place Partnership - Proposal to provide responsive mental health and wellbeing interventions for young people and families

27 - 34

To consider the allocation of funding of £101,000 from the Place Partnership mental health themed budget to provide a responsive mental health intervention, including counselling, service for young people and families and to deliver a Therapeutic Forest School Pilot in the Golcar, Lindley and Colne Valley Wards.

Wards affected: Colne Valley, Golcar, Lindley

Contact: Luc Bride, Active Citizens and Places Officer

9: Final Report of Ad Hoc Scrutiny Panel on Elective Home Education 35 - 90

To present the final report of the Ad Hoc Scrutiny Panel – Elective Home Education.

Wards affected: All

Contact: Sheila Dykes, Principal Governance and Democratic Engagement Officer Tel: 01484 221000

10: Amendments to Civil Penalty Policy for Housing related offences 91 - 112

To outline the changes to the Civil Penalty Policy following the introduction of additional legislation and to seek delegated powers for future minor changes to the policy.

Wards affected: All

Contact: Stephen Cale, Operations Manager Housing Solutions Service Tel: (01484) 221000

11: Local authority COVID Winter Grant scheme 113 - 120

To set out Council proposals to provide assistance with food utilities and other essential supplies in accordance with the guidance issued by Government.

Wards affected: N/A

Contact: Natalie Mcsheffrey, Head of Education Relationships and Business, Steven Bird, Head of Welfare and Exchequer Services and Julian Hobson, Senior Manager Welfare and Exchequer Services

12: Proposal for the Early Help offer for Children Young People and Families 121 - 146

A report for information. The paper aims to provide information on the proposed future design of an integrated 0-19 (25) Early Support offer (Family Hubs).

Wards affected: All

Contact: Jackie Beever, Service Manager Early Support and Michelle Wheatcroft, Head of Service Early Support Tel: 01484 221000

13: COVID 19 Community Champions Grant Scheme 147 - 168

This report seeks approval for the Council to establish a Community Champions grant scheme to support the Community Champions Fund (MHCLG). On 22 October 2020 the Minister for Equalities announced that the Ministry of Housing Communities and Local Government (MHCLG) would provide up to £25m of funding to support those communities who have been shown to suffer disproportionately from COVID 19.

Wards affected: All

Contact: Jill Greenfield- Service Director Customers and Communities Tel: 01484 221000

14: VCS Support Funding over the Christmas Period (Late/Urgent item) 169 - 172

To consider a proposal to provide Ward Councillors with additional resources to support voluntary and community groups in their Ward who may be impacted by a loss of funding over the Christmas period.

Contact: Carl Whistlecraft, Head of Democracy and Place Based Working Tel: 01484 221000

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KIRKLEES COUNCIL NOTICE UNDER ARTICLE 7 OF KIRKLEES COUNCIL CONSTITUTION

I give notice under Article 7.2.4 and 7.3.4 of the Kirklees Council Constitution that I wish to make the changes to the Cabinet portfolio of functions described below, including the Councillors appointed as Deputy Leader and with Statutory Responsibility for Children.

Executive Functions and Delegations to the Cabinet and others including officers will remain as set out within Part 3 of the Council's Constitution.

Name	Description of Portfolio or other responsibility
Shabir Pandor	Leader
Peter McBride	Deputy Leader and Regeneration
Carole Pattison	Learning, Aspiration and Communities
Cathy Scott	Housing and Democracy
Viv Kendrick	Children (Statutory responsibility for Children)
Naheed Mather	Environment
Paul Davies	Culture and Greener Kirklees
Musarrat Khan	Health & Social Care
Graham Turner	Corporate

Shabir Pandor
Leader of the Council

Signed



Date 23 November 2020

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KIRKLEES COUNCIL			
COUNCIL/CABINET/COMMITTEE MEETINGS ETC			
DECLARATION OF INTERESTS			
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.



Name and date of meeting: Corporate Governance and Audit Committee
24 November 2020

Cabinet
15 December 2020

Council
13 January 2021

Title of report: Half Yearly Monitoring on Treasury
Management Activities 2020/21

Purpose of report

The Council has adopted the CIPFA Code of Practice on Treasury Management. It is a requirement of the Code that regular reports be submitted to Members detailing treasury management operational activity. This report is the mid-year for 2020/21 covering the period 1 April to 30 September 2020.

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?)	Key Decision: Yes Private Report/Private Appendix: N/A
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by Strategic Director and name	N/A
Date signed off by Service Director	Eamonn Croston – 13 November 2020
Is it also signed off by the Service Director Legal Governance and Monitoring?	Julie Muscroft – 13 November 2020
Cabinet member portfolio	Corporate Graham Turner

Electoral wards affected: N/A

Ward councillors consulted: N/A

Public or Private: Public

GDPR: This report contains no information that falls within the scope of General Data Protection Regulations.

1 Summary

- 1.1 The report gives assurance that the Council's treasury management function is being managed prudently and pro-actively. External investments, including £10.0 million invested in the Local Authorities Pooled Investment Fund (LAPF), averaged £53.4 million during the period at an average rate of 0.41%. Investments have ranged from a peak of £144.1 million in April and a low of £15.0 million in June. The high investment balance in April was due to receiving Covid19 support grant of £12.2 million and Business Rates relief grant for 2020/21 of £11.7 million from Central Government on 27 March 2020 and Business grants on 1 April 2020 of £113.7 million. The Business grants did not start to be paid out to local businesses until mid-April.
- 1.2 Balances were invested in line with the approved treasury management strategy (see Appendix 1), in instant access accounts or short-term deposits.
- 1.3 The treasury management revenue budget is £22.1 million. This is covered in more detail at paragraph 2.17 later in this report.
- 1.4 In-year treasury management performance is in line with the treasury management prudential indicators set for the year (see Appendix 4).

2 Information required to take a decision

- 2.1 The treasury management strategy for 2020/21 was approved by Council on 12 February 2020. The over-riding policy continues to be one of ensuring the security of the Council's balances. The Council aims to invest externally balances of around £30 million, largely for the purpose of managing day-to-day cash flow requirements, with any remaining balances invested "internally", offsetting borrowing requirements.
- 2.2 The investment strategy is designed to minimise risk, with investments being made primarily in instant access accounts or short-term deposits, with the major British owned banks and building societies, or Money Market Funds. Diversification amongst counterparties is key. The additional cash received in April was mainly invested in the Debt Management Office (DMO) which is an Executive Agency of Her Majesty's Treasury.

Economic Context

- 2.3 *The following economic update has been provided via our external advisors Arlingclose (paragraphs 2.4 to 2.9 below):*
- 2.4 The spread of the coronavirus pandemic dominated during the period as countries around the world tried to manage the delicate balancing act of containing transmission of the virus while easing lockdown measures and getting their populations and economies working again. After a relatively quiet few months of Brexit news it was back in the headlines towards the end of the period.

- 2.5 The Bank of England (BoE) maintained Bank Rate at 0.1% and its Quantitative Easing programme at £745 billion. The potential use of negative interest rates was not ruled in or out by BoE policymakers, but then a comment in the September Monetary Policy Committee meeting minutes that the central bank was having a harder look at its potential impact than was previously suggested took financial markets by surprise.
- 2.6 Government initiatives continued to support the economy, with the furlough (Coronavirus Job Retention) scheme keeping almost 10 million workers in jobs, grants and loans to businesses and 100 million discounted meals being claimed during the 'Eat Out to Help Out' (EOHO) offer.
- 2.7 GDP growth contracted by a massive 19.8% (revised from first estimate -20.4%) in Q2 2020 (Apr-Jun) according to the Office for National Statistics, pushing the annual growth rate down to -21.5% (first estimate -21.7%). Construction output fell by 35% over the quarter, services output by almost 20% and production by 16%. Recent monthly estimates of GDP have shown growth recovering, with the latest rise of almost 7% in July, but even with the two previous monthly gains this still only makes up half of the lost output.
- 2.8 The headline rate of UK Consumer Price Inflation (CPI) fell to 0.2% year/year in August, further below the Bank of England's 2% target, with the largest downward contribution coming from restaurants and hotels influenced by the EOHO scheme. The Office for National Statistics' preferred measure of CPIH which includes owner-occupied housing was 0.5% y/y. In the three months to July, labour market data showed the unemployment rate increased from 3.9% to 4.1% while wages fell 1% for total pay in nominal terms (0.2% regular pay) and was down 1.8% in real terms (-0.7% regular pay). Despite only a modest rise in unemployment over the period, the rate is expected to pick up sharply in the coming months as the furlough scheme ends in October. On the back of this, the BoE has forecast unemployment could hit a peak of between 8% and 9%.
- 2.9 Ultra-low interest rates and the flight to quality continued, keeping gilts yields low but volatile over the period with the yield on some short-dated UK government bonds remaining negative. The 5-year UK benchmark gilt yield started and ended the June–September period at -0.06% (with much volatility in between). The 10-year gilt yield also bounced around, starting at 0.21% and ending at 0.23% over the same period, while the 20-year rose from 0.56% to 0.74%. 1-month, 3-month and 12-month bid rates averaged 0.02%, 0.06% and 0.23% respectively over the period.

Investment Performance

- 2.10 The Council invested an average balance of £43.4 million externally (excluding the LAPF) during the period (£29.9 million in the first six months of 2019/20), generating £64k in investment income over the period (£127k in 2019/20). The LAPF investment of £10.0 million generated £155k of dividend income (£5.0 million invested in 2019/20 generated £68k). Appendix 7 shows a comparative average net monthly balances invested over the last 3 years.

- 2.11 Balances were invested in instant access accounts, short term deposits and the LAPF. Appendix 1 shows where investments were held at the start of April, the end of June and September by counterparty, by sector and by country.
- 2.12 The Council's average investment rate for the period was 0.41%. This is lower than the average in the same period in 2019/20 of 0.56%. This is mainly due to the bank base rate moving to an incredibly low level of 0.10%. Returns on liquid cash balances were 0.15% and 3.56% on the LAPF (after deducting charges). The actual gross dividend yield quoted from the fund on Net Asset Value was 4.26% at the end of September for the last 12 months, and the fund size was £1,155.8 million (4.35% and £1,173.1 million respectively for the 12 months to September 2019).
- 2.13 Appendix 3, provided by Arlingclose, compares the Council's performance against other Local Authorities at the end of September. In order to gain better rates of return, the majority of Local Authorities with a higher rate of return have further external investments creating a more diverse portfolio.

Borrowing Performance

- 2.14 Long-term loans at the end September totalled £381.5 million (£385.9 million 31 March 2020) and short-term loans £48.5 million – (£40.4 million 31 March 2020). There has been no new long-term borrowing so far this year, however the mid-year liability benchmark highlights that there is an expectation of new additional long term borrowing of £52.4 million. The Council is waiting for the results of the PWLB consultation before considering long term borrowing for the general fund. This is detailed further in paragraph 2.30.
- 2.15 Fixed rate loans account for 84.5% of total long-term debt giving the Council stability in its interest costs. The maturity profile for fixed rate long-term loans is shown in Appendix 2 and shows that no more than 10.6% of fixed rate debt is due to be repaid in any one year. This is good practice as it reduces the Council's exposure to a substantial borrowing requirement in future years when interest rates might be at a relatively high level.
- 2.16 Appendix 5 sets out in year repayments on long term borrowing and also further re-payments for the next 6 months.

Revenue Budget Monitoring

- 2.17 The treasury management revenue budget is £22.1 million. The change in Minimum Revenue Provision (MRP) policy allowed for a planned release of £9.1 million MRP budget over-provision in 2020/21. As part of the Council approved budget strategy update report 2021/22, this is now due to increase to £13.7 million with the additional £4.6 million to move to reserves to support 2021/22 year's budget gap. The revised MRP policy is to provide for MRP on the basis of the asset life to which external borrowing is incurred rather than the older version of a 4% reducing balance of the Capital Financing Requirement (CFR). The MRP calculation is used to determine the amount of revenue resources that need to be set aside annually by the Council to meet its debt obligations.

Prudential Indicators

- 2.18 The Council is able to undertake borrowing without central government approval under a code of practice called the Prudential Code. Under this Code, certain indicators have to be set at the beginning of the financial year as part of the treasury management strategy.
- 2.19 The purpose of the indicators is to contain the treasury function within certain limits, thereby reducing the risk or likelihood of an adverse movement in interest rates or borrowing decision impacting negatively on the Council's overall financial position. Appendix 4 provides a schedule of the indicators set for treasury management and the latest position.

Borrowing and Investment – General Strategy for 2020/21

- 2.20 The Capital Financing Requirement (CFR) represents the Council's underlying need to finance capital expenditure by borrowing or other long-term liability arrangements.
- 2.21 An authority can choose to finance its CFR through internal or external borrowing or a combination of the two.
- 2.22 Forecast changes in the Capital Financing Requirement (CFR) and how these will be financed are shown in the balance sheet analysis at Table 1 below:

Table 1: Balance Sheet Forecast

	Actual 2019/20 £m	Strategy Estimate 2020/21 £m	Revised Forecast 2020/21 £m
General Fund CFR - Non PFI	461.6	540.7	519.8
PFI	45.8	42.5	42.5
HRA CFR - Non PFI	175.3	167.7	170.3
PFI	50.5	48.1	48.1
Total CFR	733.2	799.0	780.7
Less: PFI debt liabilities (1)	96.3	90.6	90.6
Borrowing CFR	636.9	708.4	690.1
Financed via:			
Deferred Liabilities	3.9	3.7	3.7
Internal Borrowing	206.1	222.5	213.9
External Borrowing	426.9	482.2	472.5
Total	636.9	708.4	690.1
Investments	52.0	30.0	30.0

(1) £96.3m PFI Liability (£6.0m falling due in 2019/20)

(2) Deferred Liabilities = £1.0m Finance Lease (Civic Centre 1) & £2.8m Transferred Debt (Waste Management - Wakefield & Magistrates Debt Charges - Leeds)

- 2.23 The revised forecast takes into account the following factors;
- a) General Fund CFR has reduced from £540.7 million in the 2020/21 Strategy to £519.8 million revised forecast due to slippage and re-profiling within the Capital Plan.
 - b) Internal borrowing in the 2020/21 Strategy was £222.5 million, this has now been revised down to £213.9 million due to higher than forecast use of reserves. Internal borrowing reflects the totality of General Fund, HRA revenue reserves, Capital Grant Reserves and Capital Receipts reserves.
- 2.24 The Council currently looks to maximise internal borrowing due to the relatively low rates of investment income available within the scope of the Treasury Management Strategy.
- 2.25 In October 2019 the Public Works Loan Board (PWLB) raised the cost of certainty rate borrowing by 1% to 1.8% above UK gilt yields as HM Treasury was concerned about the overall level of local authority debt and authorities borrowing to buy commercial assets primarily for yield without impeding their ability to pursue their core policy objectives of service delivery, housing, and regeneration. The PWLB launched a wide-ranging consultation on the PWLB's future direction which closed on 31 July 2020. New lending terms are expected at the end of the calendar year or at the start of the new financial year.
- 2.26 Short term borrowing rates however remain very low. Short term local to local funding up to 6 months in duration is currently available at the current bank rate of 0.1% or even slightly lower.

Future Treasury Management Strategy

- 2.27 The Council's overall Treasury Management Strategy will continue to maintain a relatively low risk strategy giving priority to security and liquidity, and as such invest an average of around £20 million externally in relatively short-term, liquid investments through the money markets, for the purpose of managing day-to-day cash flow requirements. Any remaining balances, net of investment in the LAPF, will be used internally, offsetting borrowing requirements. The investment strategy is designed to minimise risk, investments being made primarily in instant access accounts or short-term deposits, with the major British owned banks and building societies, or Money Market Funds.
- 2.28 The Treasury Management Code of Practice ensures management practices are in place for non-treasury management activity in addition to the existing 12 Treasury Management Practices (TMPs). This is identified at the end of this report (Appendix 6).
- 2.29 The updated CIPFA Prudential and Treasury Management Codes calls for more robust management of commercial activity and capital borrowing, acknowledging the increasing trend over more recent years for Councils to investment in commercial properties, funded by borrowing, with the key driver of this activity appearing to be the generation of revenue. The prudential code takes the same position as the statutory guidance, and it is clear that authorities

must not borrow more than or in advance of their needs purely to profit from the investment of the extra sums borrowed.

- 2.30 Following the 1% increase in PWLB borrowing rates (as noted above in paragraph 2.25), Arlingclose suggest that PWLB rates are now relatively expensive (albeit reset to the rates they were 2 years previous) compared to alternative longer term funding sources, where Councils are considering longer term borrowing. The Council's current approach is to continue to borrow short term until the outcome of the PWLB consultation. Given the need to borrow longer term, the Council will however consider taking out HRA loans due the reduction in the margin on new borrowing via the HRA. The value of this discount is 1% below the rate at which the authority usually borrows from the PWLB. This will be subject to ongoing review in consultation with Arlingclose as to when during the year it may be more appropriate to borrow longer term.

Risk and Compliance issues

- 2.31 In line with the investment strategy, the Council has not placed any direct investments with companies as defined by the Carbon Underground 200.

3 Implications for the Council

- 3.1 Treasury management budget forecast will continue to be reported as part of the overall quarterly financial monitoring reporting cycle to Cabinet, through the remainder of the year.

4 Consultees and their opinions

This report was considered and endorsed at Corporate Governance and Audit Committee on 24 November 2020 and will be submitted to Cabinet for consideration on 15 December 2020. Arlingclose, the treasury management advisors to the Council, have provided the economic context commentary contained in this report.

5 Next steps

Following consideration at Cabinet, this report will be presented to Council on 13 January 2021.

6 Officer recommendations and reasons

Having read this report and the accompanying Appendices, Cabinet are asked to:

- 6.1 Note the half-year treasury management performance in 2020/21 as set out in the report;

7 Contact officer

James Anderson	Head of Accountancy Service	01484 221000
Rachel Firth	Finance Manager	01484 221000

8 Background Papers and History of Decisions

CIPFA's Prudential Code for Capital Finance in Local Authorities.

CIPFA's Code of Practice on Treasury Management in the Public Services.

CIPFA's Treasury Management in the Public Services – Guidance notes

The treasury management strategy report for 2020/21 - Council 12 February 2020

Council Budget Strategy Update Report 2021/24 – Council 20 October 2020

Annual Report on Treasury Management 2019/20 - Annual Financial Outturn and Rollover Report 2019/20; Council 22 July 2020

9 Service Director responsible

Eamon Croston 01484 221000

Kirklees Council Investments 2020/21												
Counterparty	Approved Strategy Limit £m	Approved Strategy Credit Rating	Credit Rating Sept 2020*	1 April 2020 (opening)			30 June 2020			30 September 2020		
				£m	Interest Rate	Type of Investment	£m	Interest Rate	Type of Investment	£m	Interest Rate	Type of Investment
Specified Investments												
LAPF Property Fund	10.0	-	-	10.0	-	***	10.0	-	***	10.0	-	***
Thurrock Council L A	10.0	-	-	10.0	2.50%	18 Days						
Surrey County Council L A	10.0	-	-	5.0	1.25%	3 Weeks						
DMO Govt	Unlimited	-	AA-	0.0	-	-	4.6	0.01%	Overnight	0.0	-	-
Santander Bank	10.0	F1	F1/A+	0.0	0.85%	35 Day Notice	0.0	0.47%	35 Day Notice	8.0	0.47%	35 Day Notice
Aberdeen Standard MMF**	10.0	AAA-A	AAA	10.0	0.45%	MMF	5.3	0.25%	MMF	9.5	0.08%	MMF
Aviva MMF**	10.0	Aaa-A2	Aaa*	6.6	0.45%	MMF	10.0	0.26%	MMF	10.0	0.06%	MMF
Deutsche MMF**	10.0	AAA-A	AAA	2.9	0.36%	MMF	9.9	0.23%	MMF	9.4	0.06%	MMF
Goldman Sachs MMF**	10.0	AAA-A	AAA	7.5	0.27%	MMF	0.2	0.05%	MMF	5.0	0.01%	MMF
				52.0			40.0			51.9		
Sector analysis												
Property Fund	10.0			10.0	19%		10.0	25%		10.0	19%	
Bank	10.0 each			0.0	0%		0.0	0%		8.0	16%	
MMF**	40.0			27.0	52%		25.4	63%		33.9	65%	
Local Authorities/Cent Govt	Unlimited			15.0	29%		4.6	12%		0.0	0%	
				52.0	100%		40.0	100%		51.9	100%	
Country analysis												
UK				25.0	48%		14.6	37%		18.0	35%	
MMF**				27.0	52%		25.4	63%		33.9	65%	
				52.0	100%		40.0	100%		51.9	100%	

*Fitch short/long term ratings, except Aviva MMF (Moody rating). See next page for key. The use of Fitch ratings is illustrative – the Council assesses counterparty suitability using all 3 credit rating agencies, where applicable, and other information on credit quality.

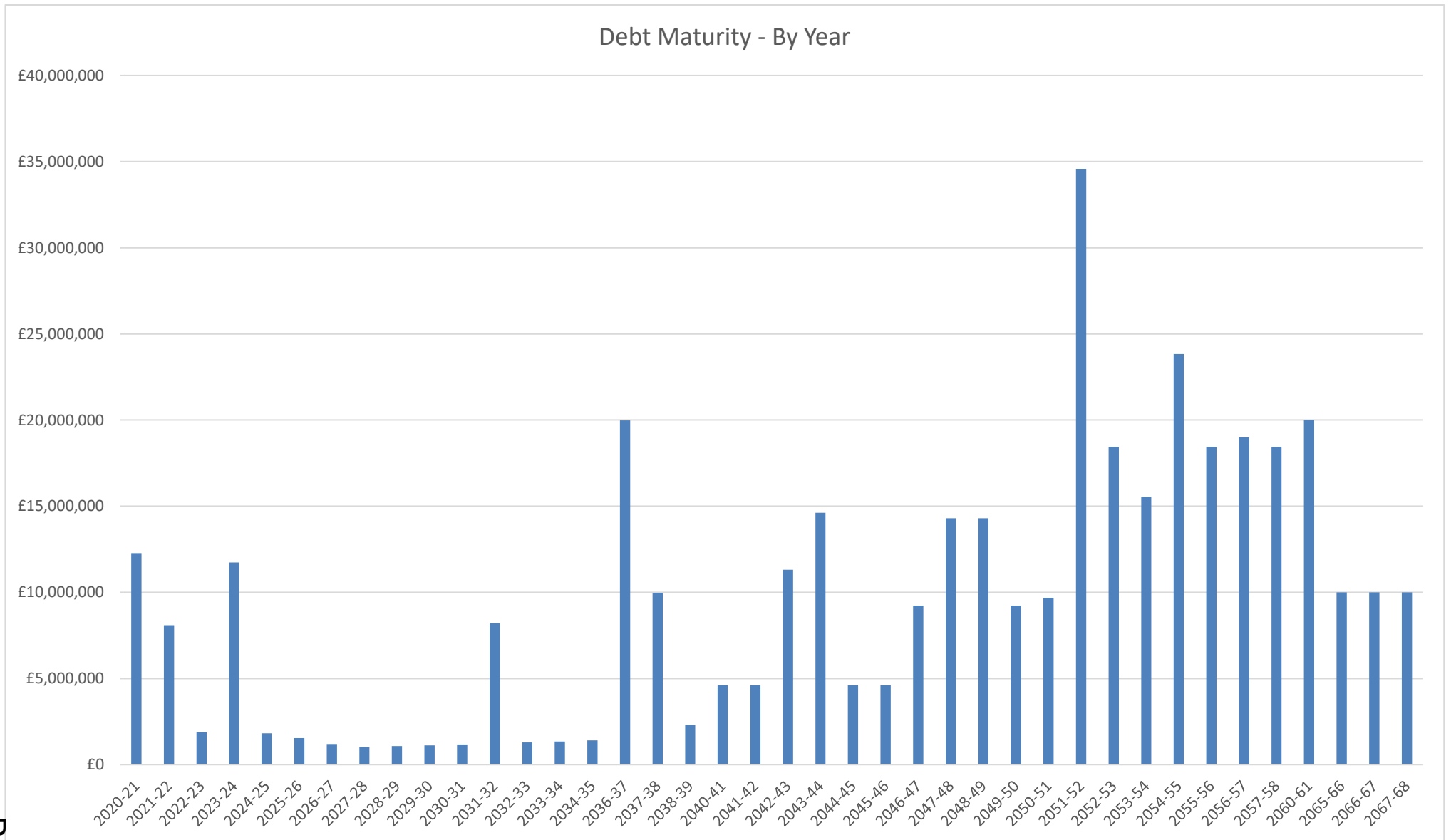
**MMF – Money Market Fund. These funds are domiciled in Ireland for tax reasons, but the funds are made up of numerous diverse investments with highly rated banks and other institutions. The credit risk is therefore spread over numerous countries, including the UK. The exception to this is the Aviva Government Liquidity Fund which invests directly in UK government securities and in short-term deposits secured on those securities.

***Specialised property fund available for Local Authority investors.

Key – Fitch’s credit ratings:

Appendix 1 Continued

		Long	Short
Investment Grade	Extremely Strong	AAA	F1+
		AA+	
	Very Strong	AA	
		AA-	
		A+	
	Strong	A	
		A-	
		BBB+	F2
	Adequate	BBB	
BBB-		F3	
Speculative Grade	Speculative	BB+	B
		BB	
		BB-	
	Very Speculative	B+	
		B	
		B-	
	Vulnerable	CCC+	C
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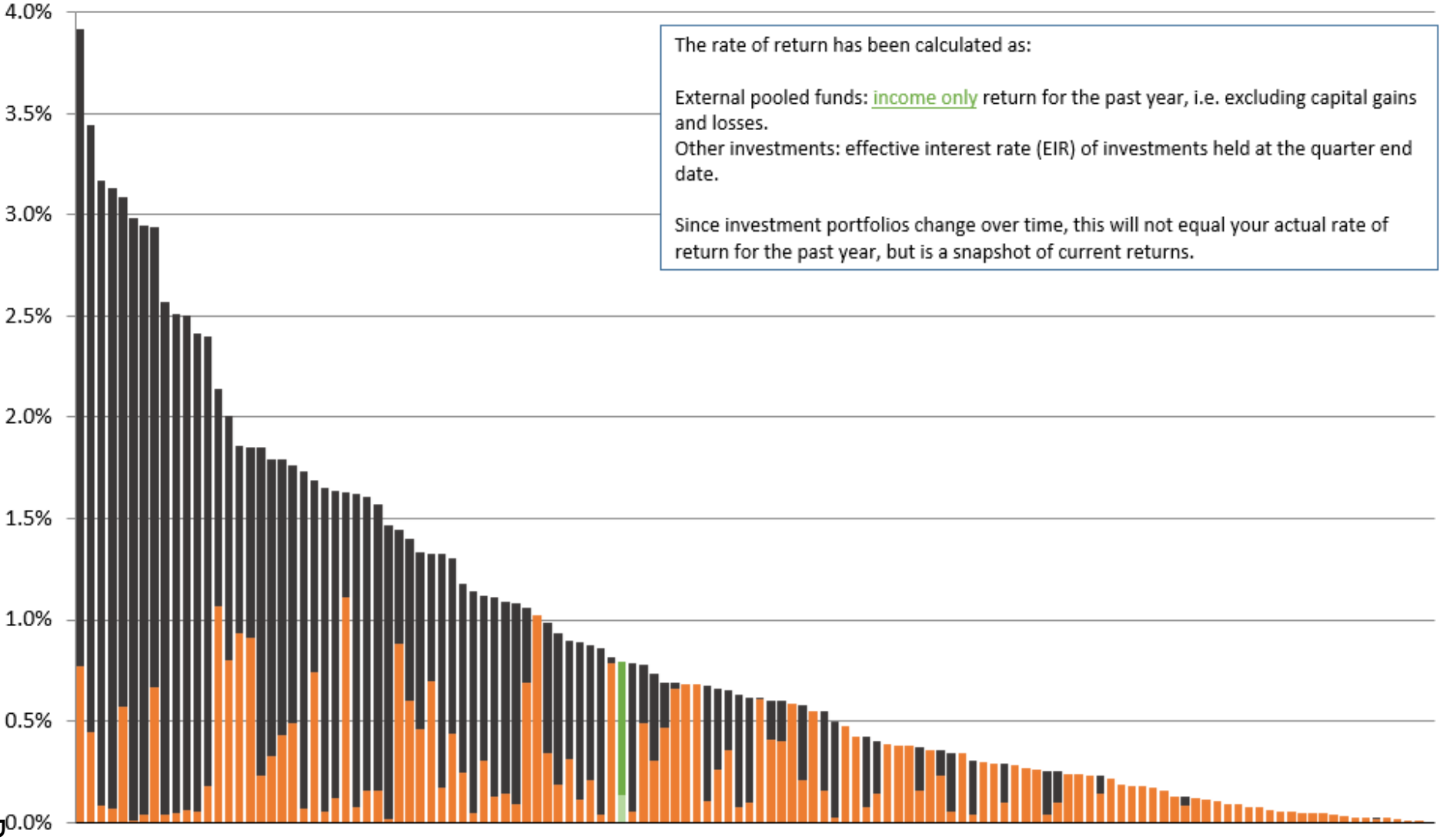
Income Only Return on Total Investments (Internal plus External Funds)

The rate of return has been calculated as:

External pooled funds: income only return for the past year, i.e. excluding capital gains and losses.

Other investments: effective interest rate (EIR) of investments held at the quarter end date.

Since investment portfolios change over time, this will not equal your actual rate of return for the past year, but is a snapshot of current returns.



Treasury Management Prudential Indicators

Interest Rate Exposures

While fixed rate borrowing can contribute significantly to reducing the uncertainty surrounding future interest rate scenarios, the pursuit of optimum performance justifies retaining a degree of flexibility through the use of variable interest rates on at least part of the treasury management portfolio. The Prudential Code requires the setting of upper limits for both variable rate and fixed interest rate exposure:

	Limit Set 2020/21	Estimated Actual* 2020/21
Interest at fixed rates as a percentage of net interest payments	60% - 100%	84%
Interest at variable rates as a percentage of net interest payments	0% - 40%	16%

*The estimated actual is within the limits set.

Maturity Structure of Borrowing

This indicator is designed to prevent the Council having large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

Amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate	Limit Set 2020/21	Est'd Actual 2020/21
Under 12 months	0% - 20%	4%
12 months to 2 years	0% - 20%	2%
2 years to 5 years	0% - 60%	5%
5 years to 10 years	0% - 80%	2%
More than 10 years	20% - 100%	87%

The limits on the proportion of fixed rate debt were adhered to.

Total principal sums invested for periods longer than 364 days

The Council will not invest sums for periods longer than 364 days.

Long-term loans repaid during the period 01/04/20 to 30/09/20

	Amount £000s	Rate %	Date repaid
Salix - Annuity	139	0.00	1 April 20
PWLB (474647) - Maturity	4,613	8.50	10 Aug 20
PWLB (496956) - Annuity	369	4.58	29 Sept 20
Total	5,121		

Long-term loans to be repaid during the period 01/10/20 to 31/03/21

	Amount £000s	Rate %	Date to be repaid
Salix - Annuity	321	0.00	1 Oct 20
PWLB (475155) - Maturity	6,458	8.63	14 Feb 21
PWLB (496956) - Annuity	377	4.58	29 Mar 21
Total	7,156		

TREASURY MANAGEMENT PRACTICES

The following Treasury Management Practices (TMPs) set out the manner in which the Council aims to achieve its treasury management policies and objectives, and how it will manage and control those activities.

1. TMP 1 Risk management

The Service Director - Finance will design, implement and monitor all arrangements for the identification, management and control of treasury management risk, will report at least annually on the adequacy/suitability thereof, and will report, as a matter of urgency, the circumstances of any actual or likely difficulty in achieving the organisation's objectives in this respect, all in accordance with the procedures set out in TMP6 Reporting requirements and management information arrangements. In respect of each of the following risks, the arrangements which seek to ensure compliance with these objectives are set out in the schedule to this document.

(i) Credit and counterparty risk management

The Council regards a prime objective of its treasury management activities to be the security of the principal sums it invests. Accordingly, it will ensure that its counterparty lists and limits reflect a prudent attitude towards organisations with which funds may be deposited, and will limit its investment activities to the instruments, methods and techniques referred to in TMP4 Approved Instruments, methods and techniques and listed in the schedule to this document. It also recognises the need to have, and will therefore maintain, a formal counterparty policy in respect of those organisations from which it may borrow, or with whom it may enter into other financing arrangements.

(ii) Liquidity risk management

The Council will ensure it has adequate though not excessive cash resources, borrowing arrangements, overdraft or standby facilities to enable it at all times to have the level of funds available to which are necessary for the achievement of its business/service objectives. The Council will only borrow in advance of need where there is a clear business case for doing so and will only do so for the current capital programme or to finance future debt maturities.

(iii) Interest rate risk management

The Council will manage its exposure to fluctuations in interest rates with a view to containing its net interest costs, or securing its interest revenues, in accordance with the amounts provided in its budgetary arrangements.

It will achieve these objectives by the prudent use of its approved financing and investment instruments, methods and techniques, primarily to create stability and certainty of costs and revenues, but at the same time retaining a sufficient degree of flexibility to take advantage of unexpected, potentially advantageous changes in the level or structure of interest rates. The above are subject at all times to the consideration and, if required, approval of any policy or budgetary implications.

(iv) Exchange rate risk management

The Council will manage its exposure to fluctuations in exchange rates so as to minimise any detrimental impact on its budgeted income/expenditure levels.

(v) Refinancing risk management

The Council will ensure that its borrowing, private financing and partnership arrangements are negotiated, structured and documented, and the maturity profile of the monies so raised are managed, with a view to obtaining offer terms for renewal or refinancing, if required, which are competitive and as favourable to the organisation as can reasonably be achieved in the light of market conditions prevailing at the time.

It will actively manage its relationships with its counterparties in these transactions in such a manner as to secure this objective and will avoid over-reliance on any one source of funding if this might jeopardise achievement of the above.

(vi) Legal and regulatory risk management

The Council will ensure that all of its treasury management activities comply with its statutory powers and regulatory requirements. It will demonstrate such compliance, if required to do so, to all parties with whom it deals in such activities. In framing its credit and counterparty policy under TMP1(i) Credit and counterparty risk management, it will ensure that there is evidence of counterparties' powers, authority and compliance in respect of the transactions they may effect with the Council.

The Council recognises that future legislative or regulatory changes may impact on its treasury management activities and, so far as it is reasonably able to do so, will seek to minimise the risk of these impacting adversely on the organisation.

(vii) Fraud, error and corruption, and contingency management

The Council will ensure that it has identified the circumstances which may expose it to the risk of loss through fraud, error, corruption, or other eventualities in its treasury management dealings. Accordingly, it will employ suitable systems and procedures, and will maintain effective contingency management arrangements, to these ends.

(viii) Market risk management

The Council will seek to ensure that its stated treasury management policies and objectives will not be compromised by adverse market fluctuations in the value of the principal sums it invests, and will accordingly seek to protect itself from the effects of such fluctuations.

2. **TMP2 Performance measurement**

The Council is committed to the pursuit of value for money in its treasury management activities, and to the use of performance methodology in support of that aim, within the framework set out in its Treasury Management Policy Statement.

