

**Time and Date**

2.00 pm on Tuesday, 31st October 2017

Place

Committee Room 3 - Council House

Public business

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 3 - 16)
 - (a) To agree the minutes from the meetings of Cabinet on 4th and 10th October 2017
 - (b) Matters arising
4. **Creation of a Regional Adoption Agency** (Pages 17 - 60)
Report of the Deputy Chief Executive (People)
5. **Youth Justice Plan** (Pages 61 - 134)
Report of the Deputy Chief Executive (People)
6. **Governance of the West Midlands Fire Service** (Pages 135 - 200)
Report of the Chief Executive
7. **Outstanding Issues** (Pages 201 - 204)
Report of the Deputy Chief Executive (Place)
8. **Any other items of public business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

Private business

Nil

Martin Yardley, Deputy Chief Executive (Place), Council House, Coventry
Monday, 23 October 2017

Note: The person to contact about the agenda and documents for this meeting is Lara Knight / Michelle Salmon, Governance Services, Tel: 024 7683 3237 / 3065, Email: lara.knight@coventry.gov.uk / michelle.salmon@coventry.gov.uk

Membership:

Cabinet Members:-

Councillors F Abbott, L Bigham, K Caan, G Duggins (Chair), J Innes, A Khan (Deputy Chair), K Maton, J Mutton, J O'Boyle and E Ruane

Non-voting Deputy Cabinet Members:- Councillors P Akhtar, R Ali, B Kaur, R Lakha, C Thomas and D Welsh

By invitation:

Councillors A Andrews and G Ridley (Non-voting Opposition representatives)

Please note: a hearing loop is available in the committee rooms

If you require a British Sign Language interpreter for this meeting
OR if you would like this information in another format or
language please contact us

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Coventry City Council
Minutes of the Meeting of Cabinet held at
10.00 am on Wednesday, 4 October 2017

Present:

Members: Councillor G Duggins (Chair)
Councillor A Khan (Deputy Chair)
Councillor F Abbott
Councillor K Caan
Councillor J Innes
Councillor K Maton
Councillor J Mutton
Councillor J O'Boyle
Councillor E Ruane

Deputy Cabinet Members Councillor P Akhtar
Councillor R Ali
Councillor R Lakha
Councillor C Thomas

Non-Voting Opposition Members: Councillor A Andrews
Councillor G Ridley

By Invitation: Councillor J McNicholas (for item 51)

Other Members: Councillor J Clifford
Councillor G Crookes
Councillor M Mutton

Employees (by Directorate):

Chief Executives M Reeves

People B Barratt, M Duffy, P Fahy, N Hart,

Place M Yardley (Deputy Chief Executive (Place)), N Clews,
B Hastie, C Hickin, G Holmes, L Knight, K Martin, K Mawby,
J Newman

Apologies: Councillor L Bigham, D Welsh and B Kaur

Public Business

48. Declarations of Interest

There were no disclosable pecuniary interests.

49. Minutes

The minutes of the meeting held on 29th August 2017 were agreed and signed as a true record, following the inclusion of Councillor R Lakha in the listed apologies.

50. **Exclusion of Press And Public**

RESOLVED that the press and public be excluded under Sections 100(A)(4) of the Local Government Act 1972 relating to the private reports in Minute 58 below headed “Extension to the Heatline Network” on the grounds that this report involves the likely disclosure of information as defined in Paragraph 3 of Schedule 12A of the Act, as it contains information relating to the financial affairs of a particular person (including the authority holding that information) and in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

51. **Recommendations from the Business, Economy and Enterprise Scrutiny Board (3) Select Committee on Public Transport**

The Cabinet considered a report of the Deputy Chief Executive (Place), which set out recommendations from the Business, Economy and Enterprise Scrutiny Board (3)’s Select Committee on Public Transport.

The Chair of the Scrutiny Board was invited to attend the meeting and spoke in support of the report and the recommendations arising from the Select Committee.

At their meeting on 15th February 2017, the Business, Economy and Enterprise Scrutiny Board (3) held a select committee style meeting to answer the following key lines of enquiry:-

- How can train connectivity support economic development and business growth in the city?
- How can we improve the bus service in the city?
- What are the key accessibility issues for public transport in the city and how can they be addressed?

Members heard evidence from Council Officers, representatives from Transport for West Midlands (TfWM), Coventry Older Voices, Transport Focus (a user voice organisation) as well as Stagecoach Midlands an NX Coventry.

The report set out the questions raised under each of the key lines of enquiries following presentations and the responses received, which resulted in the recommendations to Cabinet Members arising from the Select Committee. The Cabinet noted that there had also been a number of recommendations identified for the Scrutiny Co-ordination Committee to consider following an evaluation of the process and these were set out in Appendix 1 to the report.

The relevant Cabinet Members and Deputy Cabinet Members had been briefed on the recommendations and had provided comments in response to these, which were also included within the report submitted.

The Cabinet were recommended to:-

- 1) Request that the nominated Council representative on the Transport for West Midlands (TfWM) board recommend that TfWM:

- i. Involve Elected Members and local residents in their planned car parking at Stations review.
 - ii. Consider how to better involve local people in planning the delivery of services, beyond existing processes, including older people.
 - iii. Consider how to ensure older people have access to information about public transport beyond social media and on-line information
- 2) Acknowledge the positive relationship the Council has with TfWM and the benefits of this relationship to the city.
 - 3) Ensure that Members of the Council are actively involved in the transport theme group of the Age-Friendly Coventry initiative.
 - 4) Recommend that the Cabinet Member for Policing and Equalities Advisory Panel – Disability Equality considers the issue of accessibility to public transport, particularly in relation to reducing social isolation
 - 5) Recommend that the Cabinet Member for Jobs and Regeneration commission a bus-user and non-user survey, specifically for Coventry, to identify specific local issues and concerns in order to promote buses as a mode of transport and increase usage.
 - 6) Recommend that the Cabinet Member for City Services undertake a review of Council vehicle usage, particularly during school hours, to see whether the vehicles could be used to support the transport requirements of vulnerable, ill and elderly people in the City.

RESOLVED that the Cabinet:-

1. **Accept recommendation 1) i. and agree that the Council's representatives on TfWM will express the importance of involving local residents in any parking review.**
2. **Recognise that there is an important issue with engaging with older people and younger people, as set out in recommendation 1) ii. and the Council's representative on TfWM will commit to push on this matter.**
3. **Recognise that there is an important issue with engaging with older people and younger people, as set out in recommendation 1) iii. and the Council's representative on TfWM will commit to push on this matter.**
4. **Acknowledge the positive relationship with TfWM as detailed in recommendation 2.**
5. **Indicates that it is happy to promote the work supporting the Age-Friendly Coventry Initiative as set out in recommendation 3, and notes that the Deputy Cabinet Member for Jobs and Regeneration already Chairs this meeting.**
6. **Accepts recommendation 4 and considers that the bus operators should be pushed further on this matter.**

- 7. Considers that, in respect of recommendation 5, the matter is a role for TfWM and that there should be a survey specifically for Coventry.**
- 8. Accept recommendation 6, whilst recognising that this will be dependent upon time and resources.**

52. Managed Service for Temporary Agency Workers

The Cabinet considered a report of the Deputy Chief Executive (People), which sought approval of an extension to the existing Pertemps managed service provider solution and a re-procurement exercise.

The Council currently had a contract for the supply of temporary agency workers, which acted as support contract if the Council's first choice sourcing routes of employment from the casual working pool or fixed term appointments were unsuccessful in fulfilling temporary staffing vacancies. The current provider of the contract was Pertemps, who delivered a managed service provider (MSP) solution, which involved supplying their own temporary workers as well as workers from a 2nd tier of suppliers that Pertemps managed on behalf of the Council.

The Cabinet noted that investigations had been completed in the past about the possibility of removing the contract and the Council potentially establishing its own 'agency'. The idea was raised following another West Midlands Authority establishing an in-house agency, removing the need for a MSP contract. This arrangement and the potential costs of establishing an in-house provision had been investigated and it was found that the implementation and ongoing costs would be significant and would not eliminate the need for agencies, particularly in specialised markets such as social care. For these reasons the Council establishing its own in-house agency to replace a MSP service was not recommended.

Over its 4 year life, the contract had seen fluctuating demand with spikes over the last few years to support sickness, fundamental service reviews and increases in demand. Spend through the existing contract had fallen in the first quarter in 2017-18 by £920k compared to the same quarter in 2016-17. Some of the fall could be attributed to successful internal recruitment campaigns, to fulfil roles where agency workers had been heavily used before.

Solihull Metropolitan Borough Council (SMBC) led the procurement process for the existing contract on behalf of Coventry City Council and Warwickshire County Council (WCC) through Eastern Shires Purchasing Organisation (ESPO's) Managed Services for Temporary Agency Resource framework (MSTAR). The objective at the time was to aggregate spend for the three councils to achieve greater savings and efficiencies, by driving down prices and by resourcing one tender process instead of three. The contract was due to expire on the 1st December 2017 and had no contractual extensions available. Due to the value of spend the Council must follow the Public Contract Regulations 2015 and compliantly procure a new contract.

It had been agreed between SMBC and CCC that Coventry will now lead the re-procurement of the new contract. Warwickshire County Council were yet to confirm that they would continue to collaborate on the contract.

All three Councils investigated the possibility of direct awarding a new contract and it was noted that, to do this, an established framework set up for public sector use by a purchasing organisation would need to be used. The frameworks provide a compliant route to contract as well as requiring a less resource / time intensive process than the Council procuring its own contract. The frameworks also aggregate public sector spend to support reductions in cost. There were two established frameworks that offer a suitable procurement route and following a benchmarking exercise for both ESPO's MSTAR2 and Yorkshire Purchasing Organisation's (YPO) HR Solutions frameworks, it became clear the Council would be unable to direct award a new contract without significant risk. For this reason, the Council needed to complete a tender process and due to the level of interest, size of the market and amount of resource required, it would not be efficient for the Council to complete a European tender process itself. Further benchmarking on MSTAR2 and YPO was therefore undertaken to identify which framework would offer best value for completing a further competition tender process under, to award a new contract. An analysis of the benchmarking between the two frameworks was detailed within the report and indicated that MSTAR2 offered the best value to the Council, based on twelve months data for previous spend.

The benchmarking and cost of change exercise proved to be more complex than expected, meaning it took more time to complete and reach the agreed outcome. Due to this and with the current contract expiring on the 1st December 2017, there was little time to procure the new contract and implement this at the Council without severe disruption. It was therefore proposed to continue transacting with Pertemps for a further 6 month period following the expiration of the contract until the 31st May 2018. The Council would continue working under the expiring contracts terms and conditions, enabling it to avoid rushing the new procurement and to give a suitable implementation period for the new contract.

RESOLVED that the Cabinet:-

- 1. Authorise the procurement of a new three year contract with the option to extend for one further year for a managed service provider for temporary agency workers to commence from the 1st June 2018 and expire on the 31st May 2022 (if extension is taken).**
- 2. Authorise the continuation of Pertemps as the Council's MSP for a further 6 months following the contract expiration until the 31st May 2018, to maintain the existing service whilst we procure and implement the new contract.**

53. Citywide Public Space Protection Order

The Cabinet considered a report of the Deputy Chief Executive (Place), which detailed the response to public consultation on a new city wide Public Space Protection Order (PSPO).

The Anti-Social Behaviour, Crime and Policing Act 2014 gained Royal Assent in April 2014. The PSPO provision had been in operation since 20th October 2014 and were intended to provide a means of preventing individuals or groups committing anti-social behaviour in a public space where the behaviour was

having, or likely to have, a detrimental effect on the quality of life of those in the locality; be persistent or continuing in nature; and be unreasonable.

The proposed City Wide PSPO would continue the current restrictions regarding the consumption of alcohol in public under the Designated Public Places Order, as well as allowing officers to use their discretion to seize unopened vessels of alcohol and canisters of nitrous oxide gas. The Order would also make being in possession of an off road bike, or similar vehicle, an offence unless that individual had the correct insurance for being on public roads and the express permission of the landowner when on private land. Full details of the Order were set out in Appendix 1 of the report submitted.

On the 4th July 2017, permission was obtained from the Cabinet to consult on a new city wide PSPO. The report indicated that 210 people had replied to the consultation, which had received unanimous support. A summary of the responses was set out in Appendix 3 of the report. There had been some slight amendments to the proposed Order in light of comments received in the consultation process.

RESOLVED that the Cabinet:-

- 1. Approve the wording of the proposed Public Space Protection Order and the suggested area to be covered by the Order, as set out in Appendices 1 and 2 of the report.**
- 2. Authorise officers to bring the Order into effect at the earliest practicable date.**

54. Delivering the Jobs and Growth Strategy - End of Year Progress (16/17) and end of current 3-year Strategy (2014-17)

The Cabinet considered a report of the Deputy Chief Executive (Place), which provided the end of year progress for 2016/17 and end of current 3-year strategy 2014-17, in respect of the Jobs and Growth Strategy.

The Jobs and Growth Strategy for Coventry was endorsed in May 2014. It was the second 3-year Jobs and Growth Strategy the Council had published and played a key role in driving growth, investment and creating the opportunity for local people to share in the growth of the City.

The key objectives of the strategy were: securing jobs through investment; helping people get jobs; and helping improve the skill levels of residents. Within these objectives there was a focus on supporting young people who are not in education, employment or training (NEETs).

The strategy played an integral part in achieving the outcomes of the Council Plan. It delivered on the commitments of 'Supporting businesses to grow' by attracting inward investment, helping businesses to expand, creating jobs, and improving the skills of the workforce. The strategy also contributed to 'Helping local people into jobs' by improving employability by providing greater access to skills and qualifications, and creating clear routes into work.

During 2016/17 the Economy and Jobs service, part of City Centre and Major Projects Development division, directly contributed to creating 1,340 new job opportunities against a target of 1,219. £63 million pounds of business investment had also been secured for the benefit of the city. In addition, Council services supported 413 businesses to grow and develop. During the year, 7,751 people had accessed employment support and 1,641 people who engaged with the services provided, progressed into work. The Cabinet acknowledged that this was a significant achievement and that the majority of these individuals are engaging through the Council's city centre Job Shop located in Bull Yard.

The Council continued to be committed to supporting young people into employment, particularly those who fell into the NEETS category. In May 2016 the Council began implementing the £8.5 million European Social Fund (ESF) funded youth programme for Coventry, called Ambition. Since the implementation of the ESF funded Youth Employment Initiative programme, 1,655 young people had been supported to raise their aspirations, develop employment skills or return to education. In addition the Employment Team had secured a further 3 grant programmes for Coventry, worth £8 million in total which would help transform lives for young people at risk of becoming NEET and also adults who needed help to engage with the labour market.

Over the life of this Jobs & Growth Strategy (Apr 2014-Mar 2017) £472.9m of investment had been secured, with more than 1,300 local businesses receiving assistance and 798 supported to change their recruitment practices and employ local residents. More than 5,500 inactive and unemployed people were now in good quality and sustainable work as a result of this Strategy and over 1,000 NEETS had been supported back into education, training or work.

There have been significant achievements over the last 3 years and a new strategy was being developed for 2017-20 which would reflect the opportunities and challenges for Coventry over the next 3 years.

The Cabinet were advised that the report had also been considered by the Business, Enterprise and Economy Scrutiny Board (3) at their meeting on 20th September 2017, and a briefing note setting out their recommendations was appended to the report. In particular, the Cabinet were recommended to:-

- (i) Include student retention in the City as a key element as part of the next Jobs and Growth Strategy.
- (ii) Consider how it intends to support funding to support the next strategy, particularly in light of Brexit and access to European Union funding sources.

The Cabinet accepted the recommendations from Scrutiny Board (3) and were advised by the Deputy Chief Executive (Place) about the steps already taken in relation to identifying alternative funding streams.

RESOLVED that, the Cabinet:-

- 1. Accept the recommendations from the Business, Economy and Enterprise Scrutiny Board (3) as detailed above.**

- 2. Consider and endorse the progress made by the Jobs and Growth Strategy for Coventry in 2016/17.**
- 3. Recognise the achievements of the Strategy over the last three years.**
- 4. Approve the drafting of a new Jobs and Growth Strategy for 2017-2020.**

55. Extension of the Heatline Network

The Cabinet considered a report of the Deputy Chief Executive (Place), which set out proposals for the extension of the Heatline Network to Friargate and the City Centre Destination Leisure Facility.

A corresponding private report detailing confidential aspects of the proposals was also submitted to the meeting for consideration (Minute 58 below refers).

The Council awarded a contract in 2013 to Coventry District Energy Company (CDEC) to build, and operate a district heating network (Heatline) to heat existing Council buildings and other buildings that connect to the network. The aim of the project was to utilise waste heat supplied by the Energy from Waste (EfW) plant, maximise CO2 savings for the City and extend its reach in the City Centre. Heatline has provided heating to a number of Council buildings in the city centre, the Herbert Art Gallery, Fairfax Street Sports Centre and the Cathedral.

The contract included an obligation on the Council to maintain a minimum floor area of heated buildings and should the floor area fall below this level, it would trigger a review of charges to the Council to ensure the operator was no worse off and that the Council met its existing contractual obligations.

With the Council moving from Civic Centres 1-4 to Friargate and from Fairfax Street to the City Centre Destination Leisure Facility (CCDLF), a floor area review would be triggered and charges to the Council would increase. Extending Heatline to Friargate and CCDLF was the most cost effective way of minimising this impact and would achieve the original aim of expanding the reach of Heatline to its offices and throughout the City Centre. Negotiations had therefore been ongoing between CDEC, Friargate and the Council to extend the network to the Council's new building at Friargate, the wider Friargate development and the CCDLF. The cost of extending the network would be £2.795m.

It was recommended that the Council contribute £1.23m to this project from resources already approved for the Friargate and CCDLF projects as the most cost effective solution for the Council. This would not result in a call for any further monies from the City Council because the revenue costs of the capital funding had already been built into the Councils budgets. The balance of the cost would be met by Friargate LLP and CDEC respectively.

It was noted that there would be a short term revenue impact until the infrastructure was built in 9-12 months, which would be managed through normal budgetary control.

RESOLVED that, the Cabinet:-

- 1. Approve the use of Heatline to provide heating to the Council's building at Friargate and the City Centre Destination Leisure Facility.**
- 2. Approve the investment of £1.23m reallocated from existing resources within the Friargate and City Centre Destination Leisure Facility programmes towards the capital investment costs for a Heatline connection to these two buildings.**
- 3. Delegate authority to the Deputy Chief Executive (Place) and Director of Finance and Corporate Services to sign all necessary commercial contracts with Coventry District Energy Company and Friargate LLP in relation to the provision of the heating to the Council's building at Friargate and the City Centre Destination Leisure Facility**

56. Outstanding Issues

The Cabinet considered a report of the Deputy Chief Executive (Place) that contained a list of outstanding issue items that would be submitted to future meetings of the Cabinet and summarised the current position in respect of each item.

RESOLVED that the Cabinet approves the dates for future consideration of matters relating to the outstanding issue items listed in the report.

57. Any other items of public business which the Chair decides to take as a matter of urgency because of the special circumstances involved.

There were no other items of public business.

58. Extension of the Heatline Network

Further to Minute 55 above, the Cabinet considered a report of the Deputy Chief Executive (Place), that set out confidential aspects of proposals for the extension of the Heatline Network.

RESOLVED that, the Cabinet:-

- 1. Approve the use of Heatline to provide heating to the Council's building at Friargate and the City Centre Destination Leisure Facility.**
- 2. Approve the investment of £1.23m reallocated from existing resources within the Friargate and City Centre Destination Leisure Facility programmes towards the capital investment costs for a Heatline connection to these two buildings.**
- 3. Delegate authority to the Deputy Chief Executive (Place) and Director of Finance and Corporate Services to sign all necessary commercial contracts with Coventry District Energy Company and Friargate LLP in relation to the provision of the heating to the Council's building at Friargate and the City Centre Destination Leisure Facility**

59. **Any other items of private business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

There were no other items of private business.

(Meeting closed at 10.50 am)

Council – 10th October 2017
Agenda Item 11
Recommendation from Cabinet
10th October 2017

Coventry City Council
Minutes of the Meeting of Cabinet held at 12.00 pm on Tuesday, 10 October 2017

Present:

Members:

Councillor G Duggins (Chair)
Councillor A Khan (Deputy Chair)
Councillor F Abbott
Councillor L Bigham
Councillor K Caan
Councillor J Innes
Councillor K Maton
Councillor J Mutton
Councillor J O'Boyle
Councillor E Ruane

Deputy Cabinet Members

Councillor P Akhtar
Councillor R Ali
Councillor B Kaur
Councillor R Lakha

Non-Voting Opposition Members:

Councillor A Andrews
Councillor G Ridley

Employees (by Directorate):

Chief Executive's

M Reeves (Chief Executive), N Hart

People

G Quinton (Deputy Chief Executive (People))

Place

M Yardley (Deputy Chief Executive (Place)), P Helm,
J Newman, M Salmon, A Walster

Apologies:

Councillor Bigham
Councillor Thomas

Public Business

60. Declarations of Interest

There were no disclosable pecuniary interests.

61. **Exclusion of Press And Public**

RESOLVED that the press and public be excluded under Sections 100(A)(4) of the Local Government Act 1972 relating to the private reports in Minute 63 below headed “Project CAP” on the grounds that this report involves the likely disclosure of information as defined in Paragraph 3 of Schedule 12A of the Act, as it contains information relating to the financial affairs of a particular person (including the authority holding that information) and in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

62. **Any other items of public business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

There were no other items of public business.

63. **Project CAP**

The Cabinet considered a report of the Deputy Chief Executive (Place), which set out the confidential proposals in relation to a commercial investment.

RESOLVED that, the Cabinet recommend that Council:-

1. **Approve the use of its powers under Section 12 of the Local Government Act 2003 and Section 1 of the Localism Act 2011 to acquire the shares in the company as a commercial investment for the value up to the sum indicated in the report, subject to any adjustments detailed in the report.**
2. **Approve the addition of the sum indicated in the report (or other figure as agreed under delegated authority) to the capital programme.**
3. **Delegate authority to the Deputy Chief Executive (Place), Director of Finance and Corporate Services and Legal Services Manager, in consultation with the Cabinet Member for Jobs and Regeneration and the Cabinet Member for Public Health and Sport to agree detailed terms of the transaction with the company identified in the report.**
4. **Delegate authority to the Deputy Chief Executive (Place), Director of Finance and Corporate Services and Legal Services Manager, in consultation with the Cabinet Member for Jobs and Regeneration and Cabinet Member for Public Health and Sport to enter into the relevant legal agreements and associated documents necessary to complete the transaction.**
5. **Approve the implementation of the governance structure and associated terms of reference for the Shareholder Panel and Board of Directors, as detailed in Section 2.15 of the report.**

- 6. Approve the appointment of the Leader, the Cabinet Member for Jobs and Regeneration, and the Cabinet Member for Public Health and Sport onto the Shareholder Panel to represent the Council as sole shareholder of the Company.**

- 64. Any other items of private business which the Chair decides to take as a matter of urgency because of the special circumstances involved.**

There were no other items of private business.

(Meeting closed at 12.30 pm)

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Public report
Cabinet

Cabinet

31st October 2017

Name of Cabinet Member:

Cabinet Member for Children and Young People - Councillor E Ruane

Director Approving Submission of the report:

Deputy Chief Executive (People)

Ward(s) affected:

All

Title:

Creation of a Regional Adoption Agency

Is this a key decision?

No - although the proposals affect all wards, the impact is not expected to be significant.

Executive Summary:

The purpose of this report is to seek from Cabinet agreement for the City Council to become part of a Regional Adoption Agency (RAA) via a shared service arrangement with Solihull Metropolitan Council, Warwickshire County Council and Worcestershire County Council. This new Regional Adoption Agency to be known as Adoption Central England (ACE).

ACE will deliver the adoption agency functions of the four local authorities including the assessment, training and approval of adopters, the identification of prospective adopters for children who are in need of a new adoptive family and adoption support to adoptive families and some Special Guardianship support services.

It is proposed that Warwickshire County Council becomes the host authority to facilitate the operational delivery of the shared service; however governance arrangements will ensure that all four authorities retain strategic responsibility for the performance delivery and outcomes.

Recommendations:

Cabinet is requested to:

- (1) Consider the outcomes of the engagement and consultation and the resulting equality impact assessment.