Accordingly, the treasury management function will be the subject of ongoing analysis of the value it adds in support of the Council's stated business or service objectives. It will be the subject of regular examination of alternative methods of service delivery and of other potential

improvements. The performance of the treasury management function will be measured using the criteria set out in the schedule to this document.

3. **TMP3 Decision-making and analysis**

The Council will maintain full records of its treasury management decisions, and of the processes and practices applied in reaching those decisions, both for the purposes of learning from the past, and for demonstrating that reasonable steps were taken to ensure that all issues relevant to those decisions were taken into account at the time. The issues to be addressed and processes and practices to be pursued in reaching decisions are detailed in the schedule to this document.

4. **TMP4 Approved instruments, methods and techniques**

The Council will undertake its treasury management activities by employing only those instruments, methods and techniques detailed in the schedule to this document, and within the limits and parameters defined in TMP1 Risk management.

Where the Council intends to use derivative instruments for the management of risks, these will be limited to those set out in its annual treasury strategy. The Council will seek proper advice when entering into arrangements to use such products.

5. **TMP5 Organisation, clarity and segregation of responsibilities, and dealing arrangements**

The Council considers it essential, for the purposes of the effective control and monitoring of its treasury management activities, and for the reduction of the risk of fraud or error, and for the pursuit of optimum performance, that these activities are structured and managed in a fully integrated manner, and that there is at all times a clarity of treasury management responsibilities.

The principles on which this will be based is a clear distinction between those charged with setting treasury management policies and those charged with implementing and controlling these policies, particularly with regard to the execution and transmission of funds, the recording and administering of treasury management decisions, and the audit and review of the treasury management function.

If and when the Council intends, as a result of lack of resources or other circumstances, to depart from these principles, the Service Director - Finance will ensure that the reasons are properly reported in accordance with TMP6 Reporting requirements and management information arrangements, and the implications properly considered and evaluated.

The Service Director - Finance will ensure that there are clear written statements of the responsibilities for each post engaged in treasury management, and the arrangement for absence cover. The present arrangements are detailed in the schedule to this document.

The Service Director - Finance will ensure there is proper documentation for all deals and transactions, and that procedures exist for the effective transmission of funds. The present arrangements are detailed in the schedule to this document.

The delegation to the Service Director - Finance in respect of treasury management is set out in the schedule to this document. The Service Director - Finance will fulfil all such

responsibilities in accordance with the Council's policy statement and TMPs and, as a CIPFA member, the Standard of Professional Practice on Treasury Management.

6. **TMP6 Reporting requirements and management information arrangements**

The Council will ensure that regular reports are prepared and considered on the implementation of its treasury management policies; on the effects of decisions taken and the transactions executed in pursuit of those policies; on the implications of changes, particularly budgetary, resulting from regulatory, economic, market or other factors affecting its treasury management activities; and on the performance of the treasury management function.

As a minimum, the Council will receive:

- an annual report on the strategy and plan to be pursued in the coming year
- a mid-year review
- an annual report on the performance of the treasury management function, on the effects of the decisions taken and the transactions executed in the past year, and on any circumstances of non-compliance with the organisation's Treasury Management Policy Statement and TMPs.

The present arrangements and the form of these reports are detailed in the schedule to this document.

7. **TMP7 Budgeting, accounting and audit arrangements**

The Service Director - Finance will prepare, and the Council will approve and, if necessary, from time to time amend, an annual budget for treasury management, which will bring together all of the costs involved in running the treasury management function, together with associated income. The matters to be included in the budget will at a minimum be those required by statute or regulation, together with such information as will demonstrate compliance with the TMPs. Budgeting procedures are set out in the schedule to this document. The Service Director - Finance will exercise effective controls over this budget, and will report any major variations.

The Council will account for its treasury management activities, for decisions made and transactions executed, in accordance with appropriate accounting practices and standards, and with statutory and regulatory requirements in force for the time being. The present form of this function's accounts is set out in the schedule to this document.

The Council will ensure that its auditors, and those charged with regulatory review, have access to all information and papers supporting the activities of the treasury management function as are necessary for the proper fulfilment of their roles, and that such information and papers demonstrate compliance with external and internal policies and approved practices. The information made available under present arrangements is detailed in the schedule to this document.

8. **TMP8 Cash and cash flow management**

Unless statutory or regulatory requirements demand otherwise, all monies in the hands of the Council will be under the control of the Service Director - Finance and, with the exception of Secondary Schools' bank accounts, will be aggregated for cash flow purposes. Cash flow projections will be prepared on a regular and timely basis, and the Service Director - Finance will ensure that these are adequate for the purposes of monitoring compliance with TMP1(i)

Liquidity risk management. The present arrangements for preparing cash flow projections are set out in the schedule to this document.

9. **TMP9 Money laundering**

The Council is alert to the possibility that it may become the subject of an attempt to involve it in a transaction involving the laundering of money. Accordingly, it will ensure that staff involved in treasury management activities are fully aware of their responsibilities with regards this. The present safeguards, including the name of the officer to whom any suspicions should be reported, are detailed in the schedule to this document.

10. **TMP10 Training and qualifications**

The Council recognises the importance of ensuring that all staff involved in the treasury management function are fully equipped to undertake the duties and responsibilities allocated to them. It will therefore seek to appoint individuals who are both capable and experienced and will provide training for staff to enable them to acquire and maintain an appropriate level of expertise, knowledge and skills. The present arrangements are detailed in the schedule to this document.

The Service Director - Finance will ensure that Members of the committee providing a scrutiny function have access to regular training relevant to their responsibilities.

11. **TMP11 Use of external service providers**

The Council recognises that responsibility for treasury management decisions remains with the organisation at all times. However, it also recognises the potential value of employing external providers of treasury management services, in order to acquire access to specialist skills and resources.

When it employs such service providers, it will ensure it does so for reasons which will have been submitted to full evaluation of the costs and benefits. It will also ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented and subjected to regular review. And it will ensure, where feasible and necessary, that a spread of service providers is used, to avoid over-reliance on one or a small number of companies.

Where services are subject to formal tender or re-tender arrangements, legislative requirements and the Council's Contract Procedure Rules will always be observed. The monitoring of such arrangement's rests with the Service Director - Finance, and details of the current arrangements are set out in the schedule to this document.

12. **TMP12 Corporate governance**

The Council is committed to the pursuit of proper corporate governance throughout its businesses and services, and to establishing the principles and practices by which this can be achieved. Accordingly, the treasury management function and its activities will be undertaken with openness and transparency, honesty, integrity and accountability.

The Council has adopted and has implemented the key principles of the Code. This, together with the other arrangements detailed in the schedule to this document, are considered vital to the achievement of proper corporate governance in treasury

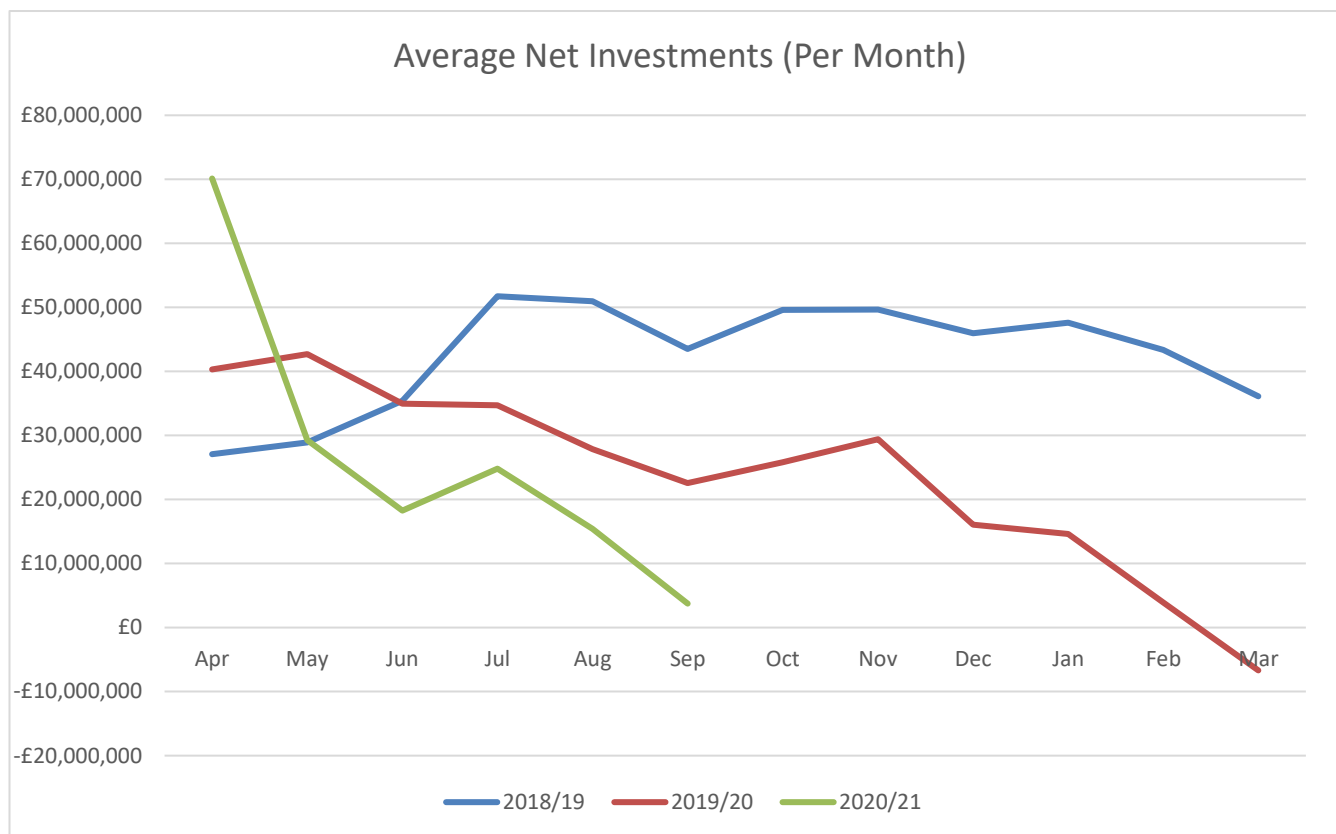
management, and the Service Director - Finance will monitor and, if necessary, report upon the effectiveness of these arrangements.

Management Practices for Non-Treasury Investments

The Council recognises that investment in other financial assets and property primarily for financial return, taken for non-treasury management purposes, requires careful investment management. Such activity includes loans supporting service outcomes, investments in subsidiaries, and investment property portfolios.

The Council will ensure that all investments are covered in the Capital and Investment Strategies, and will set out where appropriate, the Councils risk appetite and specific policies and arrangements for non-treasury investments. It will be recognised that the risk appetite for these activities may differ from that of treasury management.

The Council will maintain a schedule setting out a summary of existing material investments, subsidiaries, joint ventures and liabilities including financial guarantees and the organisations risk exposure.



PWLB Borrowing Rates %								
	31/09/20	31/03/20	31/10/19	09/10/19	08/10/19	29/03/19	29/03/18	31/03/17
Annuity								
15 years	2.09	2.24	2.50	2.30	1.27	1.93	2.31	1.89
30 years	2.58	2.69	3.00	2.79	1.78	2.44	2.70	2.63
50 years	2.76	2.84	3.20	2.99	1.98	2.58	2.74	2.77
Maturity								
15 years	2.56	2.66	2.96	2.76	1.75	2.39	2.68	2.57
30 years	2.74	2.79	3.18	2.97	1.96	2.57	2.72	2.75
50 years	2.60	2.59	3.05	2.82	1.81	2.43	2.49	2.54

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Name of meeting: Cabinet

Date: Tuesday 15th December 2020

Title of report: Colne Valley Place Partnership – proposal to provide responsive mental health and wellbeing interventions for young people and families

Purpose of report:

To consider allocating funding of £101,000 from the Place Partnership mental health themed budget to provide a responsive mental health intervention, including counselling, service for young people and families and to deliver a Therapeutic Forest School Pilot in the Golcar, Lindley and Colne Valley Wards.

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 <u>Council's Forward Plan (key decisions and private reports)?</u>	No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	Rachel Spencer- Henshall – 30/11/2020
Is it also signed off by the Service Director for Finance?	Eamonn Croston – 30/11/2020
Is it also signed off by the Service Director for Legal Governance and Commissioning?	John Chapman – 02/12/2020
Cabinet member <u>portfolio</u>	Cllr Cathy Scott, Housing and Democracy

Electoral wards affected: Colne Valley, Golcar and Lindley

Ward councillors consulted:

Councillors Rob Walker, Donna Bellamy, Lesley Warner, Anthony Smith, Cahal Burke, Richard Eastwood, Andrew Marchington, Christine Iredale, Richard Murgatroyd.

Public or private: Public

Has GDPR been considered? Yes

1. Summary

A budget of £1m in total has been allocated by the Council to the 7 Place Partnerships in Kirklees for mental health and well-being initiatives that build local community capacity and resilience.

Councillors in the Colne Valley Place Partnership led by Cllr Rob Walker (Lindley, Golcar and Colne Valley) are focusing their mental health theme work on improving mental health outcomes for children, young people, and families.

Evidence from the Year 9 well-being survey carried out in 2013/14 shows that 24% of young people in the Colne Valley experience low happiness, 40% worry most days and on average have a SWEMWBS score of 22 (the Short Warwick-Edinburgh Scale, which measures someone's mental wellbeing). Amongst the worst scores in Kirklees in these areas.

From ongoing engagement starting in February 2020, with local young people and professionals who work with young people such as GP's and school staff, we know that existing mental health provision in Kirklees feels too far away from the Colne Valley Place Partnership area to be effective for local young people and the waiting lists for an intervention are often too long to avoid issues becoming exacerbated and compounded.

Anecdotal information gleaned by Ward Councillors from local communities, services and schools is that since the start of covid-19 there has been an increase in the need for early intervention and support among families and young people across Kirklees, which has increased the demand placed on existing services and further increased the length of waiting lists with existing provision.

1.1 Counselling Support for Young People - £98,000

Pilot Study -

In July 2020 Cabinet funded (following recommendations from the Colne Valley Place Partnership) a pilot of a locally based mental health intervention service, that included a counselling offer, for young people (aged 11-18) from within the Place Partnership area that worked closely with local schools and other service. This service provided early, evidence-based interventions to young people whose need was higher than that which could be responded to by a school SENCO or wellbeing lead but lower than what would qualify for a specialist intervention from CAMHS. 30 young people received support through the pilot which lasted for 2 months and cost £19,200.

Throughout the duration of the pilot, consistent and continuous learning took place. It became clear very early on that school staff often needed support when making referrals into the service, which the service provider was able to recognise and respond to by visiting schools to support referrals. The service provider also received requests from local schools to provide interventions for younger children, older young people and families, they were again able to be flexible and meet this need.

Evaluation of the Pilot -

This included monitoring data collected by the service provider and evaluation undertaken directly with local schools and other appropriate services through conversation and a questionnaire.

We have received 14 detailed responses, 12 of which have come from our local schools with the other 2 coming from West Yorkshire Police and a Council colleague.

The feedback is positive and shows that this offer was appreciated because support was available for young people near immediately, through a simple referral process to locally based provision, that addresses the gap between needing a specialist intervention and the mild cases that can be dealt with by school wellbeing leads.

Feedback from local schools included quotes -

"A responsive counselling service is vital to prevent young people getting to crisis point."

"What we need is to be able to access appropriate support and counselling for children in a timely manner."

“Referrals can be made to Thriving Kirklees, but they are an already overstretched resource.

All but 1 school indicated that they saw a need for a service similar to the pilot scheme to continue. The school that didn't indicate an ongoing need for the pilot scheme is in receipt of MHST Trailblazer support, so already has access to increased mental health support and did state that they saw a need for family counselling.

The monitoring information provided by the service provider shows a marked decrease in anxiety levels amongst the young people who received interventions based against the CORE (Clinical Outcomes in Routine Evaluation) sessional monitoring tool used to assess outcomes.

Feedback on the pilot scheme has also taken place with a range of mental health professionals, including Public Health and Children's Commissioning Colleagues as well as the service provider and Northorpe Hall.

Proposal -

The Colne Valley Place Partnership Councillors want to respond to the learning from the pilot scheme and fund a locally delivered, responsive mental health intervention service that is able to replicate the pilot offer with the inclusion of interventions being available for all school aged young people (5 - 21) and families, that will include a 1 – 1 talk therapy offer.

This will provide local young people with mental health support when they need it, in the places they feel comfortable and will support young people and families getting early help with issues, to prevent them escalating into requiring more specialist interventions.

The aims, objectives and key outcomes of this service will be:

- For young people and families who are referred to the service, the development of emotional resilience and coping strategies to manage emotional and stressful circumstances. Including but not limited to:
 - enhance their coping skills and support networks
 - improve their overall mental and physical wellbeing
 - increase their self-esteem, confidence and motivation
 - be satisfied with their experience of using the service
- A reduction in referrals of young people from the Place Partnership area to the CAHMS service during the 12 months.
- Improved knowledge and understanding of the nature and picture of local need, including greater understanding of how to work with schools to improve wellbeing – with the learning being shareable with other support services existent in Kirklees.

This proposal is seeking funding to put a contract for this service out to tender.

1.2 Therapeutic Forest School Pilot - £3,000

The Colne Valley Place Partnership Councillors are also looking to fund a pilot project of the Be More Outdoors – Therapeutic Forest School Sessions for local young people and their parents/carers.

This proposal seeks to provide an outdoor play based project for children of primary school age (*and by association, supporting adults*) experiencing anxiety or stress, loneliness and isolation, to help them get outside and enjoy the proven benefits of being in nature.

The project will be based on the Forest Schools approach of improving self-esteem, self-worth, confidence and communication skills through participant lead experiences.

The following links provide further evidence of the benefit of this approach:

Be More Outdoors, is a forest school programme based in Slaithwaite that has been running child and family led outdoor provision for the past ten years and has much anecdotal and qualitative evidence that their work does have positive impact on outcomes relating to increasing confidence and skills through being outdoors.

The therapeutic aspect of the programme would be led by a specialised clinical psychologist who can provide informed therapy with families and has experience of delivering therapy with children and their carers/families who have experienced attachment disruption. This clinical psychologist also runs a local Autism and ADHD service and can therefore combine approaches to suit family and child needs when working within the forest school setting.

There will be opportunities for parents to address concerns direct to the clinical psychologist and for there to be time put aside to address parenting difficulties in a group conversation whilst the children are playing.

2. Information required to take a decision

Place Partnerships have been allocated a total budget of £1M to improve mental health outcomes using data, intelligence and insight gathered through stakeholder engagement, to propose interventions that will lead to better outcomes. Place Partnerships refer recommendations to Cabinet on how this budget will be spent.

2.1 Counselling Support for Young People

Costings of £98,000 for the year are based on the cost of the pilot scheme.

2.2 Therapeutic Forest School Pilot

Costings of £3,000 for the 6 weekly sessions based on the following: -

Sessions will run weekly and be by referral only through schools and Community Hub coordinators and be free to attend. Up to 10 young people and their parent/carer will attend 6 weekly sessions that will take place on the weekend.

Be More Outdoors is committed to finding further funding to offer this support to children and families who need it in the future.

The cost of each session is £410. This totals £2460 as the cost for the 6 weekly sessions.

The Colne Valley Place Partnership Councilors would like to fund this project, plus £540 to account for any potential transport costs that may be accrued as a result of ensuring all families can access the sessions (once referred) regardless of income.

3 Implications for the Council

- **Working with People**

Schools, GPs and professionals shared the experiences of local young people and families in the 3 wards during the engagement and conversations with ward councillors. These have informed the agreed outcomes and priorities, and the proposals put forward.

- **Working with Partners**

The place partnership has worked collaboratively with the 2 school hubs across the 3 wards: Colne Valley and Aspire and Salendine Nook. Emotional health and well-being are a priority and there have been ongoing discussions including at the hub meetings. Representatives on the school hubs include local GPs, frontline staff in services, community organisations and ward councillors.

Ongoing discussions with Children's Commissioning leads about the project, including discussions about how best to shape the tender and how the service will link with the existing Kirklees provision.

- **Place Based Working**

Cllr Rob Walker, Colne Valley Place Partnership lead member has worked with ward councillors and local discussions have taken place with communities, services and partners to share data and intelligence in order to better understand local needs and opportunities which has been used to shape and put forward this proposal.

- **Climate Change and Air Quality**

No change

- **Improving outcomes for children**

This proposal impacts on the Kirklees shared outcomes:

- Ensuring children have the best start in life, by ensuring the schools and families are better equipped with the tools they need to support the children's emotional and mental wellbeing.
- Helping people in Kirklees to live well, by supporting families to maintain or improve their emotional and mental wellbeing.
- Helping people to be independent by providing them with the tools they need to build personal resilience and take control of their own lives.
- Encouraging people in Kirklees to have aspirations and ambitions, by providing them with greater personal resilience, confidence and self-belief.

- **Other (e.g. Legal/Financial or Human Resources)**

The legal power for grants is section 1 of the Localism Act 2011 (general Power of Competence). Also, the council must when providing grants comply with Financial Procedure Rules contained in the Council's Constitution and in particular FPR 20.7 to 20.13.

Place partnerships have been allocated a total budget of £1M to improve mental health outcomes and £400K to tackle domestic abuse. This proposal is seeking funding to support a local mental health initiative which will impact positively on local residents, families and communities as well as reduce the waiting lists for exiting Kirklees wide provision.

Do you need an Integrated Impact Assessment (IIA)?

Yes, one will be undertaken.

4 Consultees and their opinions

Conversations between ward councillors, front line services, schools, GPs, and community organisations informed the desired outcomes and priorities for improving mental health and well-being among children and families.

All 9 ward councillors, schools in the place partnership area, Children's Commissioners and Public Health colleagues have shaped and been consulted on the specific proposals in this report and these proposals are welcomed. Stewart Horn and Dianna Lowe in Children's Commissioning have confirmed that they would be willing to provide the contract management and quality assurance for this service, and support in writing the tender.

Martin Dearnley, Head of Risk Corporate and Corporate Procurement and Commissioning has advised on the approach to take when commissioning activity with the place partnership funding.

Stacey Gilman, Strategic Category Manager (Adults, Children's and Public Health) has advised that CPR's state that all procurement spend between £25k and the EU threshold (currently £189,330 for supplies and services) must be advertised and a competitive procurement exercise carried out.

5 Next steps and timelines

5.1 Counselling Support for Young People

Subject to funding being agreed by Cabinet a procurement exercise to commission a host organisation for the mental health interventions project will be undertaken over the next 6 weeks with a view to appointing a contractor in January 2021. The contractor will begin delivery as soon as they are able to, hopefully as soon as February 2021.

Evaluation of success over the course of the year will inform sustainability of the project past the point of the Place Partnership funding being exhausted.

5.2 Therapeutic Forest School Pilot

Subject to funding being agreed by Cabinet for the Therapeutic Forest School Pilot the local School Hub Coordinators will liaise with local schools to identify 10 young people to take part in the pilot. Delivery of the forest schools' sessions will begin in January 2021. Monitoring information and evaluation will be collected.

6 Officer recommendations and reasons

6.1 Counselling Support for Young People

Cabinet is asked to consider approving the spend of £98,000 from the Place Partnership mental health theme allocation to increase the access young people and families within the Place Partnership area have to mental health interventions

6.2 Therapeutic Forest School Pilot

As well as consider approving the spend of £3000 from the same budget to fund the Be More Outdoors Therapeutic Forest School Sessions pilot scheme.

Total amount sought - £101,000

Reasons for the recommendation – to meet Colne Valley place partnership's agreed outcomes to improve mental health outcomes for local young people. Including the development of emotional resilience and coping strategies to manage emotional and stressful circumstances. Including but not limited to:

- enhance their coping skills and support networks
- improve their overall mental and physical wellbeing
- increase their self-esteem, confidence and motivation

7 Cabinet Portfolio Holder's recommendations

The Cabinet Portfolio Holder, Councillor Cathy Scott, supports the recommendations in this report and would ask Cabinet to approve funding of £101,000 from the Place Partnership mental health theme budget as outlined in section 6 of this report.

Reasons for the recommendation – to meet Colne Valley place partnership's agreed outcomes to improve mental health outcomes for local young people. Including the development of emotional resilience and coping strategies to manage emotional and stressful circumstances. Including but not limited to:

- enhance their coping skills and support networks
- improve their overall mental and physical wellbeing
- increase their self-esteem, confidence and motivation

8 Contact officer

Luc Bride, Active Citizens & Places Officer, email luc.bride@kirklees.gov.uk Tel 01484 221000

9 Background Papers and History of Decisions

Annual Council 22nd May 2019 – item 7 Ward and Place Partnerships – establishment of place Partnerships

Cabinet meeting 13th July – Colne Valley Place Partnership – Mental Health Initiatives – Summer 2020 Evaluation Questionnaires available on Request.

Service Provider Monitoring Information available on Request

10 Service Director responsible

Rachel Spencer- Henshall, Strategic Director Corporate Strategy, Commissioning & Public Health

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Name of meeting: Cabinet

Date: 15th December 2020

Title of report: Final Report of Ad Hoc Scrutiny Panel on Elective Home Education

Purpose of report: To present the final report of the Ad Hoc Scrutiny Panel – Elective Home Education.

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 <u>Council's Forward Plan (key decisions and private reports)</u>?	Key Decision – No Private Report/Private Appendix - No
The Decision - Is it eligible for call in by Scrutiny?	No Why not? -Report of Ad Hoc Scrutiny Panel
Date signed off by <u>Strategic Director</u> & name	Mel Meggs 30/11/20
Is it also signed off by the Service Director for Finance?	N/A
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft 4/12/20
Cabinet member <u>portfolio</u>	Cabinet Members for Learning, Aspiration and Communities, and Children

Electoral wards affected: All

Ward councillors consulted: N/A

Public or private: Public

Has GDPR been considered? There are no GDPR implications arising from the report.

1. Summary

In November 2017, the Children's Scrutiny Panel considered a report on elective home education. This was submitted against a background of increasing numbers of home educated children in Kirklees; a trend which was replicated in both neighbouring authorities and nationally.

The report provided background information, including an overview of the legislative framework and the current practice in Kirklees, and explained that the rights of parents that had chosen to home educate their children were fully respected. It recognised that there were many excellent examples of home education and acknowledged that learning took place in a wide variety of environments. The report explained that there was a strong commitment within Kirklees to support children, young people and their families who had chosen to home educate.

There was a desire, therefore, to review the relevant protocols and the support currently provided, in consultation with local home educating parents. The aim being to develop the offer to try and ensure that families were supported so that the best possible outcomes for children who were electively home educated could be achieved.

From the start, Members acknowledged that a number of families made a positive choice to home educate but there were some who found themselves in that position through circumstance. They were keen to ensure that appropriate support was available to all these children. They therefore recommended that an Ad-Hoc Scrutiny Panel should be established, to allow the matter to be considered in greater depth.

Further to the agreement of the Overview and Scrutiny Management Committee, on 27th November 2017, an Ad-Hoc Scrutiny Panel was formed, with the Terms of Reference set out below:

To scrutinise Elective Home Education in Kirklees, with a particular focus on;

- Developing an understanding of why some parents and carers choose to home educate, and for how long children are typically home educated for.
- Scrutinising the Local Authority's responsibilities for home educated children.
- Scrutinising how the Local Authority identifies, supports and ensures the safety and wellbeing of electively home educated children.
- Scrutinising elective home educated children's progression onto further education and employment and the outcomes achieved at Key Stage 4 & 5.

2. Information required to take a decision

Between December 2017 and December 2019, the Panel used a range of methods to gather the evidence used to inform the report, with the following people making valued contributions:

- young people and their parents
 - the creator of the 'Ed Yourself' website
 - representatives of Calderdale & Kirklees Careers Service
 - officers from the other West Yorkshire authorities
 - a number of schools within the district
 - officers from within the service area responsible for elective home education.
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They considered evidence submitted in respect of:

- The reasons for choosing home education and its benefits.
- The challenges faced by home educating families and how Kirklees might be able to provide more support.
- The Authority's statutory responsibilities. Relevant legislation, associated guidance and research studies.
- Practice in Kirklees and that of neighbouring local authorities.
- Attainment and outcomes, including access to careers support and issues around provision for Key Stage 4.
- Ofsted's approach.
- Special Educational Needs and Disabilities (SEND).
- The options available to the Authority to address non-attendance where there were concerns.
- Examination facilities and costs.
- Off-rolling.
- Flexi-schooling.

They also took account of new non-statutory guidance, published by the Government in April 2019, which set out the view of the Department for Education on how local authorities should manage elective home education.

This guidance acknowledged that local authorities do not receive funding to support home-educating families (except in relation to high needs SEN) and that the level and type of support would therefore vary between one local authority and another. It included recommendations about the minimum offer to electively home educating families and gave examples of other ways in which home educating families could be assisted, depending on the resources available.

The Panel completed its work in early 2020 and produced a final report incorporating a summary of the evidence received, together with its findings and seven recommendations.

The draft final report was submitted to an informal meeting of the Children's Scrutiny Panel on 13th March 2020. The Panel welcomed the report and agreed that officers should be given sufficient time to consider and respond to the recommendations and to produce an Action Plan. It was requested that updates should be submitted to the Panel in the future.

The Final Report, including the Panel's findings, recommendations, and the Action Plan, is appended to this report. The Action Plan includes the response to each of the 7 recommendations by the relevant Strategic Director/Cabinet Members.

3. Implications for the Council

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

4. Consultees and their opinions

Not applicable.

5. Next steps and timelines

The Children's Overview and Scrutiny Panel will monitor implementation of the Action Plan.

6. Officer recommendations and reasons

That Cabinet notes:

- (i) The recommendations of the Ad Hoc Scrutiny Panel in relation to Elective Home Education; and
- (ii) The responses included within the associated Action Plan

7. Cabinet Portfolio Holders recommendations

I welcome this report on Elective Home Education and its recommendations and it is particularly helpful at this time. We are in the middle of a pandemic which has seen not only enforced Home Education earlier this year but also more parents and carers choosing to avail themselves of this option to educate their children at this time. It is also timely in as far as we are undertaking a review Education Safeguarding currently and these recommendations will be built into this review where appropriate. I would also wish to thank all of those who took part in the production of this report, the panel, officers and consultees, it is a job well done.

8. Contact officer

Sheila Dykes, Principal Governance and Democratic Engagement Officer
01484 221000; sheila.dykes@kirklees.gov.uk

9. Background Papers and History of Decisions

Not applicable

10. Service Director responsible

Julie Muscroft, Service Director – Legal, Governance and Commissioning

Report of Elective Home Education Ad Hoc Scrutiny Panel March 2020

**Democracy Service
Civic Centre III
High Street
Huddersfield HD1 2TG**

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1. FOREWORD

- 1.1 I would like to thank all those who provided evidence to the Panel, particularly the young people and their parents who were open and direct in their contributions; helping Members to understand the reasons behind their decision to home educate, the benefits, and the challenges they faced as a result. Thanks are also extended to; Fiona Nicholson, who created the 'Ed Yourself' website; representatives of Calderdale & Kirklees Careers Service; officers from the other West Yorkshire authorities; a number of schools within the district; and officers from within the service area responsible for elective home education, who provided evidence to the Panel.
- 1.2 I would also like to thank the Members of the Ad Hoc Scrutiny Panel for the time they have invested and the contributions they have made to the process and the production of this final report.
- 1.3 From the start, Members recognised that a number of families made a positive choice to home educate but there were some who found themselves in that position through circumstance, and they were keen to ensure that appropriate support was available to all these children.
- 1.4 The Panel has now completed its work and has made a number of recommendations. These have been incorporated in an Action Plan (appended to the final report), which will be monitored by the Children's Scrutiny Panel.

2. INTRODUCTION, TERMS OF REFERENCE & METHODOLOGY

- 2.1 In July 2017, the Director of Children's Services met with the Chair of the Children's Scrutiny Panel and suggested that Elective Home Education (EHE) be added to the Panel's Work Programme. A report was subsequently submitted to the meeting of the Panel, held on 6th November 2017, which provided background information to the topic, including an overview of the legislative framework and the current practice in Kirklees.
- 2.2 The Panel was informed that there were increasing numbers of home educated children in Kirklees; a trend which was reflected in the figures of both neighbouring authorities and nationally.
- 2.3 The report explained that the rights of parents that had chosen to home educate their children was fully respected. Kirklees was aware of many excellent examples of home education and acknowledged that learning took place in a wide variety of environments. There was a strong commitment to supporting children, young people and their families who had chosen to home educate and it was considered that opportunities existed to engage positively with Kirklees' home educating families in a more creative way.

- 2.4 Officers therefore wished to undertake a review of the relevant protocols and the support currently provided, in consultation with local home educating parents, with the aim of developing the offer to try and ensure that Kirklees supported families so that the best possible outcomes, for children who were electively home educated, could be achieved.
- 2.5 Further to a discussion which covered a range of related issues, the Panel expressed the view that it was minded to form an Ad-Hoc Scrutiny Panel to allow it to consider the matter in greater depth.
- 2.6 A request was therefore made to the Overview and Scrutiny Management Committee, on 27th November 2017, where it was agreed that an Ad-Hoc Scrutiny Panel be formed to consider the issue, with the Terms of Reference set out below.

2.7 The members of the Ad-Hoc Panel were:

Councillor Cahal Burke
Councillor Andrew Marchington (from June 2019)
Councillor Habiban Zaman
Councillor Lisa Holmes
Lisa Stock – Co-optee (until end 2018)
Dale O'Neill – Scrutiny Co-optee (from May 2019)

2.8 The Panel was supported by Yolande Myers and Sheila Dykes from the Governance Team.

2.9 Terms of Reference:

To scrutinise Elective Home Education in Kirklees, with a particular focus on;

- Developing an understanding of why some parents and carers choose to home educate, and for how long children are typically home educated for.
- Scrutinising the Local Authority's responsibilities for home educated children.
- Scrutinising how the Local Authority identifies, supports and ensures the safety and wellbeing of electively home educated children.
- Scrutinising elective home educated children's progression onto further education and employment and the outcomes achieved at Key Stage 4 & 5.

2.10 Between October 2017 and December 2019, the Panel used a range of methods to gather the evidence used to inform this report, with the following people attending one or more meetings to give evidence:

Steve Walker – former Director of Children’s Services

Mandy Cameron – former Head of Service, Education, Safeguarding & Inclusion

Maggie Featherstone - Portfolio Manager: Education Safeguarding Service

Diane Yates – Acting Portfolio Manager (EHE Lead)

Nathaniel McGowan - Calderdale & Kirklees Careers

Louise Nellist – Calderdale & Kirklees Careers

Fiona Nicholson – Creator and curator of the ‘Ed Yourself’ website and an acknowledged expert on the subject of home education.

A number of parents who were home educating.

2.11 Arrangements were made for the Panel to meet with parents of electively home educated children at three drop-in events in September and December 2018. The Panel also received information from parents who had previously home educated, in relation to the educational and employment achievements of their children. The Panel was very grateful to all these parents for taking the time to meet with them to outline their experiences of home educating in a frank and open manner.

2.12 The Panel also met with officers from Calderdale & Kirklees Careers, in October 2018, who outlined the support on offer to home educated children within the age range of the equivalent Key Stage 4 cohort (School Years 10 and 11). This evidence was supplemented by correspondence by e-mail in January 2020.

2.13 The Panel met with Fiona Nicholson (Ed Yourself) and two current home educators, in September 2019, and discussed the impact of the guidance issued by the Department for Education in April 2019 and good practice in respect of support for home educators.