- (2) Delegate authority to the Deputy Chief Executive (Place) (Legal Services) to finalise and approve the Partnership and Hosting Agreement
- (3) Subject to recommendation 2 above, delegate authority to the Director of Children's Services to sign on behalf of the City Council Council a partnership arrangement alongside Solihull Metropolitan Council, Warwickshire County Council and Worcestershire County Council for ACE to undertake the delivery of the City Council's adoption service
- (4) Subject to recommendation 2 above, delegate authority to the Director of Children's Services to sign on behalf of the City Council Council a partnership arrangement alongside Solihull Metropolitan Council, Warwickshire County Council and Worcestershire County Council for ACE to undertake the delivery of some of the City Council's Special Guardianship services
- (5) Approve Warwickshire County Council becoming the host authority to facilitate the operational delivery of the adoption service and some Special Guardianship support services on behalf of Coventry City Council
- (6) Agree the provisional financial proposals as outlined in the financial considerations section below (paragraph 1.12) to fund ACE (as agreed by the ACE Executive Board); and to delegate authority to the Section 151 Officer in consultation with the Director of Children's Services to agree the final value of the total cash limit.
- (7) Delegate authority to Deputy Chief Executive (People) (Human Resources) to progress staffing secondments to Warwickshire County Council as the host authority and to review the status of those agreements within the first twelve months
- (8) To consider any comments and recommendations from the Education and Children's Services Scrutiny Board (2).

List of Appendices included:

Appendix 1 – Staff and stakeholder consultation report
Appendix 2 - Equality impact assessment

Background papers:

None

Other useful documents:

Adoption: A vision for change

<https://www.gov.uk/government/publications/adoption-a-vision-for-change>

DfE paper, published 27 March 2016, updated 19 December 2016

Consultation on proposals to create a Regional Adoption Agency - Cabinet report dated 24th January 2017

<http://democraticservices.coventry.gov.uk/ieListDocuments.aspx?CId=124&MId=11339&Ver=4>

Has it been or will it be considered by Scrutiny?

A Briefing Note on the matter was considered by the Education and Children's Services Scrutiny Board (2) on 12th October 2017

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Creation of a Regional Adoption Agency

1. Context (or background)

- 1.1. It is the duty of every local authority to establish and maintain within their area a service designed to meet the needs in relation to adoption i.e. an Adoption Service.
- 1.2. A policy paper from the DfE in January 2013 – ‘Further Action on Adoption: Finding More Loving Homes’ identified the need for the re-organisation of the existing adoption system based as it is on each local authority delivering an adoption service as well as a voluntary adoption sector. The DfE’s ‘Regionalising Adoption’ paper published in June 2015 spelt out the government’s expectations for all local authorities to be part of regional adoption agencies (RAA). In April 2016 the DfE published a new policy document “Adoption: A vision for Change” in which the government committed to deliver radical, whole system redesign by regionalising adoption services by ensuring all local authorities were part of a Regional Adoption Agency by 2020.
- 1.3. In response Coventry City Council, Solihull Metropolitan Council, Warwickshire County Council and Worcestershire County Council came together to work towards the creation of a Regional Adoption Agency that has been named Adoption Central England (ACE). ACE has an established project team that is leading on the design and creation and as a demonstrator project has closely worked with the Department of Education. The work is overseen by a Project Board and Executive Board on which representatives from all the partner agencies and key stakeholders sit including from the voluntary adoption sector and Coventry University.
- 1.4. It is envisaged that ACE will deliver excellence in practice through innovation and stakeholder engagement to become an innovative adoption service that is “Better than the Best”.
- 1.5. The primary function for ACE will be to achieve permanence for children with a particular focus on enabling a wider range of children to access adoption and will support local authorities in their permanence decision making and practice in accordance with an agreed service specification.
- 1.6. Choice of the Partnership / Host Model**
 - 1.6.1. The Executive Board of ACE attended by the Directors of Children’s Services for each authority considered the options around different types of delivery structures and the preferred option recommended was a partnership host model which was approved as the preferred model to take forward for engagement and consultation by Cabinet on 3rd January 2017.
 - 1.6.2. A period of engagement on the proposed new service took place between the 11th of July to the 11th of August 2017 (the report outcome is appended)

1.7. Financial case

- 1.7.1. A finance group made up of finance leads representing each of the four local authorities have examined current costs and considered future proposals. They have jointly produced the detailed funding proposals which have been considered and agreed in principle by the Executive Board. There is confidence that this detailed financial work will support ACE, once established to maximise its greater scale and reduce unit costs. This will be achieved if a greater proportion of children are adopted through ACE having a sub-regional recruitment strategy. Further, the timely placement of children for adoption will reduce foster care costs and the development of a more comprehensive adoption support service will enhance stability to these arrangements.

1.8 Delivery Hub and Spoke Model

- 1.8.1. The hub and spoke design reflects the two aspects of adoption practice. Primarily, the recruitment of adoptive families, through a central hub. Secondly, and the delivery of services to children with an adoption plan and adoptive families, through spokes that will be located in each of the local authorities. The adoption social workers within the spoke will work closely with the social workers within the local authorities to ensure the timely and smooth transition of children to adoption.
- 1.8.2. Staff will be supported to work flexibly. Each will have a designated base but they will be able to access any of the spokes, the hub or work from home dependent on their work.

1.9. Governance

- 1.9.1. It is proposed that ACE will be governed by an Executive Board made up of senior representatives from each of the local authorities who will have voting rights. In addition there will be Voluntary Adoption Agency (VAA) representation. The aim of the Executive Board is to deliver an effective “Better than the Best” adoption service and will provide strategic direction and oversight.
- 1.9.2. The Executive Board will be supplemented by a Practice and Stakeholder Panel whose primary function will be to operationalise and deliver an effective “Better than the Best” adoption service with responsibility for developing practice and joint partnership working between the local authorities and stakeholders.

1.10. Staff engagement

- 1.10.1. Staff engagement to date has involved sharing information on the proposed model and providing opportunities for staff to give their indicative preferences. They have further been involved in service design opportunities. Along with unions, they have been provided with written information through the series of engagement events held in their local areas between the 11th of July and the 11th of August 2017. (See appendix.)

1.11.1. Staff implications

- 1.11.2. There are approximately 53 staff in scope across the local authorities and approximately 63 posts within the proposed ACE structure. The Executive Board has agreed to a secondment arrangement in order that staff maintain their current terms and conditions.
- 1.11.2. From the indicative staffing preference exercise the majority of staff can be accommodated within their first choice.
- 1.11.3. There is no expectation of redundancies and indeed there will be opportunities within the structure for promotion. Following Cabinet approval formal consultation will be undertaken and arrangements progressed to confirm staff within the new structure.
- 1.11.4. For Coventry City council the staffs affected are:

Grade	Job Title	Number of Posts	FTE
G9	Adoption Panel Advisor	1	0.5
G9	Team Manager	2	1.30
G8	Recruitment & Marketing Officer	1	0.27
G8	Senior Practitioner	1	0.59
G7	Senior Case Worker	3	2.01
G7	Social Worker	4	3.81
G5	Children & Families Worker	2	1.81
G5	Children & Families Worker/SGO Support	1	0.41
G4	Admin Support	3	2.5
	Total	18	13.2

1.12. Financial Considerations

- 1.12.1. From the 1st of February 2018 to 31st March 2019 each local authority would contribute proportionate funding according to its current in-scope costs (based on a three year average of actual income and expenditure):

Transitional Funding (to 31/03/2019):

Parties	Per Annum Funding Contribution (£)
Coventry City Council	£923,500
Solihull MBC	£445,000
Warwickshire County Council	£943,000
Worcestershire County Council	£1,065,500
Total	£3,377,000

- 1.12.2. This contribution is based on existing in-scope costs (as-is position). The final level up to this value will be negotiated under delegation by the Director of Children’s Services (DCS) and S151 officers of each authority.
- 1.12.3. From 1st April 2019 onwards the funding is based on a cost sharing methodology with an in principle fixed cash limit, the 2019/20 cash limit being £3,272,500, the cost sharing methodology and data being reviewed every two years. Again, the final value of the total ACE cash limit will be negotiated by the DCS and the S151 officers of each authority, up to this value.

1.12.4. On-going Funding (from 1 April 2019):

Parties	Cash Limit Funding Share (%)	2019/20 Financial Contribution (2017/18 prices) per Annum (£)
Coventry City Council	29.0%	£949,025
Solihull MBC	11.4%	£373,065
Warwickshire County Council	31.0%	£1,014,475
Worcestershire County Council	28.6%	£935,935
Total ACE Cash Limit	100%	£3,272,500

1.12.5. The cash limit funding shares have been calculated using methodology, which has been agreed in principle by the executive board. The data used to calculate the funding shares will be updated, and the methodology reviewed, on a bi-annual basis in order to provide stability for both ACE and the partner authorities.

2. Options considered and recommended proposal

2.1. Option 1

2.1.1. Cabinet could decide not to proceed any further with a Regional Adoption Agency in partnership with the other identified local authorities.

2.1.2. This is not recommended as the Government has made clear its intention to consider using its power under the Education and Adoption Act 2016 to ensure all local authorities’ adoption functions are being provided by an RAA by 2020.

2.1.3. Doing nothing would also lose the opportunity for the City Council to join with its neighbouring authorities to create a Regional Adoption Agency giving more children the opportunity to find an adoptive family and achieve permanency.

2.2. Option 2

2.2.1. To enter into a partnership agreement with Solihull Metropolitan Council, Warwickshire County Council and Worcestershire County Council to create a shared service to deliver the adoption functions of the authority. This model will operate as a partnership contractual arrangement with staff seconded into the host authority, Warwickshire County Council. The Executive Board will set the budget and strategy with the contractual agreement covering the nature of the financing and sharing at an operational level.

2.2.2. It is this option that provides for new ways of operating whilst minimising financial and HR risks that is recommended.

3. **Results of consultation undertaken**

3.1. The consultation outcome report is appended

4. **Timetable for implementing this decision**

4.1. Should Cabinet agree the recommendations proposed, a formal consultation with staff will take place with gradual implementation and a fully operational Regional Adoption Agency going live on the 1st of February 2018.

5. **Comments from Director of Finance and Corporate Services**

5.1. **Financial implications**

Detailed work has been undertaken to identify the current in-scope costs for the services to be provided by ACE, and to develop an equitable cost-sharing methodology for future cost sharing, which have been agreed in principle by the executive board. This is included in Section 1 of the report.

Each authority will initially contribute a maximum of its current spend on in-scope activities, until April 2019. Therefore there will be no additional spend in 2017/18 or 2018/19 compared with current levels. In the current financial year we are forecasting an underspend due to the level of vacancies in the service. However, the total full year amount to transfer, when fully staffed, is approximately £31k more than the current budget allocation; this is largely due to the fact that vacancies need to be filled, and we are moving away from having a joint fostering and adoption service and therefore need additional management capacity. These financial implications have been dealt with as part of the Children's Services redesign.

From 2019/20 it is proposed that the ACE funding will move to a cost share model, based on activity levels and indicative unit costs. Based on previous year's data, this would result in a potential annual increase in costs of approximately £25.5K (2.8%) for Coventry City Council. This will change however, based on current and future activity levels. Any increase / decrease in funding requirement will need to be met from/ contribute to the existing budget for Children's Services as part of the wider Children's Transformation.

It is important that the performance of ACE (including financial) is monitored and scrutinised closely to ensure that we are receiving an efficient and effective service. This is because adoption performance impacts on the level of the LAC population and ultimately placements and social work staffing costs. Monitoring will be carried out via the Executive Board of ACE, of which the DCSs of all partner authorities are members. The mechanism for monitoring, correcting and potentially funding any variations against the ACE budget are outlined in detail in the host agreement, and will also require regular reporting to the ACE executive board.

5.2 Legal implications

The Adoption and Children Act 2002 is the principle piece of legislation governing adoption and it includes the duty on local authorities to maintain an adoption service in their area.

The Children and Families Act 2014 allows for the Secretary of State by order to require all local authorities in England to make arrangement for some specified functions to be carried out on their behalf by one of more other adoption agency.

These functions include the recruitment of persons as prospective adopters, the assessment of prospective adopter's suitability to adopt a child and the approval of prospective adopters as suitable to adopt a child.

Further the Education and Adoption Act 2016 enables the Secretary of State to require local authorities to make arrangements for their adoption functions to be carried out by a Regional Adoption Agency.

The proposal to create a shared service arrangement enables the City Council to retain its adoption functions whilst having the advantages that a regionalised approach to adoption work brings.

6. Other implications

6.1. How will this contribute to achievement of the Council's Plan?

These proposals contribute to the Council's core aims by ensuring that children and young people are safe, achieve and make a positive contribution.

6.2. How is risk being managed?

The risks for the City Council associated with the proposal are that:

If the Regional Adoption Agency does not perform to expectations - this should be mitigated by robust business and performance management through the governance structure.

Further risks can include the ability for the Regional Adoption Agency to operate successfully within the agreed budget by a robust financial agreement that includes long term funding arrangements as stipulated in the Partnership and Hosting agreement.

6.3. What is the impact on the organisation?

The preferred model reduces impact on staff by creating a secondment arrangement for staff as opposed to the staff transferring into a separate body. ICT services will be delivered by the host who will also provide the hub facilities. Each local authority will be responsible for providing a suitable office premises for their spoke co-located or as near as possible to their children's teams by re-designating part of the existing estate. The hub will be located in Warwickshire at Saltisford Office Park in Warwick.

6.4. Equalities / EIA

ACE is designed to promote opportunities for permanence through adoption of a wider range of children and to broaden the potential range of people considered suitable to adopt.

The main impact on staff will be working in a wider geographical area but flexible working arrangements will mitigate the potential impact.

(See appendix attached)

6.5. Implications for (or impact on) the environment

None

6.6. Implications for partner organisations

The proposals require partnership working and agreement with the other local authorities proposing to share the Regional Adoption Agency and with the voluntary sector. The current Voluntary Adoption Agency (VAA) partnership is for the project period. Following agreement to move into a Regional Adoption Agency a procurement exercise will take place to secure a VAA partnership for ACE. Existing services commissioned from the VAA's will be extended until 30th March 2019. During this period the services will be reviewed and an analysis of needs completed to inform future commissioning activity. The therapeutic framework managed by the City Council which has been extended until the end of March 2019.

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Report to:	Cabinet
Meeting date:	9 th November 2017
Subject/Report Title:	Summary of responses to staff following ACE staff engagement period.
Report from:	Project Team
Lead Contact Officer:	Michelle Whiting Project Lead/ Rita Chohan Project Manager

1. Purpose of Report
<p>1.1 ACE has been working to a Go Live deadline of 1/02/18. The final go live decision is subject to cabinet approval by all four local authorities forming the Regional Adoption Agency.</p> <p>1.2 In order to inform the operating model and impact on staff and services, staff engagement and stakeholder consultation events were delivered from 11 July to August 11th 2017.</p> <p>1.3 This report gives an overview of the:</p> <ul style="list-style-type: none"> • Process followed • Views gathered during the staff and stakeholder events period • Feedback provided • Practice issues resolved.
2. Decision(s) Recommended
<p>2.1 To acknowledge that there are no substantive issues raised that cannot resolved through the proposed ACE delivery mode.</p>
3. Background
<p>3.1 To inform the service redesign and implementation of ACE there has been ongoing engagement events. This process commenced in January 2016:</p> <ul style="list-style-type: none"> • To shape the service design there were over 112 practitioners engaged to gain their working knowledge of adoption services and how to implement improvements. • 6 initial consultation events for staff and stakeholders were held during January and February 2016 and 3 events for adopters.

- These were followed up in July 2017 by 6 engagement events for staff directly affected across all the local authority partners.
- 5 general stakeholder engagement events and specific events for Children and Family Court Advisory and Support Service (Cafcass, court based social workers) and adoption panel members.
- In June 2017 Adopter Voice delivered events and Adoption UK conducted surveys leading to establishing an Adopter Advisory board.
- All of these groups were invited to comment via email or on the staff preference form (comments are attached, appendix 1).

3.2 The July 2017 events staff were invited within each organisation to go through ACE proposals in more detail and informed of the work that is ongoing and to get their views as to how they feel the service will succeed.

3.3 As part of the events and continuing engagement staff were invited to complete preference forms on where, if proposals are adopted, staff would like to work within the new structure to inform the numbers required within the structure going forward.

3.4 They were also be asked whether they would like to be considered for a promotion into a management role (this would be subject to a selection process). Dependant on these results, this may determine the short term structure with a long term structure to work towards.

3.5 It is expected that any vacancies that arise at any time throughout this hosted agreement will be recruited by Warwickshire County Council and may be recruited to meet the needs of the long term structure.

3.6 It is not expected that contractual roles and responsibilities will change, however as this is a new way of working, it may be that day to day duties will be reconfigured.

3.7 Staff member's personal circumstances, professional knowledge of service area and preferred location will be considered.

3.8 There are no post holders expected to be displaced as part of current proposals. There are sufficient posts for the numbers of staff working in all authorities and there are also vacancies in teams which we hope to recruit to once the preference exercise is finalised and the gaps in the structure are identified.

3.9 Any vacancies within the service will be advertised by Warwickshire County Council and appointees will be recruited on Warwickshire terms and conditions of service.

3.10 Following the cabinet decision there will be formal consultation period to agree roles and locations. Once finalised, recruitment into vacancies will commence.

4. Implications

- 4.1 Following an analysis and response to views submitted (appendix 1) there are no practice issues that cannot be resolved. The main area was on location which can be addressed through flexible working arrangements and smarter use of technology.



Staff Engagement Response - September 2017

Below are the responses to suggestions/comments made on staff preference forms and joint comments from the Worcestershire adoption team. These were invited during a staff engagement period from July 11- August 11th 2017 as part of the ACE project. This will help inform the delivery model and final cabinet decision to commence the Regional Adoption Agency.

Suggestions / Comments	Lead Response
1. Pathways into ACE & Pathways to Children's Services	
1.1. Post adoption duty calls to be taken / completed by the specialists not duty	It is hard to quantify what the demand will be so the managers will need to keep this area under constant review in the initial period in terms of resourcing this with staff. The hub and each spoke will have a clear entry point which will be drawn up as pathways into the service
1.2. This is before consideration is given to how this will sit within needing to work closely with our colleagues in each LA Safeguarding/LAC Permanency/Early Help (etc.) Department 1.3. Concerned about working relationships with local children's services	There are clear pathways being drawn up and agreements made with each authority as to how adopted and SGO children access Early Help, Children in Need and Child Protection Services which clearly identify the differing responsibilities of the LA & ACE workers. In addition there will be regular meetings with the relevant managers in each authority in addition to the opportunities to raise issues via the Governance mechanisms
2. Administration	
2.1 The letterbox role within Worcestershire currently generates a large amount of birth relative support/adoption	The consultations and service design have highlighted the importance of back office support in delivering an efficient

<p>support work which requires constant Social work overview. Our letterbox co-ordinators are extremely experienced in a very specialised role and I would question why this will be managed by a non-social worker manager? This leaves room for risk to be missed as workers are not trained social workers, neither would there be a social worker management overview.</p> <p>2.2 Admin support is always lacking as it is more cost effective than SWs</p> <p>2.3 Admin is especially needed in the HUB as can see it becoming a mini MASH and proving difficult to manage</p> <p>2.4 More admin time would also be helpful as they are currently stretched to the limit. Have already been looking at ways of helping with the work and devising forms that give the relevant information more easily</p> <p>2.5 An allocated admin person has been really important for me and someone who understands the system, especially as I am not in the office regularly. I have been very lucky with my recent supports, though am aware that they are stretched and so try to complete as much as I can on my own</p> <p>2.6 I do feel that the whole process has been very social worker led and the necessary administration processes do not appear, at this stage, to have been considered / communicated thus causing considerable anxieties within the business support team.</p> <p>2.7 One admin worker covering post order support and family finding seems inadequate and will be a huge role.</p>	<p>modern adoption service. Now we are at a point where we are clearer about ICT delivery timescales and the service specification we will review whether we have sufficient skilled administrators to commence the organisation.</p>
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3 Management/ diversity and salaries	
<p>3.1 Could an ATM post be considered within the spokes due to the number of staff that one manager can supervise (esp. at Solihull with the responsibility for the Therapeutic team)</p> <p>3.2 A reduction in manager roles within the spoke would indicate that there will be a reduced number of staff to provide the same roles across the area. One manager covering post order support and family finding seems inadequate and will be a huge role.</p> <p>3.3 Male / female and diverse ratio of social workers, as you discusses sensitive issues that need a mixed workforce to respond to and meet this need.</p> <p>3.4 Salary indifferences across the LA through ACE, for doing same roles, both this and next year.</p>	<p>The number of management posts have not been reduced there was x team and service managers and in the proposed ACE structure there are y. The proposed structure was designed to ensure that the span of supervision for managers (number of reports) is even and equitable.</p> <p>A larger regional service should support greater diversity but we will need to monitor this.</p> <p>We compared the LA payscales and there are differences across the authorities but the key differences are at the start and end of the pay scales. Most of the staff sit in the middle so there is not a huge variance in the actual pay of staff in scope.</p> <p>We did spend a lot of time considering this but our consultations with you to date led us to believe that at this point maintaining your existing terms and conditions was more important than homogenising the pay scales.</p>
4 Structure	
4.1 Why have a hub and a spoke?	

- 4.1.1 Division of part of the service into spokes and Hubs will lose valuable working relationships
- 4.1.2 To have assessment worker's based in the Worcestershire Spoke with family finding and children's social worker colleagues. At present, this aids family finding and joint working with children's social worker's. In addition, experience and consultation between colleagues is productive to everyone involved. There is good team work and support. This is valuable in making good placements for children, planning placements, support of children and families after placement. As was mentioned in the joint assessment team statement to ACE, Worcestershire Adoption Service was credited for their function in the recent Ofsted inspection.
- 4.1.3 Division of part of the service into spokes and Hubs will lose valuable working relationships
- 4.1.4 To have assessment worker's based in the Worcestershire Spoke with family finding and children's social worker colleagues. At present, this aids family finding and joint working with children's social worker's. In addition, experience and consultation between colleagues is productive to everyone involved. There is good team work and support. This is valuable in making good placements for children, planning placements, support of children and families after placement. As was mentioned in the joint assessment team statement to ACE, Worcestershire Adoption Service was credited for their function in the recent Ofsted inspection.
- 4.1.5 There is not enough information at this stage regarding how this model will work in practice to comment about how it could be improved. Splitting out the roles in this way raises concerns about efficient working together

One of the key benefits of scaling up adoption activity from Local authorities to a regional approach via ACE that we identified was the ability to improve recruitment particularly for the 20% of children that we struggle to place and that we revise our assessment processes to broaden our cohort of adopters and brining new ways of working which help them test out whether they might be able to parent a child or children with higher needs. ACE has been awarded practise improvement grant to develop a new approach which includes upskilling our workforce and adopters with evidenced based methodologies

between Duty, Recruitment, Assessment, Family Finding, Panel, Pre-Order and 12 months post-order support, letterbox and then Post Order Support.

4.1.6 I welcome the opportunity to share resources such as training, knowledge and placements with colleagues from other areas and see ACE as an opportunity to share and pool the good practice from each area.

4.2 Should non agency (step parent) adoptions be in the Hub with adopter assessments?

<p>4.2.1 Move non agency assessments into the HUB and bring the other training post order into the spokes where the connection with the community is</p> <p>4.2.2 Non agency assessments would be undertaken by assessment workers not post adoption workers.</p> <p>4.2.3 Logical sense to put step parent and adoption parent assessments in the same place be it Hub or Spoke</p> <p>4.2.4 Non agency adoptions should be part of the adoption team rather than the adoption support and family finding function</p>	<p>We will reconsider whether non -agency assessments should be in the Hub or the spokes</p>
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4.3 Should post adoption and family finding be in the same team?

<p>4.3.1 Separate out post adoption support from family finding and bring access to birth records into the spokes to be close to post adoption support</p> <p>4.3.2 Not sure how family finding fits in and if it's a separate role to post adoption</p> <p>4.3.3 Need assessment workers in the spokes or at least working in the spokes for the most part of the working week</p> <p>4.3.4 Birth records counselling best placed with adoption support</p> <p>4.3.5 present ACE structure doesn't lend itself to people with post adoption skills</p> <p>4.3.6 Family finding is suited best within the HUB and with the assessment side of the work</p>	<p>The thinking was that the spokes are predominantly teams undertaking child focused work and that it is critical that they are closely connected with their respective Local Authority Childrens Services which is why they are based in each LA. The hub teams' work is predominantly adult focused. However we appreciate that adoption services are complex and it is critical that the Hub and spoke teams work closely together and the work can be split along different lines. Your comments will be considered by the managers and the structure reviewed.</p> <p>There are 2 schools of thought as to which is most efficient highly specialised staff doing 1 role e.g. post adoption support or a more generic role. As discussed at the consultation one size</p>
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<p>4.3.7 Completing birth records as part of the HUB</p> <p>4.3.8 Would like more information regarding the role/distribution of the social workers in the Hub i.e. will there be sub teams for stage 1 and recruitment?</p> <p>4.3.9 Training for adopters and SGOs (Post Order) will need to remain local to where they live</p> <p>4.3.10 I am not yet fully clear on what the proposed family finding process will look like but I would also be concerned about the family finders and the assessing workers being separated. At present as both are in the same location it allows for valuable discussion and "thinking outside the box" to happen. This has meant that adopters have been allowed the opportunity to consider children outside of their original "criteria" and families can be found for children whom perhaps they wouldn't have been otherwise.</p> <p>4.3.11 Panels – it is not clear where these will be held however I would advocate that these need to remain local to each authority. If they are all held in the Hub this will have significant financial and time implications with many social work hours wasted travelling to and from panel; hours which the children's social workers in particular cannot afford to lose.</p>	<p>doesn't fit all and although the same standards will be expected from each team there is room for the team managers to consider the skills experience and ambitions of their staff group and deploy the work accordingly. So some workers may choose to have a very specialised case load and others be more generic. But just as now, the team will need to cover the work and there may be times when some flexibility is required.</p>
<p>5. Geography</p>	
<p>5.1 I think that it is important that Adoption Panels, for matches and suitable to adopt applications, are held at each of the spokes to limit travelling time / expenses for local authority social workers and adopters living locally.</p> <p>5.2 We already have an excellent and effective Adoption</p>	<p>It is proposed that the ACE panels will be held in each of the authorities on a proportionate basis but that any panel can be accessed thus reducing the need for additional panels.</p> <p>The members of the current central list will be invited to join an</p>

<p>Panel within Worcestershire that are committed and passionate to obtain permanency and achieve successful outcomes for Worcestershire children however, if necessary, we could draw upon a larger ACE Central List to increase diversity / knowledge at local Panels as appropriate.</p> <p>5.3 If the regulations allow however for all of the panels to have an "ACE" identity, this could allow for far more flexibility and therefore more approvals and matches to be made in a timely manner. For example if there is a match for a Worcestershire child but no space for a while in the Worcester based panel, but there is a space in the Coventry based panel, then the match could be presented to the Coventry panel to allow the match to proceed without delay.</p> <p>5.4 Understand the need for assessments to be standardised across the whole of ACE but could this not be achieved by the workers being under the same management, attending team meetings and joint training?</p> <p>5.6 Birth parent services – these are to be based in the HUB? Presumably there wouldn't be an expectation that birth parents travel to the Hub? Birth parents find it very difficult for a variety of reasons to travel to local venues so this distance would make it almost impossible for them to engage with this service.</p> <p>5.7 Post adoption support best placed to be in the South of Warwickshire where the majority of adoptive resides</p> <p>5.8 Concerned about the spoke for Warwickshire being in the North when the majority of the adoption work is in the South</p> <p>5.9 However I would like to reiterate that I do have some concerns about the proposal that the assessment workers</p>	<p>ACE central list.</p> <p>This is what is proposed. In terms of base ACE will support Flexible working but will want also to develop team identities and Cover the work.</p> <p>This is being reviewed by the Lead manager but while the service may be based in the hub the services May be based in the hub there will still be local delivery.</p> <p>The spoke teams need to be large enough to be viable. It is not possible to have workers based in each area of each local authority.</p>
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<p>are based in the Hub.</p> <p>5.10 This would have a significant impact on the amount of travel that they would incur which would not only have an impact on them personally financially but will also impact on the amount of time that they have to actually undertake their work as they will be spending more time on the road.</p> <p>5.11 It has the potential to make it more difficult for them to support their adopters because of the distance. I understand that they will not be expected to always be at the Hub but will space be designated for them at the Spokes? If not they could very much feel like they are in no man's land and could become very isolated from other worker</p> <p>5.12 There are improvements that could be made to enable a quicker service, which would mean other equipment which can be used at home.</p> <p>5.13 Is it expected that the Assessing Social Workers in ACE will be allocated assessments in their Local Authority areas, as at present?</p> <p>5.14 "We envisage that employees working within the Hub would be required to work from the Hub for a proportion of the working week": what 'proportion' is envisaged, and for what purpose?</p> <p>5.15 If we are expected to be 'flexible and agile' in our working, though based at the Hub, would there be provision for us to work in other locations, including the Spoke(s), or from home? If the latter, what provision will there be for the costs of agile working (namely heating, Wi-Fi, printing)?</p> <p>5.16 If we are to be 'based' at the 'hub' in Warwick, what is it envisaged we would actually be <i>doing</i> when there, given that most of our work needs to happen where adopters, foster carers and other professionals are?</p>	<p>We believe that this can be addressed through flexible working. All ACE workers will have a designated base but will also be able To work from any of the hub or spoke offices, home or other Suitable sites dependent on service requirements.</p> <p>It is proposed to kit social workers with a lightweight laptop and Smart phone</p> <p>Managers will want to make the best use of their social workers And will endeavour to give them workloads which take of their particular circumstances, experience , interest and ambitions with the caveat that service needs must be met.</p>
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<p>5.17 Therapeutic intervention is provided from one location be it either the HUB or Spoke and may have an impact on preferences for HUB and Spoke</p> <p>I have worked in a team, in another authority, where the central office was a distance away and the teams were based in localities. The teams' were managed centrally by a manager, based at the central office. The team met for monthly team meeting. This model worked well</p>	<p>It is proposed that the therapeutic team is managed by the Solihull spoke in order to balance numbers. They will not all Necessarily be based there</p>
<p>6. Workforce</p>	
<p>6.1 Difficulty to see how regionalisation will improve service delivery</p> <p>6.2 Thinks regionalisation will create some real positives</p> <p>6.3 Under estimation on how people may feel about location, pay differences, sense of losing team and not knowing who the manager is you are working for</p> <p>6.4 The process of regionalising certain processes and aspects of the model is a significant concern that this could cause delay for the child</p> <p>6.4 Workforce Like to enhance skills within other specialist areas</p> <p>6.5 Would like opportunity to diversify and learn as splitting up the role</p> <p>6.6 Training has been an issue and it has been the case that the work I do is less important than that of others and so I have been the last to get any training. I tend to look at issues in my own time, although there are new systems in</p>	<p>Regionalisation is untested however the work practitioners have completed have identified a number of areas where practice can be improved. The DFE feel that working on a larger scale will Support efficiencies.</p> <p>The impact of change cannot be underestimated and we will continue to work in an inclusive and sensitive manner to help mitigate this and identify key managers as quickly as possible. The Coram I tracking and systems should prevent this. These will start before Go live to ensure that they are robust and are preventing delay</p> <p>A comprehensive workforce development plan is being developed with additional opportunities being offer by the practice improvement grant.</p> <p>This will be for all ACE workers a programme for adopters and some of the local authority social workers</p>

<p>place that I can now access.</p> <p>6.7 Training should be integral part of the post adoption work</p> <p>6.8 Training being given by workers in the spoke needs to be the opportunity for personal development e.g. train the trainer</p> <p>6.9 Workforce Currently, I feel there is a skills shortage and understanding of how best to support Adoptive and SGO families at risk of breakdown through clear understanding of how to improve from attachment focused work. I do feel this is a great opportunity to provide a consistent approach to aiding quick response to support and making clear a pathway of support. I would like a greater focus on this through our main functions of work as this will aid start to finish of adoption from assessment to Adoptive Adult information.</p> <p>6.10 Workforce The future role of in-house therapy- and training for adopters / carers</p> <p>6.11 Additional staff required for SG cases.</p>	<p>Additional social work posts have been included to cover the special guardianship work</p>
<p>7. ICT, equipment and parking</p>	
<p>7.1 Important to be able to view active records to determine other services involvement and therefore IT systems need to be able to facilitate this.</p> <p>7.2 Related to the above, what will be the arrangements for administrative support and functions, eg printing and distributing reports, receiving and sending post, co-ordinating meetings/diaries and so on?</p> <p>7.3 Is there actually sufficient parking and office</p>	<p>Independent agencies are not able to view local authority records. There will be robust protocols regarding provision and timeliness of information. Clear pathways for children who are accessing other local authority services are being drawn up. Ace governance gives a platform to continue to develop any areas identified by practitioners.</p> <p>Back office services will be delivered by the HOST. There are detailed project groups addressing these areas</p>

<p>accommodation at Saltisford, or might we end up driving up to 90 minutes from home only to find we have nowhere to sit and work, especially as it could happen that many workers from the different areas could be at the office on the same day?</p> <p>7.4 Car park passes would be beneficial for all (particularly for Coventry) as this would allow staff to easily travel for meetings etc. to each office.</p> <p>7.5 Given that, if this plan goes ahead, we would be expected to move our base to Warwick, we would expect our additional travelling time to a new base in a different county on us to be absorbed in our working hours, plus our additional travel and parking costs to be met. Would this be part of the secondment arrangements?</p>	<p>We believe that there is sufficient office space and will monitor this closely. There are range of alternative car parking sites around the Saltisford area</p> <p>Both of these are being addressed by the HR group. There will be clear agreed policy re travel arrangements</p>
<p>8. Court</p>	
<p>8.1 Sometimes there needs to be a link with the local court that can look at issues relating to cases, but I am led to believe that this liaison no longer happens.</p> <p>8.2 There also needs to access to a legal team and although they rarely get involved, it is a useful service for me in unusual circumstances</p>	<p>ACE will have access to legal services. Ace has connected with the various courts and family justice board and will continue to do so. CAFCASS have agreed to be on the ACE stakeholder governance group</p>
<p>9. General</p>	
<p>9.1 Birth Parent service is very cost effective.</p> <p>9.2 If the model changes, staff views and indications may</p>	<p>There have been no indications that the model itself needs to</p>

<p>change.</p> <p>9.3 Will need to be a smooth transition for new arrangements and how any new arrangements are communicated to birth relatives is key – Letterbox.</p> <p>9.4 Clinical supervision will need to be provided to provide quality therapeutic support to families.</p> <p>9.5 It would also be helpful if the Part 5 form could be revised as it is incredibly repetitive, but believe that this would not be possible.</p> <p>9.6 Good model.</p> <p>9.7 As the model stands today, it is hard to comment on improvements as I cannot visualise the details of how it will work. I can and would like to see as mentioned above a greater focus on child and parent support.</p> <p>9.8 Organisation of activities for adoptive children to celebrate and support them questioning their identity through the age ranges.</p> <p>9.9 Ensure that best practise from the working groups is captured and used within ACE.</p> <p>9.10 Will the business support officers also be seconded for 12 months in the first instance?</p> <p>9.11 Data protection how will ace share information e.g. sensitive medical information with other agencies</p>	<p>change although the lead manager is reviewing where some of The functions are best delivered as a result of this exercise. Staff Will be made aware if any proposed changes prior to formal consultation but all services are tweaked and developed over time.</p> <p>This is being addressed</p> <p>This is part of the practice improvement bid.</p> <p>The scale of ACE allows this to be further developed.</p> <p>The work of the practice groups is being used to develop the case recording system, policy and procedures. The new service design will be shared through induction sessions</p> <p>Yes all staff will be seconded for 12 months</p> <p>This is being addressed by the ICT group who are setting up an information sharing system which meets data protection</p>
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9.12 What is the rationale for us continuing to 'casework' the families for 12 months post-Order?

requirements

OFSTED recognised this as good practise but more importantly is allows adopters to have a worker who knows them and their child supporting the early period of adoption, this may be very light touch in many instances, but where more is required or the support plan needs to change this known worker can then do a tapered hand over to the postadoption support team. This is particularly important as it is ACE ambition to enable more challenging children to be adopted. Therefore we must have robust support systems which reflect the adopters articulated view that they need someone who knows their story and understands their child.

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APPENDIX 2

EQUALITY IMPACT ASSESSMENT/ ANALYSIS

**Adoption Central England
Regional Adoption Agency Project**

Incorporates

**PL-CSOC-05
Regional Adoption Agency**

Warwickshire County Council

Equality Impact Assessment/ Analysis (EqIA)

Group	People Group
Business Units/Service Area	Children's & Families
Plan/ Strategy/ Policy/ Service being assessed	Adoption Central England/ Regional Adoption Agency project
Is this is a new or existing policy/service? If existing policy/service please state date of last assessment	EIA completed 12/04/2016 Reviewed 22/8/16 Reviewed 26/09/17
EqIA Review team – List of members	Michelle Whiting Interim Project Manager Rita Chohan Project manager
Date of this assessment	12/04/2016 Updated 12/08/16 Updated 26/09/17
Signature of completing officer (to be signed after the EqIA has been completed)	
Are any of the outcomes from this assessment likely to result in complaints from existing services users and/ or members of the public? If yes please flag this with your Head of Service and the Customer Relations Team as soon as possible.	No
Name and signature of Head of Service (to be signed after the EqIA has been completed)	Beate Wagner Head of Service Social Care and Safeguarding
Signature of GLT Equalities Champion (to be signed after the EqIA is completed and signed by the completing officer)	Chris Lewington Head of Strategic Commissioning

A copy of this form including relevant data and information to be forwarded to the Group Equalities Champion and the Corporate Equalities & Diversity Team



*Working for
Warwickshire*

Form A1

INITIAL SCREENING FOR STRATEGIES/POLICIES/FUNCTIONS FOR EQUALITIES RELEVANCE TO ELIMINATE DISCRIMINATION, PROMOTE EQUALITY AND FOSTER GOOD RELATIONS



High relevance/priority



Medium relevance/priority



Low or no relevance/ priority

Note:

1. Tick coloured boxes appropriately, and depending on degree of relevance to each of the equality strands
2. Summaries of the legislation/guidance should be used to assist this screening process

Business Unit/Services:	Relevance/Risk to Equalities																										
State the Function/Policy /Service/Strategy being assessed:	Gender			Race			Disability			Sexual Orientation			Religion/Belief			Age			Gender Reassignment			Pregnancy/ Maternity			Marriage/ Civil Partnership (only for staff)		
	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
ACE/ Regional Adoption Agency Project		x		x			x				x		x			x					x			x			x
Are your proposals likely to impact on social inequalities e.g. child poverty for example or our most geographically disadvantaged communities? The move from local authority adoption services to regional agencies is to enable more children including children for whom it is more challenging to find adopters (who are typically older children , children with additional needs/ disabilities, ethnic backgrounds) to be placed																								YES			
Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes please explain how.																								NO			

Form A2 – Details of Plan/ Strategy/ Service/ Policy

Stage 1 – Scoping and Defining	
(1) What are the aims and objectives of Plan/Strategy/Service/Policy?	To make adoption services more efficient and effective for children and their adoptive families by undertaking them on a regional rather than Local Authority basis
(2) How does it fit with Warwickshire County Council’s wider objectives?	<ul style="list-style-type: none"> - Our communities and individuals are safe and protected from harm and are able to remain independent for longer. - The health and wellbeing of all in Warwickshire is protected. - Resources and services are targeted efficiently whether delivered by the local authority, commissioned or in partnership.
(3) What are the expected outcomes?	To improve the number and range of available adopters to meet the needs of children. To improve the timescales and quality of the adoption service. To be innovative and meet the needs of children and their adoptive families
(4) Which of the groups with protected characteristics is this intended to benefit? (see form A1 for list of protected groups)	This will primarily benefit the children and their adopters or carers with Special Guardianship Orders
Stage 2 - Information Gathering	
(1) What type and range of evidence or information have you used to help you make a judgement about the plan/ strategy/ service/ policy?	The project and proposed changes are as a result of Government research and policy as stated in Adoption Time for Change DFE 30/4/2016
(2) Have you consulted on the plan/ strategy/ service/policy and if so with whom?	Initial Consultation processes with staff, decision makers and stakeholders took place over March. The project plan has a 2 step decision making process with consultation planned to support main decision points. In our current plan this the DfE have changed the parameters and the decision making points are now December 16 so that there can be a full consultation over January 2017 with a proposed Go Live point of June 2017. There will be an impact on staff but at this point it is not known what the size of staff

	<p>composition for the ACE RAA will be nor the methodology as to the staff that will be employed. These options are being worked up for the detailed January consultation The communication plan will include which groups will be consulted and when. The January consultation will be conducted with staff, managers, decision makers and stakeholders.</p> <p>UPATE – A delay in the project has led to staff engagement and stakeholder consultation events being delivered form July 11- August 11 2017. As part of this staff were invited to complete Indicative preference forms to give an early indication of staffs support of the delivery model and preferred locations.</p>		
(3) Which of the groups with protected characteristics have you consulted with?	<p>We plan to consult with staff and the public once the council has agreed the way forward. Equality monitoring of consultation participants will be undertaken, including consideration of all the protected characteristics.</p> <p>UPDATE – Engagement events were delivered to all staff in scope. This will be followed by a formal consultation following cabinet approval of the RAA in November 2017.</p>		
<u>Stage 3 – Analysis of impact</u>			
(1) From your data and consultations is there any adverse or negative impact identified for any particular group which could amount to discrimination?	RACE No negative impact only positive as the RAA aims to improve adopter numbers for specific race, age and disability groups	DISABILITY No	GENDER No
If yes, identify the groups and how they are affected.			
	MARRIAGE/CIVIL PARTNERSHIP No	AGE NO	GENDER REASSIGNMENT No

	RELIGION/BELIEF No	PREGNANCY MATERNITY No	SEXUAL ORIENTATION NO
(2) If there is an adverse impact, can this be justified?	N/A. Any adverse impact highlighted through consultations will be worked through for resolution		
(3) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)	There is no negative or adverse impact identified at present but may be subject to change based on feedback through the consultation. UPDATE – There are number of concerns of the location of the Hub particularly by staff currently based in Worcestershire. This impacts 5-8 staff transferring to Hub functions planned to be delivered in Warwickshire. An agreement has been reached to allow flexible working for all staff and requirement for Worcestershire staff to work from Warwickshire to a minimum. The use of technology will assist in staff communicating with Hub based colleagues.		
(4) How does the plan/strategy/service/policy contribute to promotion of equality? If not what can be done?	The RAA is designed to promote equality in that more harder to place children should have the opportunity of adoption		
(5) How does the plan/strategy/service/policy promote good relations between groups? If not what can be done?	The project is designed so that stakeholders are built into the governance of the new RAA and will have a greater say about the design and running of the RAA		
(6) Are there any obvious barriers to accessing the service? If yes how can they be overcome?	No, We are exploring innovative methods so that different groups can access the new service. As well as having services locally we are looking at how technology can enable accessibility.		
(7) What are the likely positive and negative consequences for health and wellbeing as a result of this plan/strategy/service/policy?	Adopters and Carers of children subject to Special Guardianship Orders are, where appropriate, will be offered a range of support in order to meet the child's social, emotional, physical and psychological needs.		

(8) What actions are going to be taken to reduce or eliminate negative or adverse impact on population health? (This should form part of your action plan under Stage 4.)	n/a
(9) Will the plan/strategy/service/policy increase the number of people needing to access health services? If so, what steps can be put in place to mitigate this?	NO
(10) Will the plan/strategy/service/policy reduce health inequalities? If so, how, what is the evidence?	NO

<u>Stage 4 – Action Planning, Review & Monitoring</u>	The proposals towards the move to a Regional Adoption agency will go for decision December 2016 and March 2017 when the EOI will be reviewed																								
If No Further Action is required then go to – Review & Monitoring	EqIA Action Plan																								
(1) Action Planning – Specify any changes or improvements which can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.	<table border="1"> <thead> <tr> <th>Action</th> <th>Lead Officer</th> <th>Date for completion</th> <th>Resource requirements</th> <th>Comments</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Update EqIA</td> <td>Project manager</td> <td>December 2016</td> <td>Named worker</td> <td></td> </tr> <tr> <td>Consultation</td> <td>Project lead</td> <td>23 Nov- 23 Dec 2017</td> <td>Project Admin to co-ordinate</td> <td></td> </tr> </tbody> </table>					Action	Lead Officer	Date for completion	Resource requirements	Comments						Update EqIA	Project manager	December 2016	Named worker		Consultation	Project lead	23 Nov- 23 Dec 2017	Project Admin to co-ordinate	
Action	Lead Officer	Date for completion	Resource requirements	Comments																					
Update EqIA	Project manager	December 2016	Named worker																						
Consultation	Project lead	23 Nov- 23 Dec 2017	Project Admin to co-ordinate																						

	Respond to consultation to reach resolution	Project lead	Jan 2018	Project Admin to co-ordinate	Managers to monitor impact
(2) Review and Monitoring State how and when you will monitor policy and Action Plan	The project and move to the RAA is monitored by the Project Board with decisions being made in February 2017 and Oct/Nov 2017				

Please annotate your policy with the following statement:

**'An Equality Impact Assessment/ Analysis on this policy was undertaken on 12/4/16 and was reviewed 22/8/16 the next review is due December 2016
Reviewed and updated 26/09/17**

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To: Cabinet

Date: 31st October 2017

Subject: Creation of a Regional Adoption Agency

1 Purpose of the Note

- 1.1 To inform Cabinet of the outcome of the consideration of a briefing note on the Regional Adoption Agency.

2 Recommendations

- 2.1 Cabinet are recommended to accept the approach to a regional adoption agency as proposed in the briefing note received by the Educations and Children's Services Scrutiny Board.

3 Information/Background

- 3.1 At their meeting on 12th October 2017, the Education and Children's Services Scrutiny Board considered a briefing note on the Creation of a Regional Adoption Agency.
- 3.2 Members questions officers on the following:
- The rationale behind the choice of regional partners
 - Concerns about the performance of partners' Children's Services
 - Governance structures and accountability, including the inspection process
 - The arrangements for current adoption panels
 - Arrangements for transfer of staff, including morale, protected pay and contrast of Warwickshire's terms and conditions.
 - What responsibilities lie with Adoption Central England and the local authorities, in particular, matching and adoption decision making.
 - Details of the funding arrangements
 - Where responsibility for post-adoption support will lie, including assessment and delivery of service, and that it will be available for families over a long period of time.
- 3.3 Members were satisfied with the responses they received from officers and endorsed the approach proposed in the briefing note.

Gennie Holmes
Scrutiny Co-ordinator
Place Directorate
024 7683 1172
gennie.holmes@coventry.gov.uk

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Cabinet
Council

31 October 2017
5 December 2017

Name of Cabinet Member:

Cabinet Member for Children and Young People - Councillor E Ruane

Director Approving Submission of the report:

Deputy Chief Executive (People)

Ward(s) affected:

All Wards

Title:

Youth Justice Plan

Is this a key decision?

No – Although the Plan covers all Wards of the City, it is not anticipated that the impact will be significant

Executive Summary:

This report is being submitted as notification that The Coventry Youth Offending Service (CYOS) Youth Justice Plan has been agreed and signed off by its Statutory Partners, and to seek Council endorsement.

Youth Offending Teams (YOTS) were established under the Crime and Disorder Act 1998 (CDA). The functions assigned to the YOS include the duty upon the local authority under the Children Act 1989 to take all reasonable steps to encourage children not to commit offences. The Act imposed a duty on each Local Authority acting in cooperation with its Statutory Partners, (Police, Health and Probation) to ensure that all youth justice services are available in their area to such an extent as it appropriate for the area.

The key tasks of the service are:

- Assessing and delivering interventions to the out-of-court-disposal cohort
- Management and delivery of community sentences
- Management and delivery of secure estate sentences and resettlement
- Servicing the Youth Court and Crown Courts (in terms of provision of a court team , bail & health assessments, provision of pre-sentence reports and stand down reports)
- Victim services
- Parenting services and management of Parenting Orders

The CDA legislation also imposed a duty to complete and submit a Youth Justice Plan each year.

The Plan provides an overview of CYOS achievements against key indicators, plans and targets, and identifies the key strategic actions for the next 12 months.

Statutory Partners (Police Health, Probation, and Local Authority, represented by The Director of Children Services) agreed and signed off on the Plan at CYOS statutory Board meeting on the 31 of July 2017.

Recommendations:

The Cabinet is requested to:

- 1) Recommend that the Council endorse the Youth Justice Plan.

The Council is requested to:

- 1) Endorse the Youth Justice Plan.

List of Appendices included:

The Coventry Youth Offending Service Youth Justice Plan 2017-18

Background papers:

None

Other useful documents

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

Yes – 5th December 2017

Report title: Youth Justice Plan

1. Context (or background)

1.1. The Youth Justice Plan (the Plan) is completed annually, agreed by CYOS Management Board members and submitted to The Youth Justice Board. The current Plan has secured Board sign off and Council's endorsement is being sought. If the plan is not submitted it breaches legislative requirements and places CYOS in breach of its Youth Justice Board (YJB) conditions of Grant agreement. This year 2017/18 the YJB grant is £494,173 .