2.14 Information was gathered from adjacent Local Authorities, through a pro-forma questionnaire, to ascertain their offer to home educating families.

2.15 A number of schools, from primary, middle and secondary sectors within Kirklees were also asked to respond to a number of questions related to the Panel’s enquiries.

2.16 Input was also sought from young people with direct experience of home education, who were most helpful in providing responses to the Panel’s areas of interest. Again, the Panel were very grateful to these individuals for their contributions.

3. BACKGROUND INFORMATION

- 3.1 Elective home education (EHE) is the term used by the Department for Education (DfE) to describe a parental decision to provide education for their children at home instead of sending them to school. This is different to home tuition provided by a Local Authority, or education provided by a Local Authority other than at a school.
- 3.2 Home education is an option that any family may consider for their children. There are many reasons for deciding on this approach, as there are methods of education undertaken.
- 3.3 Research indicates that the number of home educated children has increased in recent years.
(Association of Directors of Children's Service (ADCS) Home Education Survey 2019 https://adcs.org.uk/assets/documentation/ADCS_Elective_Home_Education_Survey_Analysis_FINAL.pdf)
- 3.4 Registration is voluntary, however, so it is likely that the numbers may be underestimated. Schools are obliged to inform the Local Authority of children removed from roll but there is no obligation on parents of those who have never been enrolled at school to register and the Local Authority may therefore not be aware of them.
- 3.5 Parents may decide to exercise their right to home educate their child from a very early age. They may also elect to home educate at any other stage up to the end of compulsory school age. Parents are not required to register or seek approval from the local authority to educate their children at home. These rights apply equally where a child has Special Educational Needs (SEN), although if a child attends a special school and this was arranged by the local authority, then the local authority's permission must be sought before they can be removed from roll. The education provided must be suitable to the child's age, ability, aptitude and SEN.
- 3.6 The key stage data collected by the ADCS survey indicated that the most common key stages for home educated children were KS3 (Years 7-9) and 4 (Years 10-11).
- 3.7 When parents choose to home educate their children they assume financial responsibility for their children's education.

Legislation and related guidance

- 3.8 Section 7 of the Education Act 1996 provides that: "The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable - (a) to his age, ability and aptitude, and (b) to any special educational needs he may have, either by regular attendance at school or otherwise."

There is no definition of 'suitable', 'efficient' or 'full time' in statute law.

- 3.9 In April 2019 the Government published new guidance in the form of two documents; one for Local Authorities;
(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791527/Elective_home_education_guidance_for_LAv2.0.pdf)
and one for Parents;
(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791528/EHE_guidance_for_parentsafterconsultationv2.2.pdf)
- 3.10 This is non-statutory guidance but sets out the view of the DfE on how local authorities should manage elective home education.
- 3.11 The guidance for local authorities emphasises that educating parents may adopt a variety of approaches and one approach is not necessarily more effective than another. It also explains that there are no specific legal requirements in respect of the content of home education, which means that it does not need to: include any particular subjects; have reference to the National Curriculum; or to follow a 'school day', and that approaches should be judged by outcomes.
- 3.12 The April 2019 guidance documents address the issues of 'suitable', 'efficient' and 'full time'. It suggests in terms of:
- 'Suitability'; that the issues should be viewed on a spectrum and each case should rest on a balance of relevant factors depending on the circumstances of each child.
 - 'Efficient'; that the meaning is an education which achieves what it sets out to achieve, stressing that it is important that this not confused with suitability; an unsuitable education can be delivered efficiently.
 - 'Full time'; that, as with suitability, the issue should be viewed on a spectrum but, education which manifestly is not occupying a significant proportion of a child's life (making due allowance for holiday periods) will probably not meet the Section 7 requirement.
- 3.13 The April 2019 guidance (Paragraph 2.1) notes the following one or more factors that may apply in a family's decision to home educate:
- Ideological or philosophical views which favour home education or wishing to provide education which has a different basis to that normally found in schools.
 - Religious or cultural beliefs, and a wish to ensure that the child's education is aligned with these.
 - Dissatisfaction with the school system, or the school(s) at which a place is available.
 - Bullying of the child at school.
 - Health reasons, particularly mental health of the child.

- As a short-term intervention for a particular reason.
- A child's unwillingness or inability to go to school, including school phobia.
- Special educational needs, or a perceived lack of suitable provision in the school system for those needs.
- Disputes with a school over the education, special needs or behaviour of the child, in some cases resulting in 'off-rolling' or exclusion.
- Familial reasons which have nothing to do with schools or education (eg using older children educated at home as carers).
- As a stop-gap whilst awaiting a place at a school other than the one allocated.

3.14 It notes that these reasons for undertaking home education are not mutually exclusive and that, for some children, several of these factors might apply. It recommends that when local authorities engage with home-educating families they should take into account the context of individual situations. Often home education will be undertaken as a positive choice which is expected to lead to a better outcome. However, in some cases home education may be attempted as a last resort. This appears to be occurring more frequently and is likely to have implications for the quality of home education provided. Such families may require more support and guidance.

Local authorities' responsibilities

- 3.15 Local Authorities have no formal powers or duty to monitor the education being provided at home on a routine basis. However, they do have duties to make arrangements to identify children not receiving a suitable education and to intervene in cases where it appears that they are not. If a child is not attending school full-time the law does not assume that the child is not being suitably educated but requires the local authority to make enquiries about what education is being provided.
- 3.16 There are no detailed requirements in respect of how such oversight should work and it is for each local authority to decide on its approach, although the April 2019 guidance supports a proportionate approach saying that, 'where it is clear that parents are educating a child well at home, the need for contact should be minimal and not made more onerous than is required by the parents' own needs'. It recommends that an authority should ordinarily make contact with parents on at least an annual basis so that it can reasonably inform itself of the suitability of the education provided.
- 3.17 However, where it is not clear whether the education being provided is suitable, the guidance suggests that an authority should initially attempt to resolve the doubt through informal contact and enquiries. It states that local authorities should be in no doubt about the necessity for doing this, in order to facilitate an early move to formal procedures when it is not being provided, thus avoiding delay in securing a suitable education.

- 3.18 Parents are under no duty to respond to enquiries from a local authority but the 2019 guidance states that, if a parent does not respond to its enquiries about the education being provided, or responds without providing any information about the child's education, then the authority is entitled to conclude that the child is not receiving a suitable education.
- 3.19 The local authority can serve notice on a parent, under Section 437 of the Education Act 1996, if it appears that a child is not receiving a suitable education. This requires them to satisfy the authority within a specified period (of at least fifteen school days) that the child is receiving a suitable education.
- 3.20 Further to this, a School Attendance Order (SAO) can be issued as a form of intervention in such cases, requiring the parent to cause the child to become a registered pupil at a school named in the order.
- 3.21 The guidance states that, where necessary, because it is evident that a child is simply not receiving suitable education at home and the use of school attendance powers is not achieving a change in that situation, the local authority should be ready to use its safeguarding powers.
- 3.22 Local authorities also have a duty under section 175(1) of the Education Act 2002 to safeguard and promote the welfare of children. This section states: "A local education authority shall make arrangements for ensuring that the functions conferred upon them in their capacity as a local education authority are exercised with a view to safeguarding and promoting the welfare of children." Section 175(1) does not extend local authorities' functions. It does not, for example, give local authorities powers to enter the homes of, or otherwise see, children for the purposes of monitoring the provision of elective home education.
- 3.23 The April 2019 guidance (paragraph 3.6) recommends, amongst other things, that a local authority should as a minimum:
- have a written policy statement on elective home education which is clear, transparent and easily accessible by using different formats as necessary, is consistent with the current legal framework and preferably drawn up in consultation with local families who educate children at home so that it can reflect both the challenges and rewards of educating children in this way. It should take into account local circumstances and set out how the authority will seek to engage and communicate with parents;
 - set aside the resources necessary to implement its policy effectively and consistently. This is not always easy at a time of constrained resources; but effective implementation in conjunction with work in related areas such as education welfare, children missing education and admissions, can reduce spend in the longer term on families where engagement is difficult;

- consider their organisational structures for dealing with home education and the related areas mentioned above. Although parents who educate their children at home sometimes say that home education should be dealt with in isolation, the reality is that it needs a holistic approach to issues of suitability, attendance, welfare and safeguarding. All of these factors need to be in place to ensure a good education outcome;
- seek to offer guidance to all known home-educating families in their area about their rights and obligations, and also provide advice on good practice and available resources for parents who request it;
- make it clear in all documentation that the local authority sees its role in relation to home education as part of its wider responsibilities, including safeguarding, for all children living in its area;
- regularly review its elective home education policies so that they reflect current law and local circumstances, and are compatible with this guidance document; provide clear details of their complaint's procedure and deal with all complaints in a sensitive and timely manner.

3.24 It also recommends (paragraph 5.4), in terms of establishing a positive relationship with home educators that a local authority:

- should provide parents with a named contact who is familiar with home education policy and practice and has an understanding of a range of educational philosophies;
- ordinarily make contact with home educated parents on at least an annual basis, so the authority may reasonably inform itself of the current suitability of the education provided. In cases where there were no previous concerns about the education provided and no reason to think that has changed because the parents are continuing to do a good job, such contact would often be very brief;
- has a named senior officer with responsibility for elective home education policy and procedures, and the interaction with other work on issues such as children missing education, unregistered settings, vulnerable children, and welfare;
- organise training on the law and the diversity of home education methods for all officers who have contact with home-educating families, possibly in conjunction with other authorities;
- ensures that those LA staff who may be the first point of contact for a potential home-educating parent understand the right of the parent to choose home education. It is very important that parents are provided with accurate information from the outset to establish a positive foundation for the relationship. However, parents are under no obligation to accept support or advice from a local authority, and refusal to do so is not in itself evidence that the education provided is unsuitable;
- works co-operatively with other relevant agencies such as health services to identify and support children who are being home educated, within the boundaries established by data protection and other legislation.

- 3.25 In relation to funding it notes that local authorities do not receive funding to support home-educating families (except in relation to high needs SEN), and the level and type of support will therefore vary between one local authority and another. Nonetheless, it recommends that all local authorities should adopt a consistent, reasonable and flexible approach in this respect, particularly where there are minimal resource implications and, as a minimum, should provide written information (which is also available through the internet) on elective home education that is clear and accurate and which sets out the legal position.
- 3.26 In paragraph 10.18, examples of additional support that some local authorities may be able to provide, depending on resources, are given as follows:
- provision of a reading or lending library with resources for use with home educated children.
 - free, or discounted, admission into community programmes (including local authority owned community and sports facilities).
 - access to resource centres (including local school resources where feasible).
 - National Curriculum materials and curricula offered by other educational institutions.
 - information about educational visits and work experience.
 - providing assistance with identifying exam centres willing to accept external candidates.

Special Educational Needs and Disabilities (SEND)

- 3.27 Department for Education (DfE) data in respect of pupils with SEN includes the number of pupils with Education, Health and Care Plans (EHCPs) or statements taken out of school to be home educated and there has been a significant rise in the numbers nationally between 2014 and 2018, with the increase contributed mainly by mainstream schools.
- 3.28 The SEND Code of Practice (last updated Jan 2015) notes that local authorities do not have a duty to assess every home educated child to see whether they have SEN. However, it states that local authorities should work in partnership with, and support, parents to ensure that the SEN of these children are met where the local authority already knows the children have SEN or the parents have drawn the children's special needs to the authority's attention.
- 3.29 The April 2019 guidance states that local authorities should do their best to ensure that, when children with special educational needs are being educated at home, the full range of powers available are used to ensure that the education is suitable and remains so; and that their assessment of this is properly linked with the process of keeping special needs provision under review.

Off Rolling

- 3.30 Off-rolling is a phrase generally used to refer to instances where a child is withdrawn from a school by the parent as a result of pressure from the school, rather than as a purely voluntary decision.
- 3.31 The House of Commons Library Briefing 8444 explores this topic:
(<https://researchbriefings.files.parliament.uk/documents/CBP-8444/CBP-8444.pdf>)
- 3.32 In a letter to the Public Accounts Committee in October 2018 the Chief Inspector of Schools stated that Ofsted had ‘anecdotal evidence to suggest that parents are home educating under duress to prevent exclusion’. Similar concerns have also been raised by the Schools Adjudicator, and the Children’s Commissioner, in a report in February 2019. This suggested that the increase in numbers in KS4 was possibly evidence of increased off-rolling of pupils who were about to sit their GCSEs and might negatively affect a school’s results.
(<https://www.childrenscommissioner.gov.uk/wp-content/uploads/2019/02/cco-skipping-school-invisible-children-feb-2019.pdf>)

Flexi schooling

- 3.33 This term covers a situation where a child receives part of their education at school, perhaps to provide education in specific subjects. The April 2019 guidance explains that schools are under no obligation to agree to flexi schooling arrangements, although some are happy to do so. It notes that time spent by children being educated at home should be authorised as absence in the usual way and marked in attendance registers accordingly; it is not appropriate to mark this as approved off-site activity as the school has no supervisory role or responsibility for the welfare of the child while he or she is at home. It states that the Department does not propose to introduce a new specific attendance code.
- 3.34 In respect of the concern expressed by some schools that such absence may have a detrimental effect for the purpose of Ofsted inspection the guidance suggests that this is not the case; some schools with significant flexi-schooling numbers have had good outcomes from Ofsted inspections. Schools which have flexi-schooled pupils should be ready to discuss with Ofsted inspectors the arrangements they have in place to deal with the requirements caused by such pupils. Schools are held to account through inspection for the performance of pupils, and that will include any who attend the school as part of a programme of flexi-schooling.

Attainment and Outcomes

- 3.35 The DfE does not collect data on the educational attainment of home educated children which means that it is difficult to assess their attainment and outcomes.

3.36 The National Careers Service provides free confidential advice and guidance to adults and young people in England to assist in making decisions on learning, training and work opportunities. This can be accessed online, via webchat or by telephone.

Further useful/background information:

3.37 Ofsted inspections of local authorities (under S136 of the Education and Inspections Act 2006) will report on the way an authority deals with vulnerable children in its area. Home educated children are not automatically vulnerable but a number will fall within that category. Ofsted will look at the way each local authority deals with this issue, in particular the ways in which it identifies children who are not receiving suitable education, and what steps the authority takes to deal with that.

3.38 Local authorities are advised that they should keep known home educators and local home education support organisations informed of forthcoming Ofsted inspections and any input they could have, as well as notifying them in respect of outcomes of inspections.

3.39 Ofsted has no responsibility for inspecting the provision of home education, only the way local authorities deal with it in the context of their statutory responsibilities.

3.40 A further Government consultation was undertaken (closed in June 2019) which sought views in relation to: the mandatory registration of children of compulsory school age who were not registered at a state funded or registered independent school; and a duty on local authorities to provide support to home educated families if requested. No results are available at the time of writing.
(<https://consult.education.gov.uk/school-frameworks/children-not-in-school/>)

3.41 The House of Commons Library Briefing Paper 5108, published in July 2019, sets out the current position including; the rights and responsibilities of parents, the responsibilities of local authorities, national statistics, proposals for reform and related issues and reports.
(<https://researchbriefings.files.parliament.uk/documents/SN05108/SN05108.pdf>)

4. SUMMARY OF EVIDENCE

Kirklees Practice

- 4.1 A snapshot of the data records 334 electively home educated children on 1st September 2018 and 388 on 1st September 2019. (As explained earlier, this number did not include those children that the local authority was unaware of; registration was not mandatory and, although schools have a responsibility to notify Kirklees if a child is removed from their roll, if a child was home educated from the start of their education the authority would not have a record of them unless voluntarily registered by their parent/carer).
- 4.2 With, in the region of, 67,000 school age children in Kirklees, this equated to 0.57% of the school population as a whole. The Office of the Schools Adjudicator Survey, published in their Annual Report 2017/18, indicated the proportion of children who were home educated in Yorkshire and the Humber, in March 2018, to be 0.6% and nationally 0.7%.
- 4.3 In Kirklees the split of the current cohort between key stages, for the academic year 2018/19 was:

Key Stage	%
1	10.24
2	25.40
3	33.66
4	30.70

and the authority had seen an increasing number becoming home educated in Key Stage 4.

- 4.4 It was explained to the Panel that the numbers of electively home educated children varied on a frequent basis throughout the year. This was due to a range of reasons; for example, children may move out of the area and others return to school education, perhaps having been home educated as a temporary measure. For the academic year 2018-19 approximately 600 children had been registered as being electively home educated for either all, or part of, the academic year and the figures for 2017-18 were approximately 450.
- 4.5 16 children had left primary sector but not started at secondary school in September 2019. As at the end of November 2019 one had gone on roll at a secondary school. A number of children did become home educated as a temporary measure at this particular point in time and the authority worked very hard to ensure that places were freed up to minimise this.

- 4.6 As at November 2019 there were 35 children (21 families) that were registered as EHE having never been on a school roll. Of these children, 7 had been referred to the service from other agencies.
- 4.7 As at September 2019 the Panel had been told that there were 31 children with Education Health and Care Plans (EHCP) being home educated in Kirklees. (An EHCP is for children and young people aged up to 25 who need more support than is available through special educational needs support. They identify an individual's educational, health and social needs and set out the additional support to meet those needs). A much stronger relationship had been established with the parents of these children. Some children with very high needs were able to access personal budgets/support and this was dealt with by the SEN Team.
- 4.8 There was a wide range of reasons for home educating in Kirklees, including most of those set out in the April 2019 guidance. The largest number was for those with a belief in home education but there were a significant number for which the reason was unknown and a number related to issues with either health, including mental health, or issues associated with the previous school (dissatisfaction with school/bullying/at risk of exclusion/school coercion) or difficulty in accessing a school place, and a small number related to 'poor attendance – evading legal intervention'.
- 4.9 Current legislation meant that the local authority was only able to make informal enquires about children whom they knew to be home educated and guidance stated that 'parents are under no duty to respond to such enquiries'. The Panel was told that there were some families, known to be electively home educating their children in Kirklees, who did not currently engage with the Council. In 128 cases an offer to visit had been declined; 28 of these had provided reports outlining their EHE provision and there were no known concerns with the remaining cases.
- 4.10 The Panel was advised that schools were not required to give detailed information on why a child was being removed from the roll of their school. This meant that officers often had limited information about what may have happened to influence a parent's choice to electively home educate. Although contact was always made with parents following a child being taken off roll, parents were not obliged to take up the offer of a meeting.
- 4.11 Before a child was removed from the roll of a Special School a review of the Statement/EHCP took place and an agreement was sought to ensure that the child's needs could be met other than at school.
- 4.12 The Panel heard that Kirklees did not have a dedicated Elective Home Educating Team and there was no dedicated budget for EHE. Since 2015 officers who supported home educating families had been located within the Education Safeguarding and Inclusion Service Team. The officers within this team dealt with a

wide range of work and most practitioners within the team had some EHE clients within their caseload. There were regular referrals on a daily basis.

- 4.13 It was explained that the role of the Education Safeguarding and Inclusion Service Team, in respect of EHE, was, in partnership with any other relevant team or agency, to support when needed the family of a child who was being electively home educated so that they received a full time education suitable to his or her age, ability and aptitude. This role might include providing support and information for parents and linking families to other services, for example if the child had SEN.
- 4.14 When the team was made aware of a child that had become home educated an offer was made to visit the parent(s) to provide an offer of support if required.
- 4.15 If parents reported that an issue at school had led to their electively home educating their child, the team would work restoratively with the family to resolve these issues, and, where appropriate, re-engage with school.
- 4.16 In respect of how what was a 'suitable education' was assessed; practitioners within the Service would consider all the information available to them. This would include information provided by schools in the referral form; existing or previous social care involvement, school exclusion data, reduced timetable data and the reasons why home education had been chosen. In addition a 'Child Information Form' (CIF) was used (the contents of which was currently under review) to gather information during home visits or, where parents declined a visit, they were asked to complete and return the CIF.
- 4.17 During the engagement, a view was expressed by some parents that an assessor did not need to be a qualified teacher but should be someone who was familiar with EHE. The potential for recruiting from within the home educating community for this role was an option for consideration.
- 4.18 School Attendance Orders (SAO) were currently the formal means by which a Local Authority could intervene, if it appeared that a child of compulsory school age was not receiving suitable education, either by regular attendance at school or otherwise.
- 4.19 The Legal Interventions Panel, within the Service, considered any relevant cases. During 2018/19 5 SAOs had been issued, 3 of which had resulted in children returning to school and 2 concerned children that had reached the end of Year 11. The SAO process was commenced in relation to 6 other children but had not progressed to a requirement for legal action as all 6 had returned to education.
- 4.10 Members of the team had visited Leeds City Council to gather information on its practice on obtaining such orders. It was considered important that there was a clear policy in place which set out the process and included what support was

available to families. Kirklees current policy did not make reference to the use of SAOs but this was to be included when the new policy was written.

- 4.11 The Panel was informed that there was currently no facility in Kirklees for children who were electively home educated to take their GCSE's should they wish to do so. There was no requirement of children who are home educated to sit any exams, but parents and children often wanted to do so. It was recognised that many home educating parents had a preference for smaller, less intimidating, local facilities.
- 4.12 To date, officers had not been able to identify a local facility that would accommodate private candidates for exams. In attempting to do so they had identified a number of barriers affecting schools' ability to offer this facility:
- Schools being unable to authenticate some elements of exams such as practical work, coursework and non-exam assessments for external candidates.
 - There being many variables around exam boards, a school may use a number of different exam boards for different exams, therefore it is not as straightforward as accommodating a request to sit GCSE English for example.
 - 'Access arrangements' – if a child had any learning needs that may require additional support such as a reader, scribe or additional time allowance the onus would be on the school to undertake testing which needed to be done in advance and had cost implications.
- 4.13 In terms of 14 to 16 provision, at the time the Panel initially spoke to officers and Calderdale & Kirklees Careers early college transfers had not been available within Kirklees, although a number of local home educated children accessed college placements in neighbouring local authorities. There were difficulties in accessing other alternative provisions for home educated children as these were usually funded by schools. The authority worked closely with C&K Careers to share information on KS4 EHE children and contact was made with all home educating families to discuss and provide support for post 16 plans. (Note: Prior to completing its work, the Panel was made aware that a trial for pre-16 referrals had been undertaken at Kirklees College).
- 4.14 The Kirklees website was under review and the aim was to develop a more comprehensive, possibly interactive, resource. Parents had expressed a wish to be able to share information about local activities/support etc and for signposting to be provided to relevant resources and agencies.
- 4.15 Consideration was also being given to the potential for the organisation of events for home educating families, perhaps with guest speakers/training opportunities. This was highlighted on the 'Ed Yourself' website as a form of good practice and would have the benefit of serving as engagement, but with the agenda being set by the families.

- 4.16 Flexi-schooling was an area that would be considered for inclusion within the new policy but it was recognised that this sort of provision could cause issues for schools, one of which being the taking up of a full-time place. A very small number of children in Kirklees were currently flexi-schooled.
- 4.17 It was explained that there is no legal basis for a reduced timetable, as children should be receiving a full-time education. Kirklees had produced guidance in September 2019, in line with that produced by other local authorities, which recommended that, where a reduced timetable was agreed, this was done as a temporary measure and with a plan/rationale/risk assessment in place. This should be reviewed within a minimum of 6 weeks and, where appropriate, could be extended (for example in cases where medical evidence supported it).

5. Home Educating Families (see also Expert Evidence and Home Educating Parents):

- 5.1 The Panel heard that there were many reasons why parents and carers decided to home educate and many styles of education undertaken. For a significant number of families this was a decision based on their philosophical, spiritual or religious outlook, for others it was to meet the specific needs of a child or children. However, some parents had reported that an issue at school had led to them home educating their child.

5.2 Benefits of Home Educating

Parents felt that home educating allowed a child to develop creatively and enabled the teaching to focus upon their strengths. Children were able to learn in a 'real life' environment and families could balance learning and family life. Some families felt that the school environment was stifling and didn't allow children to grow in a way not prescribed by a school.

5.3 Outcomes

The Panel was given information in relation to a range of outcomes for children who had been home educated, with many children going on to University, obtaining high class degrees, progressing to post-graduate qualifications and securing high profile jobs and careers. Parents explained that due to the focused learning, children could study for and pass a single GCSE in as little as 4 or 5 months.

5.4 Flexi schooling

Some parents found that this allowed a more flexible approach to combining school and home educating. However, this was at the discretion of a Head Teacher and required an understanding approach. This had been facilitated in a few cases with, for example, children spending 3 days at school and 2 days at home or attending

school for half a day with the other half being home educated. Difficulty appeared to arise from schools not having a specific code for registration and concerns about their responsibility for a child on their roll; this meant that some were reluctant to offer this option.

5.5 Exam provision and costs

Losing the provision to take exams at Ethos had been a huge disappointment to home educating parents as it had worked well and had been less expensive than alternative options. (Note: Ethos had been a Pupil Referral Unit maintained by the local authority but became a commissioned service and was now part of an academy trust.) The cost of each exam at Ethos had been £120 and they had offered the choice of two exam boards. The closest alternative to sit an exam was Rastrick Grammar School which charged £200 as an external candidate per exam (note: this provision has ceased since the consultation with parents). Early identification of the exam board used by external agencies was important to parents, as they needed to buy books and resources to study the correct curriculum in the months running up to a child taking an exam.

5.6 Parents described the difficulties of trying to obtain a 'learner number' to allow their children to sit external exams. These were automatically issued by the Local Education Authority to children who attend school, but it was much more difficult to navigate if you home educated.

5.7 It was believed that there could be potential limitations on the use of colleges to take exams due to capacity issues and the breadth of subject availability.

5.8 Parents noted that home educated students would take subjects as and when they felt capable/able to do so rather than being focused on taking all subjects at the age of 15/16.

5.9 Resources

Certain subjects were difficult to teach at home such as art and the sciences. Ethos had previously offered certain subjects and, 'although not ideal at their provision', it had been appreciated.

5.10 Although parents pooled knowledge of different subjects, there were still gaps which meant that marking past exam papers could be difficult. Maths exam papers were much easier to mark, given that there was only one correct answer. Libraries were a great place to learn and share information. Books Plus was a useful resource to home educating parents, and they had been disappointed with the reductions in this service. Books Plus could provide parents with educational materials such as science equipment, quizzes, puzzles and even skeletons of the human body. Although there were some resources available from Cliffe House, these tended to be aimed at younger children.

5.11 SEND

Obtaining an Education, Health & Care Plan (EHCP) was difficult when a child was home educated, given that a great deal of weight was given to a child's difficulties whilst in a school setting when making a decision as to whether to assess or not. A parent had reported that they had been told that 'schools start the process'.

5.12 KS4 issues

Parents spoke about wanting to access learning at KS4 but that the pathways into mainstream education for home educated students were complex, often untested and sometimes unprofessional. Some other local authorities had routes into mainstream learning but Kirklees wasn't as accommodating as other areas such as Sheffield, Leeds and Wakefield.

5.13 At the engagement in 2018, parents gave anecdotal evidence in relation to problems with transfer to Kirklees College such as there 'being no enthusiasm to accommodate a home educated child at 16 and lack of information about why a place was not being granted'. Entry for 14-16 year olds was often only for level 1 subjects which would ordinarily be for a child struggling in school.

5.14 Parents advised that Central Government funding was available for 14-16 year olds which they considered that could be utilised. The Panel was told that Calderdale College did accommodate and support home educated children but travel to colleges outside the local area presented problems.

(NB: as noted earlier in this report, since the engagement with parents, a trial had been undertaken in respect of early transfers to Kirklees College).

5.15 'Off-rolling' children

As previously stated, 'off rolling' refers to the practice of schools encouraging parents to remove their child from a school roll, perhaps in order to protect their performance results.

5.16 As home educating parents and children were a supportive and inclusive community, they could anecdotally report an increase in 'off rolling', particularly of children with special educational needs and disabilities. This caused huge problems for parents who may not have chosen home education as a way to educate their children, particularly if they were in KS4. This was not 'elective' home educating in the true sense of the word, as a parent needed the right mind set to deliver home education. It should not be something that was 'forced' upon them as there was no alternative given.

5.17 Parents reported that schools may persuade parents that they could 'off roll' their child as an alternative to permanent exclusion due to attendance or behavioural

issues. Parents had felt that they were forced into a corner with the real reasons for the exclusion not being addressed. It was believed that schools were taking this approach as it was easier and more cost effective to take them off roll rather than consider flexible learning options or put in place additional support for identified issues.

5.18 Parents felt that in some instances, being permanently excluded would be preferable for a child compared to 'off rolling', as once the exclusion had taken place, the Pupil Referral Unit became an available option for support. However, this possibility was not always communicated to parents.

5.19 Information and contact with Local Authority

All parents spoke about the lack of information available, including on the Council's website. Little information was included about how to remove your child from school and what support might be available from the Council and from outside agencies. One parent who attended the drop-in was unaware that there were home educating groups set up in the area.

5.20 Parents noted that there were a lot of barriers to overcome without support.

5.21 The Panel heard from parents that, whilst some were content with a visit from the local authority, many wanted no contact at all and refused all offers of a visit from the attendance service. Many felt that the main focus of visits, when they did happen, were on getting their child back into school, rather than a supportive approach to their home educating. There needed to be some trust that parents were making a positive decision for their child. The view was expressed that an annual visit was sufficient.

5.22 It was also explained that the manner and approach of the authority was important in building a good working relationship. The position and job titles of officers within a team that may also deal with attendance and safeguarding could give the wrong impression and was off-putting for home educating parents.

5.23 In respect of a suggestion by the local authority about the potential for recruiting assessors from the home education community the view was expressed that this would depend on the structure of the role and the time commitment required but also noted that this could, potentially, put that individual in a difficult position. Not all home educating parents would share the same view of what constituted a suitable education.

5.24 How the Local Authority can help

By far the most frequent request was for more information to be made available on the website and to parents when they first made the decision to home educate. A number said that they would be happy to assist the local authority in keeping

signposting information up to date. It was suggested that the website should contain details around:-

- Legislation
- How to de-register from school
- Details of local tutors
- Home educating support groups
- Details of where exams can be taken
- Links to exam centres
- Links to past papers

- 5.25 Parents would effectively like to see something similar to the offer that was available for parents of children with Special Educational Needs and Disabilities.
- 5.26 Although children did not have to take exams, many parents wanted a local exam centre available for their children to do so. They also wanted the local authority to consider making funds available to assist in paying for exams, as the cost of exams was a barrier to some children being able to sit them.
- 5.27 Parents would like access to past exam papers and some parents explained that they would welcome an educational expert to assist with some subjects by marking past papers.
- 5.28 Parents needed approachable, knowledgeable, non-judgmental contact officers who were able to advise on all aspects of EHE, and who were available to contact via telephone or e-mail if needed.
- 5.29 If visits recognised that home educating was a parent's choice, were focused on supporting them to continue home educating and officers provided more information and guidance, then more parents would likely welcome a visit from the local authority.
- 5.30 Parents also stressed that there was no reason to assume that the information provided about a child's home education was untrue or to require documentary proof. There should be an assumption of competence and the question of suitability needed to be approached with an open mind.
- 5.31 Home educating parents and children met frequently for support and to put on activities for their children. Parents would like to see the local authority support them meeting in public hubs such as a library, or rooms hired at a reasonable cost, where they could meet up with experts on subject matters (e.g. maths, geography) to provide help and assistance. Parents themselves had wealth of knowledge and they would like assistance to meet with other parents to share knowledge.

- 5.32 A place to learn specialised subjects, such as art and science, would be welcomed. This could be in a classroom or at a community hub.
- 5.33 There could be opportunities for home educators to work in partnership with the University.
- 5.34 The Panel heard that parents felt that there was often little help to access provision for children with mental health problems who were home educated and parents would like to see this improve.
- 5.35 There needed to be more careers advice, with home educators welcoming advice on what local colleges could offer and general career advice.

6. Information from C & K Careers

- 6.1 It was explained that C&K Careers (C&KC) was commissioned by Kirklees Council to provide Careers Information, Advice and Guidance (CIAG) for those secondary school age pupils' meeting vulnerability criteria. All bar 6 of the mainstream secondary schools bought-in to the collaborative deal for CIAG delivered by C&KC advisers for all their pupils.
- 6.2 All 6 Special Secondary Schools and Alternative KS4 providers, had a C&K careers advisor allocated to them. Those schools that did not buy into the service had their vulnerable pupils' CIAG requirements met by C & KC, as part of the local authority funded service.
- 6.3 C&KC had a careers advisor dedicated to working with Kirklees Safeguarding in Education Team, to identify and caseload Year 10 and Year 11 young people who were electively home educated, in order to provide the information, advice and guidance required for a smooth transition to post 16 learning opportunities and to minimise the possibility of any of them becoming Not in Education, Employment or Training (NEET).
- 6.4 Typically, the young people who were home educated in, and up to, Year 10 were receiving meaningful education, provided by parents who, for philosophical, religious or cultural reasons, chose not to send them to a secondary school. The norm was for these young people to require only a 'light-touch' from C&KC to ensure they were making an informed decision about their post-16 provision. The presenting issue for these young people was the lack of local exam centres willing to take pupils who were not on roll at their school. The recent closure of Rastrick Independent School meant that home educated pupils had to travel even further to be able to sit their GCSEs (the closest was believed to be Shipley College).

- 6.5 As Year 11 progressed, the numbers of home educated children increased, and these additions to the cohort tended **not** to be receiving meaningful education at home, and were in essence, 'pre-NEET'. These young people required a greater degree of input from their careers advisor and this sub-set might be described as those who had been 'off-rolled' by their school.
- 6.6 As at January 2020 there were **65** Year 11 home educated students in Kirklees. This number had increased from around 35 at the start of the academic year. This trend of doubling in numbers within Year 11 had been the case for the last few years. These individuals were spread around 65 different venues in Kirklees which created resource challenges as working with such a large and disparate group was very time consuming.
- 6.7 With C&KC support, nearly all of the electively home educated group achieved a post 16 offer of learning and went on to an EET outcome. Of the Year 12 and Year 13 cohort, who were home educated; in Year 11, there were a total of 8 who were NEET (as at 5/2/20) and 3 who could not be contacted. If a young person left their placement, C&KC would pick up working with them again, as swiftly as possible, so as to facilitate a quick return to EET.
- 6.8 Early college transfers, for those in Years 10 and 11 who would benefit from a move to a college environment earlier than the usual post-16 start, were being trialled at Kirklees College this year. Currently, pre-16 referrals were made to Calderdale College and Barnsley College.
- 6.9 The Panel heard about the provisions available to a school to avoid a child being removed from roll and the Fair Access process. If a child remained on roll at a school, that school remained responsible for them. It was known that schools were facing more challenges with children who had complex needs and the costs associated with supporting them were increasing. Schools were struggling to afford the additional provision needed. C&KC worked with schools to try and keep a child in school.
- 6.10 One of the provisions available to school was 'Nexus-in-School'. Nexus provided supported, extended work experience in Year 11. The cost was £4,422 per placement (2019/20) and this provision helped a number of young people; perhaps those who were kinaesthetic learners and those who would probably not succeed academically in Year 11. It provided for 3 days in work experience and then back into school to do a reduced timetable for 2 days a week.