1.2. CYOS is required to report against 3 national indicators

- Reducing the number of young people entering the youth justice system as First Time Entrants (FTEs)
- Reducing re-offending
- Reducing the use of custody for young people

1.3. During 2016/2017

1.3.1. The Service has experienced an increase in First Time Entrants (FTEs). These are young people who receive their first substantive criminal justice disposal, Youth Caution, Youth Conditional Caution or Court conviction. There has been an increase in non-diversion eligible cases. Locally, for example, there has been an increase in motoring offences 4.8% of total offences in 2015/16 Vs 10.9% in 2016/17. The FTE rate of increase has slowed in spite of an increasing number of high gravity offences for example Robbery which increased from 18 in 2015/16 to 28 in 2016/17.

1.3.2. Against the reoffending National Indicator counting rule, there has been an increase. It is very important to note that in real terms, the absolute number of offenders, re-offenders and re-offences continues to reduce. When compared to the previous counting period CYOS had 10 less young people go on to reoffend and 30 less offences committed. CYOS binary rate (the number of young people who re-offend) is lower than its family group members and higher against the re-offences rate (the average number of re-offences).

1.3.3. The use of custody fell to record low rates at 0.55 as a rate per 1000 of the 10-17 year old population. When compared to the previous counting period there were 2 less custodial episodes and 3 less young people entering custody. The services 16/17 custody rate is below that of the family group average 0.55 vs 0.68.

1.3.4. Remand use declined sharply, with the number of bed nights used falling from 650 last year to 413. A significant fall of 36%.

1.3.5. An independent service user survey undertaken by her Majesty's Inspectorate of Probation identified that 98% of respondents said that CYOS took their views seriously all of the time or most of the time, 100% said that the YOT worker did enough to help them take part in their order and 77% said they were a lot less likely to reoffend.

1.3.6. CYOS received the Restorative Justice Councils, Restorative Services Quality Mark, at the time of writing the Youth Justice Plan, approximately 30 YOTS had secured the quality mark.

- 1.3.7. CYOS was inspected by Her Majesty's Inspectorate of Probation for England and Wales (HMIP) during June 2016. They stated in their summary that "overall CYOS was performing well in most areas of practice" There were areas of practice that required further scrutiny and additional workshops and audit followed. CYOS have recently entered in to another peer audit arrangement with two other YOTS to secure external oversight and quality assurance.
- 1.3.8. The Youth Justice Board (YJB) congratulated Coventry YOS "for a good short quality screening report; engaging young people and assessment of offending behaviour a real strength".
- 1.3.9. The service has extended the range of CYOS partners who benefit from reparative activities outcomes and unpaid work services from CYOS young people. One of the new partners is Sowe Valley where young people pick up litter and undertake conservation work such as clearing ivy off trees.

1.4. **Our Priorities for 2017/2018 Include**

- 1.4.1. **Work at a city wide level to raise awareness of the dangers and implications of knife crime and other weapons.** The service is working with Streetdoctors a national award-winning charity, which uses volunteer doctors to deliver face-to-face sessions with young people. It is anticipated that the intervention will equip young people with practical skills to save lives, change attitudes and reduce the likelihood of violence.
- 1.4.2. **Sustain the range of out of court disposals.** There is a risk that the funding from Coventry's Police and Crime Board, which primarily supports Enhanced Community Resolutions, will not be available going forward. The West Midlands Police Crime Commissioner has expressed an intent to deliver responses at a regional level, and it is not yet clear which types of activities he will choose to support. CYOS will work with other youth offending teams within the West Midlands footprint to provide evidence-based arguments to seek to ensure continued funding of local priority practice areas.
- 1.4.3. **The service will continue to focus on the number of Looked After Children (LAC) entering the criminal justice system.** Current developments include scrutiny of decisions made at placements in the context of whether the correct restorative approach has been applied and ongoing support and training to partners in restorative approaches This will seek to ensure that restorative capacity, particularly as new local placements come into effect, is consistent and that young people within those placements are not disadvantaged as a consequence.
- 1.4.4. **CYOS will increase the number of accredited interventions available within the service,** in particular increasing the number of accredited options for Attendance Centre participants. It is anticipated that 12 of the 25 available interventions will be accredited this year.
- 1.4.5. **Maintain a focus on engaging young people who are at risk of entering custody for breach alone.** Current engagement activities have succeeded in reducing this cohort but further multi agency activities need to contribute to facilitating engagement with a hard to reach group of vulnerable young people. This links closely to other priorities to improve outcomes for LAC and those who go missing.
- 1.4.6. **Maintain a strong focus on Prevent responsibilities.** This will include additional training for staff, supporting the 2017/18 Prevent delivery action plan. Any additional responsibilities that may emerge from that plan will be included in CYOS Action plan.

1.4.7. **Strengthen the capacity and skill set of professionals to undertake the role of Appropriate Adult.** CYOS will continue to deliver training in-house and across children services and has committed to a training programme for this current year. This activity should support other priorities such as adherence to the provision of PACE accommodation.

2. Options considered and recommended proposal

2.1. Completion and submission of this plan is compulsory under CDA legislation. Therefore, it is recommended that the Council endorse the Youth Justice Plan.

3. Results of consultation undertaken

3.1. All statutory Partners are consulted under a statutory duty imposed by CDA. All Management Board members are consulted and contribute, although only statutory partner's co-operation is required.

3.2. Statutory Members are represented by:

- Director Of Children's Services
- Strategic lead Childrens Services
- Chief Superintendent, Police Commander for Coventry, West Midlands Police
- Head of Probation, Staffordshire & West Midlands Probation Trust
- Joint Commissioning Manager Coventry and Rugby Clinical Commissioning Group & Coventry City Council
- Head of Specialist Health Services for Children and Young People

3.3. Other members include:

- Head of Environment Services Street Scene and Regulatory Services
- Manager - Prospects
- Chair of The Magistrates Youth Panel
- Advisory Teacher Coventry Virtual School

All Members above agreed the Plan.

3.4. Whilst service users are not consulted on the content and format of the Plan, service user feedback is sought and considered across areas of CYOS practice.

4. Timetable for implementing this decision

4.1. YJB grant conditions state that receipt of the 2nd payment is conditional on submission of a strategic plan. The YJB recognise that local political processes do not necessarily tie in with submission dates and therefore they accept a draft plan which had to be submitted earlier this year, by the 31 July.

5. Comments from the Director of Finance and Corporate Services

5.1. Financial implications

Grant funding from YJB may be withheld/withdrawn if the plan is not submitted in line with CDA legislation requirements. The YJB grant for this year (2017/18) to CYOS is £494,173.

5.2. **Legal implications**

Section 40 Crime and Disorder Act 1998 places a duty on the local authority, after consultation with the relevant bodies, to formulate and implement for each year a Youth Justice Plan setting out how Youth Justice Services in the area are to be provided and funded and how the YOS teams established are to be composed and funded, how they will operate and what functions they are to carry out.

6. **Other implications**

6.1. **How will this contribute to the Council Plan (www.coventry.gov.uk/councilplan/)?**

Primarily activities support;

- Protecting our most vulnerable people
- Improve health and well being
- Make communities safer
- Improving educational outcomes
- Reducing the impact of poverty

Activity within The Youth Justice Plan is aligned locally to plans which include;

- Local Police and Crime Board
- Local Policing Plan
- Coventry Sustainable Communities Strategy

6.2. **How is risk being managed?**

Risk to YJB grant, has been managed by consulting with partners in a timely manner to facilitate sign off and submission of the draft plan (grant requirement). The report is also submitted now for endorsement in line with statutory duties and good practice requirements.

6.3. **What is the impact on the organisation?**

The plan presents a balanced budget and no immediate implications for other groups. The Plan details the risks going forward in to 2018/19.

6.4. **Equalities/Equality Impact Assessments (EIA)**

Legislative changes, such as pre court disposal options have been subject to substantial EIA activity under Ministry of Justice and Youth Justice Board. No adverse impact has been identified

This is not a new activity.

6.5. **Implications for (or impact on) the environment**

None

6.6. **Implications for partner organisations?**

Partners have all participated in agreement and sign off the Plan and there are no implication arising post sign off.

Report author(s):**Name and job title:**

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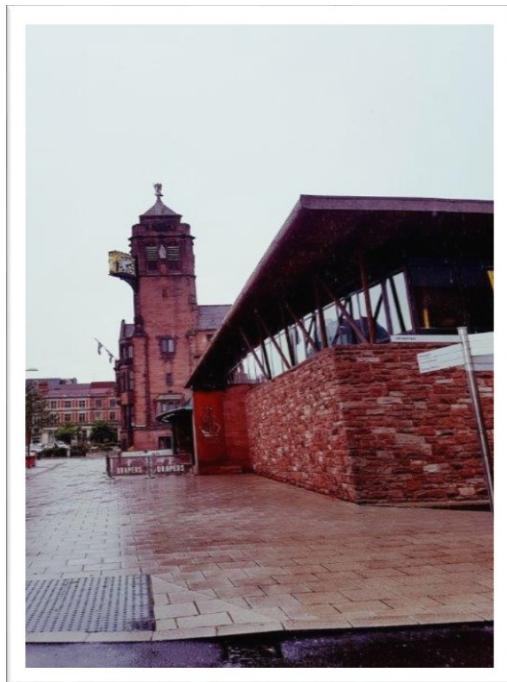
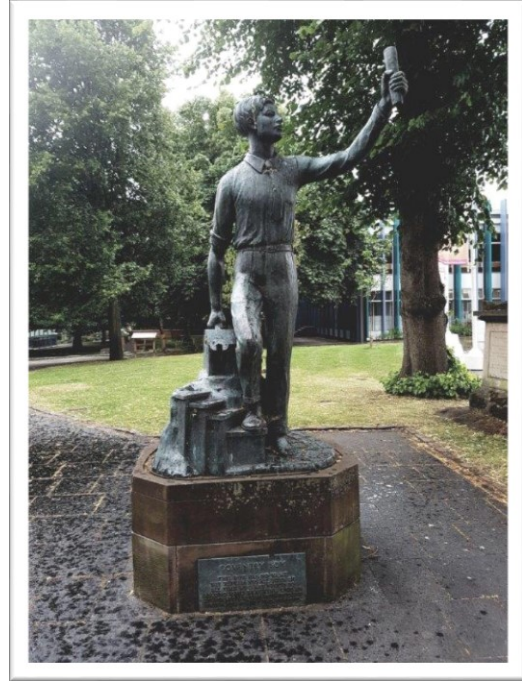
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Coventry Youth Offending Service Youth Justice Plan 2017 - 18



Photography courtesy of a CYOS Young Person

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Youth Justice Plan 2017 – 2018

1. Executive Summary

It has been an eventful year with developments in Public Sector Reform through the Combined Authority activity (including the commencement of activity to devolve Youth Justice), the release of the Charlie Taylor Review into The Youth Justice System and the subsequent government response paper to name but a few.

The service welcomes the government's intent, as expressed in their response to the Charlie Taylor Review of the Youth Justice System to retain ring fenced grants for the provision of Youth Justice Services. Their intention for greater flexibility to local areas with regard to delivery models and the retention of a national set of performance standards for all those working within the community and custody are also welcomed.

In addition to this CYOS has also completed a restructure, a site move, transition to AssetPlus Assessments and the introduction of new rating/judgments and practice models.

In the midst of multiple transitions The Coventry Youth Offending Service (CYOS) was subject to a Short Quality Screening by her Majesty's Inspectorate of Probation (HMIP). The service had not been subject to a HMIP inspection for a number of years and welcomed external scrutiny and their subsequent summary which was that **“overall CYOS was performing well in most areas of practice”**.

Youth Justice Board - Tweet following CYOS June 2016 HMIP Short Quality Screening Inspection

“Well done to Coventry YOS for a good SQS report: engaging young people & assessment of offending behavior 'a real strength' ”

There were some areas that required additional focus and these have been subject to action planning and evaluation. This year's plan continues the focus on the embedding of practice improvements post SQS, reflecting learning from local audit activity and from HMIP thematic reports.

The dynamic landscape did not prevent the delivery of good quality services, in particular high quality services to victims. This was evidenced by the awarding of The Restorative Justice Quality Assurance Mark to CYOS by The Restorative Justice Council (RJC).

The service and its partners have secured good outcomes for the city's residents, victims and service users and this is evidenced both by direct feedback and aggregated performance data against national indicators.

“The latest performance data is very encouraging, showing fewer young people are committing fewer offences which reduces both the cost of crime and impact on victims across Coventry”

Partnership Adviser Central Business Area

Youth Justice Board for England and Wales

Youth Offending Teams (YOTS) have been subject to substantial resource reductions both from The YJB and locally from some partners over the last few years. Following the services HMIP SQS in June 2016 further post reductions occurred as a consequence of YJB Grant budget reductions.

Previous years experienced reducing demand on the service across some areas of practice. The introduction of Out of Court Disposals (OCD) under The Legal Aid Sentencing and Punishment of Offenders Act 2013 provided the opportunity to deliver brief targeted intervention which in many cases ensured that young people did not enter the formal criminal justice system (CJS) where the period of order would exceed that of the majority of OCD .Other demand reductions were secured for example through falling numbers of First Time Entrants (FTEs).

There is no longer a pattern of falling demand and while not experiencing significant changes in the number of orders offending patterns have changed .For example reductions in lower gravity offences such as Criminal Damage and the increase in high gravity offences such as Robbery, which means that there has been an increase in the number of orders that the service manages at any one time. Higher gravity offences usually result in longer sentences. This can also has an impact on the level of contact the service has with young people as contact levels are determined by YJB National Standards based on the level of risk that the young person presents, the higher the risk the higher the contact levels.

The consultants who undertook an independent review to inform future delivery options for CYOS acknowledged that there was” potential for reduced capacity to impact on the quality of services provided” as a consequence of the staffing reductions. Those reductions occurred in quarter 4 of 2016/17 and the impact will be closely monitored by CYOS Board to ensure that any potential negative impact is quickly responded to.

Coventry Children’s Services are implementing a redesign and have improved their performance, under Ofsted Inspection, moving from an “inadequate “judgment to “requires improvement “. The redesign is intended to increase the pace of improvement. The better outcomes for families anticipated as consequence of the redesign, given the commonality of families with whom we engage, may offset any detriment from recent CYOS post reductions.

Headlines from 2016/17 include:

National Indicator-First Time Entrants (FTE) into the Youth Justice System (YJS)

- While there has been an increase in FTEs locally there has also been an increase in “non - eligible” cases locally. For example an increase in motoring offences which was 4.8 % of total offences in 2015/16 and 10.9% in 2016/17.
- When FTE figures are considered by calendar year the service sits slightly above the family group average: 449vs 415 (rates per 100,000).
- The rate of increase has also slowed in spite of an increasing number of high gravity offences for example Robbery which increased from 18 in 2015/16 to 28 in 2016/17.

National Indicator re-offending

- While the rate against the counting rule has increased, in real terms, the absolute number of offenders, reoffenders and re-offenses continues to reduce.
- When compared to the previous counting period CYOS had 10 less young people go on to reoffend and 30 less offences committed.
- CYOS has secured a year on year reduction, for example when compared to the March 2012 cohort we now have 166 less re-offences and 66 less re-offenders.
- The most recent national data evidences that less young people reoffend in Coventry when compared to our family group members 39% V 40.7 %. Those who do reoffend commit a slightly higher number of re-offenses than our comparator groups 1.45 V 1.29.
- It important to note that the increase of vehicle crime/motoring offences, the second largest reoffending category, has a disproportionate negative impact of this indicator. Most young people will have been charged with multiple motoring offences stemming out of one incident.

National Indicator Custody

- The use of custody fell to record low rates for the city this year at 0.55 as a rate per 1000 of the 10-17 year old population.
- 14 people entered custody (16 episodes) v 17 people (18 episodes) in the previous counting period.
- Remand use has declined sharply with the number of bed nights used falling from 650 last year to 413 this counting period. A significant fall of 36%.
- The services 16/17 custody rate is below that of the Family Group Average: 0.55 vs 0.68.

CYOS has also:

- Received positive voice of the child feedback from HMIP young person's e survey.

Out of 53 respondents 98% said that CYOS took their views seriously all of the time or most of the time

100% of 17 respondents said that the YOT worker did enough to help them take part in their order

77% said that they were a lot less likely to reoffend

- Enhanced the quality of our Probation "transition" performance report to CYOS Board in line with recommendations in the HMIP Thematic Transition Arrangements – A follow up inspection report. The service is in the process of agreeing a protocol across areas for transition management.
- Received the Restorative Justice Councils Restorative Services Quality Mark, at the time of writing, only approximately 30 YOTS have secured the quality mark.

"....please accept my overflowing congratulations! You really do deserve the recognition...please forward my congratulations to all the managers and practitioners for getting this acclaim. Be proud, all of you, as it is no mean feat and follows a huge amount of hard work..."

Head of Central Business Area, Youth Justice Board for England and Wales commenting on CYOS s receipt of the quality mark

- CJS partners in Coventry secured a young adults in court pilot, supported by T2A Transition to Adulthood and the Centre for Justice Innovation. There is a growing consensus that a chronological split between jurisdictions based on Edwardian evidence and established through the Children Act 1908 no longer reflects contemporary understanding. The pilot, which has a go live date in October 2017 will trial and test new approaches to young adults in court. It seeks to ensure that there will be key principles within a young adult court process which reflects developmental maturity ensuring that young people understand and engage in the process, that the participants understand the process and recognise procedural fairness as a consequence.
- Delivered or accessed a broad range of training which has included Desistance, Safeguarding training, including Child Abuse, Images and Grooming, Reflective and Analytical Thinking and Signs of Safety (SOS). Most recently case managers completed training in the "Chimp Paradox". Put in a nutshell this is an approach in which the irrational, emotional side of a personality is depicted as a chimp. Enabling young people to recognise

different strands to their thinking and having personal strategies to respond it is anticipated that this may assist them to become less anxious and impulsive.

- The service has been assessed by external consultants, as part of the service 2016/17 redesign.

“... overall good performing service when compared with regional, national and family group comparators Coventry YOS is a well-organised service.... There have been considerable successes in reducing youth offending in Coventry over the last 5 years. While these reductions reflect wider regional and national trends they also highlight the way that local youth justice partners have worked together in Coventry to effectively target and intervene with young people and families at greatest risk “

- Increased our range of interventions to meet a diversity of need. This has included working with new programme partners such as Street Doctors, The Dogs Trust and Friends of Sowe Valley.
- Submitted a joint funding bid, Children’s and Young Peoples Mental Health Services Transformation Programme, A collaborative Commissioning Network Proposal NHS England Funding. The bid is for two clinicians to work across the Coventry and Warwickshire Local Transformation Plan area. This will enable existing Youth Justice Mental Health Teams to increase their capacity and service offer. This would meet NHSE aims of: Joining up the clinical pathway between secure provision and community settings, improving the mental health support provided to children and young people who have been in contact with NHS England Health & Justice directly commissioned services. The outcome of the bid has not yet been confirmed.
- Maintained an Enhanced Community Resolution intervention with the support of the Coventry Police and Crime Board. This allows young people who have committed a low level offence to receive assessment, support and where necessary control without recourse to the formal criminal justice system.
- Supported the Prevent agenda, locally branded as “Our families our future”, through on going engagement with Channel Panel. In addition the schools panels established across the city have Prevent as a standing agenda item and CYOS are represented in this activity.

2. Introduction to the Annual Youth Justice Plan

Youth Offending Teams were established under the Crime and Disorder Act 1998 with the principal aim being to prevent offending by children and young persons. The Act imposed a duty on each local authority with its statutory partners, Police, Health and Probation to ensure that adequate Youth Justice Services are available in their area.

The key tasks of the service are:

- Assessing and delivering interventions to the out-of-court-disposal cohort
- Management and delivery of community sentences
- Management and delivery of secure estate sentences and resettlement
- Servicing the Youth Court and Crown Courts (in terms of provision of a court team, Bail & Health Assessments, provision of Pre-Sentence Reports and Stand down Reports)
- Parenting services and management of Parenting Orders
- Victim services

The legislation also imposed a duty to complete and submit a Youth Justice Plan each year. This plan provides an overview of achievements against key indicators, plans and targets and will identify the key strategic actions for the next 12 months. The Plan is also subject to Coventry City Council Cabinet endorsement.

Detailed performance analysis, against the three National Indicators, Reducing the number of First time entrants (FTE) Reducing Reoffending and Reducing the use of Custody sits in the YJB Community Division Quarterly Reviews and within reports to CYOS management and will continue to inform strategic objectives.

Additionally, analysis and performance against locally retained indicators, from the original national set, is contained in quarterly performance reports to CYOS Management Board. CYOS continue to analyse performance against the suitability of Accommodation and engagement in Education, Training and Employment (ETE).

Detailed financial data is presented to the Board and within documents that underpin the YJB grant conditions. Appendix 2 provides the headline funding streams, and indicates a projected budget for 2016\17. There is a requirement for all youth offending teams to include in their annual plan, details of how the services propose to use the YJB Grant. This can be found in appendix 3.

Budgets are monitored and reported quarterly to the CYOS Management Board and the YJB.

3. Priorities for the next year 2017-18

National Indicator - First Time Entrants

- **Work at a city wide level to raise awareness of the dangers and implications of knife crime**

The service has entered into a partnership with Street Doctors, a national award winning charity which uses volunteer doctors to deliver face to face sessions with young people. It is anticipated that the intervention will equip young people with practical skills to save lives, change attitudes and reduce the likelihood of violence. The service is working in partnership with two schools to pilot this approach and will monitor impact. The service has also engaged the Youth Service and Rainsbrook Secure Training Centre which means the local pilot addresses early prevention, those in CJS community and custody. Engagement with the Police School Panels and the Mentors in Violence Prevention approach should support this priority. This type of crime increases young people's vulnerability and pulls young people up into the formal criminal justice system. It is anticipated that this activity supports reduction in both FTES and the use of custody.

- **Sustain a range of out of court disposals (OCCD)**

The local Police and Crime Board (PCC) has maintained its funding for this area of practice for 2017 -18. The West Midlands Police Crime Commissioner has expressed an intent in his Police and Crime Plan 2016-2020, to deliver responses at a regional level. This presents a funding risk. CYOS will continue to monitor both the impact of this activity and evidence the complexity of the cohort to demonstrate the value of intervening early to reduce demand on services downstream and improving outcomes for young people. Discussions are taking place regarding the regionalisation of PCC funding and CYOS with its partners and YOTS HOSs will need to ensure that it provides the PCC with evidenced based arguments to ensure continued funding.

- **CYOS will continue to focus on the number of Looked After Children (LAC) entering the criminal justice system**

The service has led on a working group including LA commissioning, Police and representatives from residential providers. Current developments include scrutiny of decisions made at placements in the context of "has the correct restorative approach been applied". This also supports Children's Services Improvement Plan and the Child Centred Policing National Action Plan 2016-2018 which commits to a force protocol to prevent the criminalisation of children in care. CYOS has provided training to partners in restorative approaches and will continue to focus on building restorative capacity as the new local placements redesign is implemented. The service is currently supporting the development of the new external residential specification to ensure restorative approaches are contractually embedded.

- **Seek to respond to the emerging causal factors behind the increase FTEs**

This will include further analysis of point of entry data, action planning responses with partners particularly around the broader issues of Road Traffic Act offences to determine appropriate education and communication strategies. In addition the service will maintain ongoing quality assurance of decision making rationales tested locally and continue to engage with The West Midlands Police, force wide, Scrutiny Panel activity. Findings will be disseminated to partners for consideration of a response.

National Indicator - Reducing Reoffending

- **Enhance Attendance Centre delivery**

The service has already delivered a broad range of activities including first aid, sport, healthy lifestyles and pottery. CYOS will increase the number of AQA Accredited sessions available to meet diversity of need. It is anticipated that 12 of the 25 available interventions will be accredited within 2017/18. New workshops will also include safety awareness delivered by The West Midlands Fire Service.

The below quote is taken from a letter written by young person to the Magistrates when the service was asking the court to revoke his order for good progress.

“To whom this may concern

I apologise for my absence as I feel I cannot have any more time off school. I feel that you would be delighted to hear that the youth offending service feel they cannot reform or rehabilitate me anymore, as I have not broken the law since my incident last time. The youth offending service have seen a dramatic improvement in my behaviour and I feel I do not need to carry on with my sentence and therefore have it revoked.

I feel that this has been a reality check and a wake-up call for me to change my ways, and have changed into the best person I can be. The youth offending team has helped me incredibly and I feel that they no longer need to help me.