7. Information from other Local Authorities

7.1 Direct responses from most adjacent local authorities were received, and additional information collated from their websites, in relation to the following questions:

7.2 Do you have a dedicated EHE team and/or a dedicated EHE budget?

One authority had an EHE team with a dedicated budget. One had 1 and ½ full time equivalent (FTE) staff dedicated to EHE (sited within the Education Welfare Team) and the other had 5 FTE Education Safeguarding Officers for whom EHE comprised approximately half of their role with no dedicated budget. Another also had staff located within the Education Welfare Team.

7.2 Is there a named contact/single point of access in relation to EHE?

All the authorities had named lead/contact officer(s), although this was not always clear from looking at the website, and some had a dedicated email address and/or telephone number.

7.4 What facilities, if any, do you have available to home educating families to sit examinations?

No facilities were provided by the Local Authority in any case but signposting was provided, by some to private schools that would accept independent candidates for exams.

7.5 Do you assist home educating families with fees for examinations?

None offered assistance with fees for exams.

7.6 When did you last update your EHE policy?

All had updated further to the most recent update to DfE guidance in April 2019.

7.7 What information do you provide on your website specifically for home educating families?

Wakefield - Guide to parents and carers which includes links to useful EHE websites:
<http://www.wakefield.gov.uk/schools-and-children/supporting-families/education-welfare-service/elective-home-education>

Bradford – section within Bradford Schools Online website:
<https://bso.bradford.gov.uk/content/elective-home-education>

Leeds - One minute guide:

<https://www.leeds.gov.uk/docs/22%20-%20Elective%20Home%20Education%20-%20September%202014.pdf>

Calderdale – Page within website

<https://calderdale.gov.uk/v2/residents/schools-and-children/parental-support/education-welfare/education-home>

- 7.8 Do you facilitate access to any specialist teaching provision or resources eg subject material/past papers?

None of the authorities who answered this question provided direct access to such resources. Some information was provided on websites in relation to available resources and one authority had run a trial subscription to Discovery Education Expresso, a primary level teaching resource, over the previous twelve months which had proved to be successful and received very positive feedback from parents.

- 7.9 Do you organise/facilitate engagement events for home educating families? If so what form do these take?

None of the authorities who answered this question organised such events although one signposted parents to their Museums/Castles Programme of Events.

- 7.10 Do you provide any support such as with marking work?

None of the authorities who answered this question provided support with marking.

- 7.11 Do you provide any facilities eg meeting space? If so, is this at reduced/no cost to parents?

None of the authorities who answered this question provided meeting spaces. One authority stated that it was aware that a couple of small groups of parents regularly rented meeting spaces across the district that they funded themselves.

- 7.12 To what level is flexi schooling used in your district? What are the issues and challenges associated with this?

One authority responded that flexi-schooling was not used for home educated children. Others said that very small numbers were undertaking flexi-schooling, that schools could be reluctant to agree and there could be issues in respect of attendance coding. One authority also stated that this had been done in a couple of cases but had ultimately proved not to be a success. The other stated that it was possible but was entirely at the discretion of the individual headteacher.

7.13 Is there any specific assistance for home educated students with SEN?

Generally no specific assistance was offered but in one case it was stated that parents that who requested financial support with SEN were advised to apply for a personal budget through the EHCP process. Another stated that arrangements were in place with the SEN Team for the annual review to inform if a child was receiving suitable full-time education.

7.14 What alternative provision do you have for home educated students in KS4; 14-16 years old?

Differing responses were received:

- No provision but would offer support in respect of return to school.
- All local colleges offered 14 to 16 provision for elective home educated children.
- The local college offered early transfer for pupils at Year 11 only, where they could study a range of vocational subjects and could sit a formal qualification in English and Maths. Students were also signposted to colleges in adjacent authorities who could offer an early transfer from Year 10 onwards.
- The local college expected that a student has been home educated for at least 12 months with evidence that a suitable education had been taking place in this time. The student would still need to apply and be interviewed before being accepted onto any college course.

7.15 What post 16 advice do you provide for home educated children?

In one authority, all Year 11 students were visited at home and provided with contact details of Connexions, the Employment Hub, the Aspire Accelerate Programme and details of any post 16 option events in the area, such as college open days and apprenticeship events. One of the other authorities also signposted to Connexions and another to its own provision for 16 to 25 year olds advising on education, career and training options.

7.16 Do you experience an increase in numbers of home educated children in the KS4 cohort?

All of the authorities who answered this question agreed that there had been an increase in the numbers of home educated children in Key Stage 4. One stated that 49% of the secondary age students currently registered as EHE were within the Year 10 and 11 equivalent cohort.

7.17 What information do you request from schools when a child is removed from roll to become home educated?

One authority requested basic 'off-roll' information.

Two of the authorities requested that schools complete a referral form to be sent to their EHE Team. In one case no details were given but another explained that this covered basic personal information together with attendance, SEN or school support, known medical conditions, attainment levels and any concerns, involvement of other agencies plus any additional information the school considered relevant. In addition, one authority requested a copy of the letter from the parents and a copy of the last school report.

7.18 What is your approach to assessment of what is a 'suitable education'; who undertakes this role?

One authority had a table which set out the considerations and questions to be taken into account in respect of what would constitute a suitable education and EHE officers were responsible for making a determination.

One stated that they adhered very closely to the DfE Guidelines; the responsible officers included at least two qualified teachers and social workers were also available in the event that there were any safeguarding concerns.

The other said that this would be assessed by a qualified teacher.

8. Information from schools

8.1 E-mails were sent to a number of local schools seeking responses to the questions set out below. (Note: Two of the questions applied only to the Secondary Sector.) Replies were received on behalf of fourteen schools across primary and secondary sector.

8.2 What would you consider to be the contributory factors to the increase in numbers of electively home educated children in the KS4 cohort?
(This question was posed to Secondary Schools)

A couple of the schools said that, although there may be a pattern of such an increase nationally, their numbers in KS4 were not high or had not particularly risen.

The potential contributory factors put forward are summarised below:

- Social or philosophical reasons.
- In a limited number of cases, within this age range, parents/carers choice, perhaps the most common being where the child was a young carer.
- A lack of alternative provision spaces and the lack of places for students in specialist provisions within the authority for those students who do not fit within the normal school structure. All children having to be on a school roll could mean that these children became disengaged and floated from school to school

becoming further disenchanted which often resulted in poor behavior and or poor attendance. Lack of alternative provision was cited by a number of schools.

- There may be a minority of schools that would encourage parents to home educate, perhaps associated with performance monitoring. This hypothesis was based by one school on limited anecdotal evidence. More than one of the responding schools stated that this was something that would not happen at their school.
- Parental disengagement and/or a way to avoid sanctions for none or poor attendance, or exclusion.
- Not getting a place at a preferred school.
- Parent(s) feeling that school was not the right place for their child, or that they could not find a school to meet their needs, rather than it being a positive choice.

A number of schools stated that they would not advise or support a parent to home educate in this circumstance as there were usually more preferable solutions.

- 8.2 Having access to more detailed information about children being removed from roll would be helpful to the local authority in supporting children who become home educated; what would your view be in relation to a routine request for the provision of such information, perhaps through completion of a questionnaire, including: SEN/ attendance/ known to social care/level of attainment and progress/background eg history of short term exclusions/ underlying issues such as bullying or mental health/ reason for removal from both school and parent's perspective/ current educational provision for the young person concerned/ safeguarding concerns?

There was overwhelming support from schools from both the primary and secondary sector for the provision of a comprehensive pro-forma/questionnaire document and one school suggested that this might be completed on-line. It was considered that the collation of this detailed information would be useful in getting the best outcomes for individuals and could help identify trends and practices that did not benefit young people.

A few schools mentioned the Children Missing in Education (CME) form that was completed by schools when students were removed from roll, not just in cases where they were stated as becoming EHE, and whether this would be in addition to that or if it might be possible to streamline the system to share information.

- 8.3 What is your view on flexi schooling ie: attendance on a part time basis. Is there anything that could be done to make it easier for you to offer this? What are the issues/challenges associated with this?

It appeared to be acknowledged that this provision would be beneficial for some students. A small number of schools did appear to offer, or be willing to offer, this to some students on a short term basis, alongside other solutions (CAMHS

support/Early Support/My Support Plan/SEN), to try and address the needs of individual children but there were some issues of concern to schools.

Across both the primary and secondary sector, the issue of the impact on attendance figures was raised by a number of schools. This meant that they may be reluctant to offer such provision as there was significant scrutiny of attendance data and the school was held accountable.

Issues were also raised in respect of the current process in relation to partial timetables, as under current guidelines, it was only permissible to put them into place for a short period of time. The reasons for Kirklees 6 week 'limit'* was understood but this did not allow for those students who might benefit from a longer term such arrangement. The emphasis on putting parameters in place to return the child to full time education did not recognise the different circumstances that could apply.

*(*Kirklees officers had explained that guidance for schools had been produced in September 2019, which was in line with that of other local authorities. This recommended that, where a reduced timetable was agreed, this was done as a temporary measure and with a plan/rationale/risk assessment in place. This should be reviewed within a minimum of 6 weeks and, where appropriate, could be extended (for example in cases where medical evidence supported it)).*

Potential funding/resource implications and the impact on schools' budgets were also raised across both sectors and one school questioned the potential impact in relation to the school's Planned Admission Number.

Impact on performance data was also raised by a number of schools; students might miss vital work, thus impacting on their progress and outcomes and if they were on roll the school would be regarded as accountable.

Other issues were raised as follows:

- Problems associated with timetabling; Maths, Science and English lessons would take place throughout the week. This could mean that a student would be coming and going at inconvenient times which may lead to none attendance.
- The new paperwork to identify to the local authority was too long and was therefore a barrier to acting effectively and quickly for young people.
- Sometimes a parent/child feel that a college environment would be a more appropriate placement but there is no possibility of a school funding such placements.
- The impact on workload for a primary school class teacher in trying to meet the needs of a child who has not had the input of a whole series of lessons
- A perception from other families that the picking and choosing of when to attend is unfair.

- Depending on the particular personal circumstances there could be social implications for the child.
- Issues with the management of such provision associated with matters such as consistency, continuity, assessments, potential need for additional support and the liaison needed about work completed at home.
- Schools also might find themselves in a position where they felt that they were not able to effectively safeguard a student that was on its roll.
- There would have to be very tight guidelines, that both parents and schools could sign up to and overseen by the local authority, to establish matters such as: how attendance was calculated; responsibility for safeguarding when not timetabled in school; responsibility for different aspects of education; accountability in terms of national testing and finance share.

8.4 What issues, if any, would be associated with allowing home educated students to sit exams at your school?

(This question was posed to Secondary Schools)

A number of schools suggested that, in principle, this may be possible but there were issues that would have to be addressed/ potential challenges that may arise in terms of:

- A student not being comfortable sitting with full cohorts; or if they required any other specific access or support arrangements – for example the use of an alternative venue would require additional resourcing such as extra invigilators.
- Students in school regularly sit mock exams and schools work hard to create consistent structured exam spaces. Students that had not been in school previously would not be familiar with this and this could lead to issues.
- If the child was still on roll at the school in question and did not achieve good results this could impact on the school's performance data.
- How they would be entered for the exams; ie as internal or external candidates and who would be responsible for doing this?
- The capacity to accommodate all students.

9. Expert Evidence and Home Educating Parents

9.1 The following comments and observations were made in respect of the April 2019 DfE guidance and in response to the Panel's questions about good practice:

- No local authorities had yet absorbed the guidance in full and put the recommendations into practice.
- The guidance was non-statutory but recommended that local authorities had a transparent policy which stated how they would engage with home educators and what they expected of them; this was very important. It was stressed that this should be about creating a new policy not refreshing an existing one and should be drawn up in consultation with home educators.

- People valued knowing where home education sat within the structure of an authority; a named contact was very helpful for parents.
- Historically, Kirklees had had an excellent EHE department but this had been subject to restructure; the key had been these officers' knowledge and understanding of EHE.
- Good relationships/working with home educators could have positive benefits for local authorities.
- What was considered a 'suitable' education was incredibly broad and could encompass a range of different ethos, it could be unstructured and was individual to the family and the child.
- If no information was provided about how a child was being educated and they were not on a school roll this potentially fell within the scope of the authority's duty in respect of children missing education.
- There was no reason to assume that the information given by a parent about the education being provided was untrue or that documentary proof was needed.
- There should be an assumption of competence.
- There were issues associated with the experience of engagement being negative from a parental point of view.
- The question of suitability needed to be approached with an open mind.
- 'Information' was a much better approach than 'evidence'; an open invitation to share information would elicit a much better response than a letter stating that you have to tell us (a),(b) and (c), or a form to complete, by a deadline.
- Ofsted had consistently commended local authorities that had a coherent approach to home education; that were keeping track, aware of trends and explored alternative provisions offers etc rather than just pushing a return to school.
- Local home educating parents currently sought advice/support through their peers and online.
- In terms of the meaningful support that could be provided; use of a venue to allow home educators to meet and share their experiences would be helpful.
- Birmingham held a conference for home educators, with guest speakers, and Nottingham held an Open Day.
- The adoption of a blanket approach to all home educated children was not helpful; cohorts and the individuals within them could be very different.
- It was considered that the increase in numbers could be attributed to failings in schools in respect of students with SEN; this group were in particular need of support. Parents should be made aware about the possibility of applying for a personal budget for therapy needs.
- Schools needed to be made aware that they could provide flexi schooling and this would not impact adversely in terms of their Ofsted report. This could perhaps be in certain subjects, dependent on a child's needs.

- There was no college provision for 14-16 years olds in Kirklees even though national funding was available for home educated 14-16 students; there was a difficulty in getting colleges to accept the provision of part-time courses.
- In some local authority areas a home education coordinator was available.
- The approach of a current Kirklees officer eg: providing a response to emails even if to say 'I don't know I'll get back to you' and the knowledge/understanding to be able to signpost to appropriate support/resources was appreciated.
- A key resource would be an exam centre similar to Ethos and it was suggested that any maintained college or school should be able to provide such facilities. Some local authorities used Pupil Referral Units (PRUs) or hospital education facilities. The cost of sitting exams was also an important issue.
- There could be potential limitations on the use of colleges for exams due to capacity and breadth of subject availability.
- It should be noted that home educated students would take subjects as and when they felt capable/able to do so rather than being all focused at the age of 15/16.
- Legislation was already in place to address the small number of cases where the local authority might need to intervene.

10. Input from young people

10.1 The Panel wished to receive some input from young adults who had been home educated, about their experiences and the support that they were offered. A letter was therefore sent out to young people who were known to have been home educated to invite them to take part. They were asked if they would be happy to answer the following questions and were also asked for any additional comments they wished to make:

10.2 What were the reasons for you being/your family home educating?

At an early age, one respondent's mother had decided that she wished to teach her child herself rather than them be one of 30 children in a class. Two younger siblings in the same family had also followed this route. They all attended many activities outside the home, covering a wide range of interests, including mixing with other home educating families and groups.

One respondent was home educated due to mental health issues which had caused issues in accessing education and maintaining progress.

10.3 Between what ages were you home educated?

One respondent made the decision to continue in elective home education from the age of 4 until 16. Siblings in the same family had chosen to complete limited parts of their education at school but were also home educated for the majority of their education up to the age of 16.

Another was home educated from Year 10 to Year 11.

10.4 How do you feel being home educated worked for you?

Respondents believed that home education was definitely the right choice for them. Comments were:

'It has given me a strong relationship with my family, and a strong curiosity and enthusiasm for knowledge which I feel is stronger than I might have retained had I been through public education. I was brought up reading and being read to, and I have a strong drive for self-led learning and motivation.

Being in a one-to-one (or three-to-one) learning environment allowed me to follow my interests, and to study at my own pace, rather than being held back or rushed by classmates, goalposts, or standardised curricula.'

'It gave me the time and flexibility to overcome my mental health difficulties and I found that I learnt much more easily. I found that one on one was much more effective at helping me to learn.'

The young people concerned made reference to the significant support they had received from their parent(s).

10.5 What qualifications did you achieve/ what is your chosen career path/ achievements?

After studying and passing several GCSEs, between the ages of 14 and 16, one respondent had gone on to study and pass 3 A levels and an AS level at a local college, and was currently in the second year of a University degree having been awarded two scholarships. This student was very active in University life and had a strong career plan that would lead to working in an area that was of great personal interest, alongside a number of other personal achievements. A sibling was currently studying A levels at college.

Another respondent was studying engineering at college and was aiming to undertake further learning in coding once the current course had been completed.

10.6 Is there anything that you consider might have helped support your education?

One of the young people said that, compared to many other areas of the UK, at that time Kirklees had been one of the most supportive places for home educators, particularly in respect of provision to sit GCSEs. However, the exam centre was not now available.

Another respondent explained that they had been able to sit exams at their former school.

Apart from a facility to take exams, the following were considered to be things that would be helpful:

- The option to flexi-school for subjects such as music, art and languages as these qualifications are largely unavailable to home educated students because of the large elements of coursework and practical exams.
- A general resource library for GCSE subjects and educational material.

In terms of things that had been unhelpful:

- reductions in public spaces such as libraries had a detrimental effect, as many home education groups relied on them for both resources and meeting spaces.
- It had been difficult to find detail about what to study such as knowing what was in the curriculum for an exam and books were expensive.

11. FINDINGS

- 11.1 The numbers of known home educated children in Kirklees appears in line with local and national trends; 0.57% of the school population as a whole, compared with Yorkshire and the Humber at 0.6% and nationally 0.7% (March 2018).
- 11.2 The highest number of electively home educated children are in the Key Stage 3 cohort closely followed by Key Stage 4. Again, this is not out of step with national figures which indicate that 62% of the known number of children and young people who are home educated are in either KS3 or KS4.
- 11.3 Noted that there would be children that the authority would be unaware of, having never been on roll at a school in the district.

TOR 1 - Developing an understanding of why some parents and carers choose to home educate, and for how long children are typically home educated for.

- 11.4 Whilst the Panel was pleased to speak with those parents who attended the 3 events, they acknowledged that it was the dedicated and committed home educating parents that did so and, more than likely, those that were doing so through choice.
- 11.5 The Panel found that the reasons for home educating in Kirklees covered a wide range, aligned with those set out in the April 2019 Government guidance. It was noted that there were a significant number for whom the reason was not known.
- 11.6 The Panel noted the difference between those who had actively made a positive decision to home educate and those who felt that they had been left with no alternative.
- 11.7 The style of education undertaken varied according to the needs and wishes of the family and the individual child.

- 11.8 The length of time children were home educated also varied. For those choosing to do so for philosophical or ideological reasons this could be for most, or all, of the child's primary and secondary education; for some up to the age of 16, for others until entering higher education.
- 11.9 For those that became home educated through circumstance or because they felt that there was no alternative, such as when there were issues at/with school or mental health issues, it was more likely to be for a shorter period, perhaps until a solution was found; this could range from a few weeks to a number of months or longer.
- 11.10 The increase in numbers once children reached KS3 and KS4 suggested that there were a number of families who felt that they had no alternative. The Panel considered that these families/children were likely to be in greater need of support and was concerned about their education and progression onto further education and employment, particularly those in KS4. There was a need to identify those becoming home educated because of problems with school or mental health issues as soon as possible, so that support and guidance could be provided to assist them in continuing their education.
- 11.11 Currently, limited data was available to the local authority on why a child had been removed from roll and become home educated. Most of the schools who responded to the Panel's questions had indicated that they would be willing to complete a questionnaire to provide information such as SEN/ attendance/ known to social care/level of attainment and progress/ background eg history of short term exclusions/ underlying issues such as bullying or mental health/ reason for removal from both school and parent's perspective/ current educational provision for the young person concerned/ safeguarding concerns. In many cases this was welcomed as something that could assist in achieving the best outcomes for young people. Suggestions were made that this might be something that could be done online and, also, that there may be some overlap with the information provided in relation to CME. The Panel considered that not only would this assist officers in determining the right approach and providing guidance/facilitating a pro-active response where necessary, but would allow data to be compiled that may help identify any particular trends/issues that did not benefit young people.
- 11.12 In respect of those children who were not registered with the authority, the Panel noted the Government consultation that had been undertaken in relation to the introduction of a mandatory registration scheme. Some home educating parents disagreed with this proposal but it was considered that this could potentially assist in identifying children who may be receiving an unsuitable education and possibly subject to safeguarding concerns.

TOR 2 - Scrutinising the Local Authority's responsibilities for home educated children.

- 11.13 The Panel acknowledged that local authorities had no formal powers or duty to monitor the education being provided at home on a routine basis. However, they did have duties to make arrangements to identify those children not receiving a suitable education and to intervene in cases where it appeared that they were not. If a child was not attending school full-time the law does not assume that the child is not being suitably educated but requires the local authority to make enquiries about what education is being provided.
- 11.14 The Panel found that many parents were providing an excellent education for their child/children through home education and recognised that 'suitable' education could cover a wide range of approaches; it was important that this was acknowledged by the authority and taken into account when assessing home education. The April 2019 guidance suggested that approaches should be judged on outcomes.
- 11.15 The Panel agreed with the DfE guidance in respect of the use of a 'light touch' approach where parents were known to be providing suitable education and considered that this, along with other things, could lead to improvements in the relationship between the authority and home educators.
- 11.16 Where the education was deemed to not be suitable, there were formal processes available to the authority. These had been used, with success, on a number of occasions.
- 11.17 It was considered that the Authority needed to clearly communicate its responsibilities to parents, including the process that it would follow where there were concerns about a child's education.
- 11.18 The Panel considered the following, which the April 2019 guidance suggested as a minimum requirement for local authorities, in light of their moral and social obligation for the wellbeing of all children living in their area:
- a written policy preferably drawn up in consultation with local home educating families
 - the resources necessary to implement its policy effectively and consistently. This can be cost effective in the longer term.
 - consider their organisational structures (the reality is that it needs a holistic approach to issues of suitability, attendance, welfare and safeguarding)
 - seek to offer guidance to all known home-educating families in their area about their rights and obligations, and also provide advice on good practice and available resources for parents who request it;
 - make it clear that the local authority sees its role in relation to home education as part of its wider responsibilities, including safeguarding, for all children living in its area;

- regularly review its elective home education policies
- provide clear details of their complaints procedure and deal with all complaints in a sensitive and timely manner.

11.19 It was acknowledged that, when a child became home educated, all associated costs became the responsibility of the parent(s) and the authority did not receive funding to support home-educating families (except in relation to high needs SEN).

Notwithstanding this, the DfE recommended that authorities should adopt a consistent, reasonable and flexible approach to the provision of support, particularly where there were minimal resource implications. It suggested that, as a minimum, local authorities should provide written information (which is also available through the internet) on elective home education that is clear and accurate and sets out the legal position.

11.20 Examples of additional support, that authorities might be able to offer, subject to resources, included:

- provision of a reading or lending library with resources for use with home educated children.
- free, or discounted, admission into community programmes (including local authority owned community and sports facilities).
- access to resource centres (including local school resources where feasible).
- National Curriculum materials and curricula offered by other educational institutions.
- information about educational visits and work experience.
- providing assistance with identifying exam centres willing to accept external candidates.

The Panel noted that the Government had undertaken consultation between April and June 2019 in respect of the mandatory registration of children who are not receiving an education in state funded or registered independent schools, but also in respect of a duty to provide support for parents who educate children at home. This may result in legislation, in due course, that would obligate authorities to provide a higher level of support than currently.

11.21 The Panel noted that although local authorities did not have a duty to assess every home educated child to see whether they have SEN, the guidance stated that local authorities should work in partnership with, and support, parents to ensure that the SEN of these children are met where the local authority already knows the children have SEN or the parents have drawn the children's special needs to the authority's attention.

11.22 The guidance also stated that local authorities should do their best to ensure that, when children with special educational needs are being educated at home, the full range of powers available are used to ensure that the education is suitable and

remains so; and that their assessment of this is properly linked with the process of keeping special needs provision under review.

- 11.23 Parents had outlined problems associated with lack of advice and support and officers explained that they considered that there had been a focus on strengthening the relationship with home educating parents with children with SEN. The Panel considered that parents should be given clear information on how to get advice in relation to SEN issues by officers with responsibility for EHE.
- 11.24 There was no obligation on the authority or schools to offer flexi schooling and schools had a number of concerns about the potential impacts of doing so. There was no specific code for recording absence in such circumstances and it had to be recorded as authorised absence. Some schools were concerned that this may have a detrimental impact in terms of Ofsted inspection. The April 2019 guidance pointed out that some schools with significant flexi-schooling numbers had achieved good outcomes from inspections. It suggested that schools which did have flexi-schooled pupils should be ready to discuss the arrangements they had in place to deal with the requirements caused by such pupils. It also noted that schools were held to account through inspection for the performance of pupils, and that would include any who attended the school as part of a programme of flexi-schooling. The potential impact of this had also been raised as a concern by some schools.
- 11.25 It was noted that recommendations had been made by the Timpson Review in May 2019 in respect of off-rolling and, in response, the Government had expressed an intention to undertake consultation in respect of making schools accountable for permanently excluded pupils. There was currently no date for this to take place.
- 11.26 'Off-rolling' was a recognised concern at national level. It was considered that the introduction of a new form to gather more detailed information from schools when a child was removed from roll to become home educated may help to identify any particular issues.
- 11.27 'Off rolling' was addressed within Ofsted's new Inspection Framework (May 2019) and any evidence of this could impact on the judgement in relation to a school's management. The Children's Commissioner had welcomed the introduction of a new 'quality of education' key judgement by Ofsted which would lessen the reliance on exam results as a measure of school quality.
- 11.28 The Panel noted that the April 2019 guidance suggested that local authorities should seek to reach agreements, through Schools Forums, which discourage pressure on parents to educate children at home, and to address this issue directly in discussion with relevant schools. Local authorities should also consider informing Ofsted of schools where off-rolling appeared to be happening on a significant scale so that this could be investigated at the school's next inspection.

TOR 3 - Scrutinising how the Local Authority identifies, supports and ensures the safety and wellbeing of electively home educated children.

- 11.29 Kirklees did not have a dedicated EHE Team or a dedicated budget. The Panel considered that this limited the offer that it could make to home educating families. There was no dedicated email address or phone number. The Panel believed that a single point of access for home educated families would be helpful.
- 11.30 A dedicated team with trained officers who were trained and knowledgeable in respect of EHE would assist greatly in improving relationships with the home educating community. The tone and manner of contact and engagement was very important.
- 11.31 Although parents had expressed the view that it was not necessary to have a qualified teacher to undertake assessments, Members felt that this could be beneficial and that, ideally, this individual should be familiar with approaches to education other than conventional schooling. In Kirklees the assessment role was currently undertaken by officers who also had other responsibilities.
- 11.32 The Panel had heard that parents felt that it was important to know where home education fitted within the structure of an authority; and a named contact would be very helpful for parents.
- 11.33 Members felt that there were potential incentives for parents to both register and engage with the local authority if more information and support was provided.
- 11.34 Currently there was a page on the Council's website which offered information in relation to home educating and provided a link to a guide for parents. The Panel had heard that home educators could find it difficult to find the information they needed and there was significant reliance on peer support.
- 11.35 The Panel heard from parents that it would be helpful if the website could contain details in relation to:
- Relevant Legislation
 - How to de-register from school
 - Details of local tutors
 - Home educating support groups
 - Details of where exams can be taken
 - Links to exam centres
 - Links to past papers
 - Networking links

- 11.36 Members further considered that it should also include a link to the Council's policy, direct contact details for EHE officers, advice in respect of the potential alternatives, links to relevant partner agencies and support groups and advice on who to contact in respect of SEN issues.
- 11.37 The Panel had heard that events for home educators were organised by some authorities. The format of such events could be led by local home educators. These could contribute to the 'light touch' engagement for those families that were known to be providing suitable education. It was believed that facilitating such events could also help to build a stronger more supportive relationship between families and EHE practitioners.
- 11.38 Consideration was given to the need for a clear and transparent policy which included, amongst other things, what support was available to families and the process if the education being provided was not considered to be suitable. It had been stressed to the Panel that the policy should be a new document rather than a refresh of the existing policy.
- 11.39 The Panel heard that there was very limited alternative provision for 14 to 16 year olds within the district and what was available was often funded by schools. The Panel considered that there was a need for the possibilities for the expansion of such provision to be explored. The trialling of early college transfers for at Kirklees College in 2020 was welcomed.
- 11.40 It was acknowledged that whilst flexi-schooling had advantages, particularly in terms of the provision of certain subjects for example, the position was complex. A number of schools appeared willing to consider such arrangements, if appropriate for a particular child, but concerns had been expressed about impact on attendance, Ofsted judgements, performance data and funding. In light of the information made available to it the Panel considered that this merited further consideration and that the local authority might be able to provide information to schools to allow them to make an informed decision.
- 11.41 Members considered that there may be potential to make use of partners such as the University.

TOR 4 - Scrutinising elective home educated children's progression onto further education and employment and the outcomes achieved at Key Stage 4 & 5.

- 11.42 Although no data was collected at a national level, the anecdotal evidence given to the Panel indicated that those young people home educated by choice, rather than circumstance, thrived and had very positive outcomes. However, this was probably not the case for many of those who found themselves in this position when they felt they had little alternative; these families were in need of greater support from the local authority.

- 11.43 There was a National Careers Service for people who lived in England which could provide free and impartial information, advice and guidance to help with decisions about careers, courses and work. The service was supported by qualified careers advisers and accessed through a website but with a webchat or telephone option. There could be greater awareness of this perhaps, with a link on the website.
- 11.44 Locally, Calderdale & Kirklees Careers provided support to children, including those who were home educated, and worked to ensure as many young people as possible found employment, education or training particularly if these young people were at risk of not doing so.
- 11.45 The Panel heard that funding was available associated with educational provision for 14 to 16 year olds and questioned whether a more creative approach was needed in this respect.
- 11.46 The Panel heard about issues caused by the lack of local exam provision from a number of contributors. This was something that they considered needed to be addressed due to the impact on outcomes for home educated children. Members noted that such provision might also benefit others such as adult learners.

12. RECOMMENDATIONS

1. That a new Kirklees Policy on Elective Home Education be produced, in consultation with home educators, at the earliest possible opportunity. It is suggested that this should include:
 - i. The Local Authority's responsibilities
 - ii. Parents rights and obligations
 - iii. How a 'suitable' education is assessed
 - iv. Responsibilities and expectations of parents
 - v. The process if there are concerns about the education being provided at home
 - vi. Clarity on the support that Kirklees is able to provide
 - vii. Complaints procedure
 - viii. How the EHE team will communicate and seek to engage with parents
 - ix. Position in relation to flexi-schooling
 - x. A mechanism for regular review of the policy
2. That consideration be given to the implementation of a dedicated Elective Home Education Team, with budget provision sufficient to implement the policy effectively and consistently. This would provide trained and knowledgeable officers in relation to home education, including a qualified teacher, preferably someone with experience of home educated and hard to reach children.

Alongside other duties, this team would be able to assess the authority's ability to provide additional support to home educating families with:

- Access to past papers
 - Assistance with marking
 - Access to educational material/resources
 - Provision of learner numbers for exam candidates
 - Flexi-schooling – looking at the approach on an individual basis and providing information/support to schools so that they are clear on the potential implications.
 - Free/discounted rates for meeting rooms
 - Facilitation of events for home educating families
3. That a direct dedicated phone number and email address be provided in respect of elective home education.
4. That a new form for schools to complete when taking a child off roll be implemented, for submission to the EHE Team within a short timescale, to include details including:
- i. Special Educational Needs
 - ii. Attendance
 - iii. Whether known to social care services.
 - iv. Level of attainment and progress
 - v. Background eg history of short-term exclusions/ underlying issues such as bullying or mental health
 - vi. Reason for removal from both school and parent's perspective
 - vii. Current educational provision for the young person concerned
 - viii. Any safeguarding concerns
5. That the section of the Council's website relating to Elective Home Education be updated and improved. It is suggested that this include:
- i. Relevant legislative background and the Local Authority's responsibilities
 - ii. Link to Kirklees Policy
 - iii. Team contact details - dedicated email address/telephone number
 - iv. Process in terms of de-registration from school.
 - v. How the team will engage with parents.
 - vi. Responsibilities and expectations of parents
 - vii. Advice on good practice
 - viii. Specific advice for those looking to home educate as a result of issues at school
 - ix. Advice on alternative provision
 - x. Up to date sign posting eg to mental health support
 - xi. Links to relevant networks and useful resources such as past papers and learning material.
 - xii. Clear advice relevant to particular age groups.
 - xiii. Who to speak to about SEN issues
 - xiv. Complaints procedure.

- xv. Information on sitting exams and getting a learner number.
- xvi. Link to National Careers Service and Calderdale & Kirklees Careers Service
- xvii Links to peer support groups

6. That the possibilities for the provision of at least one centre where home educated students can sit exams be explored, preferably one for North Kirklees and one for South Kirklees, including the potential for this to be done in partnership with other agencies.
7. That the options for alternative provision, particularly in respect of the Key Stage 4 cohort, be investigated.

Action Plan

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.	New Kirklees Policy on Elective Home Education to be produced, in consultation with home educators, at the earliest possible opportunity.		Yes.	New Kirklees Policy and Procedures are being written and will go out to consultation with parents. Separate guidance being written for Flexi-schooling	Head of Education Safeguarding and Inclusion Diane Yates Education Safeguarding Service Education and Learning Partnership Board	The consultation will be undertaken in the Autumn Term. Any amendments and council processes will be actioned in the Spring term with implementation from the Summer term 2021.
2.	Give consideration to the implementation of a dedicated Elective Home Education Team, including a qualified teacher, with dedicated budget provision sufficient to implement the policy effectively and consistently.		Yes, however, where additional resource implications are identified this will need to be explored as part of budget processes	The Education Safeguarding Service is now going through a service review, which will include a work strand on EHE, and consideration of a dedicated EHE team will form part of this process.	Additional interim capacity has been brought into Education Safeguarding to enable the service to undertake and implement a full-service review. Head of Education Safeguarding and Inclusion in partnership with Lead Officers in Education Safeguarding Service Director and Portfolio Holders	Proposals will be moved forward in the Autumn Term, business cases will be developed for consideration. The proposed new delivery model, if agreed, would be in place for September 2021.

3.	Provide a direct dedicated phone number and email address.		Yes	Dedicated mailbox – actioned Dedicated telephone number – we will explore options and look at a clear way to access the right team.	Education Safeguarding Service	Partly actioned
4.	Implement a new form for schools to complete when taking a child off roll, for submission to the EHE Team within a short timescale.		Yes	Actioned - New 'School Exit Form' has been created.	Education Safeguarding Service	Actioned
5.	Update and improve the relevant section of the Council's website.		Yes.	Content for the council website has been collated to cover all of the recommendations. The Kirklees Local Offer website also to be used to signpost local peer groups/resources	Diane Yates/Andy Bentley	Nov 2020
6.	That the possibilities for the provision of at least one centre where home educated students can sit exams be explored, preferably one for North Kirklees and one for South Kirklees.		Yes.	Discussions currently taking place with Headteachers/PRU to find local provisions for private candidates.	Diane Yates Helen Metcalfe Lead KLP	January 2021

7.	That the options for alternative provision particularly in respect of the Key Stage 4 cohort be investigated.		Yes.	Pathways for EHE children to access specialist provisions will form part of the planned alternative provision review.	Diane Yates Jane Friswell leading on Alternative Provision Review	Review in the Autumn Term. A business case to consider options in the Spring term. Implementation Sept 2021.
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ADDENDUM

Elective Home Education – Action Plan

7.9.2020

Introduction and Summary

In July 2017, the Director of Children’s Services requested Overview and Scrutiny consider how the Local Authority manages elective home education (EHE).