Since I've been working with the youth offending team there is been a noticeable improvement in my academic grades and I feel they will continue to improve.

I hope you'll make the right decision”

The Magistrates, in recognition of the young person's progress, revoked the order

- **Build on the learning secured through achieving the Restorative Service Quality Mark**

The service will consider how it can make better use of service user evaluation to further support practitioners in enhancing their own practice. There will also be activity to secure individual accreditation for a number of staff. The impact of restorative approaches has a strong national evidence base in terms of impact on both victim and offender and the service will seek to evidence the impact of this area of practice on reoffending rates.

CYOS strengths as identified in The Restorative Justice Council Final Report by Jim Simon

“Senior leaders have a good understanding of restorative practice.... and how it can support the service in improving victim engagement and reducing reoffending...partners were positive about the effectiveness of communication ...practitioners and volunteers demonstrated a clear commitment to working restoratively...service users (victims) were extremely positive about the restorative service team stating that they were professional, supportive and empathetic

- **Enhance the re-offending response across agency’s (LAC)**

The service utilises a live tracker and the most recent available data identified that LAC young people committed 15% of the re-offences. This reinforced the need for LAC young people to remain a priority group. All young people who reoffend are reviewed to determine adaptations to their intervention plans in addition to this a specific tiered response process is being agreed for all looked after children who reoffend. This will assist in ensuring that the causal factors are addressed quickly and planning and interventions will change quickly and not be bound by usual planning frameworks timescales (i.e. pre-planned LAC reviews and placement planning).

- **Build on intervention options to meet a diversity of need**

We will continue to consider new programmes and partners. New programmes for this year include “which Way” which targets males and aims to reduce vulnerability to CSE, gang involvement and organised crime. CYOS have received training in the “Chimp paradox “model and will be able use the metacards to help young people achieve a better understanding of their emotional responses to events and learn management techniques.

New partners for this year include Street Doctors and the Dogs Trust. The Trust Programme enables young people to draw comparisons between themselves and the dogs and they consider how the dog is feeling, and how this changes and escalates as the dog becomes more wound up and aggressive. The group then compares that with their own behaviour and identify their personal anger signs, enabling them to have an opportunity to stop before they lose control.

There is the opportunity to access The Dogs Trust Open Awards accredited programme Level 1 Award in Skills for Further Learning and Employment.



Artwork completed by CYOS young people as part of a Dogs Trust activity.

National Indicator Reducing Custody

- **Utilise alternatives to custody to ensure that custody is only used as last resort**

While CYOS have achieved year on year reductions in the use of custody, the pattern of offence types that is emerging means that there is a possibility that the direction of travel will be reversed. CYOS will review its alternative to custody provision and promote programmes with sentencers outside of the court arena.

The feedback below is from a young person who successfully completed an Intensive Supervision and Surveillance Requirement. This young person is currently completing a sports course with a view to doing a level 3 sports apprenticeship and has not reoffended.

“I loved my time here. It’s helped me a lot, changed my whole life around. Helping me through my teenage years”

- **Extend current “lessons learnt “activity**

CYOS currently provides a lessons learnt report to CYOS Management Board for all FTES to custody. Going forward all custodial episodes will be discussed at service staffing meetings so that lessons learnt and experience can be utilised to inform practice.

- **Maintain a focus on “engaging” young people who are at risk of entering custody for breach alone**

CYOS has reduced the number of young people experiencing custody for breach alone as a consequence of its long term “Reducing the use of the secure estate strategy”. There remains a small cohort where further consideration of enhancement of resource is required in order to secure engagement. While the service has seen a positive impact via Operational Managers chairing Engagement Panels the attendance is usually young person, their family member and case managers. CYOS will seek to ensure that all relevant representatives are contributing to the panels including schools, social workers and key workers with all participants taking responsibility for actions to improve engagement.

Local indicators and drivers

- **Understand , challenge and improve education ,training and employment performance**

Performance against this local indicator has been fairly static across the last three years. Further analysis is required to understand and challenge the causal factors underpinning this. This will include additional performance reporting to CYOS Board including exclusion activity, identification of providers, escalation pathways and identification of LAC young people within the cohort. This will enable the Board to consider its response. The service will also include the timeliness of provision of school reports to inform the preparation of Pre-Sentence Reports for court. Regional activity to develop a “distance travelled “evaluation of education has not yet produced a standardised approach. This will continue to be under the scrutiny of YOS West Midlands HOS. It is also the services intent to build on relationships of NEET resource providers such as Positive Youth Foundation (PYF), Ambition Coventry. The embedded Prospects worker will build on presentations from those providers to case managers to ensure timely referral and engagement as appropriate.

- **Reduce Child Exploitation**

Working with key partners CYOS will support the development of strategy and action plan that reflects the levels of child exploitation from peer through to criminal gang level. Activities will include review of screening tools, referral pathways and impact. Partners from Safeguarding, Police, and Childrens Social Care are engaged in this activity. New resources to CYOS this year include “which Way” which targets young males who may be at risk of “exploitation” and this will be introduced and reviewed this year.

- **CYOS will deliver, with partners, the cities CSE action plan thereby reducing the risk of CSE**

CYOS now has a CSE champion who attends regular “champions” events and then provides in-house workshops and briefings to staff. Recent workshops have included Sexting (youth produced sexual imagery) and the sharing of a CSE media Apps Library. This details logos and descriptors to assist case managers identify risks and educate young people. This programme will continue across the year. The service recognises the risk to its service users of becoming victims of CSE, as well as perpetrators, and will continue to deliver preventative programs targeting each cohort. It also recognises that some young people will be present in both cohorts. CYOS engages fully both in terms of representation at key groups and in the identification of risk and appropriate interventions, the development of which has been informed by for example Child Exploitation and Online Protection Centre (CEOPS) training.

- **Maintain a strong focus on our Prevent responsibilities**

CYOS will refresh staffs awareness of Prevent and the referral process via additional WRAP training workshops. The service will also participate in a self-assessment framework which is currently being developed as part of the Prevent Delivery Action Plan 2016/17. On the release of the 2017/18 plan, which is currently awaiting a threat and risk assessment from the Counter Terrorism Unit (CTU), CYOS action plan will be updated to reflect any new priorities and responsibilities. The service will remain a part of the local Channel Panel activities.

- **Implement learning from the Children’s Safeguarding Board audit in to “children who go missing” practice across services**

The findings of the audit activity being undertaken in June 2017 will be considered and acted upon. CYOS has already worked closely with the “Missing Team” to ensure that there is a notification process and cross agency discussion. When notified return home interviews (RHI) are received and reflected in safety and well-being planning and where appropriate CYOS contact appointments are utilised by the missing team for RHI.

- **Strengthen the capacity and skill set of professionals to undertake the role of Appropriate Adult**

CYOS will continue to deliver training in house and across Children’s Services and has committed to a training programme for this current year which includes new Route 21 workers and residential staff.

- **Monitor and report the adherence to provision of PACE accommodation**

The service will continue to proactively engage with partners to ensure that the LAs responsibilities under PACE and the Children Act 1989 38(6) are met. CYOS offer training, liaise with professionals to support delivery against the act and report to CYOS Board specifically on compliance rates. CYOS will also be working at a regional level to agree the detail that sits behind the concordat, for example agreed definition of “practicable”. This activity will be progressed through the regional HOS meetings.

- **Staff development will remain a priority**

CYOS makes good use of the Children's Services Learning and Development Portfolio and Safeguarding Board training opportunities. In addition we have benefited from the support of Children's Services Principal Social Worker (PSW) who has introduced a number of events to develop staff. In addition to this there will be a YOS specific event in October led by the PSW which will include Signs of Safety training.

- **Continued development of health Services**

The service, with partners, has submitted a bid for two clinicians to work across the Coventry and Warwickshire Local Transformation Plan area. This will enable existing Youth Justice Mental Health Teams to increase their capacity and service offer. The proposal also meets two of the local priorities for transforming children and young people's mental health services, within the Coventry and Warwickshire CAHMS Local Transformation Plan Refresh, 2016. These are reducing waiting times for access to mental health and emotional wellbeing services and develop support for vulnerable young people with mental health and emotional wellbeing needs. The outcome of the bid has not yet been confirmed.

- **Enhance the support to address young people's substance, alcohol misuse needs, "Risky Behaviours"**

Last year's data identified that there had been a small increase in the number of young people being convicted of a "drug" offence (4.5% of total offending v 6.1%). This coupled with the strong link between alcohol, drugs, crime and CSE means that this is an important intervention area. The CYOS Board performance report will be enhanced to demonstrate the impact of the current provider's activity in terms of reducing risk across the three domains. In addition CYOS are represented at strategic and operational level in the current Coventry City Council public Health Department commissioning exercise for a single holistic "risky behavioural change" service. The service will be expected to support children and young people to adopt sustainable safe/r substance misuse, sexual health and poor/cohesive relationship behaviours. This will ensure that the complex needs of those young people in the offending cohort will be met by the new provider.

4. City & Youth Crime Profile

Coventry is home to 345,385 people, and has a rapidly growing population; it was the ninth (out of 348) fastest-growing Local Authority area in England and Wales between 2014 and 2015, and the third fastest-growing outside Greater London, showing an increase of 2.36% compared to the England and Wales average of 0.83%. This growth was firstly driven by international migration, which added 6,601 people to the city's population, and secondly by local births, which exceeded deaths by 1,718.

The city also has a relatively young population, with 23% aged 18 and under compared to the national average of 22.5%, and a highly diverse one; 21.6% of the city's resident population are estimated to be of non-British nationality, compared to the England and Wales average of 9% (*ONS Local Area Migration Indicators, August 2016*).

CYOS continues to provide services in a challenging environment, which includes:

High levels of child poverty – after housing costs, 31% of Coventry children live in poverty compared to the national position of 28% (*Child Poverty Map of the UK, Campaign to End Child Poverty, November 2016*).

- Slightly higher numbers of looked-after children than its statistical neighbours – 620 as of 7th July 2017.

Youth Offences Profile

- In 2016/17, CYOS was aware of 583 offences which were punished with a substantive disposal (i.e. one that forms part of a person's criminal record) and a further 289 which were punished by Community Resolution. This means that the number of offences with a substantive outcome has increased slightly, up by 16 from the 567 seen in 2015/16, while the number where a CR was issued has declined more sharply, down 68 from 357.
- The three most common categories of offence subjected to a substantive outcome were Violence Against The Person (31%), Motoring Offences (16%) and Criminal Damage (13%). Violence was also the largest category last year, and has maintained a similar proportion of the offences, up 1% from 30%; Motoring Offences are sharply up – last year it was the seventh largest category at just 7%. Meanwhile, Criminal Damage has declined as a proportion, down from by 4% from 17%.
- The most common categories punished by CR were Theft and Handling (34%), Violence Against The Person (34%) and Criminal Damage (13%). Compared to last year, Theft and Violence have swapped ranks, with both increasing as proportions but Theft more so than Violence; Criminal Damage remains the third largest group, but has shrunk by 7% as a proportion.
- The number of Robbery offences rose to 28, compared with 16 in the previous year.

Disposals Profile

- Overall, there were 609 disposals this year, down from 660 in the previous year; by far the most used was the non-substantive Community Resolution, used on 280 occasions. Along with the Youth Caution (68 issued) and the Youth Conditional Caution (33 issued) they make up the out-of-court disposals, which account for 381 of the total, or 63% - down from 66% in 2015/16.
- We started 338 disposal-based interventions in 2016-17; 86 were for the Enhanced Community Resolution, and 83 were for the Youth Caution or Youth Conditional Caution, meaning 169 (50.1%) were out-of-court.

Reoffender Tracking

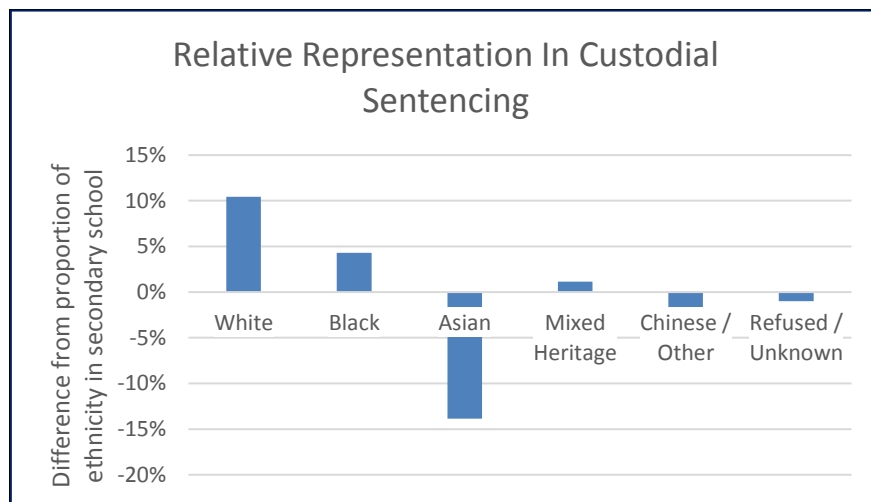
- We have tracked the reoffending of 99 young people whose original penalty was imposed between October 2015 and March 2016; in all cases, the 12 month monitoring period for reoffending has now expired.
- 41 of these young people have reoffended, giving a binary reoffending rate of 41.4%; this is above the 37.5% rate seen in the most recent YJB-released data (for young people originally penalised between July 2014 and June 2015).
- The young people reoffending committed a total of 140 further offences within their 12-month period, giving a frequency reoffending rate of 1.41; as with the binary rate, this is higher than the most recent YJB rate for the city, which was 1.22.
- 16 of the reoffenders have committed a more serious further offence, by the YJB offence gravity scale, including 9 cases where the most serious new offence scored a 6 or higher – the equivalent of Robbery, Domestic Burglary, or Inflicting Grievous Bodily Harm.
- In terms of the most serious further offence, the most common type was Violence Against The Person, with 10 of 41 (24%) falling into this category.
- The nine most frequent reoffenders account for 65 subsequent offences between them; the most prolific individual reoffender in the group has 13.
- Reoffending rates among young people who had had Social Care involvement were significantly higher than among those who had not; of 11 children in the group who were Looked After at the time of their original conviction, 8 reoffended, committing a total of 19 further offences; as a group, this would give them a binary rate of 72.7% and a frequency rate of 1.73.

Demographics of our Young People

- Of the 151 young people open to YOS at the end of the year, 130 (86%) were male; this is slightly down from the 90% seen in the snapshot at the end of the previous year.



There is a large over-representation of White young people in the group, and a large Asian under-representation, with the Black proportion being roughly the same in both groups.



CYOS monitors ethnicity outcomes for its young people using YJB ethnicity classifications. When custody is analysed the white groups disproportionality reduces (77% v's 72%) when we look at custody with black groups disproportionality increasing slightly (11% v's 14%). The Asian group as a percentage of those open to YOS decreases in its under-representation (3% v's 7%).

- 66% of the group open to YOS were aged 16 or over.

- 23 (15%) of the group were currently Looked After, and a further 17 (11%) had been Looked After in the past; besides them, one (1%) had an active Child Protection Plan, and another 17 (11%) had previously had CP Plans, meaning that overall, 58 (38%) of the young people open to YOS had had Social Care involvement at least the Child Protection level.

5. Use of resources, budgets and value for money

Budget 2016/17

CYOS funding consists of the City Council budget, YJB Good Practice Grant, statutory partner and Police and crime board contribute into the pooled budget. Last year the reduction in the YJB grant necessitated a review, subsequent service restructure and the deletion of a number of posts to ensure a balanced position going forward. We also experienced a reduction in cash contribution from both Health and NPS (as part of NPS national transformation reductions, final phase). Please see Appendix 2 for the Partner Contribution pooled budget.

CYOS have Coventry PCC Board funding for this financial year but impact of the anticipated regionalisation of this fund will not be known until November 2017 at the earliest.

The service starts 2017/18 with no reductions. That said there is early indications that there is increasing complex demands on the service. The CYOS Board will need to continue its focus both on the level of funding and the demand for services.

Reductions both in terms of financial funding and staffing levels has been a continuing pattern until 2017/18 which has seen all partners sustaining current funding levels for this financial year.

CYOS have maintained compliance with the minimum staffing levels as set out by the Crime and Disorder Act 1998. Please see appendix 4.

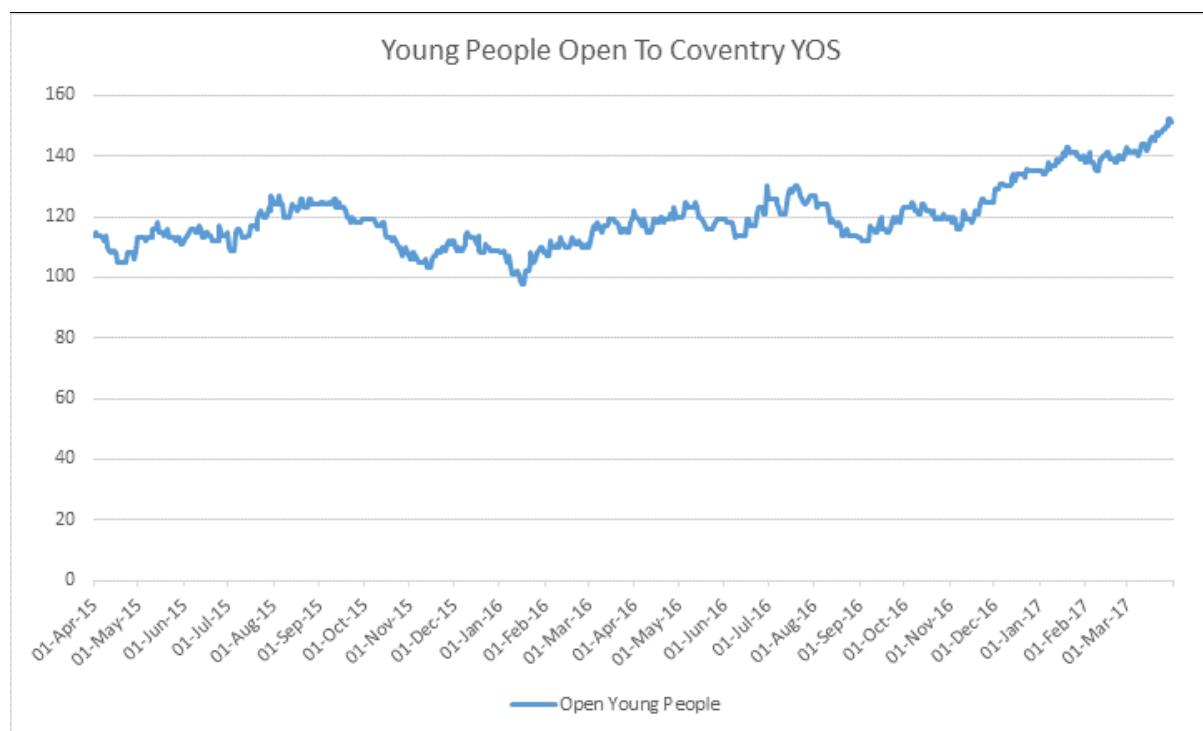
Financial challenges include:

- Resource reduction against a pattern of increasing demands on the service. These include an increase in the number of young people open in both the pre court and post court areas, an increase in the demand for Appropriate Adults in excess of 100% over the last two years (41 v 87). In addition to this there is a YJB requirement to apply the substantial Assetplus assessment framework to pre court Youth Cautions and Youth Conditional Caution's from July 2017. Team resilience is being maintained but will be an issue if overall demands on the service increases further.

Further funding reductions or increased demand on the Service for example loss of PCC Funding increase the risk of

- Further increase in FTE and re-offending
- Risk of adverse HMIP and Ofsted inspections
- Risk of increased number of victims

- Risk of increased use of custody, including remand and associated risk of increased LAC numbers and costs which are shouldered by the Local Authority
- Negative outcomes for young people



The above graph demonstrates the work demand across the periods of staffing and resource reductions

- While this year’s funding structure remains static the number of young people who have multiple vulnerabilities and high resource needs remains high and this is evidenced by the volume of young people referred to our clinical nurse specialist, a higher number of young people becoming FTEs at the court point of entry and the volume of young people who have had previous or current social care involvement.
- Early 2017/18 custodial activity is higher than previous counting periods. This is likely to be a reflection of the increase in robberies and violent crime, and the reduction in lower gravity offences such as criminal damage and public order. In addition to being an adverse outcome for young people it also increases demands on the service.
- The funding formula for remands takes into account previous usage so that the funding received by the LA has reduced year-on-year as the service has secured substantial reductions in bed night usage. This presents a risk and does not reward good performance.
- Understanding the impact of Coventry City Councils Children’s Services redesign in terms of connected families (those with whom multiple services are engaged) and the range of support services that can be accessed for this cohort post implementation of the redesign in the transition phase.

- The potential “regionalisation” of PCC funded activities means there is a significant threat of a funding reduction for 2018/19. The indication is that there will be a regional CSP who will allocate funding. Representations by The West Midlands’ Reducing Reoffending Steering Group (on which YOS and YJB are represented) are being made to seek to negotiate “core” funding coming directly to YOT’s from the Office of the Police and Crime Commissioner (OPCC). The regional HOS group will also advocate for this.

Invest to save

It is beholden on the service to demonstrate that the areas in which its finances are invested are productive. This means improving outcomes for young people, victims, the Coventry community and demonstrating value for money to partners.

Performance against National Indicators demonstrates a good return based on there being less offences, less re-offences, reduced use of custody and remands. It has been said that YOTS are a victim of their own success and have experienced significant reductions in funding as a consequence of continued improved performance. There has been a reduction in YOTS budgets/ grants and in remand funding. The Remand funding formula has a direct correlation between reduced usage and a reduction in funding each year.

The service continues to invest resources in key areas which underpin effective practice namely;

- Training. CYOS is committed to maintaining an effective workforce and makes good use of training provided by Children’s services and the Safeguarding Board. A new relationship with the PSW has been established and this will result in specific YOS workshops going forward and support for maintaining social workers HCPC registration. The service continues to enter in to training consortia arrangements with other YOTS and also delivers an internal range of training events. Partners such as Health have ensured that there is access to “expert” training and this has been expanded to include CJS partners such as Magistrates.
- Technology support has meant that the service can be fully agile and some benefits can be gained from an increase in video conferencing for court, with safeguards as to when this is appropriate (in-line with YJB guidance).
- Pre court activity has identified complex issues and the number of mental health referrals generated from this cohort is higher than was originally anticipated. This area of activity has provided early assessment and should reduce demand on services downstream in the long term.

The financial value of a non-formal CJS disposal such as an Enhanced Community Resolution is evidenced by the low re offending rate. The ECR live tracker October 2015 cohort identified that there were 160 offenders, 24 reoffenders (exactly 15% binary) and 51 re-offenses (0.32 frequency).

6. Structures and Governance

The management board is chaired by the Police Commander for Coventry.

The board discharges its duties by

- Requiring the head of service to report and account for performance against YJB and local indicators, health outcomes and the management of risk
- Oversight of budget and staffing structures to ensure that the service is adequately resourced
- Commissioning (internally) specific projects, research and evaluation of aspects of service delivery
- Quality assurance, oversight and monitoring of plans including those which emerge from community safeguarding and public protection incidents
- Scrutiny of compliance with YJB grant conditions including timeliness of data submission and connectivity via Management Board meetings and access to YJB reports
- Monitoring and sign off of the annual Youth Justice Plan

Management Board

In line with the requirements of the Crime and Disorder Act (1998) and revised guidance from the YJB for YOT partnerships, CYOS has the appropriate agencies, represented on its Management Board.

Alongside the key Statutory Partners, CYOS also benefit from the attendance of the chair of the Youth Court Bench, Senior Advisors from Education and Looked after Children Services for the City Council, Prospects, and a Community Safety Office from the Community Safety Team. The Board is well supported by the Head of West Midlands area for the YJB and Partnership Advisor.