The Scrutiny Panel wanted to explore and understand the reasons why some parents choose to home educate, understand the LA’s responsibilities and look at how the LA identifies, supports and ensures the safety and wellbeing of home educated children.

New DfE EHE guidance was issued in April 2019 to clarify the role of local authorities in relation to home educated children. LA’s are required to:

- Identify and support children who are not receiving an efficient suitable full-time education;
- It requires LAs to ensure that enquiries are made about the home education provision of children of compulsory school age;
- The law may require further action by the LA and the department believes this is the case for an increasing number of children.
- LA’s have the same safeguarding responsibilities for children educated at home as for other children.

The guidance recommends “LAs should set aside resources necessary to implement its policy effectively and consistently. This is not always easy at a time of constrained resources; but effectively implementation in conjunction with work in related areas such as education welfare, children missing education and admissions, can reduce spend in the longer term on families where engagement is difficult”

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791527/Elective_home_education_guidance_for_LAv2.0.pdf

Total number of children registered as EHE for either all or part of the academic year		
2017 - 2018	2018 - 2019	2019 - 2020
464	606	668

There has been an increase of CYP who are EHE over a three- year period, it is anticipated that in line with our regional and statistical neighbours this increase will continue as a direct result of Covid-19. The LA needs to ensure sufficient capacity to deal with the increasing numbers of EHE, particularly to identify where children are not receiving a suitable education and then take the necessary formal actions to address this.

The review of EHE carried out by the Ad Hoc Scrutiny Panel has been very helpful and has provided the opportunity to consider what EHE can look like moving forward. The panel

presented their report in March 2020. The purpose of this report is to consider how we respond to the panel's recommendations.

Action plan recommendations

Recommendation	Response
New Kirklees Policy	An updated EHE policy, Flexi-schooling policy and Information for Parents document is in draft and is due to go to SLT
Consideration of dedicated EHE team	In Sept 2020 the Education Safeguarding Service is embarking on a service improvement plan and will include our responsibilities for children who are home educated. EHE will be a work strand and be included in the action plan.
Dedicated phone number/email address	A dedicated email address is now in use.
New form for school's completion	A new 'School Exit Form' has been created to gather further background information from schools, the document is in draft and is due to go to SLT along with the policy documents.
Website update	Content for the website has been prepared for the council website and the Local Offer website.
Alternative provision options	There will be a review of alternative provision in Kirklees, this will include looking at provision for home educated children.

Impact of Covid-19

The reasons for families choosing to home educate are complex and varied however, we have seen numbers continue to increase during the lockdown period with 93 children (4 children with an EHCP) being removed from school rolls. We anticipate the numbers will continue to increase specifically related to anxiety around Covid-19.

In response to Covid-19, there have been several online resources developed to support schools and children with home-schooling. There are now high-quality online learning sites including Oak National Academy, a platform set up by a collective of teachers, covering a range of subjects to support the need for remote teaching. These resources are available to all children and will be helpful to home educated children.

Underpinning principles

- All children and young people have the best start in life
- Children and young people are proud to come from Kirklees
- Children and young people live and are educated in Kirklees
- Children and young people make good educational progress and have high aspirations and good life opportunities

Whilst the majority of children receive their education through the school system, parents do have a right to choose home education, when this is a positive, informed and dedicated choice it can be of benefit to the child. The LA also needs to consider some parents will want to home educate for a temporary period and then will re-engage with the school system, we need to support them to access a school place and help with this transition. During 2019-2020 academic year 133 returned to formal education. The pathways in place to support transition back when requested need further clarification and can often be complex and resource-heavy in terms of Officer time.

Is EHE always appropriate?

DfE guidance states that where it is not clear home education is suitable (including situations where there is no information at all) the LA should initially attempt to resolve those doubts through informal contact and enquiries. If informal contacts do not resolve the provision, then the 1996 Act provides a framework for formal action to ensure that a child does receive suitable education. See Appendix 1.

The SEN code of practice states that after considering its power to provide support to home-educating parents, the provision that is or could be made for a child or young person with an EHC plan does not meet the child or young person's needs. The local authority is required to intervene through the school attendance order framework.

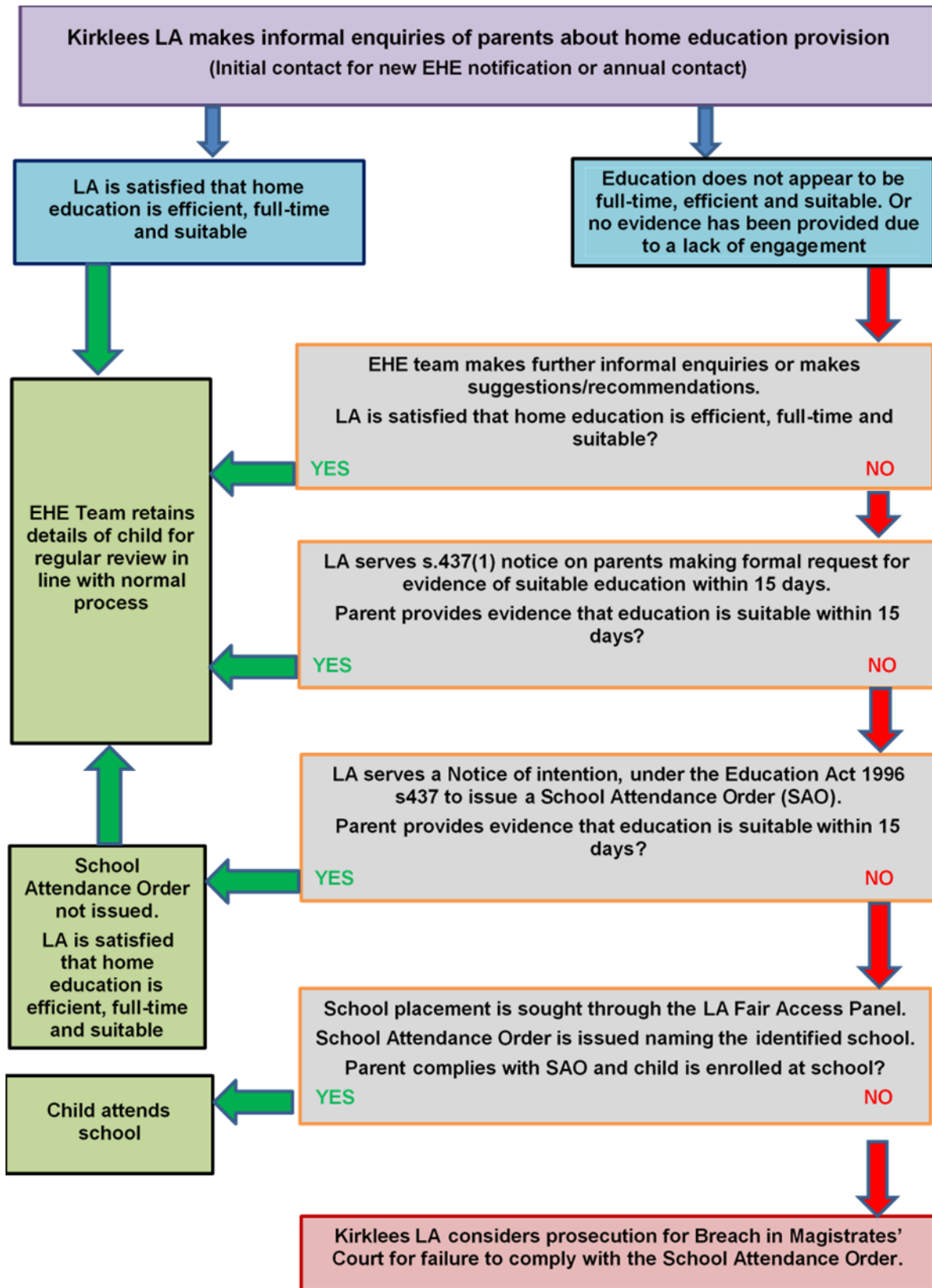
Where there are safeguarding concerns, a failure to provide suitable education is capable of satisfying the threshold requirement contained in s. 31 of the Children Act 1989 that the child is or is likely to suffer significant harm. Where there have been safeguarding concerns for home educated children there are clear safeguarding processes in place working collaboratively with partner agencies and with children's social care.

The LA is responsible for ensuring all children are accessing appropriately registered educational provision, for example, independent schools or out of school settings. This links with the Panel's recommendation to provide guidance to parents on alternative provision.

In Summary

We appreciate the engagement of the panel in helping us shape how the LA manages the EHE moving forward. A number of the recommendations highlighted through the EHE Scrutiny report have been fully or partially addressed. Educational Safeguarding is in the process of developing an overarching improvement plan which will be developed and implemented over the next 12 months EHE will form part of this work, this will identify where additional capacity is required to fully address the LA requirements outlined in the 2019 EHE guidance.

Appendix 1: Flow Chart of Local Authority Actions in Home Education Cases





Name of meeting: Cabinet
Date: 15th December 2020
Title of report: Amendments to Civil Penalty Policy for Housing related offences

Purpose of report: To outline the changes to the Civil Penalty Policy following the introduction of additional legislation and to seek delegated powers for future minor changes to the 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?	Yes Housing enforcement tool effective Kirklees wide
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u> ?	Key Decision – Yes Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	David Shepherd - 4.12.20
Is it also signed off by the Service Director for Finance?	Eamonn Croston - 4.12.20
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft - 4.12.20
Cabinet member portfolio	Cllr Cathy Scott – Housing & Democracy

Electoral wards affected: All Wards

Ward councillors consulted: Not Applicable

Public or private: Public

Has GDPR been considered? Yes

1. Summary

- Housing enforcement legislation was introduced to give local authorities the power to impose a civil penalty as an alternative to prosecution for certain housing offences.
- When the legislation was introduced it was expected that this power would be used robustly as a way of clamping down on rogue landlords, property managers and letting agents.
- As civil penalties were brought in appropriate guidance and procedures were developed.
- For offences under the Housing and Planning Act 2016, raising the level of civil penalty to £30,000 was considered important because a smaller fine may not be significant enough for landlords who flout the law to think seriously about their behaviour and provide good quality, private sector rented accommodation for their tenants.
- The council was required to develop and document a policy to be used in determining the appropriate level of civil penalty in a particular case. Such a policy was agreed by Cabinet on 2nd October 2018.
- Since then further housing legislation has been introduced where civil penalties can be used.
- The Policy is being revised to consolidate all existing housing offences where civil penalties can be considered and to take account of the new legislation coming into effect.
- That authority to make future minor amendments to the Civil Penalty Policy for Housing related offences in order to comply with legislation, guidance and case law, is delegated in consultation with the Portfolio Holder to the Service Director, Growth & Housing

2. Information required to take a decision

Background

- The Civil Penalty Policy, agreed by Cabinet on 2nd October 2018, is for housing offences under the **Housing and Planning Act 2016**. The specific housing offences covered are: -
 - Failure to comply with an Improvement Notice
 - Offences in relation to licensing of Houses in Multiple Occupation (HMO)
 - Offences in relation to licensing of houses under Part 3 of the Act
 - Offences of contravention of an overcrowding notice
 - Failure to comply with management regulations in respect of HMOs
- The level of civil penalty is to be determined on a case-by-case basis with a maximum penalty of £30,000. The policy includes a matrix to determine the level of penalty dependent upon the levels of culpability and harm.
- The policy also outlines both aggravating and mitigating factors which will be considered as part of any adjustments to the initial determination.
- The revised Civil Penalty Policy is Appendix A

Consolidation of existing housing legislation civil penalties

- The **Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014** – there is a legal requirement to belong to a government approved redress scheme for those engaged in:-
 - Lettings agency work
 - Property management work
 - Estate agency work dealing with residential properties.
- Failure to comply with the regulations may result in a civil penalty up to a maximum £5,000.
- The new policy will outline how the level of fine will be determined.
- The **Smoke and Carbon Monoxide Alarm (England) Regulations 2015** – requires landlords to ensure:-
 - A smoke alarm is installed on each storey of the premises on which there is a room used wholly or partly as living accommodation; and
 - A carbon monoxide alarm is installed in any room which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and
 - The alarms are in proper working order at the start of any new tenancy.

- This provision does not place an excessive burden on landlords and a reasonable timescale for compliance is given prior to any penalty charge being levied. The charge for a first offence is £1,000 and subsequent penalties are £5,000 per notice.

New legislation

- The ***Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020*** apply to all new tenancies from 1st July 2020 and to all existing tenancies from 1st April 2021.
- Private Landlords must ensure national standards for electrical safety are met and that their rented properties are inspected and tested by a qualified and competent person every five years. A copy of the inspection report should be supplied to the tenant.
- Failure to comply with the regulations may result in a civil penalty with a maximum financial penalty of £30,000. The policy document will be used to determine the level of penalty dependent upon the levels of culpability and harm similarly to Housing and Planning Act 2016 offences.
- The ***Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015*** and Energy Efficiency (Private Rented Property) (England and Wales) (Amendment) Regulations 2019 are designed to tackle the least energy efficient properties – those rated F or G on the Energy Performance Certificate (EPC).
- From 1st April 2020, landlords must not continue letting a relevant domestic property which is already let if that property has an EPC rating F or G. Where a valid exemption applies, landlords must register the exemption on the PRS Exemptions Register.
- Failure to comply may result in a civil penalty up to maximum limits set by the Regulations. The total amount of the financial penalty may not be more than £5,000 per property.
- The policy document will set out the considerations to determine the penalty.

3. Implications for the Council

- **Working with People**

Our Civil Penalty Policy is intended to prevent the small number of rogue or criminal landlords, property managers or letting agents from profiting from renting out unsafe and substandard accommodation and deter others from undertaking such activities. Providing a clear and transparent policy together with effective communications to publicise civil penalties and their impact will help promote high quality standards and practices within the private rented sector.

- **Working with Partners**

The introduction of civil penalties will support the vision of combining a strong sustainable economy with a great quality of life by tackling poor landlords, property managers and lettings agents and driving up good quality private rented accommodation and management practices. Collaboration and working together with housing, accommodation and enforcement partners is key.

- **Place Based Working**

Civil penalties and enforcement are tools used across the entire Kirklees area. This policy considers levels of culpability and harm as well as mitigation and risk factors on a case by case basis. While not geographic, the matrix approach allows for a more bespoke solution across the sector.

- **Climate Change and Air Quality**

Tackling the poorest landlords, property managers and letting agents is designed to eliminate unsafe and substandard accommodation. This will help improve and promote higher quality standards within homes. This will include reducing emissions, energy efficiency and affordability. Good quality accommodation results in a healthier and more sustainable

environment. Improvements across the private rented sector will also minimise housing inequalities for those living within Kirklees.

- **Improving outcomes for children**

Eliminating poor quality housing and driving up good quality accommodation will improve well-being for the entire family

- **Other (eg Legal/Financial or Human Resources)**

Income received from a civil penalty can be retained by the local housing authority to further their statutory functions in relation to their enforcement activities covering the private rented sector.

Civil penalties are an additional enforcement tool alongside prosecutions. The same criminal standard of proof is required and the same investigative procedures followed. Co-operation with legal colleagues will remain for all enforcement action. As there is an appeals process connected to a civil penalty there may be a legal and financial resource implication. However, this risk is relatively small.

Do you need an Integrated Impact Assessment (IIA)?

An Integrated Impact Assessment Stage 1 has been completed. The outcome does not require progressing to the next stage. The policy changes are a result of Government legislation which has considered whether any potential discriminatory impact on people with protected characteristics exists. The revision of the policy will not have any adverse impact across the range of environmental and sustainability considerations.

4. Consultees and their opinions

- Officers worked with housing colleagues across the region to develop a robust policy. There continue to share best practice around housing enforcement. Additionally, staff procedures, guidance, communications and training plans have been developed for Housing Compliance Officers. Through this partnership approach neighbouring councils and landlords, operating across administrative boundaries, are provided consistency.
- Legal Services have reviewed the all Notice templates
- This report and revised policy has been shared with Portfolio Holder. The previous policy was approved by Cabinet on 2nd October 2018

5. Next steps and timelines

- To undertake a communications and publicity campaign throughout Winter 2020-21 outlining the legislative changes and possible consequences of non-compliance.

6. Officer recommendations and reasons

Cabinet is asked to approve: -

- The changes to the Civil Penalty Policy for Housing Related Offences. (Appendix A)
- That future minor amendments to this policy are delegated in consultation with the Portfolio Holder and the Service Director, Growth & Housing.

7. Cabinet Portfolio Holder's recommendations

The Cabinet Portfolio Holder **recommends** that Cabinet approves the changes to the Civil Penalty Policy for Housing Related Offences and that future minor amendments to this policy are delegated in consultation with the Portfolio Holder and the Service Director, Growth & Housing.

8. Contact officer

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stephen.cale@kirklees.gov.uk

9. Background Papers and History of Decisions

Civil Penalty Policy for Housing related Offences
Cabinet Decision 2nd October 2018

10. Service Director responsible

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KIRKLEES COUNCIL

CIVIL PENALTY POLICY

FOR HOUSING RELATED OFFENCES

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This policy is intended to work in accordance with Kirklees Council's Enforcement Policy and the relevant local authority guidance published by the Ministry for Housing, Communities and Local Government (MHCLG).

1. Introduction

The Housing and Planning Act 2016 introduced a number of amendments to the Housing Act 2004. Section 249A of the Housing Act 2004 established the legal basis for imposing civil penalties as an alternative to prosecution for specific offences.

Subsequently, additional legislation has established the use of civil penalties as an option when considering enforcement. This policy sets out the legislation and the factors when considering whether civil penalties are the most appropriate action and the framework for determining the size of the penalty.

The Housing Solutions Service has been working at a regional level with other West Yorkshire authorities in order to ensure consistency in policies and procedures.

Currently, this policy covers civil penalties for housing related offences under the following legislation:

- i. Redress Schemes for Letting Agency Work and Property Management Work (Required to Belong to a Scheme etc) (England) Order 2014**
 - There is a legal requirement to belong to a government approved redress scheme for those engaged in:
 - Letting agency work
 - Property management work
 - Estate agency work dealing with residential properties

- ii. Smoke and Carbon Monoxide Alarm (England) Regulations 2015**
 - There is a legal requirement for landlords to ensure:
 - A smoke alarm is installed on each storey of the premises on which there is a room used wholly or partly as living accommodation; and
 - A carbon monoxide alarm is installed in any room which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and
 - The alarms are in proper working order at the start of any new tenancy.

- iii. The Housing and Planning Act 2016**
 - The specific housing offences are:
 - Failure to comply with an Improvement Notice (section 30)
 - Offences in relation to mandatory licensing of Houses in Multiple Occupation (HMO) (section 72)
 - Offences in relation to licensing under Part 3 of the Housing Act 2004 (section 95)
 - Failure to comply with an overcrowding notice (section 139)

- Failure to comply with management regulations in respect of HMO (section 234)

iv. Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 and Energy Efficiency (Private Rented Property) (England and Wales) (amendment) Regulations 2019

- These regulations, known as the Domestic Minimum Energy Efficiency Standard (MEES) are designed to tackle the least energy efficient properties – those rated F or G on the Energy Performance Certificate (EPC).
 - Since 1st April 2018, private landlords may not let domestic properties on new tenancies to new or existing tenants if the EPC rating is F or G (unless an exemption applies).
 - From 1st April 2020, the prohibition on letting F and G properties has extended to all relevant properties, even where there has been no change in tenancy.
 - Where a valid exemption applies, landlords must register the exemption on the Private Rented Sector (PRS) Exemption Register.

v. Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020

- These regulations apply to all new tenancies from 1st July 2020 and to all existing tenancies from 1st April 2021. Private landlords must:
 - Ensure national standards for electrical safety are met and that their rented properties are inspected and tested by a qualified and competent person every five years.
 - Provide a copy of the inspection report to the tenant.

2. Enforcement

The same criminal standard of proof is required in order to impose a civil penalty as is required to prosecute and therefore the Housing Solutions Service will follow the same investigative procedure. This procedure may include inviting the landlord(s) for an interview under the Police and Criminal Evidence Act 1984 (PACE) (in this policy the term “landlord” also includes property agents and letting agents, unless specified otherwise). The Housing Solutions Service will liaise with the legal team to ensure that it can be demonstrated beyond reasonable doubt that the offence has been committed. The legal team will have consideration of the Crown Prosecution Service Code for Crown Prosecutors, the Criminal Justice Act 2003 and the Offences Taken into Consideration and Totality. As a prerequisite, the council will satisfy itself that if the case were to be presented to the Magistrates’ court, there would be a realistic prospect of conviction before deciding whether to impose a civil penalty.

3. Deciding on the most appropriate course of action

The legislation does not allow the council to impose a civil penalty and prosecute for the same offence, therefore it must be decided which is the most appropriate sanction. In deciding whether to prosecute or impose a civil penalty, the Housing Solutions Service will refer to the Guidance for Local Authorities, which states “Prosecution may be the most

appropriate option where an offence is particularly serious or where the offender has committed similar offences in the past”.

a) Investigation

The council must be satisfied that a person has failed to comply with the specific relevant regulations and that there is a realistic prospect of conviction before progressing to the next stage.

An investigation will be carried out by an experienced Housing Solutions Officer (HSO), Senior Housing Solutions Officer (SHSO) and/or Team Manager. The investigation may include consulting relevant public records, liaising with other enforcing authorities, checking the Rogue Landlord database, liaising with other council services, having regard to previous communications with the person and other lawful investigation activity that the investigating officer considers appropriate.

An integral part of the investigation may be an interview with the person under the Police and Criminal Evidence Act 1984 (PACE).

On completion of the investigation where the Housing Solutions Service has determined there is a realistic prospect of conviction, they will progress to the next stage.

b) Decision to prosecute or serve a Civil Penalty Notice

The decision regarding whether to pursue a prosecution or serve a Civil Penalty Notice (CPN) will be made on a case-by-case basis in line with this policy. Prosecution may be the most appropriate option where an offence is particularly serious or where the offender has committed similar offences in the past. However, that does not mean civil penalties will not be used in cases where serious offences have been committed. A civil penalty of up to £30,000 can be imposed where a serious offence has been committed and the council may decide that a significant financial penalty (or penalties if there have been several breaches), rather than prosecution, is the most appropriate and effective sanction in a particular case.

The Housing Solutions Officer (HSO) will discuss the case with a Senior HSO and/or Team Manager and propose a decision. Authorisation to proceed, whether a prosecution or with imposing a financial penalty, will be authorised by an Operations Manager.

4. Procedure for imposing a Civil Penalty

a) Notice of Intent

When the most effective sanction is deemed to be the service of a Civil Penalty Notice (CPN) then a Notice of Intent (NOI) will be served first. This will be served no later than 6 months after it is decided that there is sufficient evidence of the conduct to which the penalty relates, or at any time when the conduct is continuing. The NOI will be served by the officer who was involved in the investigation and in making the decision.

Included in the NOI will be the proposed financial penalty, therefore this must be agreed prior to the NOI being served. Details on how this will be calculated can be found within

Section 5 - Determining the level of Civil Penalty. Authorisation of the level of financial penalty will be given by an Operations Manager.

b) Representations

A person on whom the Notice of Intent (NOI) is served has 28 days from the day after the date on which the notice was served to make written representations in relation to the proposed financial penalty.

If representations and objections are received within the timescales the non-compliance decision will be reviewed by the Housing Compliance Team Manager and Operations Manager with input from appropriate Officers. The Reviewing Officers will consider representations and objections before determining whether, or not, they are satisfied that there was a failure to comply with the requirements of the legislation. Their decision will also confirm the level of the financial penalty set in the NOI with, or without, amendment.

If it is decided to proceed with a financial penalty a Civil Penalty Notice must be served.

c) Civil Penalty Notice (CPN)

The CPN will be served on the recipient of the Notice of Intent (NOI). The CPN will be prepared by the Housing Solutions Officer (HSO) and will be authorised by a Team Manager or Operations Manager. The recipient is required to pay the penalty within 28 days.

d) Withdrawing or Amending a Notice of Intent or Civil Penalty Notice

The council may withdraw either notice or reduce the amount specified in the notices at any time by giving notice in writing.

e) First Tier Tribunal Appeal

Where the council receives notice that a recipient of a Civil Penalty Notice (CPN) has made an appeal the matter will be referred to the Team Manager to decide how the council will respond. Where a person has appealed to the First Tier Tribunal the CPN is suspended until the appeal is finally determined or withdrawn.

f) Recovering the Monetary Penalty

The monies will be recovered by using the council's existing debt recovery processes.

If the penalty imposed is not paid within the appropriate time period, either 28 days from the date of the Civil Penalty Notice (CPN) or within such time as determined by the First Tier Tribunal the council will commence proceedings to recover the debt owed. This will include the recovery of any additional costs to the council from having to undertake such action. This process will be the council's existing recovery policy and procedures for the collection of such debt, including pursuance of the debt via the county courts if appropriate.

A certificate signed by the Chief Finance Officer for the council, including the outstanding amount due, will be accepted by the courts as conclusive proof of any outstanding payment due to the council.

g) Recording the decision

A record of each decision and the reasons for the financial penalty will be made by the Housing Solutions Officer. How the amount of the penalty was obtained, and the calculations will also be recorded.

5. Determining the level of Civil Penalty

Determining the level of civil penalty differs depending upon the offence and legislation.

5.1. Civil Penalty One

5.1.1. *Housing and Planning Act 2016*

5.1.2. *Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020*

a) Factors

The statutory guidance makes it clear that the level of civil penalty is to be determined by each council on a case-by-case basis, with a maximum penalty of £30,000. The maximum level of civil penalty is reserved for the very worst offenders.

In setting the level of civil penalty, the council may conclude that the offender is able to pay any financial penalty imposed unless the offender has supplied any financial information to the contrary. It is for the offender to disclose to the council such data relevant to his/her financial position as this will enable it to assess and determine what they can reasonably afford to pay.

The factors that will be taken into account when determining an appropriate level of civil penalty are:

- Severity of the offence – the more serious the offence, the higher the penalty will be.
- Culpability and track record of the offender – a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or should have known, that they were in breach of their legal responsibilities.
- The harm caused to the tenant – the greater the harm or potential for harm, the higher the amount will be when imposing a civil penalty.
- Punishment of the offender – while the penalty should be proportionate and reflect both the severity of the offence and any pattern of previous offending, it is important that it is set at a high enough level to help ensure that it has a real economic impact on the offender and demonstrates the consequences of not complying with their responsibilities.
- Deter the offender from repeating the offence – the ultimate goal is to prevent any further offending and help ensure that the landlord fully complies with all of their legal responsibilities in future. The level of the penalty will therefore be set at a high enough level such that it is likely to deter the offender from repeating the offence.
- Deter others from committing similar offences – While the fact that someone has received a civil penalty will not be in the public domain, it is likely that other landlords in

the local area will become aware through informal channels when someone has received a civil penalty. An important part of deterrence is the realisation that a) the local housing authority is proactive in levying civil penalties and b) that the level of civil penalty will be set at a high enough level to both punish the offender and deter repeat offending.

b) Initial Civil Penalty Levels

The table below shows the initial level of fine for each level of culpability and harm, including the minimum level of fine which will be imposed for each classification. These are the levels agreed at regional level.

Determination of Initial Civil Penalty Level

Level of Culpability	Level of Harm - High	Level of Harm - Medium	Level of Harm - Low	Minimum Fine Level
High	£25,000	£15,000	£7,500	£6,000
Medium	£15,000	£10,000	£5,000	£4,000
Low	£7,500	£5,000	£2,500	£2,000

c) Level of Culpability

The level of culpability will be decided, taking account of the following factors:

High level

A landlord will be deemed to be highly culpable when they intentionally or recklessly breach or wilfully disregard the law. For example:

- They have a history of non-compliance.
- Despite a number of opportunities to comply, have failed to do so.
- Have been obstructive as part of the investigation.
- Failure to comply results in significant risk to individuals.
- Are a member of a recognised landlord association or accreditation scheme.
- Are a public figure who should have been aware of their actions.
- Are an experienced landlord with a portfolio of properties failing to comply with their obligations.
- Serious and/or systematic failure to comply with their legal duties.

Medium level

A landlord commits an offence through an act or omission a person exercising reasonable care would not commit. Examples are:

- It is a first offence – with no high level culpability being met e.g. a member of an accreditation scheme.
- Failure is not a significant risk to individuals.
- The landlord has systems in place to manage risk or comply with their legal duties, but these were not sufficient or adhered to or implemented.

Low level

A landlord fails to comply or commits an offence with little fault. For example:

- No or minimal warning or circumstances/risk.
- Minor breaches.
- Isolated occurrence.
- A significant effort has been made to comply but was inadequate in achieving compliance.

The above examples are not exhaustive and other factors may be taken into account when considering the level of culpability.

d) Level of Harm

When considering the level of harm both the actual, potential and likelihood of the harm will be considered.

High level

A high level of harm could constitute:

- Serious effect on individual(s) or widespread impact.
- Provides a serious market advantage over rivals – deliberately avoided works or regulations or committed the offence to gain additional income.
- Harm to a vulnerable individual (see section 7. Definition)
- High risk of an adverse effect on an individual.
- Serious level of overcrowding.

Medium level

A medium level of harm could constitute:

- Adverse effect on an individual – not high level of harm.
- Medium risk of harm to an individual.
- Low risk of a serious effect.
- The council's work as a regulator to address risks to health is inhibited
- Consumer/tenant misled.

Low level

A low level of harm could constitute:

- Low risk of harm or potential harm.
- Little risk of an adverse effect on individual(s).

The above examples are not exhaustive and other factors may be taken into account when considering the level of harm.

e) Adjustments to the Initial Determination

In order to determine the final penalty, the council will consider both aggravating and mitigating factors in each case. These will adjust the initial level of the penalty based on these factors.

Below is a list of both aggravating and mitigating factors which will be considered as part of the determination. The list is not exhaustive and other factors may be considered depending on the circumstances of each case.

Aggravating factors could include:

- Previous convictions having regard to the offence to which applies, and time elapsed since the offence.
- Motivated by financial gain.
- Obstruction of the investigation.
- Deliberate concealment of the activity/evidence.
- Number of items of non-compliance – greater the number the greater the potential aggravating factor.
- Record of letting substandard accommodation.
- Record of poor management/ inadequate management provision.
- Lack of a tenancy agreement/rent paid in cash.

When considering previous offences regard should be given to the guidance on Banning Orders as well as any relevant offence such as trafficking etc.

Mitigating factors could include:

- Cooperation with the investigation e.g. attends the PACE interview.
- Voluntary steps taken to address issues e.g. submits a licence application.
- Acceptance of responsibility e.g. accepts guilt for the offence(s).
- Willingness to undertake training.
- Willingness to join recognised landlord accreditation scheme.
- Health reasons preventing reasonable compliance – mental health, unforeseen health issues, emergency health concerns.
- No previous convictions.
- Vulnerable individual(s) where their vulnerability is linked to the commission of the offence.
- Good character and/or exemplary conduct.

For each aggravating or mitigating factor which applies to each specific case the level of fine will be adjusted by 5% of the initial fine, up to the maximum £30,000 or to the minimum fine for each determined level of culpability and harm as shown in the table above.

The only exception to this principle will be for the number of items of non-compliance which will be 5% for the first 5 items and 10% for any thereafter.

The Council will take into account a reduction in the level of the penalty for an admission of guilt.

There is penalty reduction of one third, if at the first opportunity the landlord admits guilt for the offence and immediately remedies any outstanding issues. This is in line with the Sentencing Guidelines and will only be available for the first offence. Any subsequent offences will not be subject to any reduction.

The discount will only be provided to the landlord when the council serves the Notice of Intent (NOI) and the following criteria is met:

- The payment is made within the 28 days of the date of the NOI
- The payment is made in full.

At any point after 28 days of service of the notice of the NOI there will be no further offer of any reduction in the level of penalty.

f) Final determinate of the level of any civil penalty

The final determinate of any civil penalty must be the general principle:

The Civil Penalty should be fair and proportionate but, in all instances, should act as a deterrent and remove any gain as a result of the offence.

The statutory guidance states that a guiding principle of civil penalties is that they should remove any financial benefit that the landlord may have obtained as a result of committing the offence. This means that the amount of the civil penalty imposed must never be less than what it would have cost the landlord to comply with the legislation in the first place.

When determining any gain as a result of the offence the council will take into account facts which may be deemed as obtaining a financial gain. These could include the following issues:

- Cost of the works required to comply with the legislation.
- Any licence fees avoided.
- Rent for the full period of the non-compliance – reviewed in conjunction with any Rent Repayment Order.
- Any other factors resulting in a financial benefit – potential cost of rehousing any tenants by the Council.
- As penalty to act as a deterrent.
- The cost to the Council of their investigation.

If the level of gain is less than the calculated penalty the reduction will be the level of gain plus £2,000 or 10% whichever is the greater to the maximum of £30,000.

When determining whether a penalty is fair and proportionate then the following issues will be considered:

- Impact of the financial penalty on the offender's ability to comply with the law.
- Impact of the penalty on third party – employment of staff, customers etc.
- Impact on the offender – is it proportionate to their means – loss of home etc.

If it is claimed that they are unable to pay and show their income is small then there will be consideration given to whether the property they own can be sold or refinanced.

g) Landlord's ability to pay

A landlord has the right to make representations and/or appeal regarding the level of penalty including their ability to pay.

As part of the process there will be a need to undertake an investigation into a landlord's ability to pay any fine. As part of the investigation the following needs to be considered:

- Company House records if a limited company.

- Credit checks – these should identify outstanding debts and commitments on properties they own.
- Size of portfolio – sell a property to finance the penalty.
- Refinance – ability to raise money against their asset base.
- Rental income on their portfolio not the property to which the offence relates.
- Personal income and assets.

Where the council is not satisfied that it has been given sufficient reliable information, the council will be entitled to draw reasonable inferences as to the offender's means from evidence it has heard and from all the circumstances of the case. This may include the inference that the offender can pay any financial penalty.

However, when considering the level of any financial penalty the final determining factor will always be the level of financial gain as a consequence of the landlord's failure to comply with the relevant legislation.

5.2. Civil Penalty Two

5.2.1. *Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014*

a) Factors

According to statutory guidance, the amount of the monetary penalty must not exceed £5,000 and the expectation is that a £5,000 fine should be considered the norm. Therefore, the penalty to be included in the Notice of Intent is set at £5,000.

b) Mitigation

A penalty lower than £5,000 should only be charged if the Reviewing Officers are satisfied that there are extenuating circumstances. Such circumstances may include:

- A £5,000 fine being disproportionate to the turnover/scale of the business or leading to an organisation going out of business.
- The agent or manager not having intentionally set out to engage in letting agency or property management work as a course of business.
- The person being engaged in letting agency or property management work as a business only recently becoming engaged in this work due to succeeding the business after a predecessor has deceased.
- Any other reasonable excuse for failing to comply with the scheme regulations.

A lack of awareness of the requirements for letting agents and property managers to belong to a redress scheme is not usually considered to amount to a reasonable excuse.

However, where a letting agent or property manager joins or re-joins a scheme and admits guilt within 28 days of the Notice of Intent then a reduction of up to 50% in the financial penalty will apply.

The level of reduction will be determined by the length of time the letting agent or property manager has operated without belonging to a redress scheme.

5.3. Civil Penalty Three

5.3.1. *Smoke and Carbon Monoxide Alarm (England) Regulations 2015*

a) Factors

Where a landlord has not complied with the requirements of this regulation, the Council is required to serve a remedial notice. The landlord must comply with the notice within 28 days. If they do not, the Council must carry out the remedial action (where the occupier consents) to ensure the requirements in the regulations are met. The Council can also issue a civil penalty up to £5,000.

b) Penalty levels

- A landlord will be charged £1,000 on one occasion only, this being the first time they fail to comply with a remedial notice.
- Non-compliance with further remedial notices related to either the same property or additional properties will carry a charge of £5,000 per notice.

c) Mitigation

A landlord may ask the Council to review its decision. The penalty notice can be withdrawn if:

- New evidence shows a breach has not occurred.
- A breach occurred, but evidence shows the landlord took all reasonable steps to avoid the breach.
- The Reviewing Officers decide that because of the circumstances of the case, it was not appropriate to issue a penalty.

If the penalty charge is confirmed or varied by the Reviewing Officers, then the landlord can appeal to the First-tier Tribunal.

5.4. Civil Penalty Four

5.4.1. *Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015*

a) Factors

Where the Council confirms that a property is (or has been) let in breach of the Regulations, they may serve a financial penalty up to 18 months after the breach and/or publish details of the breach for at least 12 months.

b) Penalty levels

The maximum penalties amounts apply per property and per breach of the Regulations. They are:

- Up to £2,000 and/or publication penalty for renting out a non-compliant property for less than 3 months.
- Up to £4,000 and/or publication penalty for renting out a non-compliant property for 3 months or more.

- Up to £1,000 and/or publication for providing false or misleading information on the PRS Exemptions Register.
- Up to £2,000 and/or publication for failure to comply with a compliance notice.

The maximum amount of the financial penalty is £5,000 per property in total.

c) Mitigation

A landlord may ask the Council to review its decision. The penalty notice can be withdrawn if:

- New evidence shows a breach has not occurred.
- A breach occurred, but evidence shows the landlord took all reasonable steps to avoid the breach.
- The Reviewing Officers decide that because of the circumstances of the case, it was not appropriate to issue a penalty.

If the penalty charge is confirmed or varied by the Reviewing Officers, then the landlord can appeal to the First-tier Tribunal.

6. Consequences of imposing a Civil Penalty

Financial penalties are an alternative to criminal proceedings. Unless withdrawn and the council determines that, in the public interest, a prosecution for the ordinal offence is the preferred option then a landlord cannot be prosecuted for the same offence once the penalty has been paid and the matter concluded.

Where a civil penalty has been imposed on a landlord it will not automatically prevent the council from granting a licence under Part 2 or 3 of the Housing Act 2004. The council will consider each case on its merits including the reasons for the penalty and the extent of the person's involvement in any property under consideration.

Where a person has received two financial penalties under this legislation in any 12 month period, irrespective of the locality to which the offences were committed, a council will consider making an entry on the national database of rogue landlords and property agents. When considering making an entry, the council will have regard to any guidance issued by the Secretary of State and best practise available.

7. Definition

a) What is meant by a vulnerable individual?

The statutory guidance states that the harm caused, and vulnerability of the individual are important factors in determining the level of penalty.

The Housing Act 2004 defines a vulnerable individual as one who is at greater harm and therefore the penalty should be greater when vulnerability is an issue.

The following are considered vulnerable individuals:

- Elderly person
- Children
- Pregnant women
- Receives domiciliary care
- Has health needs – mental health, drug dependency, alcohol dependency, terminally ill etc.
- Requires assistance in conducting their own affairs
- Has payments made to him/her or to an accepted representative in pursuance of arrangements under the Health and Social legislation.
- Receives a service or participates in any activity provided specifically for persons who have particular needs because of age, has any form of disability or has a prescribed physical or mental problem.
- Those who have difficulty in understanding, speaking or reading English
- An individual in a difficult situation such as bereavement or threat of deportation etc.

The above list is not exclusive and other factors may affect vulnerability when considering the level of any penalty.

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Name of meeting: Cabinet

Date: 15 December 2020

Title of report: Local authority COVID Winter Grant scheme

Purpose of report: To set out Council proposals to provide assistance with food utilities and other essential supplies in accordance with the guidance issued by Government.

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 If yes give the reason why – Government funded assistance package Borough wide, totalling £1.487m
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?	Key Decision – yes Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning?	Rachel Spencer-Henshall 7/12/2020 Mel Meggs Eamonn Croston 4/12/2020 Julie Muscroft 7/12/2020
Cabinet member portfolio	Cllr Graham Turner Cllr Carol Pattison Cllr Viv Kendrick

Electoral wards affected: All Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? Yes

1. Summary

Since the beginning of the Covid 19 pandemic, Kirklees Council has been working in close collaboration with our schools and education settings, as well as other partners, to wrap support around our children and their families, particularly the most vulnerable.

Regular engagement by the Lead Member for Learning, Aspiration and Communities, the Director for Children's Services and the Service Director for Learning and Early Support has been taking place with School Headteachers representing the system from the Education and Learning Partnership Board (Secondary/Special/Primary) and our CEOs of Multi Academy Trusts.

This has been particularly key in terms of supporting Free School Meals entitlement alongside the Government schemes which, together with our schools has seen support for children and families over the holiday periods, and through periods of self-isolation.

Together we have been committed to ensuring that children have access to a range of support and especially that they do not experience hunger.

On 8 November 2020, the government announced a package of financial support for those in need over the winter period.

The Winter Grant Scheme will enable Local Authorities to provide support to families with children, other vulnerable households and individuals from early December 2020, and covers the period until the end of March 2021.

Whilst the funding is not targeted at supporting families entitled to Free School Meals during holiday periods, there is nothing in the grant conditions that would prevent any of the funding being used for that purpose.

2. Information required to take a decision

- 2.1 The Grant is provided to upper tier authorities with the guidance including suggestions that authorities might look to other authorities to deliver if they are better placed to do so. This does not apply to this Council.
- 2.2 The Grant can be used for existing Council schemes e.g. Local Welfare Provision Schemes, and other support that delivers the same outcomes and where the need is greatest.
- 2.3 Payment to those entitled can be via cash, BACS payment, vouchers or in kind.
- 2.4 Support can be delivered directly by the council or in conjunction with third party organisations. Third party organisations can be Schools, Charities or other voluntary organisations.
- 2.5 Guidance issued states in relation to Free School Meal support:

"The COVID Winter Grant Scheme is not intended to replicate or replace Free School Meals and Authorities should avoid duplicating provision where possible.

However, Authorities have discretion over how they use the funding within the grant framework and within the stipulated time period.

Therefore, Authorities may choose to offer COVID Winter Grant Scheme support to those families in receipt of Free School Meals, if they consider this to be appropriate in their area.”

- 2.6 It is important to note that at least 80% must be targeted at households with children with the remainder available for households without children.
- 2.7 Within those two totals at least 80% must be directed at Food and Utilities (including water rates) with the remainder available for other expenditure related to food, heating, lighting, cooking, water and sewerage needs, but excluding rent or other housing costs.
- 2.8 The Council has a Local Welfare Provision scheme that provides financial support and advice to those struggling to afford food and essentials due to COVID-19. That scheme is embedded in the overall Community Response offer.
- 2.9 On 1st May 2020 Cabinet noted and endorsed the decisions taken by the Chief Executive under Emergency Powers for the period from 16 March 2020 which included a decision in respect of Covid-19 Government Hardship Fund 2020/2021. In summary that decision was to allocate £3.9m of £4.9m to Council tax Hardship support with the remaining £1m to be allocated to Local welfare provision.
- 2.10 On 1 September 2020 , as part of the Quarter 1 financial monitoring report 2020/21, Cabinet took a decision to manage a grant of £551,350.34 from the Department for Food and Rural affairs through that same scheme providing support with Food and Essential Supplies in accordance with the Minister’s Grant determination.
- 2.11 Following a Parliamentary vote on 22 October 2020, the Chief Executive exercising her emergency powers, with the Director for Children’s Services, the 151 Officer and in consultation with the Leader of the Council, the Portfolio Holder for Learning, Aspiration and Communities and Kirklees Council Cabinet, took a decision on the 23rd October 2020. to support the Borough’s more vulnerable families. Support was based on a voucher scheme that mirrored the previous Summer 2020 national Government voucher scheme. It was based on a calculation equivalent to the October half-term period i.e. £15 per child, and the eligibility criteria was based on children eligible for free school meals.
- 2.12 The above decision was subsequently reported back to Cabinet on 18 November. The report included a further recommendation to come back to Cabinet in December with future proposals following the Government announcement on Winter Grant funding.
- 2.13 The intention is to extend the approach set out in paragraph 2.11 above to the Christmas and February 2021 holiday periods, with an anticipated coverage of 15,500 eligible school children, including eligible 16-18 year olds across all state schools, alternative provision, 6th form colleges and Kirklees College.
- 2.14 The funding to which this report refers includes elements that can be seen as an extension of the additional funding received in respect of hardship, subject to the guidance and conditions specific to this fund.
- 2.15 It is intended that that officers will work with services and partners to identify recipients through the Local Welfare Provision scheme. This approach will take advantage of the existing administration and delivery mechanisms that meets the needs of any resident before that resident finds that they are without the food and essential supplies they need, because they have insufficient means to meet all of their liabilities.

2.16 This will ensure the most appropriate and timely interventions with services and partners, including but not limited to:

- a) provision of food parcels through our partners in the food network in addition to and alongside any financial support;
- b) provision of essential supplies which might extend to a limited number of cookers and heating equipment in cases where particular households are without.;
- c) provision of food or cash vouchers to assist with difficult debt cases especially where a lack of intervention might result in homelessness or other legal action (including debt for Rent, Fuel, Council Tax);
- d) augmenting weekly income for some individuals/families that have had their benefit entitlement reduced through sanction or debt recovery or to enhance the level of support they receive by way of assistance through whatever scheme they entitled to including those with No Recourse to Public Funds;
- e) the bulk purchase of religious or culturally appropriate food where Foodbank supplies are in low/no supply;
- f) provision of winter clothing where necessary including but not limited to coats, hats, scarves, gloves; and
- g) provision of blankets and duvets where need is identified.

2.17 As part of the headline Spending Review 2020 announcement on 25 November 2020, Government confirmed it will also provide £220 million for the Holiday Activities and Food programme to provide enriching activities and a healthy meal for disadvantaged children in the Easter, Summer and Christmas holidays in 2021. This provides funding up to the end of 2021-22 and the intention is to bring further proposals to Cabinet early in the new year setting out proposals for this scheme.

3. Implications for the Council

3.1 Working with People

The proposals set out in this report increase available household income so potentially reducing poverty.

Individuals and Families are experiencing a whole host of new challenges as Covid-19 reduces opportunities and means that many people are having to stay at home with associated increased costs.

Fewer employment opportunities and increased costs mean many more Households are experiencing more general Hardship. The increase in funding available for discretionary support around food and essentials allows us to meet the individual needs of families that are experiencing unprecedented change, many having lost employment and waiting for financial support to arrive.

3.2 Working with Partners

The Council is actively engaged in discussions with Third Sector leaders about how the Local Welfare Provision Scheme might help them and therefore us support those most in need through the wider Community Response.

We are engaging through the Food Networks, Community Response, Third Sector, Council Services and Kirklees Advice providers.

3.3 Place Based Working

As part of our working with partners we have been supporting a response that is being delivered at community level.

3.4 Climate Change and Air Quality

Not Applicable

3.5 Improving outcomes for children

Increases available household income so potentially reducing poverty and providing the equivalent value of Free School Meals during holiday periods.

3.6 Other (e.g. Legal/Financial or Human Resources)

Financial

3.7 Government has provided Grant Funding of £ £1.487m which it is expected is spent in its entirety in the period 1 December 2020 to 31 March 2021.

3.8 Providing the equivalent of Free School Meal support for approximately 15,500 children over the 2 weeks at Christmas and the 1 week at February Half term at the equivalent £15 per eligible child per week, is equivalent to £697,500. That would leave £790,270 to support families and individuals more generally, and it is intended that this funding will be allocated to the Council's existing Local Welfare Provision Fund which supports our most vulnerable families and individuals across the Borough.

3.9 Actual spend will be monitored by Government, noting that 50% of the funding will be provided up front with the remainder being contingent upon returns to government in February 2021 and April 2021.

Legal

3.10 The funding is a one-off contribution for the 2020-21 financial year and is made under Section 31 of the Local Government Act 2003.

3.11 It is important to note that any payments made out of this grant fund do not amount to payments made under section 1 of the Localism Act 2011. Ordinarily Local welfare provision payments are made under that section and then count as "public funds" for the purposes of immigration and would not therefore be available to those with no recourse to public funds. Payments made here will be made in accordance with the Grant Determination and are subject to the conditions set out by the Secretary of State in that determination.

Human Resources

3.12 The grant can be used to pay for reasonable administration costs but it is not envisaged that the council will use any of the fund to cover its own costs. Additional

resource over establishment is being directed at local welfare provision but it is not being met from this fund. Third party organisations can direct some of the funding they receive to their reasonable costs.

4 Consultees and their opinions

- 4.1 Officers have established dialogue with a number of colleagues across services and disciplines including Housing Solutions, Kirklees Neighbourhood Housing, Council Tax, Education Safeguarding, Migration and Refugees, Public Health.
- 4.2 Partners including Citizens Advice and Law Centre, The Welcome Centre, Fusion Housing, Batley Food Bank, Third Sector Leaders, Uniform Exchange, Methodist Mission (as providers of advice and food support under existing arrangements.)
- 4.3 All those consulted welcome the opportunity to increase household incomes to create greater resilience meeting either short term need or creating opportunities to reduce debt or access services and or goods that might otherwise have been unachievable.

5 Next steps and timelines

To continue those discussions with services and partners so that we can immediately identify those that can receive payments from the scheme and to establish ways in which we can use that money to achieve better outcomes for each individual or family.

6 Officer recommendations and reasons

Cabinet are asked to recommend the following :

- 6.1 that a sum equivalent to £30 per Free School Meal child be provided to Schools and colleges in order that they can provide a voucher for the Christmas period.
- 6.2 that a sum equivalent to £15 per Free School Meal child be provided to Schools and colleges in order that they can provide a voucher for the February half term period.
- 6.3 that the balance of funding available, estimated to be £697,500, be allocated to the Local welfare Provision budget to support the meeting of additional support for food, fuel and other essentials in accordance with the grant determination and guidance issued by the Secretary of State.
- 6.4 that a further report will be brought to Cabinet in early 2021 to consider proposals for Holiday Activities and Food Programme for 2021 following confirmation of Government funding support through the Spending Review 2020 announcement on 25 November 2020.

Portfolio Holder Comments:

“On the 18th November Cabinet supported the decision taken to enable support to be offered to our children eligible for Free School Meals. This Report recognises the support that the Government is providing , and means that we can now provide the certainty for the next school holiday periods. We also welcome the additional

targeted support we can provide with food and winter warmth to our most vulnerable residents. “

7 Contact officer

Natalie Mcsheffrey -Head of Education Relationships and Business
Steven Bird - Head of Welfare and Exchequer Services
Julian Hobson - Senior Manager Welfare and Exchequer Services

8 Background Papers and History of Decisions

Cabinet report 1 May 2020 – decisions taken during the COVID-19 pandemic to date. Council web link below :

[Agenda for Cabinet on Friday 1st May 2020, 3.00 pm | Kirklees Council](#) (Item 6)

Cabinet report 1 September 2020 - Quarter 1 financial monitoring report 2020/21. Council web link below :

[Agenda for Cabinet on Tuesday 1st September 2020, 2.00 pm | Kirklees Council](#) (Item 13)

Cabinet report 18 November 2020 – Request to support children eligible for free school meals with vouchers during school holiday periods. Web link below :

[Agenda for Cabinet on Wednesday 18th November 2020, 3.00 pm | Kirklees Council](#) (Item 12)

COVID Winter grant scheme. Government web link below :

[New winter package to provide further support for children and families - GOV.UK](#)

Service Director responsible

Jo-anne Sanders – Service Director
Eamonn Croston – Service Director- Finance

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Name of meeting: Cabinet

Date: 15.12.20

Title of report: Proposal for the Early Help offer for Children Young People and Families.

Purpose of report: For Information

This paper follows on from the 2017 cabinet paper; ‘Proposal for Early Help Offer for Children, Young People & Families’, the recommendations made within and the ‘Early Years and Beyond Summit’ January 2020 next steps. The paper aims to provide information on the proposed future design of an integrated 0-19 (25) Early Support offer (Family Hubs).

N.B. For the purpose of the proposals the model is called ‘Family Hubs’, however it is the intention to consider an appropriate name for the model, for example ‘Thrive hub Slaithwaite, or ‘Chestnut Thrive Centre’. This will form part of the engagement activity asking the view of children, young people, families and communities.

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 – All wards
Key Decision - Is it in the <u>Council’s Forward Plan (key decisions and private reports)?</u>	Key Decision – For Information Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	Give name and date for Cabinet / Scrutiny reports Mel Meggs – Strategic Director – Children’s Services - 13.10.20
Is it also signed off by the Service Director for Finance?	Give name and date for Cabinet reports Eamonn Croston – 04.12.20
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Give name and date for Cabinet reports Julie Muscroft – 04.12.20
Cabinet member <u>portfolio</u>	Cllr Viv Kendrick – Cabinet member for Children Cllr Carole Pattison – Cabinet member for Learning, Aspiration and Communities

Electoral wards affected: All wards are affected

Ward councillors consulted: All

Public or private: Public report

Has GDPR been considered? Yes

Summary

This report aims to give an update on the journey so far following the decision that was approved in the 2017 cabinet paper '*Proposal for Early Help Offer for Children, Young People & Families*' to re design the way that Early Support Services are delivered in Kirklees and the 'Early Years and beyond' summit that was held with partners in January 2020.

This paper is being presented for information and to engage with cabinet members to gain their views on the next phase of development and future proposals around the Family Hub model: a place based integrated Early Support Offer.

The paper summarises the journey so far and sets out the proposals and the planned next steps.

1. Background

The recommendations within the '*Proposal for Early Help Offer for Children, Young People & Families* paper that was approved by cabinet in 2017 were:

- *To have four Central 'hub' sites across the authority, one in each Early Help area.*
- *To have four 'designated' Children's Centres, one in each Early Help area.*
- *That delivery of the Council's new targeted Early Help offer moves towards a model that increases the use of space in community buildings to enable more flexible, needs led approach to service delivery and one that is not focused on buildings.*
- *It is recognised that a phased approach will be required and that a small portfolio of council buildings will continue to be used in the short term to support the transition to the new model*
- *Further reports will be brought back to Cabinet (as appropriate) in relation to assets and asset strategy'.*

The aim of the Early Years and Beyond summit that was held in January 2020 was to engage with partners to contribute to shaping the vision and development of a 0-19 (25 for a young person with a disability) integrated Early Support offer for the children and families of Kirklees.

A draft vision for a hub to hub model was presented which was followed by circle discussions to engage partners in conversations on opportunities, risks and next steps.

Attendees of the event committed pledges to support the integrated model going forward.

1.1 Where are we now?

The demand for services continues to rise with increasingly complex family situations, with presentation of need in younger children as well as teenagers and parents. Social and economic strains mean we need to be innovative in how we engage with families, so they are supported in their communities and supported to overcome difficult times. We want to make sure we give each child the opportunity to have the best possible start to their lives, with support being available for the family in the right place and at the right time, with the right people. This vision is set out in the Kirklees 2020- 2023 Children and Young People's Plan (CYPP):

'All children and young people in Kirklees have the best start in life and are nurtured and supported to achieve their potential.

Along with the ambitions that will provide the right conditions for children to thrive and to grow up with the best possibility of a good life:

- *To be healthy and valued in our community*

- *To aspire, to achieve and to enjoy childhood*
- *To feel safe – in a loving, secure family and a strong, cohesive community*
- *To live in a decent home, with enough money.*

The proposals for the Family Hubs model aims to deliver on the approach outlined in Kirklees Early Support Partnership Strategy 2018:

‘Our approach is based on building communities, developing resilience and establishing networks. As well as developing a place-based offer around 4 geographical and diverse areas, we recognise that some services work best across the authority as a whole. We want to develop a unifying but not uniform offer, reflecting the needs and strengths of young people, families and communities’.

In Kirklees there is a clear recognition of the importance of early support and there has been significant investment to develop the current offer. We have a range of Early Support services which support children and their families; some are delivered by the Local Authority, some are provided by the voluntary and community sector and some are delivered by commissioned services. We know that these services are already embedded in communities and that they have an in depth understanding of local need and are trusted by families.

2. The proposed Family Hub Model ([see diagram 1, page 6](#))

The proposed Family Hub model aims to build on existing place and community assets and brings individuals, organisations, places and connections together to realise and develop their strengths. The model aims to:

- Build on what is already in the community; How do people already support each other? Who is already delivering services in communities that contribute the Family Hub Offer?
- Focuses on local residents and what it is like to live in their area, What is important to the people that live in the area? What are the best ways to deliver what is needed in the area?
- Builds on relationships; Who can help us to work on the issue? What networks are already in place?

In keeping with the place-based planning for Kirklees we need to make the most of our positive partnerships to develop a better integrated system for children young people and families. The Family Hub model and the success of achieving improved longer-term outcomes for Children Young people and Families is reliant on a strong partnership approach across the Kirklees district including with communities. It builds on the progress already made in the Community Hub work with alignment to avoid duplication.

It is recognised within the Family Hub proposals that children and families may have different needs at different times, and the need for seamless transitions between universal services to Early Support Services to Statutory Services and vice versa. There will be occasions when it is not possible to respond to the child’s needs through Early support services and there will be the need to receive statutory services, this is called ‘Step Up’. Conversely there will be times when intervention through statutory services is no longer considered necessary, however, support to address a child’s needs may still be required and this is best achieved through Early Support, this is called ‘Step Down’. The proposed Family Hub model moves closer to a ‘one team’ approach with clear ‘Step up / Step down process.

The proposal for the Family Hub model recognises the need for a whole Early Support System and is based around place and local geography with 4 areas; Dewsbury & Mirfield, Batley & Spen, Huddersfield and Kirklees Rural that each have a designated children’s centre building: Dewsbury Moor, Birstall & Birkenshaw, Chestnut Centre (Ashbrow – Hudds) and Slaithwaite Town Hall.

The model offers the opportunity for the Council's Early Support service to align teams and reshape its structure to enable the place-based Family Hub model to consolidate and evolve in locality areas, building on community assets and delivering services which are sensitive to local need.

These Family Hubs will provide both universal and targeted provision and will not be dependent on having fixed assets in every area; instead utilising community buildings and working with our partners to ensure that services are available and accessible to local people when they are needed.

The model presents many new opportunities, these include identifying families with multiple needs as early as possible, no matter what service they first come into contact with. The aim is to make sure that any contact with a practitioner will lead to the right intervention at the right time, with greater accountability across all agencies for identifying need earlier. This offers the best route to families understanding and making changes that improve their coping skills and life chances. The Family Hub model provides opportunities to bring together or link more closely with services including (but not limited to) those detailed below in section (2.1.) Some will be provided by key commissioned partners, some by the Early Support Service and some by voluntary and community organisations.

There are opportunities within the proposed model and lessons to be learnt from the work Early Support has done in response to Covid-19 that has evidenced place-based working in action. In response to Covid -19 Early Support has changed the way that some of the services are delivered, for example, Triple P online Positive Parenting Programme is now offered, with wrap around support to parents from parenting practitioners, WhatsApp is used to hold virtual visits with families. The use of various digital platforms has been utilised to deliver Family Group Conferencing. Our community coordinators have been supporting the community protection response out in areas and the development of mutual aid groups. This collaboration and new ways of working provides the foundation for more joined up prevention led approaches within the Family Hub model.

The Family Hub model aims to address some of the inequalities in particular tackling poverty & health and wellbeing as well as 'The Best Start in Life' priorities. To mitigate the impact of poverty on families the Early Support Partnership deliver the uniform exchange programme, families are supported to access food banks, to access the right benefits, supported with housing applications and are helped to access training and entry to work programmes.

There is also an opportunity to consider the 'Thriving Kirklees' commission and how it can be consolidated with the Family hub model moving forward. The intention is to develop Family Hubs as part of an integrated service with the Public Health 0-19 years' service.

Better Births, the [national maternity review](#), **A Five Year Forward View for Maternity Care** published in 2016 introduced the concept of "maternity hubs", stating that these should be established where maternity services, particularly ante- and postnatal, are provided alongside other family-orientated health and social services. Given the similarities in intention, ethos and outcomes it has been proposed to all those involved in the "maternity hubs" work that this becomes part of the developing Family Hub proposals

The Family Hub model is well placed to develop parent participation in local areas so that the resulting local offer better meets the needs of local families, it is proposed that each area hub will have area parent forums to develop participation activity, co-design, co-production and consultation activity.

The proposed model offers opportunity for children and young people to be involved in their community, helping them to grow their skills, confidence and connections. Giving opportunity for children to express their wishes and feelings through a number of channels to include participation activity, co –production and consultation children's forums, working groups etc.

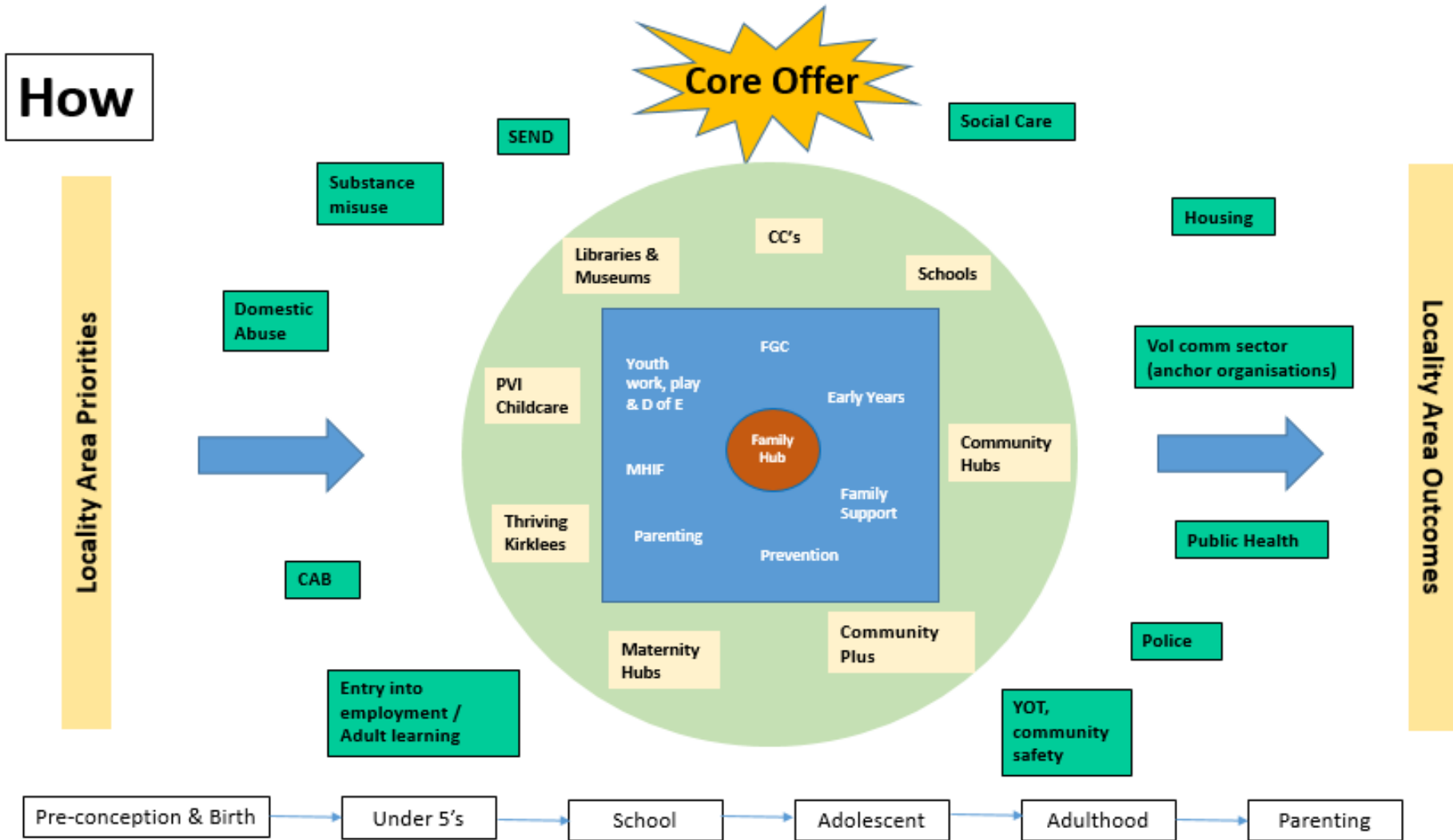
The proposals offer opportunity for Family Hubs to raise the profile of Early Support to develop and design Kirklees branding, information and routes for communication with parents and children with an affiliation with partners. It offers opportunity to connect with communities drawing families to access trusted services through buildings face to face or online via social media, and websites. There is opportunity to involve parents and children in shaping what this would look like.

2.1 The Family Hub offer

It is proposed the Family hubs can help with:

- Support for the parenting journey from getting ready to be a parent and giving birth to the child's toddler years, Healthy Child Programme, health visiting clinics, infant feeding, sleeping, teething, oral health and toilet training. Support for physical and emotional health and wellbeing.
- Providing early learning opportunities such as play and stay groups, transition to nursery and school support and support for school readiness.
- Supporting children and young people to attend school. Activities for children under five and older children and young people, work with schools and the community to support children young people and their parents / carer's offering support and advice about healthy living.
- Targeted groups for example young parents, or support for families with children with SEND, dad's groups, Family Group conferencing.
- Family Support, key worker 1-1 support in the home for families.
- Parenting interventions including relationship support, parenting workshops and parenting programmes for parents/ carers who need support.
- Activity and play opportunities for young people, detached youth outreach programme addressing issues such as gangs, county lines, anti-social behaviours, Child Sexual Exploitation.
- Information 'advice and support for employment, housing, benefits, adult learning, food and energy poverty.
- Support programmes including domestic abuse, alcohol and substance misuse.

Diagram 1



3 Implications for the Council

a. Working with People

With a focus on prevention and early intervention the development of Family Hubs will enable families needing help to be identified earlier and offered the right help at the right time locally when and where they need it. By identifying need earlier and intervening more effectively to build family resilience, we will support children to have a better start to life and to be 'school ready'. The provision of Family Hubs will ensure that there is a network of 'go to' places, building on the work of the Community Hubs and Children's Centre core offer. Assessing the need and assets in localities will help us to determine where resources need to be focused in order to address inequalities. Family Hubs will be communicated as available for all families with children and young people aged 0-19 (25). We will ensure that any branding associated with the Family Hubs encourages all families to feel welcome, whether they are experiencing difficulties or not.

b. Working with Partners

The Family Hub model and the success of achieving improved longer-term outcomes for Children, Young People and their families, is reliant on a strong partnership approach with Kirklees internal and external partners including communities. It builds on the progress already made in the community hub work with alignment to avoid duplication. The opportunity for the approach to be further shaped by partners will be crucial to ensure that services are joined up and well understood.

c. Place Based Working

In moving staff closer to area-based working provides an opportunity to work with communities to gain greater insight into the issues that need to be addressed to help children, young people, and their families to thrive.

4. Climate Change and Air Quality

By having services more local / accessible to where people live in communities, this could have an impact on their mode of travel. The aim is that we have a network of community-based provision which enables people to be able to walk, therefore reducing impact on the environment. Services will be encouraging environmental consideration through the use of sustainable resources, curriculum/activities in sessions, health messaging, so families will have more exposure to messaging such as recycling, travel etc.

5. Improving outcomes for children

We will measure outcomes using a set of agreed key indicators taking into account professional insights from front-line workers as well as the background statistical data and intelligence but are driven by the priorities of the community. It is proposed an Outcomes Framework based on a broad core offer with asset mapping and planning in communities and will bring together key partners in each of the four Family Hub areas forming area partnership boards. The partnership board will be made up of key people, including young people, who live, work with or have a key interest in the Family Hub area for example, health, social care, voluntary sector, education, police, housing, faith organisations and others. In addition to Kirklees ambitions, the Family hub model will contribute to improved Troubled Families, wider Public Health outcomes and support outcomes around 'The Best Start in Life'. The model will contribute to improving outcomes around child poverty, youth outcomes and LGBT and inclusion as set out in the CYPP 3 priorities by promoting preventative strategies and approaches that reduce escalation of problems.

5.1 Quality Assurance

In line with the draft 'Children's Services Quality Assurance Framework 2020- 2022' Early Support practice, policy and procedures will be monitored and evaluated with quality assurance becoming an integral part of everyday practice to support the drive to improve outcomes for children, young people, their families and communities.

6. Other (e.g. Legal/Financial or Human Resources)

6.1 Legal

Legal advice has been sought relating to our statutory duties around Children Centres. An integral part of implementation plan will be ensuring that we are statutorily compliant with all legislation and government guidance.

6.2 Finance

The current Early Support service budget including the Troubled Families grant is £7,524,405.

There are currently 110,300 children and young people in Kirklees (age 0 – 19) which results in a spend of £68.22 per child/young person on council Early Support services across the authority.

Funding Available

Early Support Budget

Employees	142.9	5,361,542
Other	-	588,063
	142.9	5,949,605

Troubled Families Grant

Transformation	-	700,000
Attachment	-	374,000
Payment by Results	-	500,800
	-	1,574,800

Total	142.9	7,524,405
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Costings have been produced for the proposed Family Hubs model, The costings show an over commitment of £630,830k which includes an increase of 11.2 fte's across the whole service. The service is committing to fund some of this through a savings target and staff turnover which means that the ask for additional funding is reduced to £230,241k. This is an increase of £2.09 per child on existing spend on early support services across the Authority.

This current budget includes the Troubled Families grant which is currently time limited and therefore there is a risk relating to mainstream funding of the model in the longer term.

Consideration will also be given to the premises costs of the Children Centres buildings that we wish to retain as part of the model. We plan to work with all stakeholders including schools as well as internal services to look at the impact retaining these assets has on budgets and options for ensuring that they can be sustainable in the longer term.

6.3 Invest to save

Research suggests that early help can protect children from harm, reduce the need for a referral to child protection services and improve children's long-term outcomes, the outcomes when achieved will all realise a cost saving. From the [table \(1\) below](#) we have used the savings based on the reduction in children becoming looked after by the Local Authority. The average cost saving across all types of settings brings the highest reward and a reduction of 20 children would realise over£1,000,000 by the second year of operation, whereas if the savings are based on a reduction of children who are with in-house foster carers the numbers to reach over the £1,000,000 saving would be nearer to 30 children and realistically would take longer to realise. Where we have a reduction in spend this would then be able to be reinvested in Early Support Services to ensure we maintain the best possible support for the people of Kirklees provided at the earliest opportunity.

Table 1

Outcome Detail	Cost/Saving Detail	Estimated cost saving annually / Child	Numbers anticipated in the first year.	Numbers anticipated in subsequent years	Where saving realised	Potential savings annually
Children looked after	Child taken into care - average fiscal cost across different types of care setting, England, per year	£58,664	10	10 + 10	Children's Services	£586,640 Yr. 1 then £1,173,280 thereafter
Children looked after	Child into local authority foster care: overall cost (cost per week)	£38,974	10	10 + 10 + 10	Children's Services	£1,169,220

6.4 HR implications

It is proposed that the Early Support service re align current structures from eleven family support teams to four Family Hub placed based area teams to include Early Years, Mental Health in Families, Family Group Conferences, Youth, and parenting.