Partner agency representation on the Board at a senior level ensures that CYOS maintains links with the key local strategic groups for example:

The People Directorate Senior Management Team

- Local Safeguarding Children's Board (LSCB) and associated theme groups, Quality Assurance Sub- Group and Business Group

- Children's Services Improvement Board
- The Local Police and Crime Board (formerly Community Safety Partnership)
- Coventry Health and Wellbeing Board

Additionally, CYOS managers participate in the governance boards and operational groups of a number of partners and city activities, including:

- Criminal Justice Liaison and Diversion Strategic and Operational Group
- Coventry Harm Reduction Partnership and the Domestic Violence Operational Group
- The CSE strategic Subgroup of the Local safeguarding Children's Board and Senior Management Group for on-going Police CSE investigations
- Safeguarding Board Sub-Committee for quality assurance
- Coventry Offender Management Group (COMG)
- Strengthening Families Strategic Board and operational group
- Channel Panel (PREVENT)
- Drug & Alcohol Steering Group
- The Multi Systemic Therapy Steering Group (project which is targeted at young people on the cusp of care or custody)
- Early Help Strategy Group

Planning

Service Planning is influenced locally at both strategic and operational levels and aligned to plans which include:

- Coventry Sustainable Communities Strategy (The Next 20 Years)
- The Police and Crime Commissioners Plan for the West Midlands 2016-2020
- The Coventry Local Policing Plan
- The Coventry Police and Crime Plan 2017-2020 (draft)
- The Coventry Prevent Delivery Group , Prevent Delivery Plan 2016/17 (2017/18 awaiting CTU risk assessment)
- The Coventry Harm Reduction and Vulnerability Strategy (2016-2018) and Partnership Plans

- The Local Safeguarding Children's Board Plan and the Missing and CSE Delivery and Action Plan
- The Children's Services Improvement Plan
- The Coventry Drug and Alcohol Strategy 2017-2020
- Strengthening Families Strategy and Outcomes
- DVA Response Plan
- The Overarching Connecting Communities Project Plan for the City Council (Transformation).
- The Coventry Cybercrime Strategy

7. Partnership Arrangements

The Local Authority is represented by the Director of Children's Services who sits on the Board and the relationship has proven effective in:

- Providing a direct link into the Senior Management Team in that division, as well as The Local Safeguarding Children's Board, the Health and Well Being Board, and the People Directorate Senior Management Board.
- Ensuring that CYOS are informed and engaged as appropriate in regional combined authority activity.
- Responding to PACE Act transfer resource issues across service areas to enable compliance with the PACE ACT responsibilities and delivery in accordance with the West Midlands concordat on children in custody.
- Connectivity between services ensures that CYOS are represented on a number of Strategic and Operational Groups, meetings and Boards. This includes the Children's Social Care Improvement Board, Strengthening Families, Early Help Board, Multi Systemic Therapy Steering Group, the Multi Agency Safeguarding Hub (MASH). CYOS is represented on the CSE/Missing/ DVA Groups and there are good links between CYOS and the Youth Service Manager and staff who deliver this support.
- Ensuring appropriate cross service focus for example activities to reduce the disproportionate representation of the LAC population in the CJS. The CSC improvement board plan contains actions to direct and monitor activities to redress this.

West Midlands Police are represented by Coventry's Local Police Commander as Chair of the CYOS Board. CYOS also have a named Inspector and Sergeant to support the Integrated Offender Management activity and Out of Court Disposals. This relationship has proved to be effective in ensuring:

- Effective collaboration on areas of joint work for example, supporting restorative justice developments within the residential setting in Coventry. This has included ensuring appropriate responses to Police call outs and an essential role in delivering and monitoring restorative approaches. The Police have been a key partner in assisting CYOS to secure the restorative justice quality assurance mark.
- Creating effective leadership and governance arrangements locally for example to manage the threat that digital crime poses and appropriate engagement with services who are able to provide support and expertise. CYOS alongside other partners are part of the local cybercrime operational group.
- Support for integrated offender management developments and resources to tackle the most challenging offender behaviours.
- Championing CYOS at boards for example supporting the funding of CYOS pre court enhanced community resolution activity via the local Police and crime boards.
- Early engagement of CYOS in developmental activity both at a West Midlands level and locally. The West Midlands Police representative from the PSR Youth Justice steering group attends all the YOTS heads of service meetings to engage in consultation with stakeholders. Additionally they also sat alongside the HOS at the PCC inquiry in to youth justice that took place earlier this year which acknowledged the good outcomes that have been achieved by the YJB and YOTS.
- The relationship between the local Police Command Unit (LPU), CYOS and the other LPUs within the West Midlands area remains strong, there are meetings between regional YOS heads of service and the Assistant Chief Constable for the West Midlands and consultation events at a regional level.

Coventry and Rugby Clinical Commissioning Group (CCG) is represented on the CYOS Management Board by the Joint Commissioner for Children. CYOS continues to benefit from hosting two health staff, 1.6 FTEs) which includes one Clinical Nurse Specialist. Clinical supervision is offered via CAMHS and their work directly benefits the wider health agenda. This relationship has proven effective in that:

- It ensures that activity to support the themes, vision and objectives of Future in mind (FIM) - Promoting, protecting and improving our children and young people's mental health and wellbeing DoH NHS England are being undertaken by the service.
- Representation at the CCG Children's Matrix Group which provides opportunities to demonstrate the value of the health resource within CYOS.
- In June 2016 there was an independent review for the purpose of identifying delivery options for CYOS as part of a redesign. It commended the quality of the health performance report.

...an excellent quarterly health summary which provides valuable information to the Management Board on both activity and impact..."

- Ensured that the staff levels have been maintained and the range of resources available has continued to increase.
- Support for “outreach” engagement model at prevention (ECR), early intervention court and custodial levels. This is in line with the government’s response paper to Charlie Taylor Review of the Youth Justice System. Additionally it has a role in addressing the “treatment gap” (FIM key themes promoting resilience, prevention and early intervention, care for the most vulnerable). It also supports the government’s aspiration that by 2020 “in every part of the country children and young people having timely access to clinically effective mental health support when they need it and improved care for children”
- A training programme for staff delivered by “health experts in their fields” across a range of subject areas.
- Evidence of impact on young people, through the use of CHI, Honesca and Strengths and Difficulties assessments.

Coventry, Solihull and Warwickshire National Probation Service are represented on the Management Board by the Head of the Midlands Division who is also the deputy chair of CYOS Board.

This relationship has proved effective in:

- Transition planning, A joint protocol between Coventry, Solihull and Warwickshire is due to be signed off. There are locally identified leads at operational manager level in both services who ensure that young people’s needs are a primary factor in determining when a transfer occurs. Local arrangements have been agreed that enable young people to access the most appropriate interventions from youth and adult provision irrelevant of the agency of the case holder.
- Improving performance reporting to CYOS Board across transition processes including the collection of post impact transfer data such as reoffending and breach.
- Cross disciplinary knowledge and expertise.
- Threshold analysis between NPS and CRCs allocation as a part of transition management ensuring appropriate destinations.
- Local arrangements have been agreed that enable young people to access the most appropriate interventions from youth and adult provision irrelevant of the agency of the case holder.

The young person was subject to a 4 year custodial sentence for Robbery. In line with the agreed transitional guidelines, as he was turning 18 prior to his licence expiry date, consideration for transfer occurred. A three way transitional meeting with the young person was completed

The CYOS probation officer maintained links with his NPC probation officer. When it became apparent that the young person was finding it difficult to settle in Probation it was agreed that the CYOS officer would continue to see the young person alongside his new officer to additionally support the transition. As part of planning, to support him secure his CSCS construction card and employment, it was agreed that he would continue to work with the Prospects officer in CYOS so this could be completed, as the waiting list at Probation was lengthy.

He has since gone on to complete his CSCS card, his engagement is better with NPS, he has had no periods of breach and is now in employment.

The young person explained the transitional period and the approach taken was helpful. (Although not in those specific words)

Other Partners

CYOS remains engaged with a variety of key partners who sit across the continuum of activity with young people from early intervention through to the secure estate, transition into adult services and exit from services.

The service is engaged in both national, regional and local activity to ensure that it meets its statutory requirements and objectives.

There is appropriate representation in all local offending, prevention and safeguarding forums. This includes representation at Strengthening Families Board, a member of the Coventry Offender Management Group, which coordinates and evaluates delivery across both the adult and juvenile populations, Safeguarding Board Quality Assurance Subcommittee and the local Police and Crime Boards.

The service ensures it is engaged in key areas of practice, for example being represented at the DVA Operational Group, having identified champions for areas such as child sexual exploitation and DVA, attendance at MARAC, missing activity and attendance at Channel Panel.

CYOS is working with The School Panels and engaged with the Mentor's Violence Prevention (MVP) activity, two staff members attended the training event funded by the Schools. MVP originated in America and is a hugely successful peer to peer mentoring programme based around the psychology of the bystander theory. It aims to empower young people to safely intervene and challenge behaviours that they would usually stand by to watch. Over the next 12 months, it is anticipated we may start to see the benefit of this approach combined with interventions from other new related partners such as Street Doctors.

The services, substance and alcohol misuse service is commissioned and monitored by the LA from a voluntary sector provider, Compass. They are a national provider of services addressing problem drug and alcohol use to help young people break the cycle of their dependency, and live stable and productive drug free lives. This year there is additional focus on providing evidence of impact of their interventions to CYOS Board and this activity features in the action plan. There is also commissioning activity underway to ensure the new model for tackling “risky behaviours” targets the appropriate cohort, meets their needs and evidences this. The service is heavily represented in this activity, both at strategic and operational level, to ensure that the vulnerabilities within our specific group of young people are recognised within the service specification to ensure timely responses to identified need.

This year we have seen an extension of the interventions available for our service users through partnership with the West Midlands Fire Service. In addition to one-to-one interventions for young people who have committed offences of arson, or where there are concerns about fire setting, accredited CPR training is now available which will be delivered at the Attendance Centre.

In 2016 Prospects Services were awarded the contract to deliver targeted services to support young people 16 -19 in education or training. This has resulted in the service continuing to benefit from the embedding of a Prospects Advisor within the team. Over the next 12 months there will be a strengthening of this relationship to ensure young people are in receipt of appropriate provision with a particular emphasis on those who are exiting custody. Exploration of mentor services available through Ambition Coventry is ongoing, and it is anticipated this resource can be used to support the most challenging and disengaged young people.

The service has maintained its good relationships with the Special Education Needs Service and Coventry Virtual School Team which is supported by their representation on CYOS Board.

CYOS continues to maintain relationships with multiple partners in order to provide both reparative and unpaid work opportunities. These include:

- Lunt Roman Fort
- Sowe Valley (Friends of Sowe Valley)
- Coventry food bank
- One-to-one direct repair projects
- The Dogs Trust



Sowe Valley – Before & after Ivy removal

The range of providers enables that young people's diversity of need to be met. The Sowe Valley project provides education and enhances a local resource via litter picks, path clearance and tree maintenance (removal of ivy).

One young person, due to a serious medical condition, is unable to do some of the more physical placements has been making "snuffle blankets" for The Dogs Trust as an indirect community reparation.

CYOS has the Chair of the magistrate's bench as a non-statutory representative on The Statutory Board. There is also a direct feedback process specific to the quality of Pre-Sentence Reports which is completed at each sentencing exercise board by the magistrates. The current aggregated score is 17.6 out of 20.

The Bench was merged with Warwickshire and as a consequence the service has strengthened its relationship with Warwickshire YOS. The two services provide joint presentations to the magistrates and where appropriate standardise practice. This approach is mirrored across the West Midlands YOTS with shared task and finish activities to benefit from economies of scale for example training, shared learning and where appropriate shared procedures and quality assurance tools. Currently the regional performance group is engaged in the development of Asset Plus quality assurance tool.

8. Challenges and Opportunities

The West Midlands combined authority activity includes a specific work stream which will review youth justice. Coventry will seek to influence this development through appropriate local authority officer representation, through West Midlands Heads of Service (YOT activity) and through timely engagement with the project lead for offending, criminal justice and the devolution of youth justice. This has already occurred both at CYOS Management Board and internal CYOS management levels within this service. This has provided an opportunity to understand the process, to focus discussion and understand key milestones. It also provides an influence point which provides an opportunity to inform the new model(s). Coventry is fortunate to have senior representation both at the top of this process through Chief executive engagement, the Director of Children's Services sitting on the PSR Youth Justice Steering Group Key and a previous West Midlands YOS HOS as lead in the Offending Criminal Justice and Youth Justice PSR team.

It is anticipated the added value of regional working will assist with greater devolved funding, shared learning, workforce development, economies of scale and support the development of new effective models which should go some way to offsetting the reductions in YOT funding.

The Taylor review recognised the children who remain in the youth justice system are those whom display the most challenging and ingrained behaviour and have the most complex needs. It highlighted education must be central to an effective youth justice system and that the initial response by the Police and other agencies to crimes committed by children need reconsideration. The public sector reform, under the combined authority, provide an opportunity to consider many of those recommendations, and it is easy to identify some areas where economies of scale can be easily achieved. These would include activities, under PACE, remand and potentially sentenced custody. To have local resources for local young people would not only provide a potential saving but could also best serve local people and their families and fund the testing of new approaches.

Early intervention and prevention provides an opportunity for radical changes in delivery models, thereby providing an opportunity to reduce the levels of criminalisation of young people. It will be interesting to see if devolution will facilitate a shift towards the "problem solving approach advocated for by Lord Carlisle (A Parliamentary enquiry into the operation and effectiveness of the youth courts system 2013).

The government's response paper Charlie Taylor's review of the youth justice system retains the ring fencing of grants for the provision of youth justice services within local authority funding. This has provided an opportunity for the learning and effective practice contained within YOTS to be utilised, at least in the short term, in recognition of the significant impact that the YJB and YOTS have had. For example, the number of FTEs fell by 82% between 2007 and 2015. The use of custody has declined dramatically in the same period by 67%, and locally year on year reductions against this National Indicator have been achieved.

While there are some variances in the recommendations within the two reports Charlie Taylor's key recommendation of putting education at the heart of youth custody and improving the provision of healthcare to tackle factors that increase the risk of offending are welcomed.

The potential loss of local PCC funding is of concern as the PCC has specifically stated that from 2018/ 19 he will explore responses to issues "more effectively/ efficiently at regional

level". Good use of advocacy via the YOTS HOS regional group will be key in seeking to ensure regional funding still supports key activities that are a priority within the PCC plan. There is a strong victim focus in his 2016/2020 plan and this may be an area that YOTS can seek to standardise financial support. The recent awarding of the RJC Quality Assurance Mark to this service should provide excellent evidence of both ability and quality of practice in this area.

The service has identified that there are changes in offending patterns as violence against the person has increased, Robbery has seen a significant increase and lower gravity offences such as Criminal Damage have declined. This does present a challenge in terms of the impact on victims, the risk the young people expose themselves to and the resulting increased contact levels required from the service under national standards. This combined with recent staffing reductions means there could be a risk to outcomes, as acknowledged during the recent restructure. The service will report any detriment directly to CYOS Board.

The anticipated benefits of further improvements within Children's Services and PSR activity will contribute towards reducing this risk.

Appendices

Appendix 1 – Action plan

INDICATOR	ACTION	TIMESCALE	LEAD	OUTCOMES	RELATED PLANS/ PAPERS/SOURCE DOCUMENTS
FIRST TIME ENTRANTS					
1.	Ensure that restorative processes are part of commissioning arrangements for non-LA care settings	Q2	CCC Commissioning Sally Giles (Priya Dady)	Reduce the number of first time entrants from the LAC population	Improvement Board priority (2016/17) YJB practice notes for Youth Offending partnerships
	Inform the development of the External Residential Specification and Payment Mechanism	Q2	CYOS Georgina Kell	Longer term - Reduce the disproportionality of the LAC population in CJS	Coventry Children and Young People plan measure 10 Child Centred Policing National Action Plan 2016-2018
	Maintain scrutiny of restorative approaches across LA and private sector accommodation, where not already in place	Three monthly review & tasking meeting	CYOS Matthew Haynes	Young people experience fewer placement breakdowns	Restorative Justice Action Plan MOJ (November 20014 - March 2018) Principal 1 Equal Access Principal 2 Good Quality
	Report findings to CYOS Board, as part of RJ Performance Report	Quarterly	CYOS Georgina Kell		PCC Plan 2016 – 2020 Key theme-supporting victims of crime
	Managers to attend scrutiny and development group (Police, CSC, LAC, YOS, commissioning, residential unit representatives)	Three monthly review & tasking meeting	Matthew Haynes	Victim feedback informs service developments	

	Redevelop current victim feedback/evaluation framework to ensure that aggregated data/ impact indicator information can be responded to in service developments	Q3	CYOS Georgina Kell		Restorative Justice Council CYOS Restorative Service Quality Mark report recommendation
	RJ Accreditation of individual CYOS and partner staff	Q4	CYOS Matthew Haynes		
2.	Street Doctors Programme development Deliver 2 workshops at targeted schools	Q1	CYOS Tom McSweeney	Increased awareness of the dangers of knife crime both in terms of injury but also in terms of CJS	PCC Plan 2016-2020 Key theme- Protecting from harm, developing understanding of violence and delivery of interventions that reduce harm Coventry Children and Young People plan Work stream 3 – stay safe
	Deliver 2 workshops Youth Service	Q3	Youth Service Nigel Patterson		
	Deliver 2 workshops CYOS young people	Q2	CYOS Tom McSweeney	Long term impact, if pilot extended, reduced levels of knife crime & young people are safer	
	Deliver 1 workshop Rainsbrook secure training centre	Q3	CYOS Tom McSweeney		
	Partner evaluation event and report	Q3	CYOS Tom McSweeney		
3.	Data reports/ analysis identifying trends to be produced for CYOS Management Board from the “live” Reoffending local tracker	In line with CYOS Management Board	CCC Data Team Dave Woodhouse	Partners to respond quickly to emerging trends targeting preventative measures/	Coventry Children and Young People plan measure 10

	Live tracker substantive item update to CYOS Board	Q3	Dave Woodhouse	messages. Less victims, reduced FTE	
4.	CYOS maintain engagement with the city Police School Panels. To be used as a conduit for sharing CYOS intelligence regarding emerging patterns of behaviour	Attendance each term at a Panel	CYOS Eve Aspley	Timely prevention activity, reduced FTE and reoffending	Coventry Children and Young People plan Work stream 3 – stay safe
	CYOS education lead to attend MVP multi agency training event	Q1	CYOS Eve Linstead	Young people are safer	
	CYOS Data reports available		CCC Date Team Dave Woodhouse	Co-ordinated citywide harm reduction activity	
	Knife crime report to be available for presentation to Panel, consideration to be given to extension of Street Doctors programme	Q3	Racheal Davenport Co-ordinator Coventry Schools and Police Panels & Mentors in Violence Prevention (MVP)		

	Explore how the Mentor's in violence Prevention (MVP) activity can support the broader prevention activity as part of a comprehensive intervention programme to meet diversity of need and risk levels	Q3	Racheal Davenport, CYOS Georgina Kell & Eve Linstead		
5.	CYOS to support the West Midlands Regional Scrutiny activity, both in terms of providing information and attendance at the eastern scrutiny Panel (Coventry, Solihull, Birmingham East)	Eastern Scrutiny Panel July 2017. Subsequent dates to be confirmed	CYOS Georgina Kell	Integrity of OOCB maintained "even handed justice" Young people are safer	ACPO OOCB Guidance and Gravity matrix YJB OOCB Guidance and National Standards
6.	Strengthening families(SF) Attendance at new Steering Board Agree key CYOS activities to support the new agreed priorities	Commence Q2 Q2	CYOS Georgina Kell	Impact of FTE's Young people are safer	HMIP thematic " The contribution of Youth Offending Teams to the work of the Troubled Families Programme " January 2015 Supporting Coventry Early Help Strategy delivery objective specific to SF
7.	Analysis report FTEs; Point of entry , gravity scores, ethnicity, thresholds	Q2	CCC Data Team Dave Woodhouse		
	Action planning and implementation	Q3	CYOS Georgina Kell		

REOFFENDING					
8.	Secure Young Adults in Court T2A Centre for Youth Justice Innovation Pilot, Maturation of young people bespoke court approach to the 18-24 year old cohort		WMP Inspector Osbourne	Young adults are able to understand and participate in their CJS experience, procedural fairness	T2A, CJI proposal paper 2016
	Delivery due to commence	September 2017	CYOS Adrian Seymour		
	Partner Evaluation Report	TBC	Partner Report Adrian Seymour		
9.	Which Way - Introduction to resource Workshop	Q2	CYOS Tom McSweeney	Participants develop a better understanding of What exploitation is? What peer abuse is/ What consent is? How some people gain power and control over others- young people are safer	Coventry Children and Young People plan Work stream 3 – stay safe
	Evaluation of impact workshop	Q4	CYOS Tom McSweeney		
10.	Referral Orders All managers to observe Panels	Q2	CYOS Operation Managers		Referral Orders - do they achieve their potential? An inspection by HM Inspectorate of Probation 2016

	Analysis of reports against contracts to ensure that the contract is not a direct reflection of the case managers interpretation but rather an agreement between the young person and the “community”	Q3	CYOS Matthew Haynes	Contracts reflect an agreement between the community and the young person, parent/careers	
	Audit cases to identify when the panel report is first shared with the young person and family/ career. This must be in advance of the meeting itself	Q3	CYOS Matthew Haynes	Service user voice is heard	
	Action plan if required		CYOS Georgina Kell	Engagement	
11.	Performance report from COMPASS available to CYOS management Board. Aggregated impact data to be provided	In line with Board dates	CYOS Adrian Seymour Compass Beckie Richards	Impact of substance and alcohol misuse interventions demonstrated	Coventry Drug and Alcohol Strategy 2017 - 2020 Alcohol and Drug Implementation Plan
12.	CYOS to engage in the re commissioning of “Risky Behaviours “ service				Coventry Drug and Alcohol Strategy 2017 - 2020
	Attendance at steering group	Dates agreed	CYOS Georgina Kell		Alcohol and Drug Implementation Plan
	Attendance at Operational Group	Q3	CYOS Adrain Seymour	Delivery model responds to identified needs	

	Specification agreed		Jane Craig		
13.	Compass end of intervention impact reports to be provided to case managers in all cases	Review / end of intervention	CYOS Adrian Seymour Compass Beckie Richards	Planning across the 3 domains of risk reflects Compass findings	Coventry Drug and Alcohol Strategy 2017 - 2020 Alcohol and Drug Implementation Plan
	Compass performance report to be incorporated in to CYOS Management Performance report to include aggregated impact data and volume indicators	Q3	CYOS Adrian Seymour		
	Review meeting (CYOS & Compass)	Each Q3	CYOS Adrian Seymour CYOS Georgina Kell Compass Beckie Richards		
14.	Desistance Interviews – children and young people who have not reoffended for 12 months	Interview completed October 2017	CYOS Tom McSweeney	Identify from “desisters” what worked from their perspective to improve practice Young people’s voices are heard	Desistance and young people An inspection by HM Inspectorate of Probation (thematic) AssetPlus Guidance, Assessment and planning foundation training YJB
	Lessons learnt workshop (young people interviews) and discussion forum with practitioners on the success/ barriers re theory/model delivery as part of AssetPlus	Dissemination of “learning” workshop November 2017	CYOS Tom McSweeney		

	Case worker/key worker stability	Tracking - order ending each Q report - available for Board	BSC Sue Mair	Practitioners are able to utilise young people's perspective to enhance practice/ engagement/ desistance	
15.	Attendance Centre Programme accreditation 3 programmes 3 programmes	Q3 Q4	CYOS Dawn Gibson	Increased range Accredited learning opportunities available to meet a diversity of need	
16.	Live tracker to be utilised to identify any patterns of reoffending that should be taken in to account in delivery model	At each cohort completion point	CCC Data Team David Woodhouse	Service responds in a timely manner to emerging trends Any changes in risk across the three domains is immediately responded to	
	Changes to delivery model as appropriate	As applicable	CYOS Georgina Kell		
	Reoffenders are discussed at Case Planning meetings, plans/ interventions amended	Q2	CYOS Adrian Seymour		
	A specific process is agreed and applied in terms of multi-agency tiered response to LAC reoffending	Q3	CYOS Georgina Kell CSC Mat Clayton and Amrit Bilku		

17.	Missing, carried over. While improvement in notifications to CYOS has occurred it has not achieved 100% as evidenced by internal audit and a recent Safeguarding Board audit Youth Service to notify CYOS of all CYOS open missing young people	Q1	Youth Service Brian Mason	RHI information incorporated into CYOS Safeguarding and wellbeing assessments and planning	Dfe Statutory guidance on children who run away or go missing from home or care 2014 Safeguarding Board priority
	Test impact of information exchange between CYOS and Youth Service specific to missing episodes	Q3	CYOS Adrian Seymour	Young people are interviewed at the earliest opportunity	
18.	Case audit activity to continue across practice areas identified via SQS (management) across Safeguarding and well-being planning judgments and interventions, Diversity in planning	Two per worker per Q	CYOS Georgina Kell	AssetPlus Safeguarding and well-being judgements consistently applied in line with new YJB guidance	HMIP SQS 2016 HMIP InfoPath tool methodology and guidance
	Peer and self-audit activity across Safeguarding and well-being planning judgments and interventions, Diversity in planning	Starting 22 Two per worker per Q	CYOS Adrian Seymour	Diversity evidenced in assessments is reflected fully in planning Interventions	