Each Family Hub area will have an area placed based team who will work with families, communities and organisations to bring about change to improve outcomes.

To achieve this there is the need to realign some of the current roles into new proposed roles and to create additional positions within the structure; further detail of this will be provided within a cabinet paper in April 2021, along with the results of the findings following the period of engagement.

6.5 Integrated Impact Assessment

An integrated equality impact assessment has been completed and can be viewed in appendix one. We plan to use this to target some of our engagement activity to ensure that we are obtaining the views of people who fall within the protected characteristic group and that we are able to mitigate against any potential negative impact on these groups. We will complete a further integrated impact assessment following the engagement activity and this will form part of the April 2021 cabinet paper.

6.6 Corporate Landlord & Capital

Work has been carried out previously looking at the Children Centre buildings that we would like to retain as a service; to deliver for the Family Hub model and to ensure that we are fulfilling our statutory duties and those buildings that we would no longer require going forward.

There will be a dedicated workstream as part of the implementation for this work which will consider all options for future use of buildings, working with internal partners as well as looking at possibilities for community use in the future. This work will look at the level of clawback risk associated with each building and look at how we can mitigate against and reduce any financial liability to the council.

7. Consultees and their opinions

A detailed communications and engagement plan has been developed (see appendix two - Engagement plan). This is a working document that will be updated throughout the entire project.

It is our intention to carry out a series of engagement activities with all stakeholders as detailed in the plan. Consideration will be given to Covid-19 when planning engagement activity and ensuring that we are able to reach as many of stakeholders as possible but still keeping people safe. The findings will be included in the report to be scheduled for cabinet in April 2021.

8. Next steps and timelines

We are planning to begin a series of engagement activities in January 2021 through to mid-February 2021, with a view to collating the findings and presenting a report back to cabinet in April 2021.

It is anticipated that the implementation of the model will begin April/May 2021.

9. Officer recommendations and reasons

The paper is being presented for information and to engage with cabinet members to gain their views on the proposals. A further paper will be brought to Cabinet in April 2021 with the findings from the engagement and requesting approval for the final proposals of the Family Hubs model.

10. Cabinet Portfolio Holder's recommendations

Cabinet portfolio holders support the proposal and recommend that the service proceed to the next stage of stakeholder engagement before returning to Cabinet with the findings and the final proposals for a final cabinet decision.

11. Contact officer

Jackie Beever, Service Manager Early Support – Jackie.beever@kirklees.gov.uk
Michelle Wheatcroft, Head of Service Early Support – Michelle.wheatcroft@kirklees.gov.uk

12. Background Papers and History of Decisions

September 2016 cabinet paper -

<https://democracy.kirklees.gov.uk/documents/s13942/AA%20UPDATED%20FINAL%20REPORT%20EarlyHelp%20v3.0%20CABINET%2020160920%20FINAL.pdf>

January 2017 cabinet papers -

<http://democracy.kirklees.gov.uk/documents/s16488/e%20FINAL%20-%20Early%20Help.pdf>

13. Service Director responsible

Jo-Anne Sanders – Service Director for Learning and Early Support
jo-anne.sanders@kirklees.gov.uk

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EIA STAGE 1 – SCREENING ASSESSMENT

PROJECT DETAILS

Name of project or policy: Kirklees Family Hubs	
Directorate:	Senior Officer responsible for policy/service: Jo-Anne Sanders - Service Director - Learning & Early Support Michelle Wheatcroft - Head of Early Support
Service:	Lead Officer responsible for EIA: Jackie Beaver - Early Support Service Manager
Specific Service Area/Policy:	Date of EIA (Stage 1): Kirklees Early Support Service

Brief outline of proposal and the overall aims/purpose of making this change:

The Family Hubs project aim is to develop a new delivery model working towards place-based working, with Family Hubs providing a range of integrated services in local areas for families with children aged 0-19yrs and 25yrs if the young person has a disability.

ASSESSMENT SUMMARY

Theme	Calculated Scores						Stage 2 Assessment Required
	Proposal	Impact	P + I	Mitigation	Evidence	M + E	
Equalities	6	3.2	9.2	0	0	0	No
Environment		4.4	4.4	0	6	6	No

NATURE OF CHANGE

WHAT IS YOUR PROPOSAL?	Please select YES or NO
To introduce a service, activity or policy (i.e. start doing something)	YES
To remove a service, activity or policy (i.e. stop doing something)	NO
To reduce a service or activity (i.e. do less of something)	NO
To increase a service or activity (i.e. do more of something)	YES
To change a service, activity or policy (i.e. redesign it)	NO
To start charging for (or increase the charge for) a service or activity (i.e. ask people to pay for or to pay more for something)	NO

WHAT LEVEL OF IMPACT DO YOU THINK YOUR PROPOSAL WILL HAVE ON...	Level of Impact Please select from drop down
Kirklees employees within this service/directorate? (overall)	Positive
Kirklees residents living in a specific ward/local area?	Positive
Please tell us which area/ward will be affected:	All
Residents across Kirklees? (i.e. most/all local people)	Positive
Existing service users ?	Positive

Each of the following groups?		Please select from drop down
<i>(Think about how your proposal might affect, either positively or negatively, any individuals/communities. Please consider the impact for both employees and residents - within these protected characteristic groups).</i>		
...age	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...disability	What impact is there on Kirklees employees /internal working practices?	Positive
	What impact is there on Kirklees residents /external service delivery?	Positive
...gender reassignment	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Positive
...marriage/ civil partnership	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...pregnancy & maternity	What impact is there on Kirklees employees /internal working practices?	Very Positive
	What impact is there on Kirklees residents /external service delivery?	Very Positive
...race	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Positive
...religion & belief	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Positive
...sex	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...sexual orientation	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Positive
...those in poverty or low-come	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Very Positive
...unpaid carers	What impact is there on Kirklees employees /internal working practices?	Positive

Unpaid care

What impact is there on Kirklees residents/external service delivery?

Positive

WHAT LEVEL OF IMPACT DO YOU THINK YOUR PROPOSAL WILL HAVE ON...		Level of Impact	
		Please select from drop down	
Kirklees Council's internal practices ?		Positive	
Lifestyles of those who live and work in Kirklees?		Positive	
Practices of suppliers to Kirklees council?		Positive	
Practices of other partners of Kirklees council?		Positive	
Each of the following environmental themes ? (Please select from the drop down list)			
	People	Partners	Places
...clean air (including Climate Changing Gases)	Neutral	Neutral	Neutral
	Score: 2	Score: 2	Score: 2
...Clean and plentiful water	Neutral	Neutral	Neutral
	Score: 2	Score: 2	Score: 2
... Wildlife and habitats	Neutral	Neutral	Neutral
	Score: 2	Score: 2	Score: 2
...Resilience to harm from environmental hazards	Neutral	Neutral	Neutral
	Score: 2	Score: 2	Score: 2
... Sustainability and efficiency of use of resources from nature	Neutral	Neutral	Neutral
	Score: 2	Score: 2	Score: 2
...Beauty, heritage and engagement with the natural environment	Neutral	Neutral	Neutral
	Score: 2	Score: 2	Score: 2
... Resilience to the effects of climate change	Neutral	Neutral	Neutral
	Score: 2	Score: 2	Score: 2
...Production, recycling or disposal of waste	Neutral	Neutral	Neutral
	Score: 2	Score: 2	Score: 2
... Exposure to chemicals	Neutral	Neutral	Neutral
	Score: 2	Score: 2	Score: 2

HOW ARE YOU USING ADVICE AND EVIDENCE/INTELLIGENCE TO HELP YOU?

Please select YES or NO

Equality Themes

Have you taken any specialist advice linked to your proposal? (Legal, HR etc)?	Yes
...employees?	Yes
Do you have any evidence/intelligence to support your assessment (in section 2) of the impact of your proposal on...	Yes
...Kirklees residents?	Yes
...service users?	Yes
...any protected characteristic groups?	Yes

Please list your **equalities** evidence/intelligence here [you can include hyperlinks to files/research/websites]:
<https://democracy.kirklees.gov.uk/documents/s13942/AA%20UPDATED%20FINAL%20REPORT%20EarlyHelp%20v3.0%20CABINET%2020160920%20FINAL.pdf> - Includes EIA as an appendix 13 & findings from period of engagement
<http://democracy.kirklees.gov.uk/documents/s16488/e%20FINAL%20-%20Early%20Help.pdf> - Includes EIA and findings from public consultation as appendices
<https://www.childrenscommissioner.gov.uk/wp-content/uploads/2017/06/Family-Hubs-A-Discussion-Paper-2016.pdf>
<https://publications.parliament.uk/pa/cm201719/cmselect/cmhealth/1496/1496.pdf>

	Please select from drop down
To what extent do you feel you are able to mitigate any potential negative impact of your proposal outlined on the different groups of people?	FULLY
To what extent do you feel you have considered your Public Sector Equality Duty?	FULLY

Environmental Themes

Have you taken any specialist advice linked to your proposal?	Yes
...Kirklees Council practices?	Yes
Do you have any evidence/intelligence to support your assessment (in section 2) of the impact of your proposal on...	No
...resident and worker lifestyles?	No
...Practices of Supplier to Kirklees Council?	No
...Practices of other Kirklees Council partners?	No

Please list your environmental evidence/intelligence here [you can include hyperlinks to files/research/websites]:
<http://intranet.kirklees.gov.uk/getattachment/528fb765-4a35-4c60-b0f4-93ee9a20eda2/Kirklees%20Council%20Energy%20Statement.aspx>
<https://democracy.kirklees.gov.uk/documents/s32341/Climate%20Emergency%20report%20for%20Council%20on%2013%20November%202019.pdf>
 By having services more local / accessible to where people live in communities could have impact on their mode of travel , the aim is that we have a network of community based provision which enables people to be able to walk, reducing environmental impact. Services will be encouraging environmental consideration through the use of sustainable resources,

	Please select from drop down
To what extent do you feel you are able to mitigate any potential negative impact of your proposal on the environmental issues identified?	FULLY

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Communications & Engagement Plan – Family Hubs model

Date last updated	30 th November 2020
Project lead(s)	Jackie Beever
Comms lead(s)	Carol Ann Smith / Michael Yarwood
Service	Early Support Service
Service Director/Head of Service sign off	Jo-Anne Sanders Michelle Wheatcroft

Please note this is a working document and will be updated regularly throughout the project

Project overview

The Family Hubs project aim is to develop a new delivery model working towards place-based working, with Family Hubs providing a range of integrated services in local areas for families with children aged 0-19yrs and 25yrs if the young person has a disability.

The proposal will incorporate previous work focussing on the vision to redesign Children’s Centres, building on the work of the current Community Hubs

The overarching principles of the Family Hubs are:

- **Place Based approach:** Bottom-up approach which is shaped by the community voice and builds on and connects with local community assets (including organisations and groups)
- **Accessible and Safe:** An easily accessible ‘walk in service’ in an inclusive, safe and welcoming environment
- **Integrated:** A professional service that is committed to working as a partnership, with truly integrated pathways
- **Whole Family Approach:** A whole family approach is embedded across the service
- **Universal and Targeted Services:** A service that includes a universal offer and targeted provision for those most in need

The Family Hubs will be a ‘place to go’ for children, young people and families when they are in need of help from the time that they know they are having a baby and about to become a parent to transitions into adulthood and beyond.

Supporting the health and development of under 5’s is still an important part of the offer ensuring that children have the ‘Best Start’ and are school ready.

The Family Hubs will provide a range of early support services which will include support with physical, mental and emotional wellbeing, practical advice on keeping children safe, help with education and learning, support with transitions, parenting support and advice, help with home and money. Services may be delivered in ‘groups, in the home or on an individual basis.

Workstreams within the project will include:

- Cabinet/approval process
- Governance structure
- Stakeholder engagement - Design principles of the Family Hubs

- Finance/Budgets
- Delivery and evidencing of outcomes
- Early Support Workforce / locations
- Data requirements – Family Hubs
- Children’s centres – way forward / decommission / change of use DfE
- Core Offer – Family Hubs / commissioning
- Voice of Communities / children
- Family Hub Policies and Procedures
- ESMAP – pilot – proposals

Key aims/messaging

We need to ensure that we are clear and consistent in our messaging to stakeholders:

- This is about investment into early support services, building on existing work and not a restructure or reduction in services
- The vision and principles of the Family Hubs model
- Agreeing shared outcomes for children, young people and their families and developing tools so that these can effectively be measured
- A commitment to working with partners to deliver outcomes
- Building on and refining what was agreed in the 2017 cabinet report
- Working in a place- based way
- Asset based approach

Target audiences /stakeholders

- Children, young people & families
- Early Support staff (inc youth & early years)
- Children’s Social Care
- Senior Leadership teams
- Portfolio Holders - Cllr Viv Kendrick & Cllr Carole Pattison
- Ward Councillors
- MP’s
- Kirklees Council Cabinet
- Children’s Scrutiny panel
- **Kirklees Early Support Partnership:**
 - Kirklees Community Hubs/Schools
 - Kirklees Safeguarding Partnership
 - Community Plus
 - Communities teams
 - Early Years providers
 - KNH/Housing
 - Libraries
 - Health partners
 - Police
 - Voluntary & Community sector
- Kirklees Corporate Landlord/Asset Management
- General public
- Trade Unions

Issues

- Stakeholder understanding of what is new and different from current service model
- Possible concerns from staff who were involved in previous review over possible changes to staffing structures, working locations
- Difficulty in obtaining intelligence to evidence impact on future demand for Children's Social Care
- Long term funding for investment needed to fully develop the model

Project Timelines – high level

Subject to change as dependant on required approval process

- | | | |
|---|---|------------------------------|
| • Scoping and agreement to proceed | - | September 2020 |
| • Cabinet (inform/good news story) | - | November 2020 |
| • Stakeholder engagement | - | November 2020 - January 2021 |
| • Cabinet approval following engagement | - | February/March 2021 |
| • Implementation phase | - | March - September 2021 |
| • Family Hubs model implemented | - | September/October 2021 |

Scoping & approval to proceed to engagement

Stakeholder	When	How	Notes/Progress	Lead Officer	Status
Elaine McShane's SLT Children's Social Care	14/08/20	Meeting	Share paper on development of Family Hub model	JB/MW/CAS	Completed
Jill Greenfield's SLT Customer, Communities & Integration	14/09/20	Meeting	Share paper on development of Family Hub model	JB/MW/CAS	Completed
Kirklees Safeguarding Children's Partnership (task & finish group)	29/09/20	Meeting	Share paper on development of Family Hubs model	JB/MW	Completed
Trade Unions	01/10/20	Meeting	Informal engagement on Family Hubs model and HR implications	JB/MW/CAS	Completed
Children's Scrutiny panel	01/10/20	Meeting	Share paper on Family Hubs model and update on planned engagement process	JB/MW	Completed
Mel Meggs Children's SLT	13/10/20	Meeting	Request delegated decision from Mel to proceed to engagement on Family Hubs model due to previous decision already being made in 2017 cabinet report. Paper to Mel 1 week before – 06/10/20.	JB/MW/CAS	Completed
Rachel Spencer-Henshall SLT	14/10/20	Meeting	Share paper on development of Family Hub model Meeting at 10.30am (papers due 09/10/20)	JB/CAS	Completed
Children's Portfolio Holders	15/10/20	Meeting	Share paper on Family Hubs model and update on planned engagement process	JB/CAS	Completed
Tom Brailsford's SLT Resources, Improvement & Partnership	28/10/20	Meeting	Share paper on development of Family Hub model Join meeting at 10.30am	JB/CAS	Completed
Children's Capital Board	03/11/20	Meeting	Share paper on Family Hubs model Booked on agenda Papers due 29/10/20	JB/MW/CAS	Completed
Executive Team	01/12/20	Meeting	Share paper on Family Hubs model and update on planned engagement process Booked on agenda Deferred from 20/10/20 papers already submitted Requested feedback by email with deadline of 4 th December	JB/MW/CAS	Completed Requested feedback from ET by email due to item being deferred
Elected Members – LMT	07/12/20	Meeting	Share paper on Family Hubs model and update on planned engagement process Booked on agenda Rescheduled from 26/10 - Papers due by 03/12/20	JB/MW/CAS	Completed
Cabinet	15/12/20	Meeting	To cabinet for information and as a good news story re the investment in early support services in Kirklees No KDN required at this stage as no decision requested – confirmed with Richard Farnhill Papers due by 07/12/20	JAS/JB/MW/CAS	

Stakeholder engagement on Family Hubs model:

- All partners who are involved in the Early Support Partnership

Stakeholder	When	How	Notes/Progress	Lead Officer	Status
Citizens Engagement reference group	01/12/20 15.00 – 16.30	MS Teams	Completed form to be submitted by 23/11/20 - Done	JB/CAS	
Starting Well Theme meeting	05/01/21 11.00 – 12.00	MS Teams	Confirm who is attending with Vicki	TBC	
Early Support staff	06/01.21 13.00 – 13.30	MS Teams	Emailed ESSLT 26/11/20 to request Family Hubs be the focus of this call	JB/MW/CAS	
Locala Team Leaders Meeting	January 21 Time tbc	MS Teams	Update Team Leaders on proposals and ask them to cascade to their teams Email for January meeting dates - joining time TBC	JB/CAS	
Thriving Kirklees Operational Group (TOG)	12/01/21 Join at 11.00	MS Teams	Confirm who is attending with Kerri	JB/CAS	

Stakeholder	When	How	Notes/Progress	Lead Officer	Status
Smoking in pregnancy meeting	12/01/21 13.00 – 14.00	MS Teams	Confirm who is attending with Vicki	TBC	
Best Start Partnership meeting	12/01/21 12.30 – 14.30	MS Teams	Confirm who is attending with Vicki	TBC	
Hub Leaders Network meeting	14/01/21 08.30 – 09.30	MS Teams		JB	
Maternity Voice Partnership: North Kirklees Calderdale & Hudds	21/01/21 12.30 TBC	MS Teams MS Teams	Emailed to request dates to attend	TBC	
Auntie Pam's	TBC - January	MS Teams Email	Lisa Akester will circulate proposals to volunteers and clients that access the centre to request a date to attend. Lisa to support with organising a focus group in January and providing equipment to volunteers to allow them to attend virtually	TBC	
Thriving Kirklees Co-Production meeting	25/01/21 14.00 – 15.30	MS Teams		TBC	
Wellness Service	TBC	MS Teams	Rob West will get in touch to confirm date we can attend once meetings are set for Jan/Feb 21	TBC	
Public Health Team Meeting	TBC	MS Teams	Emailed BusinessAdmin.PH@kirklees.gov.uk to request a date to attend	TBC	
PCAN	TBC	MS Teams	Emailed to enquire how we can involve PCAN	TBC	
Virtual public engagement session: Dewsbury & Mirfield Batley & Spen Huddersfield Kirklees Rural	TBA	MS Teams	Opportunity for members of the public to ask questions and give their views	TBC (will need a rota)	
Early Support internal staff	Nov 20 – Jan 21	Conf calls Staff briefings Team meetings	Share initial proposals on Family Hub model Ongoing comms and engagement to be planned in to keep informed and updated on progress Add in dates as arranged	MW/JB/JS	
Children's Social Care staff	Nov 20 – Jan 21	Conf calls Staff briefings Team meetings	Share initial proposals on Family Hub model Ongoing comms and engagement to be planned in to keep informed and updated on progress Add in dates as arranged	MW/JB	
Kirklees Community Hub meetings:		MS Teams	Share proposals on Family Hub model to obtain views and respond to queries Emailed 26/11/20 to request dates of hub meetings – will keep me updated with new dates as these are arranged	Community Hub Co-ordinators:	
BBEST: BBEST Hub Group Meeting (Headteachers)	14/01/21	MS Teams		Helene Nalson	
BBEST Multi-Disciplinary	14/01/21				
BBEST Multi-Disciplinary	04/02/21				

Stakeholder	When	How	Notes/Progress	Lead Officer	Status
BBEST Hub Group Meeting (Headteachers)	04/03/21				
BBEST Multi-Disciplinary	25/03/21				
Summers	14/01/21 Time TBC	MS Teams	Summers operational meeting	Rachael Ainsworth	
Spensorough	TBC	MS Teams		Julie Oxley	
Thrive: Dews East DSL/ Hub	28/01/21 1.30pm-2.30pm	MS Teams		TBA	
Dews West DSL/ Hub	27/01/21 11am-12 noon				
Dews South DSL/ Hub	TBC				
Mirfield: Pyramid Heads (School Heads)	15/01/21 09.30 – 10.30	MS Teams	-	Lyndsey Wroe	
DSLs/ Hub	21/01/21 09.30 – 10.30				
ABC	19/01/21 08.30 – 09.30	MS Teams		Andi Briggs	
Salendine Nook	13/01/21 13.00	MS Teams		Claire Hartley	
Colne Valley Aspire	TBC	MS Teams		Lisa Sully	
Holmfirth	TBC	MS Teams		Julie Turner (interim arrangement)	
Bridge	TBC	MS Teams		Alice Thomas (interim arrangement)	
Holme Valley North	18/01/21 13.30	MS Teams		Julie Turner	
Crosland Moor & Lockwood	11/01/21 13.00	MS Teams		Julie Turner	
HD5		MS Teams		Alice Thomas	
Rise		MS Teams		Alice Thomas	
Shine		MS Teams		Alice Thomas	
Castle		MS Teams		Alice Thomas	
Ward Councillors	Nov 20 – Jan 21	Briefings Letter/Emails Phone calls	Share proposals on Family Hub model Engagement activity to obtain views, seek input and respond to queries	MW/JAS/JB	
Portfolio Holders	Nov 20 – Jan 21	Portfolio holders briefings	Share proposals on Family Hub model Engagement activity to obtain views, seek input and respond to queries	JAS/MW	

Stakeholder	When	How	Notes/Progress	Lead Officer	Status
Children's Scrutiny	Nov 20 – Jan 21	Scrutiny Panel meetings	Share proposals on Family Hub model Engagement activity to obtain views, seek input and respond to queries	JAS/MW	
MP'S	Nov 20 – Jan 21	Emails Briefings/Phone calls	Share proposals on Family Hub model	JAS/MM/MW	
Community Plus	Nov 20 – Jan 21	Conf calls Staff briefings Team meetings	Share initial proposals on Family Hub model Ongoing comms and engagement to be planned in to keep informed and updated on progress	MW/JB	
Kirklees Safeguarding Children's Partnership (Exec group and Task & Finish group)	Nov 20 – Jan 21	Meetings	Share proposals on Family Hub model Engagement activity to obtain views, seek input and respond to queries Emailed Sharon Hewitt to request dates that we can attend	MW/JB	
Young People	Nov 20 – Jan 21	YP forums Detached Youth sessions	Share proposals on Family Hub model Engagement activity to obtain views, seek input and respond to queries detached youth team	AC/JB/MW	
Parents and Carers	Nov 20 – Jan 21	Questionnaire Information booklet Drop in sessions Focus Groups	Share proposals on Family Hub model Engagement activity to obtain views, seek input and respond to queries	ES staff	
Voluntary sector organisations	Nov 20 – Jan 21	Questionnaires Focus groups Meetings Phone calls	Share proposals on Family Hub model Engagement activity to obtain views, seek input and respond to queries Emailed to ask for involvement – 26/11/20 Emailed TSL to ask for involvement – 26/11/20	MW/JB	
Libraries	Nov 20 – Jan 21	Questionnaire Information booklet Meetings	Share proposals on Family Hub model Engagement activity to obtain views, seek input and respond to queries	MW/JB	
Health providers	Nov 20 – Jan 21	Questionnaire Information booklet Meetings	Share proposals on Family Hub model Engagement activity to obtain views, seek input and respond to queries Chase for more contacts/meeting	MW/JB	
Communities/General Public	Jan 21 – Feb 21	Online survey Information booklet Drop in sessions Focus Groups Leaflets	Share proposals on Family Hub model Engagement activity to obtain views, seek input and respond to queries Virtual sessions to be arranged Online survey	MW/JB	
Police	Nov 20 – Jan 21	Questionnaire Information booklet Meetings	Share proposals on Family Hub model Engagement activity to obtain views, seek input and respond to queries	MW/JB	
KNH/Housing	Nov 20 – Jan 21	Questionnaire Information booklet Meetings	Share proposals on Family Hub model Engagement activity to obtain views, seek input and respond to queries	MW/JB	
Early Years providers	Nov 20 – Jan 21	Questionnaire Information booklet Meetings	Share proposals on Family Hub model Engagement activity to obtain views, seek input and respond to queries Speak to Rachael Singleton	MW/JB/RS	
Current multi-agency meetings: <ul style="list-style-type: none"> ESMAP Current multi agency MST 	Nov 20 – Jan 21 (dates of individual meetings TBC)	Meetings	Share proposals on Family Hub model Engagement activity to obtain views, seek input and respond to queries		

Cabinet process following engagement process

Stakeholder	When	Who	How	Notes/Progress	Status
Mel Meggs Children's SLT	TBC	JB/MW/CAS	Meeting	Share report showing final proposals and timeline for planned implementation including findings from engagement activity Request sign off and permission to proceed on cabinet flightpath	
Jo-Anne Sanders SLT Learning & Early Support	TBC	JB/MW	Meeting	Share report showing final proposals and timeline for planned implementation including findings from engagement activity	
Elaine McShane's SLT Children's Social Care	TBC	JB/MW	Meeting	Share report showing final proposals and timeline for planned implementation including findings from engagement activity	
Tom Brailsford's SLT Resources, Improvement & Partnership	TBC	JB/MW	Meeting	Share report showing final proposals and timeline for planned implementation including findings from engagement activity	
Jill Greenfield's SLT Customer, Communities & Integration	TBC	MW/JB	Meeting		
Kirklees Safeguarding Children's Partnership (task & finish group)	TBC	MW/JB	Meeting		
Executive Team	February (date tbc)	MW/JB	Meeting	Share report showing final proposals and timeline for planned implementation including findings from engagement activity Request sign off and permission to proceed on cabinet flightpath	
Children's Portfolio Holders	February (date tbc)	MW/JB	Meeting	Share report showing final proposals and timeline for planned implementation including findings from engagement activity	
Elected Members - LMT	February (date tbc)	MW/JB	Meeting	Share report showing final proposals and timeline for planned implementation including findings from engagement activity	
Children's Scrutiny panel	TBC	MW/JB/JAS	Meeting	Share report showing final proposals and timeline for planned implementation including findings from engagement activity	
Cabinet	February 21 (dates not published as yet)	MW/JB	Meeting	Final report on Family Hubs including financial plan and outcome from period of engagement Request permission to proceed to implementation	

Implementation

Stakeholder	When	Who	How	Notes/Progress	Status
DfE				Begin discussions on changes to Children Centres and clawback implications	
Asset Management/Corporate Landlord					
Staff					
Partners					
Elected members					
VCS					
Trade Unions					



Name of meeting: Cabinet
Date: 15 December 2020
Title of report: COVID 19 Community Champions Grant Scheme

Purpose of report:

This report seeks approval for the Council to establish a Community Champions grant scheme to support the Community Champions Fund (MHCLG). On 22 October 2020 the Minister for Equalities announced that the Ministry of Housing Communities and Local Government (MHCLG) would provide up to £25m of funding to support those communities who have been shown to suffer disproportionately from COVID 19.

The grant scheme will provide a range of funding options that will enable our communities to provide additional capacity and support to our existing Integrated COVID 19 response.

The activity provided would have the most impact for our residents, particularly those disproportionately affected by COVID 19

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
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?	<p>Key Decision - Yes</p> <p>The Chair of Overview and Scrutiny Management Committee has agreed to the addition of this item to the Agenda for Cabinet having not been previously included on the Forward Plan.</p> <p>Private Report/Private Appendix - No</p>
The Decision - Is it eligible for call in by Scrutiny?	No. The Chair of Overview and Scrutiny Management Committee has waived the right to Call In period on this matter due to urgency of implementation.
<p>Date signed off by <u>Strategic Director</u> & name</p> <p>Is it also signed off by the Service Director for Finance?</p> <p>Is it also signed off by the Service Director for Legal Governance and Commissioning?</p>	<p>Mel Meggs / Richard Parry – December 2020</p> <p>Eamonn Croston – December 2020</p> <p>Julie Muscroft – December 2020</p>
Cabinet member <u>portfolio</u>	Councillor Cathy Scott and Councillor Paul Davies – Portfolio Holder for Harnessing Community Capacity

Electoral wards affected: All wards

Ward councillors consulted: Ward councillors have not been consulted as a result of the need to establish the scheme as soon as possible.

Public or private: Public.

Has GDPR been considered? Yes. As an emerging programme this will be reviewed in line with programme development.

Page 2 of the report

1. Summary

- 1.1 On 22 October 2020, the Minister for Equalities announced that the Ministry of Housing Communities and Local Government (MHCLG) would provide up to £25m of funding to support those communities who have been shown to suffer disproportionately from COVID 19, through a new scheme called 'Community Champions. Kirklees was one of the identified areas to apply for this funding as an area that has very diverse communities with a range of complex and individual needs
- 1.2 The Government's expectation is that Local Authorities will work collaboratively both with the Voluntary and Community Sector and with other critical local authority partners in their vicinity. Recognising that local authorities, their partners and local people are best placed to decide the right approach for their communities, it is intended to be designed locally, to respond to the needs of a specific place and should consider passporting funds to VCS groups in their areas
- 1.3 In order to deliver the outcomes of the Community Champions scheme in Kirklees, a Community Champions grant scheme will be established to ensure funding can be provided to support those areas and communities facing the greatest challenges.
- 1.4 If an amount of funding is allocated to Kirklees, this will not be confirmed until following the appraisal of the MHCLG Expression of Interest submission on the 9th December 2020.
- 1.5 This report seeks Cabinet approval to establish a grant scheme, including the eligibility criteria for applicants and the indicative grant amounts to be awarded.

2. Information required to take a decision

Background

Context

- 2.1 Since Public Health England released their review of disparities in risks and outcomes in June 2020, the Government has been focused on taking action to improve the support and protection for those communities and groups who have been shown to be most at risk from COVID 19.

- The review highlighted that some communities are disproportionately impacted by COVID-19, both in transmission rates and in mortality - most notably Pakistani and other South Asian communities, wider Black, Asian and Minority Ethnic (BAME) communities and people with disabilities. Death rates from the virus are higher for Black and Asian ethnic groups when compared to White ethnic groups.
- While disproportionate transmission, morbidity and mortality rates will relate to wider social and economic factors - including occupation/employment; multigenerational households; residential overcrowding; deprivation – evidence shows that working through trusted community stakeholders and other local actors can help to identify and overcome barriers which prevent people from following public health guidance.

2.2 Full details of the report are set out here:

<https://www.gov.uk/government/publications/COVID-19-review-of-disparities-in-risks-and-outcomes>

Community Champions Scheme

3. Government has asked Local Authorities to fund practical solutions that will make a real difference. The prospectus and guidance can be found here (**Appendix 1**). £25m has been allocated for delivering the Community Champions programme, supporting local authorities and the VCS organisations. Funding will be allocated relative to the size and scale of each local authority area and the level of ambition shown in their Expressions of Interest.

There is a need for the funding to be committed by 31 March 2021 and it is anticipated very few awards will exceed £500,000 per individual area.

- 3.1 The guidance provided is broad and leaves considerable opportunity to deliver the Community Champions Scheme according to what Local authorities and their community partners think will work in their area.
- 3.2 The Community Champions Scheme prospectus offers the following guidance.
- *Increasing available outreach and engagement through one-to-one/focused contact to raise awareness of local support and promote public health guidance and programmes for residents disproportionately impacted by COVID 19, particularly those with disabilities and/or from BAME communities.*
 - *Local areas will be able to build upon, increase or improve existing activities to work with residents who are most at risk of COVID 19 - helping to build trust and empower at-risk groups to protect themselves and their families.*
 - *Development and delivery of practical solutions, including but not limited to the recruitment and appointment of community champions networks, to increase uptake and community ownership of COVID 19 guidance, particularly amongst disabled people and/or people from BAME communities.*

Kirklees Community Champions Grant scheme – proposed operating model and eligibility criteria

- 3.3 As yet it remains unclear how the system of Local COVID 19 Alert restrictions will be operated from 16 December 2020. As such it is very likely that the Community Champions scheme, when launched in early December, will need to be able to respond to both the fast-changing landscape of COVID 19 Alert restrictions, and the requirements of mass testing and vaccinations.
- 3.4 There is a heightened sense of urgency both in terms of MHCLG timeframes for this funding but also in relation to responding to the need to improve the support and protection for target communities.
- 3.5 All allocated funds need to be committed by 31 March 2021. In light of these short timescales the MHCLG has indicated the requirements for monitoring, evaluation and reporting will be 'intentionally' light touch. The priority is enabling the activity to happen quickly and effectively.
- 3.6 In this context it is proposed that the Community Champions grant will need to follow a key principle of enabling our partners to be innovative, flexible, and supporting local grassroots activity. This may include ensuring the funds can be used by local partners in the most direct and meaningful ways as decided upon by target groups themselves.
- 3.7 The Council will hold funds to support grassroots activities in communities that respond to the following priorities:
- Scale up and expand existing approaches, working with partners - building on our existing work with community anchors, Mutual Aid Groups, our Community Engagement Hubs and our partnerships with the VCS and other health partners.
 - Provision of a range of passport funding to enable VCS partners to provide, Micro grants, infrastructure support, paid community champions.
 - Furthering our reach into and support of grassroots community organisations, including through listening and coproduction approaches
 - Reach out to those group who may face additional barriers to engagement (including those with disabilities) and ensure funding supports overcoming any barriers they face in carrying public health messages.
 - Actively seeking out and using the lived experiences of our residents and communities most impacted by COVID 19 to guide our engagement offer
 - Share learning – locally, regionally, and nationally

Target Communities

- BAME
 - People with physical disabilities and learning disabilities, and unpaid carers
 - Other groups particularly at risk and insights relating to the barriers they face
- 3.8 All funded activities will need to demonstrate how they:
- Respond to the urgency to enable community champions to support those communities most at risk from COVID 19 and overcome the barriers which prevent people from following public health guidance

- Align with our ward based Integrated COVID 19 Response, balance both the need to build and extend existing activities, as well as develop new approaches.
 - Deliver flexible interventions that can respond to different modes of delivery; informal, formal, online, and direct delivery in communities.
 - Build additional capacity to be able to respond to the immediate needs of both mass engagement (testing and vaccinations) and deep engagement (to target cohorts)
 - Contribute to local, regional, and national learning and practice development networks.
- 3.9 The Scheme will be promoted and managed by the Council's Cohesion team as part of their role in the Integrated COVID 19 Response.
- 3.10 The grant scheme will be launched as soon as possible, subject to Cabinet approval. Detailed local guidance will be promoted via Council Integrated COVID-19 response teams and partners. It is expected that applications will be accepted via an application form.
- 3.11 Applications will be developed in partnership with Council Integrated COVID 19 response teams and/or VCS partners.
- 3.12 Decision making on applications to the scheme will be made by the Integrated COVID 19 Response Board. Details of the board membership can be found at Appendix 2. Applications made to VCS micro grant will be made within agreed procedures they set up to support community champions in identified areas.
- 3.13 Successful applications will work to a grant agreement (proportionate to the nature of the community champion activity) detailing level of funding, alignment with the priorities and outcomes of the scheme and meets the needs of the overarching memorandum of understanding between the MHCLG and the Local Authority. Where the VCS make further grants they will make available the details of these awards as part of the overall scheme monitoring and evaluation.
- 3.14 It is proposed that the grant scheme will operate on the basis of single payments on completion of an agreed proposal.
- 3.15 There will two key strands to the grant scheme, a small investment strand (up to £800 for individuals, and up to £10,000 for constituted community groups) and a larger investment strand (of up to £100,000).
- 3.16 Applicants will be expected to provide supporting information which may include:
- Companies House and/or Charity Commission registration
 - bank statements and supplier invoices
 - certified accounts/management accounts
 - activity and expenditure detail
 - Named contact for monitoring and learning purposes.

Options

- 3.17 The Council could have chosen not to make an application to the MHCLG Community Champions Scheme. This would generate potential reputational risks for the council for not maximising the financial support available for its communities.
- 3.18 The Council could choose to apply to the Community Champions scheme and not make a proportion of any award available to the VCS individuals. This would not create the additional capacity required to respond to the urgent needs facing our target communities and generate potential reputational risks as the Council would not be able to achieve the MHCLG Community Fund outcomes.
- 3.19 Potential reputational risks for the Council as the Community Champion scheme emphasizes the need to bring together local community leaders, public health providers, voluntary groups and others to meet the longer-term outcomes of the fund (building stronger relationships, increased coordination, visibility, understanding and access to information and effective messaging across and between National government, local public health providers and local communities). Not doing so would also not be in keeping with Kirklees Council commitment to working with partners to achieve the most effective sustainable outcomes in our communities.

Costs

- 3.20 The Government has yet to allocate an award from the Community Champions scheme to Kirklees.
- 3.21 Council officers will manage any award made via the proposed scheme in this Report to ensure that only eligible individuals / businesses/charities apply, and that appropriate evidence is provided by applicants. Council officers will also work alongside VCSE partners in respect of any awards they make as part of this overall scheme. The operation of the scheme will be subject to regular review by the Council's Section 151 Officer.
- 3.22 The Council will undertake proportionate pre-payment checks to confirm eligibility in relation to the criteria set out in this report.

Expected impact/outcome/benefits

- 3.23 The outcomes/benefits of the scheme will be to meet the immediate / medium-term needs of improving reach and engagement to improve messaging and remove barriers people experience to following public health guidance. It will also provide longer term benefits of developing the existing community infrastructure to identify the issues and concerns of communities and how communities can be supported to address them, developing longer term resilience and ongoing improved relationships.
- 3.24 Reducing the financial impact on charities and community groups of the lockdown and related impacts of COVID 19. It is acknowledged that implementing this scheme will provide additional financial capacity within the VCSE sector will also contribute to economic recovery.

Risks

3.25 There are a number of risks associated with the scheme, including:

- applicants may seek grant support for ineligible activity
- need/demand may strip the funding available
- reputational risks for the Council in relation to the amount of support available or the sectors eligible for grant funding.
- Outcomes are not achieved due to tight timescales of funds.

3.26 These risks will be managed and mitigated through the operation of the grant scheme. Council Officers will put in place appropriate mechanisms, to ensure that only eligible activities are funded, and suitable evidence of expenditure is provided. The scheme will be open for applications for a defined period to be agreed. It is considered that the positive reputational benefits of providing access to financial support for the activities proposed by MHCLG Community Champions scheme to improve outcomes for communities disproportionately impacted by COVID 19 outweigh the negative reputational impacts of the proposals.

4. Implications for the Council

Working with people

4.1 The proposals will support the Council's efforts to work together with people and communities to find shared solutions. The Council has drawn on learning from the implementation of the various Government grant support schemes and this will inform delivery of the Community Champions Scheme. The operation of the scheme will be kept under regular review in response to community feedback.

Working with Partners

4.2 The proposed Community Champions Scheme has been developed by the Government in response to feedback from Public Health England, Local Authorities, and evidence from SAGE. The Council will work with local partners including VCSE partners, other West Yorkshire Local Authorities, West Yorkshire and Harrogate Health and Care Partnership "supporting vulnerable groups" network and West Yorkshire learning network to support the development of community-based approaches to the COVID 19 response

Place Based Working

4.3 A key principle of the scheme is to build upon the existing Integrated COVID 19 Response which is premised on place-based working. The scheme will support those businesses and charities including those in some of the area's most deprived communities. Ward Councillors will be fully engaged in the process to encourage eligible businesses and charities to apply for support.

Climate Change and Air Quality

4.4 The grant scheme will support those community groups/ businesses/ charities with ongoing costs that have been most affected by COVID 19. There is some evidence to suggest that the changes in behaviour brought about by the lockdown have reversed the decline in air quality and improved emissions during this period. Whilst the implementation of the Community Champions scheme is unlikely to have a significant

impact on climate change, the Council will ensure that the climate emergency and opportunities for low carbon growth are central to the recovery planning process.

Other (legal/financial/human resources)

4.5 Financial matters are addressed in section 3 of the report.

4.6 The scheme will be operated in accord with State Aid guidance.

The United Kingdom left the EU on 31 January 2020, nonetheless under the withdrawal agreement State Aid rules continue to apply at least up to and including the end of the transition period (23:00 31 December 2020). The Council is required to ensure that all relevant conditions are met and to monitor and report on the amount of State Aid it has provided. Although the Council will endeavour to ensure compliance, at law the risk of non-compliant State Aid rests with the aid recipient, who may be required to repay any unlawful aid together with compound interest. Recipients must be an undertaking performing a commercial activity for State Aid to apply. State Aid will not apply if there is no distortion of competition and or no affect on inter-state trade. Depending on the facts, grants to local VCS and others which may be to geographically specific bodies and the beneficiaries purely local may potentially not be caught by state aid rules.

If State Aid may be an issue, applicants will be awarded aid based on the De Minimis rules (200,000 euros over a rolling 3 fiscal year period) although it is possible that some awards will be granted under the UK Covid-19 Temporary Framework. The Council will write to all successful applicants advising them of the State Aid compliance route that has been applied and requiring them to certify their eligibility for aid as a condition of receipt of the grant.

4.7 The proposed grant scheme will be administered by existing Council Officers. To ensure the scheme can be implemented quickly, significant officer capacity has been re-purposed to support delivery of the scheme. The Council must comply with its duty of Best Value under the Local Government Act 1999. In terms of decision-making, the Council must when exercising its discretion act fairly, transparently and reasonably when awarding grants which is rational, for the proper purposes having regard to relevant and ignoring irrelevant considerations. The council has legal powers to accept and award grants under the 'General power of Competence' under section 1 of the Localism Act 2011.

4.8 An Integrated Impact Assessment (IIA) has not been undertaken for the proposals as a result of the short timeframe for implementing the scheme in response to COVID 19 pandemic. An IIA will be undertaken during the first three months of implementation.

4.9 The Council will be required to provide regular reports to MHCLG on the implementation of the grant scheme.

4.10 The application of the Council's Contract Procedure Rules and procurement law must be considered when entering into any contracts for good, services and works which may be supplied back to the council which relate to the scheme. Financial procedure Rules 4.7.4.10 governs application for Government grant and Service Directors must comply with FPR 20.8 when awarding grants.

- 4.11 The Guidance goes on to state that whichever way the Council uses the funding, including where the Council works in partnership with others “it should consider all State Aid issues”.

5. Consultees and their opinions

- 5.1 Engagement with stakeholders including Third Sector Leaders, West Yorkshire Public health networks and other groups will continue as the scheme is implemented and it will be shaped in response.

6. Next steps and timelines

- 6.1 Subject to an award being made to the Council by MHCLG, and approval by cabinet, the Community Champions Grant scheme will be launched as soon as practicable following the Cabinet meeting on 15th December. The Council will work with key local partners to publicise the scheme and target eligible applicants.
- 6.2 The Council will promote detailed scheme guidance and application forms as soon as the scheme is launched. The Council will put in place a streamlined process to ensure the rapid turnaround of applications for support.
- 6.3 The Council will keep the operation of the scheme under review, including the period during which it will be open for applications.

7. Officer recommendations and reasons

1. Cabinet notes the content of this report and approves the establishment of the Community Champions Grant, including the proposed eligibility criteria for applicants and the grant amounts to be awarded set out in section 3 of the report, noting the short timescales for the establishment and operation of the scheme.
2. Cabinet delegates authority for implementation and monitoring of the Local Authority Discretionary Grant Fund scheme to the Strategic Director for Children’s Services in consultation with the Service Director Finance and relevant cabinet members, including the authority to make further changes to the scheme to ensure equity and achievement of the objectives noted above.
3. Cabinet delegates authority to the Strategic Director Children’s Services in consultation with the Service Director (Finance) and relevant cabinet members, including Harnessing Community Capacity lead members, to vary the eligibility criteria for the Community Champions Grant scheme.

Reasons

1. To enable Cabinet to approve the Community Champions fund for Kirklees to extend financial support available to those businesses and charities that can achieve the outcomes of the scheme as soon as practicable.
2. To ensure the grant schemes are being implemented in a coordinated manner.

3. To enable rapid and efficient implementation of the grant scheme in accordance with the scheme of delegations.
4. To enable the identification and implementation of additional measures, where required, to complement the approved grant scheme, in accordance with the scheme of delegations.

8. Cabinet Portfolio Holder's recommendations

The Cabinet Portfolio Holders supports the recommendations, which have been developed as a matter of urgency to ensure that the Council can take advantage of the national scheme to provide support to local communities.

Contact officer

Jill Greenfield- Service Director Customers and Communities-
Jill.greenfield@kirklees.gov.uk

9. Background Papers and History of Decisions

MHCLG Community Champions Prospectus – see appendix 1

10. Service Director responsible

Jill Greenfield, Service Director Customers and Communities
Eamonn Croston, Service Director Finance.

Appendix 1.

Community Champions

The 'Community Champions' scheme, administered by the Ministry of Housing, Communities & Local Government, provides up to £25m funding to support people shown to be most at risk from Coronavirus (COVID 19) including those from an ethnic minority background, disabled people and others to follow safer behaviours and reduce the impact of the virus on themselves and those around them.

Funding is available for selected local authority areas, to support: activity and interventions to reduce the disproportionate impact of the virus on certain communities; engagement strategies and outreach work in the most at-risk places, with the most at risk groups; new and existing networks of grassroots advocates or 'champions' from impacted communities; and voluntary and community groups and other national or local actors who specialise in working with communities shown to be most at risk from COVID 19.

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Introduction

Since Public Health England released their review of disparities in risks and outcomes in June 2020¹, the Government has been focused on taking action to improve the support and protection for those communities and groups who have been shown to be most at risk from COVID 19-19.

The review highlighted that some communities are disproportionately impacted by COVID 19-19, both in transmission rates and in mortality - most notably Pakistani and other South Asian communities, wider Black, Asian and Minority Ethnic (BAME) communities and people with disabilities. Death rates from the virus are higher for Black and Asian ethnic groups when compared to White ethnic groups².

While disproportionate transmission, morbidity and mortality rates will relate to wider social and economic factors - including occupation/employment; multigenerational households; residential overcrowding; deprivation – evidence shows (see Annex A) that working through trusted community stakeholders and other local actors can help to identify and overcome barriers which prevent people from following public health guidance.

Government is keen to work with local authorities and their partners, who know their areas best, to support the communities at risk in those places and learn what works (and what doesn't work) and apply these lessons to future central and local government efforts to tackle the virus elsewhere.

Community Champions – tackling the disproportionate impact of COVID 19-19.

On 22 October 2020, the Minister for Equalities announced that the Ministry of Housing Communities and Local Government (MHCLG) would provide up to £25m of funding to support those communities who have been shown to suffer disproportionately from COVID 19 19³, through a new scheme called 'Community Champions'.

The Community Champions scheme will provide targeted help to those areas and communities facing the greatest challenges. Recognising that local authorities, their partners and local people are best placed to decide the right approach for their communities, it is intended to be designed locally, to respond to the needs of a specific place. Participating areas will be able to increase resources for both existing and new activities.

Section 1

What we are looking for

Government is keen to fund practical solutions that will make a real difference. Local areas will be able to build upon, increase or improve existing activities to work with residents who are most at risk of COVID 19-19 - helping to build trust and empower at-risk groups to protect themselves and their families. The broader aim is to reduce the impact of the virus on all communities, beyond just the target areas that we will work with through this scheme.

¹ 'COVID 19-19: Review of disparities in risks and outcomes', Public Health England, June 2020

² Disparities in the risks and outcomes of COVID 19-19, Public Health England August 2020.

³ Quarterly Report on progress to address COVID 19-19 health inequalities, Cabinet Office Race Disparity Unit, October 2020.

We are therefore looking to fund a wide range of local authorities where there is a need for:

- **Increasing available outreach and engagement through one-to-one/focused contact to raise awareness of local support and promote public health guidance and programmes for residents disproportionately impacted by COVID 19-19, particularly those with disabilities and/or from BAME communities.**
- **Development and delivery of practical solutions, including but not limited to the recruitment and appointment of community champions networks, to increase uptake and community ownership of COVID 19-19 guidance, particularly amongst disabled people and/or people from BAME communities.**

Working with local people and places

We are keen to work in partnership with local authorities and their partners in those areas facing the greatest challenges. We have identified a number of areas which we are now inviting to take part in the scheme.

Within the selected areas, we are keen to work with local authorities alone or partnerships of local authorities and other appropriate local groups, organisations and individuals. Where a partnership approach is adopted, the local authority will act as the 'lead partner' and main point of contact for MHCLG and other government departments working with us on this scheme.

As we want to share the learning and knowledge generated by the scheme, all participating local authorities and their partners will be expected to participate in regular forums and webinars during delivery of the programme, to aid the dissemination of knowledge, case studies and practical resources to other areas (including those outside of the Community Champions scheme) facing similar challenges.

What funding is available

Funding of up to £25 million is available in 2020/21 to support good quality proposals which meet the scheme's objectives. Funding is currently only available for the 2020/21 financial year.

Funding will be allocated relative to the size and scale of each local authority area and the level of ambition shown in their Expressions of Interest (see below). Due to the need for the funding to be committed in 2020/21, we would expect very few awards to exceed £500,000 per individual area. We will not accept any funding requests for more than £750,000 per individual area.

Applications must be received no later than 23:45 on 09 December 2020

Section 2

Aims

The areas that we are inviting to take part in the scheme are all lower tier and unitary local authorities. Participating local authorities will be expected to work collaboratively with all neighbouring councils or other critical local authority partners in their vicinity (especially where we are funding a lower tier authority as the lead partner) – and, in particular and where relevant, Directors of Public Health and other appropriate local health partners – to support disproportionately impacted communities to:

- **Have an increased sense of personal ability to follow safe behaviours.**
- **Have increased trust in public health messaging.**

- Have an improved awareness of who or where to go to for help or advice.
- Have an improved awareness of pathways and services to effect positive change and alleviate hardship.
- Have an improved awareness of who their local Community Champions are and have opportunities to take part in the activities that the Champions offer or facilitate.
- Have an increased feeling that they are being understood and that insights are fed into local and national response.

This may be achieved by recruiting dedicated individuals or teams to undertake the role of 'Community Champions' to connect with residents and support them to follow safer behaviours and navigate people towards available support and services. There is scope for the expansion of existing projects, or the development of new initiatives if feasible within the timeframes outlined in this prospectus.

What do we mean by 'Community Champions?' ⁴

- **There is no 'one-size-fits-all' model for Community Champions.** Different communities and local contexts will require different approaches. Recognising local authorities are best placed to decide the right approach for their communities, we want local authorities and their partners to create their own strategies - either building upon and improving what they are already doing to support at risk groups and reduce the disproportionate impact of the virus, or undertaking new activity. This may also involve developing broader communications campaigns co-produced with communities to support direct engagement.
- **Community Champions should encourage wider social connection and integration of different groups of people, whilst seeking to improve the health and wellbeing of residents, particularly disabled people and/or people from BAME communities.** They will motivate and empower people to get involved in available services, conduct health promoting activities, create groups to meet local needs, and navigate people to relevant support and services.

The Community Ambassador scheme is delivered as part of the 'Our Community, Our Future' social integration programme, which aims to empower local people to take a lead on projects and help build a stronger community. The 12-week programme is delivered in partnership with voluntary sector organisations and explores the multicultural make-up of the borough, develops an understanding of community development and builds leadership and project management skills to help residents set up their own social action projects. Community Ambassadors have been active during the pandemic, one Community Ambassador who works as a catering manager in a local school, persuaded managers to support them in providing nutritious meals for vulnerable residents across the borough. Through the networks they had developed in the programme, and the support of their school, they became part of a co-ordinated response providing hot food to residents most in need.

-Blackburn with Darwen Borough Council (Integration Area Programme 2019/2020)

⁴ "The role of Community Champion networks to increase engagement in the context of COVID 1919: Evidence and best practice" Presented to SAGE 23 October 2020

- **Community Champions reflect their local communities** and vary by socio-demographic factors including age, ethnicity, gender, health status and education. They will improve the local authority's understanding of disabled and BAME residents and may be present on local social media groups providing a trusted voice, countering misinformation and raising awareness of local support.

The Health Project at Friends, Families and Travellers has been running since 2003, funded by various bodies. The project paved the way for health trainers, by using peer education and support as its focus. The scope consists of small projects, which address different health issues in different settings. For example, we are currently working on a suicide awareness project with Traveller men, which is funded by the 'better together' funding from Brighton and Hove CCG. The project has contributed towards health improvement in the East Sussex Gypsy/Traveller population, including improved knowledge and skills/confidence on around healthy lifestyles and increased confidence in accessing services and discussing health improvement with peers.

The most important factor for the success of our work is that we are a trusted organisation with the support of the community it serves.

-Friends, Families and Travellers Health Project (PHE practice examples May 2018)

- **Community Champions may contribute in different ways** from relatively passive involvement, such as sharing information, to more active involvement including designing practical tools and having shared decision-making power in the planning, design, implementation and evaluation of their LA response and communication strategies.

Health and Wellbeing is improving overall in Redcar and Cleveland and people are living healthier and longer lives. Unfortunately, not everyone is enjoying these benefits and some communities have an average life expectancy of 13 years less than others. We know that greater ill health in our poorest communities is linked to inequalities in life chances, wealth and income. We also know that people in our poorest communities are our greatest asset for improving health and wellbeing.

We want to ultimately shift culture in relation to health by utilising champions' circles of influence (self, family and friends, clients, customers and the wider community) as a strategy to improve health and well-being. Our ambition is to build the borough's capacity to empower communities to improve their own health and well-being and make 'every contact a health improvement contact'...Health Champions are allocated a named contact from the Health Improvement team who is responsible for keeping them up to date with information such as local campaigns, collecting monitoring information, being on hand to answer queries and support any further development of their role.

Promotional materials were developed, and key stakeholders promoted this through their networks... Providing an infrastructure which enables and supports people to make public health activities happen in their communities is a sound investment. Overall, we have started to build capacity to address health issues within local communities. We have seen the early benefits and we want to build on this model.

-Redcar and Cleveland Council, (PHE practice examples August 2016)

- **Participating local authorities will be actively encouraged to share learning and practical solutions**, such as communication tools devised, with all local authorities so those areas not being directly funded will positively benefit from Community Champions funding.

The Migrant Access project in Wakefield was a partnership project between Wakefield Council and Touchstone, a Leeds based third sector organisation. The aim of the project is to facilitate better access to council services by migrant groups across Wakefield. This was done by recruiting 20 volunteers from 14 different countries to train as Migrant Community Networkers (MCN) giving them the knowledge and skills to become community leaders and to act as a bridge between the council and their communities. During lockdown MCNs have provided an effective bridge between the Council and local migrant communities by translating and sharing key messages. Some MCNs are currently working with Public Health as COVID 19-19 Community Champions and continue to deliver key messages to previously hard to reach sections of the community.

-Wakefield Council

Outputs

Defined outputs will be designed in collaboration with each local authority, positively building upon current community engagement and outreach schemes. The following outputs are intended as examples of what could be considered in local proposals:

- **A community connection, outreach and engagement strategy, with a steering group**, which involves bringing together local community leaders, public health providers, voluntary groups, and other relevant organisations. This could be an existing or new governance arrangement.
- **Community Champions**, ideally from within the disproportionately impacted BAME and disabled groups or local hard to reach communities, to undertake engagement, drive safer behaviours and counter misinformation.
- **Engagement activities** with residents from disproportionately impacted groups in greatest need of support across the programme.
- **Creation and delivery of practical sustainable tools** to increase outreach, communication and engagement which are tailored, appealing, visual and multi-language messages to reach diverse populations, who may be digitally excluded, and mobilise local communities.

Outcomes

The key aims and outcomes of this programme are both immediate and longer term:

Immediate

- **Build stronger relationships** and engagement between communities, groups and local authorities where there may be tensions, mistrust or negative connotations exacerbated by the pandemic.
- **Increase capability to interact and communicate** information and guidance from Government and local authorities to diverse at-risk communities, facilitating community ownership and the following of safer behaviours and making of informed choices.
- **Build open, transparent dialogue** over any local testing or vaccine deployment programmes within communities to address any misconceptions about efficacy and safety, counter misinformation, fill real knowledge voids and provide clarity on vaccination roll-out to build support and promote take up.

Longer term

- **Increased coordination and dialogue with public health providers (ideally working through Directors of Public Health)** by local authorities to create more cohesive and trusted messaging.
- **Increased access to guidance, vaccination programmes and public health services**, through outreach and practical tools to improve health and wellbeing of residents, especially those from disproportionately impacted groups, and their families.
- **Increased access to guidance and awareness of Council and local support services** through outreach and practical tools to improve access to economic support and alleviate hardship to support longer term positive economic impacts.
- **Increased access to guidance and awareness of Government support mechanisms, for example Universal Credit**, to increase access to employment, education and/or volunteering opportunities.
- **Increased understanding by both central government and local authorities of local populations' needs and provision of practical tools** to aid accessibility to improve social connection, digital inclusion, civic engagement and integration with wider local area.
- **Increased visibility of Community Champions, volunteers and community groups** to encourage more mutual aid and volunteer provision able to support local authority delivery.
- **Build strong links** between Government and places where COVID 19 -19 has impacted most significantly to develop resiliencies and improve and increase mechanisms for outreach, communication, engagement within the area.
- **Informing Government through feedback from Community Champions** on what the issues and concerns of local communities are and how to address them, which will help to shape and inform future relevant policy/communications work.

Monitoring and Evaluation

Participating local authorities will be expected to provide short (1-2 pages) monthly progress reports over the course of the programme. To ensure the burden placed upon local authorities is as minimal as possible, MHCLG will provide templates for these reports which will be simple and easy to complete. As we are keen to understand local contexts there will be free text options should any local authorities choose to add additional comments, feedback and/or examples of best practice.

We will work with a smaller number of areas to gather additional best practice examples and case studies which we will share more widely across central and local Government. This will involve attending meetings and other feedback sessions – most likely all virtual/online at this stage – to discuss and share what we are learning through the scheme, to apply this to future work.

Participating local authorities will be encouraged to share knowledge, resources and practical solutions with non-funded local authorities to ensure other areas and their local communities benefit indirectly from the Fund.

Section 3

The role of MHCLG and other government departments

MHCLG, alongside our colleagues from other government departments working on COVID 19-19 and public health, will work with successful local authorities to support and learn from the delivery of their proposals on the ground.

We will provide regular forums and webinars to share good practice for community engagement and community centred approaches to support and promote public health messaging, for example from National Institute for Health and Care Excellence (NICE)⁵, NHS England and Public Health England⁶.

We will also use these opportunities to enable local authorities and their partners to record best practice from their activities and learn from others in overcoming challenges and obstacles – and then share this with other participating areas and beyond, to maximise the reach of the Community Champions scheme.

Access to central government teams leading on public health messaging will be available across Government - including access to communications materials and core messages/scripts that can be tailored locally.

Payment

Successful local authorities will be required to enter into a Memorandum of Understanding (MOU) with the Department which will set out the expectations of both the recipient and the Department with regards to milestones, monitoring and evaluation and the funding amount to be awarded. Funding will be paid directly to the local authority (the de facto lead partner in any local consortium or partnership) using powers under section 31 of the Local Government Act 2003.

Governance arrangements

Governance arrangements of the scheme will sit with the successful local authorities and their partners. MHCLG will seek light-touch assurance that appropriate arrangements will be in place. The Department's primary relationship will be with the local authority to which funding is being awarded, which is also the local authority that the Department will hold responsible for the correct use of the funding, successful implementation of the project and achievement of outcomes.

The Department will also hold the local authority responsible for ensuring their own propriety and making sure that they do not bring the scheme or Department into any form of disrepute. Local authorities will be responsible for ensuring due consideration is given to any state aid or procurement compliance implications when implementing the undertakings outlined in their proposal.

General Data Protection Regulations

Participating local authorities will be responsible for ensuring all data pertaining to residents engaged with through the scheme is collected, controlled and retained in compliance with data protection regulations.

⁵ Community engagement: Improving health and wellbeing and reducing health inequalities, NICE guidelines NG44, 04 March 2016.

⁶ A guide to community-centred approaches for health and wellbeing, Public Health England, 15 February 2015.

Section 4

Application process

Invited eligible local authorities must submit an Expression of Interest (Eosin) within the application window using the supplied short form attached to this prospectus outlining their current outreach, communication and engagement activities, additional activities they wish to undertake to help to reduce the disproportionate impact of the virus on at-risk groups, or similar and all associated costs.

This is a not a competitive bid process and all applying eligible local authorities will be supported by MHCLG officials to receive some support. Officials will assess the applications, using knowledge and evidence of similar schemes delivered through current and previous departmental programmes, against two criteria:

- **Deliverability of proposal** – How the proposal will increase support of residents disproportionately impacted by COVID 19-19 and meet the desired aims, outputs and outcomes of the Community Champions Fund as above.
- **Financial viability of proposal**- Whether the costings provide sufficient detail, offer value for money and are deemed reasonable and appropriate to meet the proposal's delivery requirements within the timescales outlined above.

Where any weaknesses or risks are identified, officials will collaborate with the eligible local authority to revise proposals where appropriate, and ensure plans are robust and costings are appropriate, to deliver the programme aims in the timescale required.

Funding levels

Applicants are invited to state the total amount of funding they are requesting in 2020/21 to implement their projects at pace. The funding period runs from December 2020 – March 2021. We are therefore eager to see initial activities - such as network building or community mapping, for example - begin within December 2020.

Funding will be allocated relative to the size and scale of each local authority area and the level of ambition shown in their Expressions of Interest (see below). Due to the need for the funding to be committed in 2020/21, we would expect very few awards to exceed £500,000 per area. We will not accept any funding requests for more than £750,000 per area.

Integration Area Programme

Any area in receipt of funding through MHCLG's Integration Area Programme in 2020/21 which is also invited to participate in the Community Champions scheme will have their proposal and costings assessed in conjunction with the Integration Area Programme to avoid any duplication of Departmental funding.

Key Dates

Expression of Interest period closes	09 December 2020
Applying local authorities will be contacted to discuss next steps by	14 December 2020
Funding agreed	January 2021
Delivery commences	January 2021

Completed Expression of Interest applications must:

- Be sent via email to Community.Champions@communities.gov.uk
- Include the subject line “Community Champions Fund’ and the name of your local authority.
- **Be received no later than 11.45pm on 09 December 2020**

Please note it is the responsibility of each local authority to make sure that Expression of Interest forms have been received by the Department in time.

Annex A List of resources on community champions schemes and community engagement

SPI-B/SAGE advice papers

The Scientific Advisory Group for Emergencies (SAGE) is responsible for ensuring that timely and coordinated scientific advice is made available to decision makers to support UK cross-government decisions. The Scientific Pandemic Insights Group on Behaviours (SPI-B) and Ethnicity Subgroup are sub-groups of SAGE. SPI-B provides behavioural science advice aimed at anticipating and helping people adhere to interventions that are recommended by medical or epidemiological experts. The Ethnicity Subgroup advises, in the broadest sense, on the risks to and impacts from COVID 19-19 upon minority ethnic groups.

The following paper was prepared by SPI-B and endorsed by SAGE on the role of Community Champions networks in increasing engagement in the context of COVID 19-19. This was put together by independent SPI-B academics with expertise in this area.

<https://www.gov.uk/government/publications/role-of-community-champions-networks-to-increase-engagement-in-context-of-COVID-19-19-evidence-and-best-practice-22-october-2020>

Additional papers include:

SPI-B: Consensus on BAME communication

<https://www.gov.uk/government/publications/spi-b-consensus-on-bame-communication-22-july-2020>

SPI-B: Consensus statement on local interventions

<https://www.gov.uk/government/publications/spi-b-consensus-statement-on-local-interventions-29-july-2020>

Ethnicity Subgroup: Evidence summary of impacts to date of public health communications to minority ethnic groups and related challenges

<https://www.gov.uk/government/publications/evidence-summary-of-impacts-to-date-of-public-health-communications-to-minority-ethnic-groups-and-related-challenges-23-september-2020>

Public Health England resources

A guide to community-centred approaches for health and wellbeing

<https://www.gov.uk/government/publications/health-and-wellbeing-a-guide-to-community-centred-approaches>

Practice examples on community champions and community-centred approaches

<https://phelibrary.koha-ptfs.co.uk/practice-examples/caba/>

Appendix 2

Integrated COVID Response Board Membership

Chair: Strategic Director Children's Services

Members:

Service Director Environment

Service Director Communities and Customers

Head of Democracy

Head of Local Integrated Partnerships

Head of Public Protection

Head of Health protection

Chief Operating Officer KNH

Head of Strategic Communications

Head of Business and Skills

Kirklees Place Director

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Name of meeting: Cabinet

Date: Tuesday 15 December 2020

Title of report: VCS Support Funding over the Christmas Period

Purpose of report:

To consider a proposal to provide Ward Councillors with additional resources to support voluntary and community groups in their Ward who may be impacted by a loss of funding over the Christmas period.

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 <u>Council's Forward Plan (key decisions and private reports)</u>?	Not Applicable
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	Rachel Spencer Henshall, Strategic Director for Corporate Strategy, Commissioning and Public Health – 7 December 2020
Is it also signed off by the Service Director for Finance?	Eamon Croston, Service Director, Finance – 8 December 2020
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft, Service Director, Legal, Governance and Commissioning – 8 December 2020
Cabinet member portfolio	Councillor Cathy Scott Councillor Paul Davies

Electoral wards affected: All

Ward councillors consulted: As part of a wider piece of work all Ward councillors have been given the opportunity to provide details of the challenges faced by community groups and organisations in their Ward. The outcomes of this work will inform a more strategic response to those challenges as part of wider recovery work

Public or private: Public

Has GDPR been considered? Not applicable for this report.

1. Summary

We know from national, regional and local research that the pandemic has impacted adversely on the voluntary and community sector (VCS). Whilst they have been fundamental to the partnership work that has taken place to meet the challenges presented by covid-19, many groups and organisations face their own financial challenges.

A strategic piece of work is nearing completion which will set out the full extent of those challenges along with a series of recommendations intended to provide a systematic response designed to support and enable groups to survive and thereafter flourish over the next 6 months and beyond.

This report focusses on the ways in which immediate support can be provided to those groups whose ability to operate will be particularly impacted by covid 19 restrictions over the Christmas period resulting in losses in income.

2. Information required to take a decision

In light of the recovery conversations that have taken place with Ward councillors we know that local groups and organisations play a very active and important part in local communities. This is particularly true in the run up to and including the Christmas period.

This year, unlike any other, those groups have found it increasingly difficult to rely on some of the consequential opportunities to generate income. For example, Christmas lights switch ons, luncheon dates, Christmas fairs and carol concerts (amongst many others) have all but disappeared and as a consequence will impinge on the financial security of some groups and organisations.

With this issue in mind it is proposed that a budget of £50k is identified to assist in meeting such challenges. Such money will be added to the current Members Local Project Fund alongside the additional resources added to this budget to address specific issues within Wards as a result of covid-19.

Past experience has illustrated the importance of placing councillors at the heart of such decisions as it is they who know the communities they represent. Subject to Cabinet approval it is proposed that design of the process and criteria be delegated to the Head of Democracy and Place Based Working in consultation with the Cabinet Portfolio holders.

In so doing Cabinet should be reassured that any such process will build on what is already there, be proportionate and be used in such a way as to ensure that groups receive the support they need as swiftly and efficiently as possible. Work will be carried out at pace in order to ensure that groups and organisations can access the funding as a matter of priority.

3. Implications for the Council

- **Working with People**

We know that local communities and organisations are at the heart of our local places and as such valued by local people who live there. In seeking to provide immediate support for those groups we are acknowledging both their importance and the contribution they make to improving the lives of local people.

- **Working with Partners**
Our ongoing work with Third Sector Leaders both as part of the community response and in the context of understanding and addressing the challenges faced by the VCS is evidence of our commitment to partnership working strategically. This report, and the wider piece of work referred to above, are intended to reflect our determination to work alongside each other in addressing both immediate and longer term challenges.
- **Place Based Working**
The main focus of this report is to intentionally seek to understand VCS challenges in a place based way. It is for this reason that insight from Ward based recovery conversations are being used as a basis and that Ward councillors will make decisions as to where the resources are best deployed within their Wards.
- **Climate Change and Air Quality**
Not directly applicable for this report.
- **Improving outcomes for children**
Not directly applicable for this report.
- **Other (eg Legal/Financial or Human Resources)**
If agreed, the £50k will come from the COVID risk reserve which was set up in part for the purpose of supporting enhanced local measures above and beyond the additional funding national government has given the council to support the national effort.

If agreed councillors will be supported by staff in the Active Citizens and Places Team to ensure that groups are able to access the support being made available in a timely and responsive way.

Do you need an Integrated Impact Assessment (IIA)?

An IIA is not needed for this report.

4. Consultees and their opinions

Insight gained from Ward Councillor recovery conversations has informed the proposal set out in this report.

The following have been consulted on the information set out in this report and support the proposals contained therein:

- Hilary Thompson, Chair of Third Sector Leaders;
- Noreen Abbas, Community Investment Manager;
- Vina Randhawa, Active Citizens and Places Manager.

5. Next steps and timelines

Subject to Cabinet approval officers will:

- Draft, finalise and communicate the criteria and process to facilitate the above;
- Work with Ward councillors and local groups and organisations to facilitate swift and timely access to the funding,

6. Officer recommendations and reasons

In order to support local community groups and organisations impacted over the Christmas period Cabinet is asked to:

- Approve a budget of £50k for the purpose set out in the report;
- Delegate to the Head of Democracy and Place Based Working responsibility for the design of the criteria and supporting process.

7. Cabinet Portfolio Holder's recommendations

That Cabinet:

- Approve a budget of £50k for the purpose set out in the report;
- Delegate to the Head of Democracy and Place Based Working responsibility for the design of the criteria and supporting process.

8. Contact officer

Carl Whistlecraft, Head of Democracy and Place Based Working

Carl.whistlecraft@kirklees.gov.uk

9. Background Papers and History of Decisions

Outcomes of Ward based recovery conversations between September and November 2020.

10. Strategic Director responsible

Rachel Spencer Henshall,

Strategic Director for Corporate Strategy, Commissioning and Public Health