			Kirsty Baker	Low – medium thresholds appropriate in all cases. Controls are explicit and active	YJB Assessment and Planning Foundation Training and Assetplus guidance
19.	Monitor transitions against Coventry, Warks, and Solihull Transition NPC. CRC protocol 2017		Kirsty Baker CYOS Matthew Haynes	Transitions occur based on service user need with appropriate services sustained	HMIP Thematic Transitions An Inspection of the Transition Arrangements from Youth to Adult Services in the Criminal Justice System (2012) Coventry, Warks, Solihull Transition NPC. CRC protocol 2017
	Impact report as to CYOS Management Board	Each Q	CYOS Georgina Kell		
CUSTODY					
20.	Lessons learnt reports for all custody cases, practitioner workshops	Each Q as required	CYOS Case holder and line manager		
21.	PACE - Monitor performance against statutory responsibilities (Open and Secure beds)	Each Q	CYOS Matthew Haynes	Young people are safer LA responsibilities for PACE transfer discharged	Concordat National Police Chiefs Council (NPCC) National Strategy for Police Custody
	Report to CYOS Strategic lead where duty not met Report to CYOS Board	As appropriate Each Q	CYOS Georgina Kell		

	Training Events as required for professionals Training event Route 21 and residential staff	Q2	CYOS Matthew Haynes	Key staff and carers understand and deliver against AA guidance	
22.	Review of alternative to custody provision Findings and action plan	Q2 Q3	CYOS Tom McSweeney	Custody is only used as a last resort	United Nations Convention on the Rights of the Child.
	Dissemination to Magistrates	Q3	CYOS Adrain Seymour		
23.	To provide all young people who require a Pre-Sentence Report a timely health assessment to provide context to the court to inform sentencing To develop the collaboration between case managers and health practitioners in the development of holistic PSRs Training	Q1 Q2	CYOS Health specialist Kelly Mogano CYOS Health specialist Kelly Mogano	Courts are provided with sufficient high quality information to enable them to take full account of their statutory responsibilities under welfare	Future in mind (FIM) - Promoting, protecting and improving our children and young people's mental health and wellbeing DoH NHS England Sentencing Children and Young People Sentencing Councils Definitive Guideline effective from 1 June 2017 Gov response to CTR
	Quality assure	Q3	CYOS Operation Manager Adrian Seymour		
24.	CJLD Information exchange pathway agreed	Q2	CYOS Health specialist Kelly Mogano		

	Audit against notifications and CJLDP statistics for YPS assessed	Q4	CYOS Health specialist Kelly Mogano		
	Report findings to CJLD steering group		CYOS Georgina Kell		
25.	On-going - Pre-sentence reports quality Assurance; Magistrates feedback – collate an aggregated report, identify any actions required	reported to monthly management meeting for discussion and action	CYOS Adrian Seymour	Magistrates have confidence in CYOS PSR Recommendation	HMIP SQS 2016
	Internal gatekeeping by Operation Managers - identify any actions required on individual reports and identify and respond to any patterns of deficiency	As required individually	CYOS Operation managers	CYOS is responsive to consultation feedback - “you said we did” All PSRS are satisfactory or higher	

OTHER LOCAL DRIVERS INDICATORS					
26. PSR - devolution of Youth Justice	Engagement events with CYOS Board and CYOS staff	Attendance at CYOS May Board 2017	PSR Project lead Claire Dhammi	CYOS is in a strong position to influence CA delivery model	West Midlands Combined Authority Devolution agreement PSR Youth Justice Devolution milestones
	PSR Project lead for Offending Criminal Justice and Youth Justice PSR Team attendance at appropriate forums	CYOS Practitioner consultation April 2017	PSR project lead Claire Dhammi		
		Other dates to be determined as appropriate	CYOS Georgina Kell	Better outcomes for young people	
27. Training/ development	Practitioner development day Including Signs Of Safety & Engagement	Q3	Principal Social worker Lee Pardy Mclaughlan	Staff are able to use model to inform reflective practice and to support safety & well-being planning	Child Sexual Exploitation Audit Action Plan , Coventry Safeguarding Children Board
28.	HCPC and Professional Social Work Accreditation Pathway and staff development plan staff development plan	Q4	Principal Social worker Lee Pardy Mclaughlan		
29.	DVRIM All staff who have not already completed training	Q4	CYOS Georgina Kell	Improves safety and well-being planning	
30.	Prevent Refresh training WRAP	Q3	CYOS Matthew Haynes	Staff are able to identify vulnerability capacity and	

				intent and utilise referral procedure Staff are aware of new learning and developments	
31. Health & well being	Proactive response to data collection; Health specialist undertakes home visits Health specialist utilises post intervention national standard appointments Increased service user impact data available to Board	Q1 Q3	CYOS Health specialist Michaela Wickham - Hills	Increased engagement, service user impact assessments, evidenced based interventions	Future in mind (FIM) - Promoting, protecting and improving our children and young people's mental health and wellbeing DoH NHS England (2.10, 8.3)
32. Health & well being	Meeting with CJLD Process agreed and implemented Review process	Q1 Q2 Q3	CYOS Health specialist Kelly Mogano CJLD Lead.	CJLD and CYOS have effective communication pathway in place which ensures each partner has appropriate and timely access to each other's health assessments	Future in mind (FIM) - Promoting, protecting and improving our children and young people's mental health and wellbeing DoH NHS England (5.16, 6.3, 6.9) Government response to CTR p15
33. Health & well being	Multi-disciplinary training needs consultation Agreed training programme and commencing of delivery Minimum 4 training events	Q1 Q2 Q4	CYOS Health specialist Michaela Wickham - Hills	Professionals who work with children and young people are trained in child development and mental health and understand what can be done to	Future in mind (FIM) - Promoting, protecting and improving our children and young people's mental health and wellbeing DoH NHS England (6.7, 8.3, 8.8,8.9) Health and Wellbeing Strategy 2016/ 19

				provide help and support those who need it	
34. Safeguarding	Cyber-crime, Utilising Get Safe on Line and CEOPS resources develop interventions that target different age ranges resource. Building on last year's CYOS delivery to residential homes, resources to be shared with them	Q4	WMP Hinesh Mehta CYOS Dawn Gibson	Young people are aware of the on line issues and have information that they can use to "stay safe" Young people can describe safe methods of social media Young people can describe the impact of cyber bullying on others Parents are able to apply security measures to home technology	Coventry Cybercrime Strategy (West Midlands Police) Child Sexual Exploitation Audit Action Plan , Coventry Safeguarding Children Board Coventry Children and Young People plan Work stream 3 – stay safe Serious and Organised Crime Local Profile 2017 Coventry Recommendations 9,21 & 22
	Workshops to parents as required		CYOS Dawn Gibson		
35. CSE	Deliver against CSE Action Plan All Service Managers to read and brief the strategy and delivery Plan to teams , direct staff to toolkit	TBC- subject to external updates being completed As required	CYOS Georgina Kell	CYOS are familiar with new developments and are able to screen and intervene as appropriate	Child Sexual Exploitation Audit Action Plan, Coventry Safeguarding Children Board Recommendation 1 the strategy, delivery plan and toolkits are reviewed and revised to reflect the findings of this report.

	Update CYOS procedures in line with changes to citywide procedures		CYOS Adrian Seymour	Young people are safer	<p>Recommendation 2 there are robust processes for managing low and medium risk cases, ensuring that specific risk reduction strategies result in positive outcomes for all children at risk of or experiencing CSE</p> <p>Recommendation 3 prevention element of the strategy should be strengthened to ensure that all professionals are able to implement interventions that reduce risk. For example, healthy relationships and improving resilience</p> <p>Recommendation 4 all CSE responses focus on the needs and views of the child, ensuring that the relational model used for high risk cases is reflected at all levels of CSE risk.</p> <p>Recommendation 5 partnership ensure the effectiveness of support and the impact on the lives of the children concerned is measured and recorded and informs multiagency screening process</p> <p>Serious and Organised Crime Local Profile 2017 Coventry Recommendations 8,9,12 & 13</p>
	Programme of CYOS CSE “champion” briefings to staff group to continue		CYOS Nick Jeffries		
	Audit on cases to ensure that CSE screening has occurred in line with guidance , where appropriate risk reduction strategies are reflected in safety and well-being assessments and intervention plans	Q3	As above to form audit team		
	PIF and cascade down to staff	TBC	Principal Social Worker Lee Pardy McLaughlin		

	Deliver “ Healthy life styles” Intervention as required	On demand	CYOS Dawn Gibson	Young people can demonstrate knowledge of methods of saying safe (Social Media) Can identify services they can access	Coventry Violence against Women and Girls– 2016-2020 which includes DVA , sexual violence and exploitation Health and Wellbeing Strategy 2016/ 19 Work stream 3 Stay safe
36. Safeguarding	Retained - DVA Dash, monitor levels of completion and outcomes	Each Q	CYOS Adrian Seymour	Staff are able to signpost young people to appropriate services. Staff are able to manage conversations appropriately Increased awareness of indicators	Coventry Violence against Women and Girls– 2016-2020” which includes DVA , sexual violence and exploitation Health and Wellbeing Strategy 2016/ 19 Work stream 3 Stay safe
37.	CYOS will regularly meet with Prospects (quarterly) and will review; Performance (CYOS) general NEET cohort New developments Action planning	Quarterly	CYOS Matthew Haynes Prospects Karen Allen Jas Nagra	Consistent performance against local indictor Young people have an appropriate ETE provision based on diversity of need	

38. Education	Improve the quality of the ETE Report to CYOS Board	Q3	CYOS Eve Linstead	CYOS Board can consider appropriate actions to support performance. All young people have an appropriate timely ETE	Review of the Youth Justice System in England & Wales by Charlie Taylor provision
39.	Report to CYOS Board on NEET provision, flag resource gap	Q3	Prospects Jas Nagra	CYOS Board can consider appropriate actions to support performance. All young people have an appropriate timely ETE	Review of the Youth Justice System in England & Wales by Charlie Taylor provision

Appendix 2 – Budget

Table 1: Partner contributions to the youth offending partnership pooled budget 2017-18

Agency	Staffing costs (£)	Payments in kind – revenue (£)	Other delegated funds (£)	Total (£)
Local authority ¹	417,653	0	341,665	759,318
Police Service	51,771	0	20,064	71,835
National Probation Service	49,775	0	5,000	54,775
Health Service ⁴	64,006	0	13,309	77,315
Police and crime commissioner ²	51,688	0	33,312	85,000
Welsh Government	0	0	0	0
YJB Youth Justice Grant (YRO Unpaid Work Order is included in this grant) ⁵	436,854	0	57,319	494,173
Other ³	0	0	0	0
Total	1,071,747	0	470,669	1,542,416

¹For multi-authority YOTs, the totality of local authority contributions should be described as one figure.

²Any money from the Police and crime commissioner that has been routed through a local crime reduction partnership should be included here.

³ It should be noted that the ‘Other’ category is for additional funding that the YOT can use for any general youth justice activities. Accordingly, funding such as the YJB Grant for Junior Attendance Centres should not be included as there is an expectation that these streams must be used for the delivery of services as intended, only when this has been achieved can any surplus be reinvested within wider YOT service delivery.

⁴£64k staffing costs for the health resource is not paid to YOS direct, but funds posts in health via health contracts.

⁵ Includes estimated budget for Sessional Staff costs.

Appendix 3 – Spend against YJB Grant

2017/18 YJB Youth Justice Grant funding

	<u>Budget</u>	<u>Forecast outturn</u>	<u>Forecast Over(Under) spend</u>	<u>Comments</u>
<u>Youth Justice Grant budget</u>				
- Salaries	£436,854	£436,854	£0	Includes £12K Allocation for Sessional Salaries
- Activity costs	£29,237	£29,237	£0	
- Overheads	£28,082	£28,082	£0	
- Equipment	£0	£0	£0	
Total - Youth Justice Grant	£494,173	£494,173	£0	

Appendix 4 – Staffing Information**Staffing Information****YOS Staff Ethnic Origin including Sessional Workers and Volunteers**

Ethnic Origin	White British	White Other	Indian	African	Dual Heritage	Black Other	Asian	Unknown	Total
Strategic Manager	1								1
Operational Managers	3								3
Practitioners	22		2			3			27
Administration	4		2						6
Sessional Workers	5		3	2			1	1	12
Volunteers	6	6			2		3	1	18
Total	41	6	7	2	2	3	4	2	67

YOS Staffing contract type including Gender

Ethnicity	Managers Strategic		Managers Operational		Practitioners		Administrative		Sessional		Student		Volunteer		Total	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
White British		1	3		3	14	1	3		6			4	14	11	38
White Irish															0	0
Other White															0	0
White & Black Caribbean															0	0
White & Black African															0	0
White & Asian															0	0
Other Mixed															0	0
Indian						2		2	1	1			1	3	2	8
Pakistani															0	0
Bangladeshi															0	0
Other Asian															0	0
Caribbean					2										2	0
African									2						2	0
Other Black						1			1					1	1	2
Chinese															0	0
Any other ethnic group															0	0
Not known															0	0
Total	0	1	3	0	5	17	1	5	4	7	0	0	5	18	18	48
* Welsh Speakers															0	0

* Welsh YOTs only

Appendix 5 – Performance Information

First Time Entrants

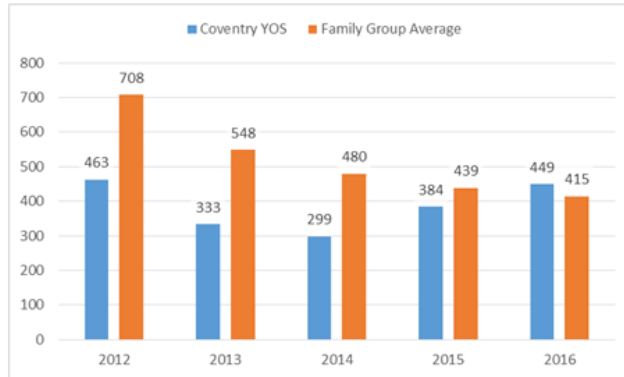


Table 1: FTEs per 100,000 of the 10-17 year old population, Coventry YOS 2012-16 (calendar years)

Reoffending

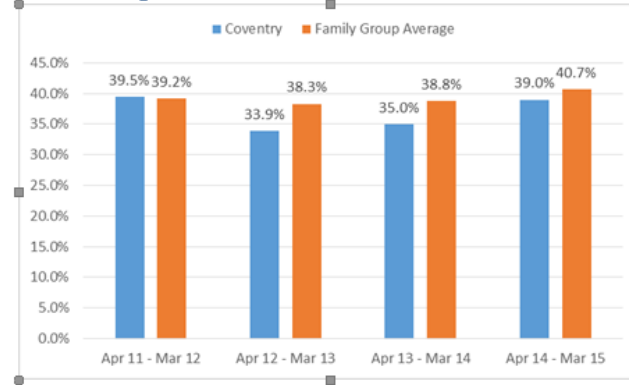


Table 2: Young offenders reoffending within a year, Coventry YOS 2011-15

Use of Custody

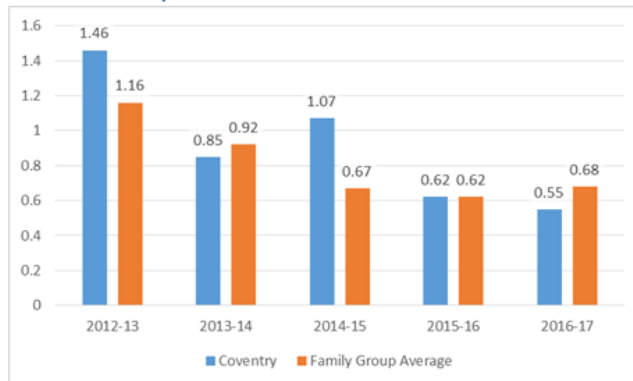


Table 3: Custodial sentences as a rate per 1,000 of the 10-17 year old population, Coventry YOS

Use of Remand

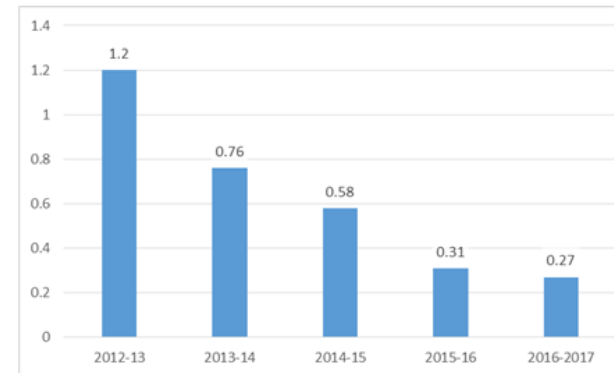


Table 4: New remand episodes per 1,000 of the 10-17 year old population, Coventry YOS

Custody and Remand

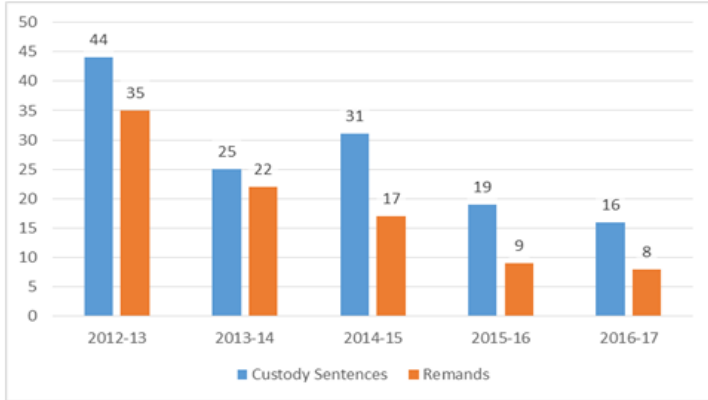


Table 5: New episodes of custody and remand, Coventry YOS 2012-17

Accommodation

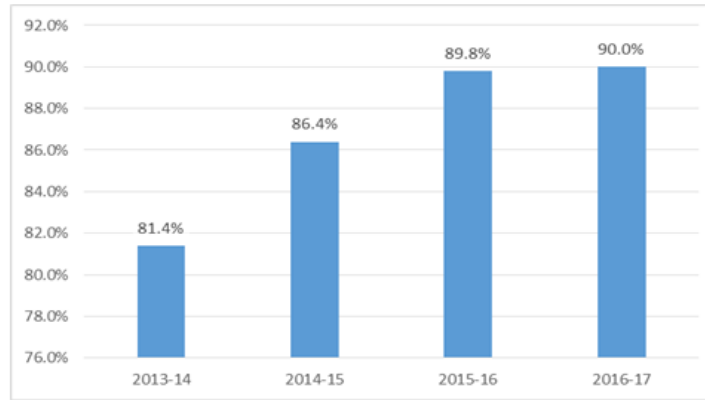


Table 6: Suitable accommodation, Coventry YOS 2013-17

Education, Training and Employment

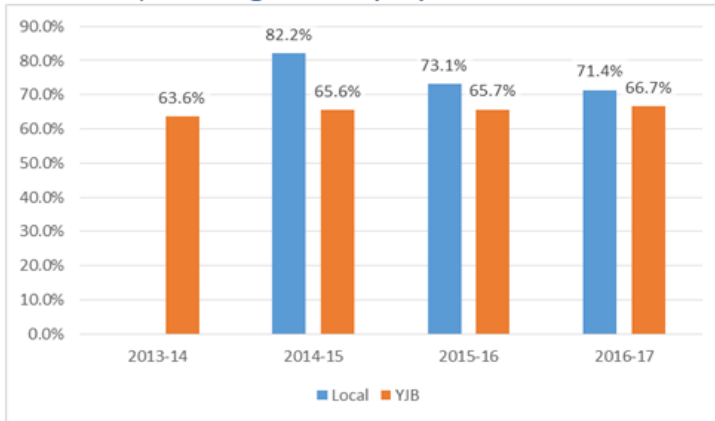


Table 7: Engagement in suitable ETE by local assessment and by former YJB national standard, 2013-17

□

Disposals

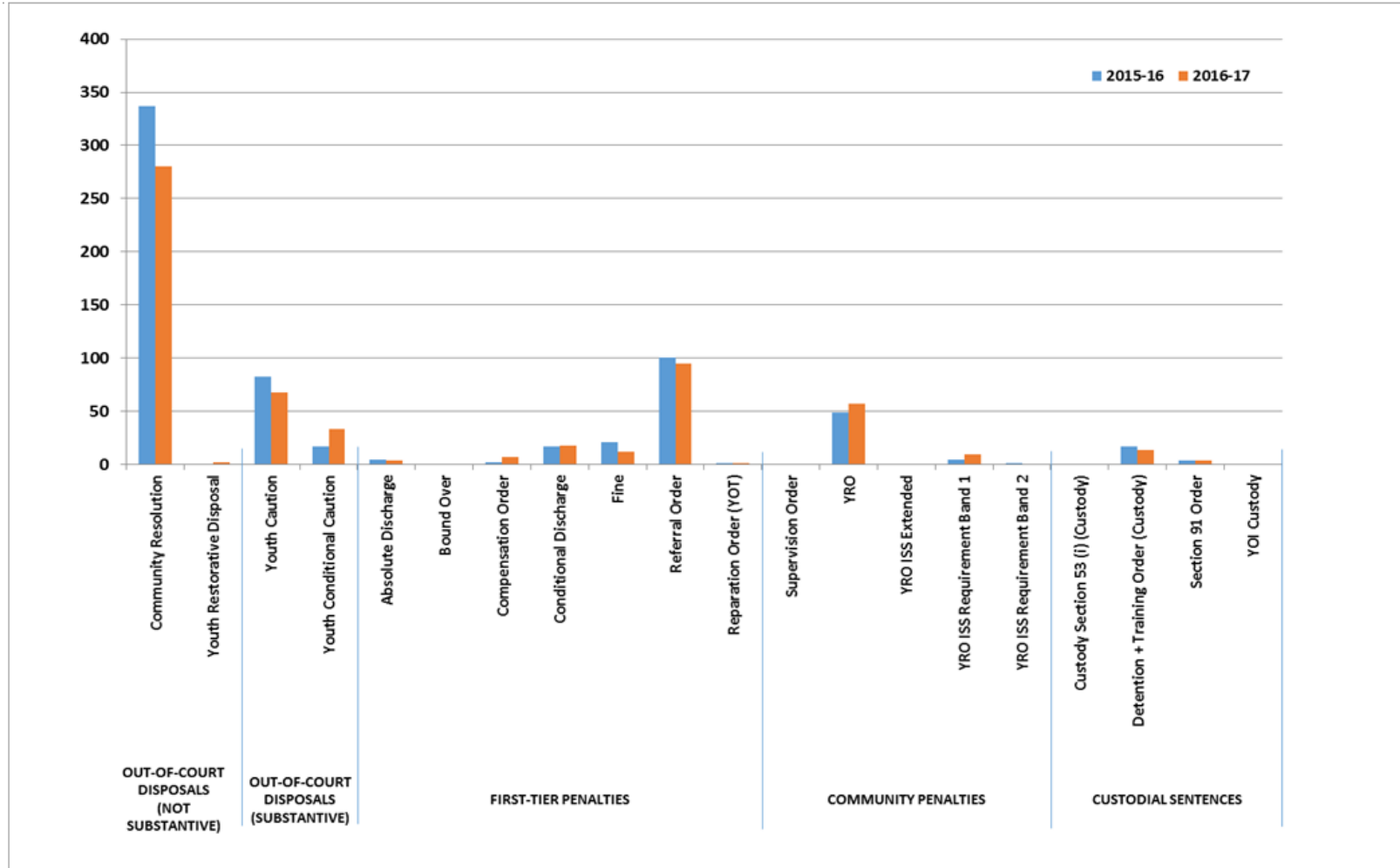


Table 8: Disposals, Coventry YOS 2016 & 2017 Financial Years

Offences

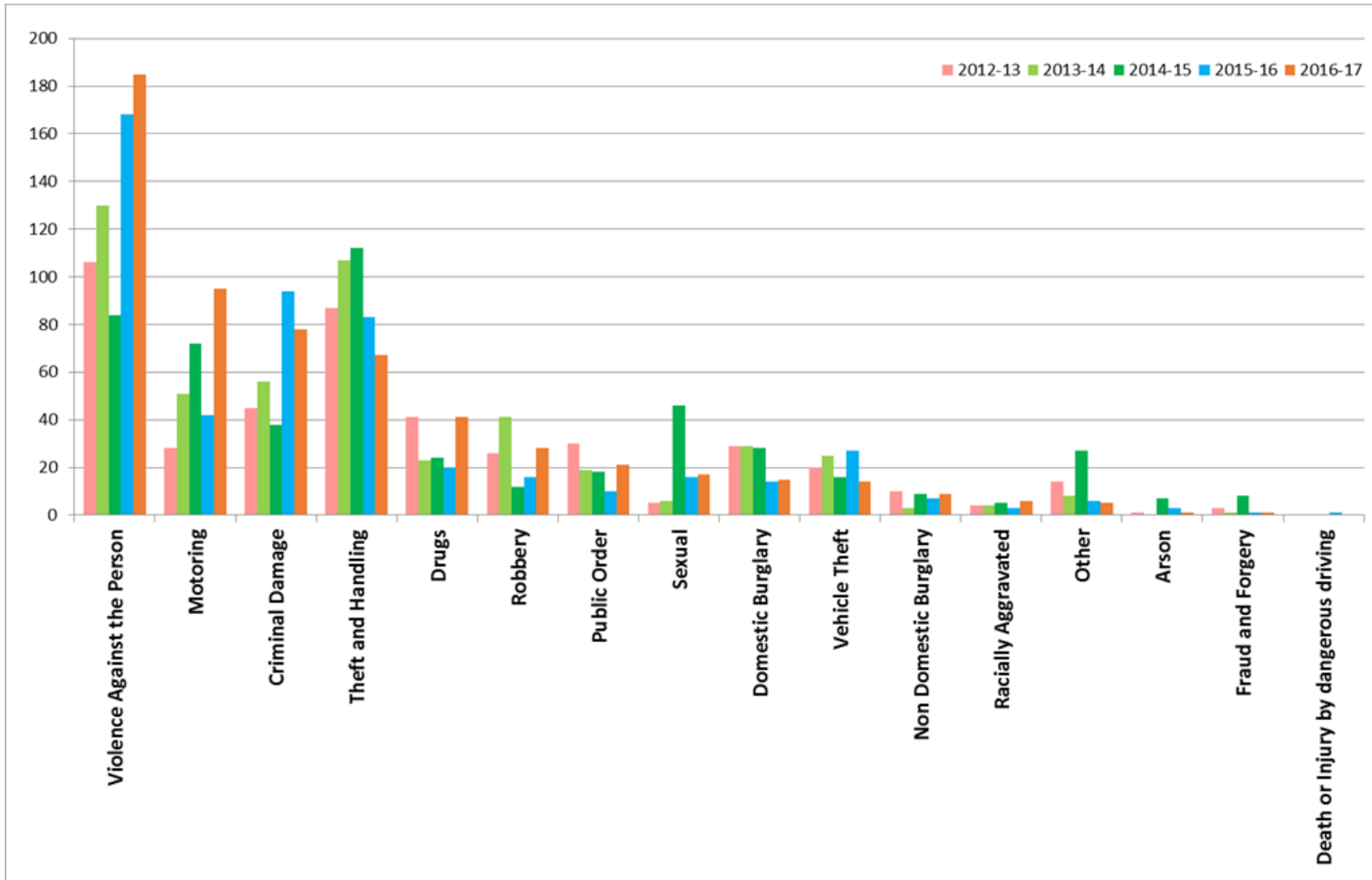
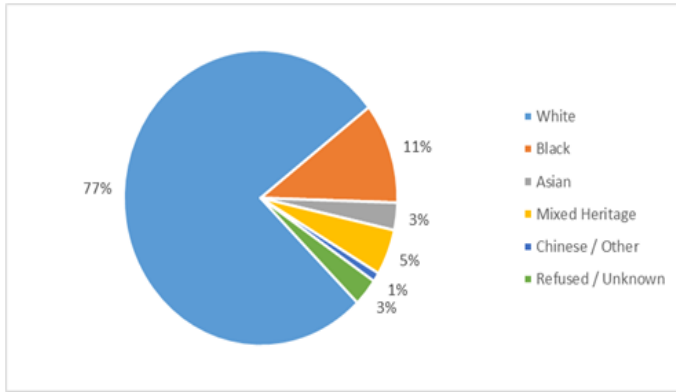


Table 8: Offences by offence type, Coventry YOS 2013-2017



Ethnicity

Table 10: Ethnic profile of young people with proven offences, Coventry YOS 2016-17

Gender

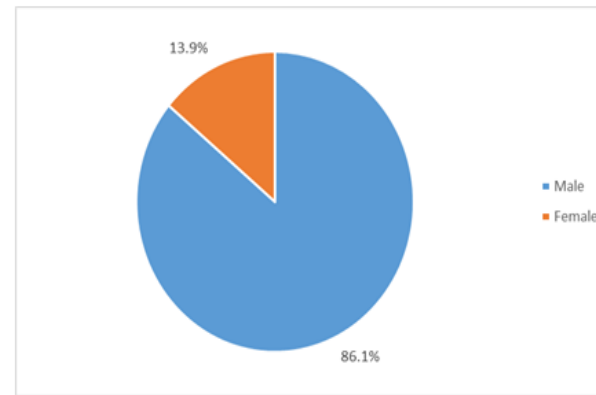


Table 11: Gender profile of young people with proven offences, Coventry YOS 2016-17

Age

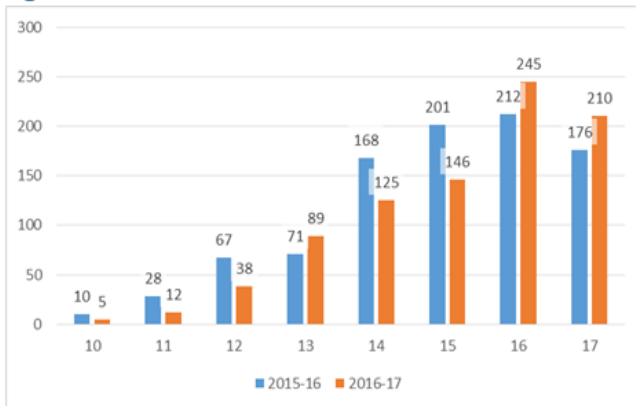
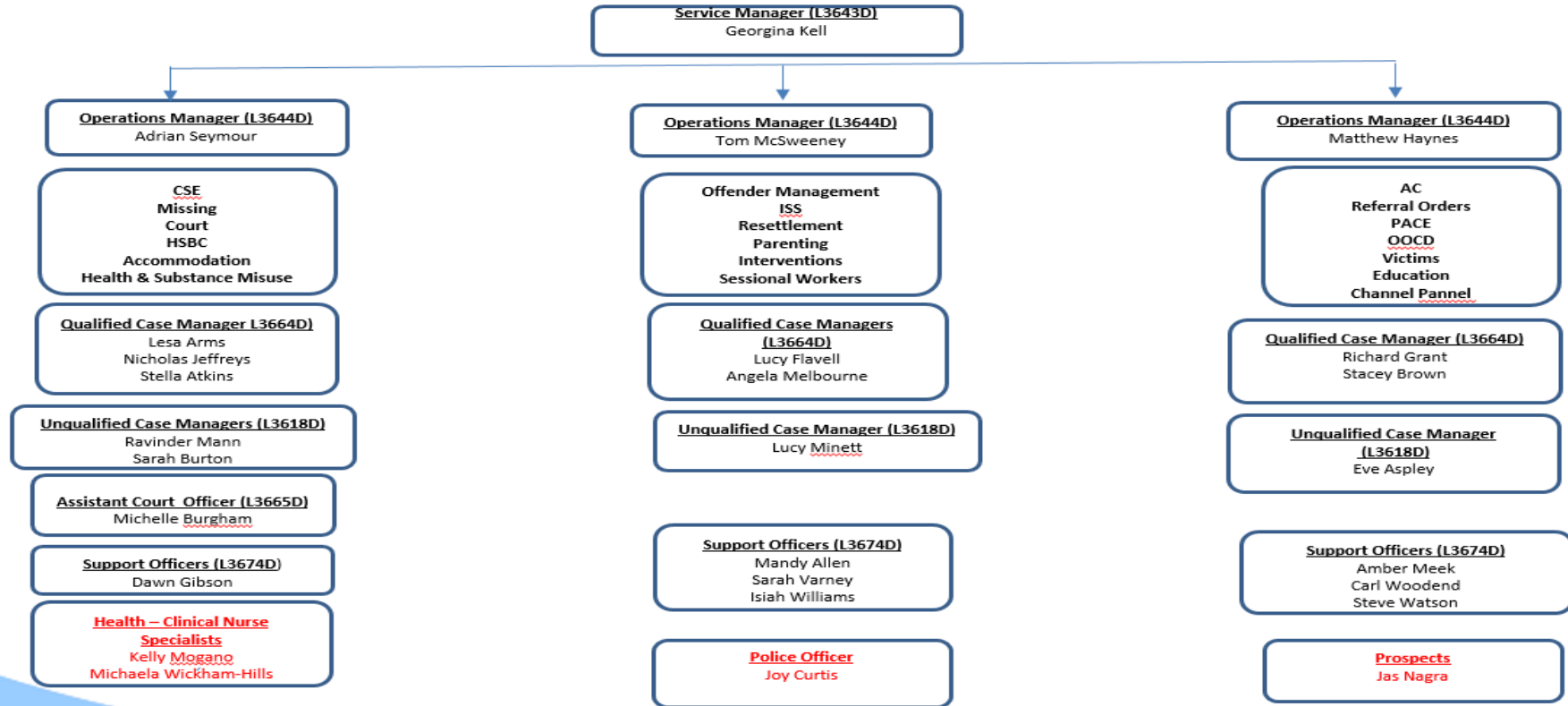


Table 12: Ages of young people at offence date, per proven offence, excluding breaches – Coventry YOS 2016-17

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Appendix 6 – CYOS Organisation Employee Structure 2017

CYOS Organisation Employee Structure (February 2017)



Appendix 7 – Management Board Membership

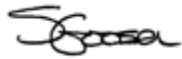
Name	Title
Acting Chief Superintendent Sharon Goosen Chairperson	West Midlands Police. Chief Superintendent Police Commander for Coventry
Anne Brennan	Senior Advisor 11 – 25 years old - Adviser/Secondary Lead (Education Standards and Improvement Team, Coventry City Council)
Matthew Gilks	Director of Commissioning, NHS Coventry and Rugby Clinical Commissioning Group
John Gregg	Director of Children’s Services for Coventry
Valerie Elliott (observer)	Deputy Chair of Youth Panel
Jim Horgan	Advisory Teacher Coventry Virtual School (formerly LACES), Coventry City Council
David McNally	Partnership Adviser – Midlands, Youth Justice Board for England and Wales
Liam Nagle	Community Safety Officer, Coventry City Council
Andy Wade	Head of Coventry, Solihull & Warwickshire National Probation Service Midlands Division
Karen James	Head of Specialist Health Services for Children and Young People
Jane Brooks	Strategic Lead for Health & Protection – Children’s Services

Appendix 8 – Management Board sign off page



..... (Signature)

John Gregg - Director of Children's Services for Coventry



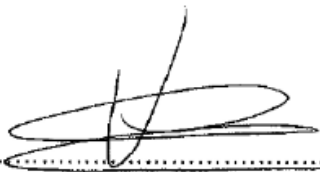
..... (Signature)

Sharon Goosen - Acting Chief Superintendent Police Commander for Coventry, West Midlands Police.



..... (Signature)

Andrew Wade - Head of Coventry, Solihull & Warwickshire National Probation Service | Midlands Division



..... (Signature)

Karen James - Head of Specialist Health Services for Children and Young People



..... (Signature)

Matthew Gilks - Director of Commissioning, NHS Coventry and Rugby Clinical Commissioning Group

Appendix 9 – Glossary of Terms and Abbreviations

CAF	Common Assessment Framework
CAMHS	Children and Adolescent Mental Health Service
CBO's	Criminal Behaviour Orders
CBT	Cognitive behaviour Therapy
CDQR	Community Division Quarterly Review
CHAT	Comprehensive Health Assessment Tool
CIN	Child in Need
CJS	Criminal Justice System
CP	Child Protection
CR	Community Resolution
CSE	Child Sexual Exploitation
COMG	Coventry Offender Management Group
CYOS	Coventry Youth Offending Service
DVA	Domestic Violence and Abuse

ECR	Enhanced Community Resolution
EHC	Education Health + Care Plans
EIP	Early Intervention Strategy + Plan
ETE	Education, Training and Employment
FTE	First Time Entrants (to the Criminal Justice System)
HMIP	Her Majesty's Inspectorate of Probation
HOS	Head of Service
IOM	Integrated Offender Management
IYSS	Integrated Youth Support Service
JAC	Junior Attendance Centre
LAC	Looked After Children
LGA	Local Government Association
LSCB	Local Safeguarding Children Board
MAPPA	Multi-Agency Public Protection Arrangements

MASH	Multi-Agency Safeguarding Hub
MoJ	Ministry of Justice
MST	Multi-Systemic Therapy
NEET	Not in Education, Training or Employment
OOCD	Out-of-Court Disposal
PACE	Police and Criminal Evidence
PBR	Payment by Results
PCC	Police and Crime Commissioner
PNC	Police National Computer
PPRC	People Posing Risk to Children
RJ	Restorative Justice
SEN	Special Educational Needs
STC	Secure Training Centre
T2 Adult	Transition to Adulthood Programme
YJB	Youth Justice Board

YJS	Youth Justice System
YODOC	Youth One Day One Conversation
YOI	Youth Offending Institute
YOT	Youth Offending Team



Abstract - Drawing courtesy of a CYOS Young Person – ring road under a bridge



Abstract - Drawing courtesy of a CYOS Young Person – Swanswell Pool



Cabinet
Council

31st October 2017
5th December 2017

Name of Cabinet Member:

Cabinet Member for Policy and Leadership (Leader of the Council) - Councillor G Duggins

Director Approving Submission of the report:

Chief Executive

Ward(s) affected:

All

Title:

Governance of the West Midlands Fire Service

Is this a key decision?

Yes - Approval is being sought to agree significant changes to the model and governance arrangements of the West Midlands Fire Service

Executive Summary:

The purpose of this report is to consult constituent authorities on the now prepared Governance review (Appendix A) and scheme (Appendix B) for the proposed governance model of the West Midlands Fire Service (under the Mayoral West Midlands Combined Authority) prior to going out for formal public consultation.

Recommendations:

Cabinet is recommended to:

1. Agree that proposed arrangements for West Midlands Fire Service should include the WMCA Fire Service budget being ring fenced for Fire Service functions.
2. Approve the prepared governance review and scheme.
3. Agree to move forward to public consultation for the scheme and proposed governance model.
4. Delegate authority as required to the Chief Executive to make minor amendments to the Governance review and Scheme on completion of the Local Authority approval process and prior to public consultation.
5. Recommend Council approve recommendations 1, 2 and 3 at full Council meeting on 5th December 2017.

6. Support/lead on the public consultation in the City of Coventry region on behalf of the WMCA.
7. Note the timeline of governance route to Mayoral West Midlands Combined Authority.

Council is recommended to:

1. Approve the prepared governance review and scheme.
2. Agree to move forward to public consultation for the scheme and proposed governance model.
3. Delegate authority as required to the Chief Executive to make minor amendments to the Governance review and Scheme on completion of the Local Authority approval process and prior to public consultation.

List of Appendices included:

Appendix A – Governance Review
Appendix B - Scheme

Background papers:

None

Other useful documents

WMFRA report: 'Route Map to Mayoral Governance' (20 February 2017)
WMFRA Report - Future Governance Working Group (20 February 2017)
Future Governance Working Group Report (February 2017)
West Midlands Combined Authority (WMCA) report (3 March 2017)
WMFRA report – 'Route map to Mayoral West Midlands, Combined Authority Governance - a Reformed Fire Authority (RFA) and decision (10 April 2017)

WMCA Board Report - 8 September - Mayoral WMCA Governance of WMFS
<https://governance.wmca.org.uk/documents/s617/Report.pdf>

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

Yes - 5th December 2017

Report title: Governance of the West Midlands Fire Service

1.0 Purpose

1.1 The purpose of this report is to consult constituent authorities on the now prepared Governance review (Appendix A) and scheme (Appendix B) for the proposed governance model of the West Midlands Fire Service (under the Mayoral West Midlands Combined Authority) prior to going out for formal public consultation.

1.2 Background

1.3 In response to the Policing and Crime Bill (2016) consultation, the West Midlands Fire and Rescue Authority (WMFRA) set out a direction seeking the future sustainability of services under a Mayoral WMCA model of governance.

1.4 In recognising the need for an independent review of the possible future governance options, WMFRA commissioned an appraisal panel in April 2016. The Groups outcomes and conclusions are detailed in the attached Governance Review (Appendix A).

1.5 The outcomes of the group were then built upon through a public consultation undertaken during December 2016 to January 2017, seeking public and partner opinion regarding the future strategy to deliver risk-based services across the West Midlands. A Reformed Fire Authority (RFA) and Mayoral Combined Authority were identified as the 'desirable' options for the future governance of West Midlands Fire Service (WMFS).

1.6 Accepting the findings of both the Group and the public consultation, considering these against the Strategy of WMFS, the priorities of the WMCA and the expectations of government, the route to future Mayoral WMCA governance was agreed by WMFRA on the 20 February 2017.

1.7 The WMCA supported the WMFRA's broad proposal for the transfer of its functions to the Mayoral Combined Authority on 3rd March 2017.

1.8 Alongside this, work is underway to implement a RFA as an interim measure until WMFRA functions are transferred to and assumed by the Mayoral Combined Authority.

1.9 On the 8 September 2017 the WMCA board noted the timeline for the mayoral governance route and approved the development of a governance review and scheme, for Mayoral Combined Authority governance of WMFS pursuant to Sections 111 and 112 (1d) of Local Democracy, Economic Development and Construction Act 2009. The Scheme is detailed in Appendix B. The timeline referred to here is provided in this report in paragraph 3.1.

- 1.10 The benefits of the Mayoral WMCA governance model provides huge opportunities for the joint transformation of public services to West Midlands communities, providing value for money in the delivery of public safety. These opportunities have been detailed in the Governance Review.
- 1.11 The Governance Review in Appendix A provides a review of existing governance arrangements and functions, this includes the proposed new model under the Mayoral combined authority.
- 1.12 The Scheme detailed in Appendix B details the roles, accountabilities, and powers required by each individual /body in the proposed governance model.
- 1.13 Following constituent authority consultation on the Governance Review and Scheme, the Scheme must enter a formal public consultation in adherence to section 112 Local Democracy, Economic Development and Construction Act 2009.
- 1.14 The Government will use these documents and the results of the consultation to approve the model and create an order to amend existing legislation, in order to confer the necessary powers on the Mayoral WMCA to carry out the functions currently exercised by the WMFRA.

2.0 Options considered and recommended proposal

- 2.1 The route to future Mayoral WMCA governance was agreed by WMFRA on the 20 February 2017 and full details are listed within the Governance Review.
- 2.2 At the WMCA meeting on 8 September it was agreed that there was a requirement for all constituent authorities to approve the content of the review and scheme, pursuant to section 112 Local Democracy, Economic Development and Construction Act 2009.
- 2.3 The City Council could not approve the scheme as drafted and refer the matter back to WMFRA and/or WMCA for consideration; this is not recommended as it will impact upon the timeline as outlined below. The recommendations proposed allow minor amendments to be made, if considered necessary, by delegated authority to the Chief Executive.

3 Result of consultation undertaken

WMFRA has undertaken discussions with stakeholders, the proposal is to enter into a period of public consultation.

4 Timetable of implementing this decision

Timeline (indicative) for this journey:

Details	Date
WMCA approve the Governance Review and for a Scheme to be developed.	8 September 2017
Development of governance review and scheme, which will consider the business case for the change in governance.	September 2017
Constituent Authority approval of content of governance review and scheme.	October - November 2017
WMCA approval of content of Governance Review and Scheme.	8 December 2017
Consultation of proposals set out in the scheme on behalf of the Secretary of State (6 weeks minimum)	January – February 2018
Analyse consultation responses locally	March 2018
Governance Review, Scheme and analysis of consultation reviewed by Secretary of State (4-12 weeks)	April 2018
Government development of Order detailing changes required in legislation to abolish WMFRA and amend legislation to enable future Mayoral WMCA governance	May – June 2018
Constituent Authority/ CA approval of detail of Order	July - September 2018
Order amended where needed locally enters Parliamentary Process	September - October July 2018
Secretary of State approves Order	November 2018
WMFRA functions transfer to the WMCA	November/ December 2018

5 Comments from Director of Finance and Corporate Services

5.1 Financial implications

- 5.1.1 The cost of this governance route has and will continue to be met from within existing approved budgets which have largely been delivered through WMFS. Support has also been provided by the WMCA and local authority Legal Services.
- 5.1.2 Future reports will detail any additional costs that will need to be met.
- 5.1.3 The financial implications for local authorities would be those arising from any resources allocated to supporting the public consultation.

5.2 Legal implications

- 5.2.1 The legal implications and process for devolving powers to the WMCA are set out above in this report.

- 5.2.2 The proposals in this report will meet the government's expectations that all Fire and Rescue Services consider one of the alternative routes leading to reform.
- 5.2.3 WMFRA have been consulting with the legal heads of service from all seven constituent local authorities for advice and guidance.
- 5.2.4 All relevant legislation pertaining to this governance route has been detailed in the Governance Review and Scheme.
- 5.2.5 By progressing down this route it is envisaged that the Secretary of State will provide the constituent authorities with the ability to approve the final order transferring the governance of WMFS to the WMCA but this is not a statutory requirement. The statutory requirement is to have due regard to the Scheme as submitted.
- 5.2.6 Clarification on potential impact of any liability and risk that WMCA inherits is being sought.

6.0 Other implications

6.1 How will this contribute to achievements of the Council's plan?

No significant impact is identified from the proposals

6.2 How is risk being managed?

The proposal is for WMFS to join the Combined Authority as a statutory organisation and its members would be required to manage the risks associated with its activities.

6.3 What is the impact on the organisation?

The impact on the City Council will include a change in the governance arrangements as outlined in the attached scheme and review that will alter the current committee arrangements.

6.4 Equalities implications

- 6.4.1 There are no direct equalities implication at this stage, however participants from all the equality strands will be invited to comment during the consultation process. Once consultation has been completed an equality impact assessment will be undertaken in line with the City's equalities procedures.
- 6.4.2 It is a requirement of the Secretary of State's consultation process that the consultation responses 'reflect the identities and interests of local communities' in the West Midlands (Local Democracy, Economic Development and Construction Act 2009 section 111 3a).

6.5 Implications for (or impact on) the environment

6.5.1 There are no environmental implications currently.

6.6 Implications for partner organisations

6.6.1 The proposals require partnership working and agreement with the other local authorities

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Review of Governance and Functions of the WMCA (Annex A)

This review is a subsequent review to the WMCA governance review and scheme. The review deals with:

- The transfer of functions and governance arrangements in relation to the exercise of fire and rescue functions in the West Midlands, and
- Overview of the governance arrangements

1. EXISTING ARRANGEMENTS:

Existing Fire and Rescue Arrangements:

1.1 West Midlands Fire and Rescue Service (the Service) provides prevention, protection and response services to the 7 metropolitan councils in the West Midlands. These core services are prescribed under legislation, assurance for which is provided through the West Midlands Fire and Rescue Authority (the Authority). The Authority is accountable to the public for the services provided to local communities. The most pertinent service delivery legislative provisions are as follows:

- The Fire and Rescue Services Act 2004
- The Fire and Rescue Services (Emergencies) (England) Order 2007
- The Regulatory Reform (Fire Safety Order) 2005
- The Civil Contingencies Act 2004

Further detail of these legislative provisions is provided in Appendix 1.

The Fire and Rescue Service is a unique public body that plans for risk not demand. Appendix 2 delivers the understanding behind this and how it meets that risk through its prevention, protection and response services. This review will demonstrate the reliance and value these services add beyond local level delivery, with consideration given to regional, national and specialist international capabilities and interventions.

- 1.2 In addition to providing services to the West Midlands, given that the Service shares approximately 53 km of border with Hereford & Worcester FRS, 90km with Staffordshire FRS and 113km with Warwickshire FRS, it provides services to the region in the form of over-the-border mobilisations into neighbouring FRS's and vice versa where required. This is catered for under s13 of the Fire and Rescue Services Act 2004 and is termed Section 13 Mutual Assistance Agreements.
- 1.3 Further, the Service provides significant support to the national resilience arrangements. This is supplemented by supporting the United Kingdom in its International Search and Rescue (ISAR) capability, having supported numerous interventions to some of the world's largest and most devastating disasters, including earthquakes in Haiti, Japan and Nepal.
- 1.4 The Authority as it stands was legally established as a joint authority by the Local Government Act 1985. This Act stipulated the requirement to appoint 27 members to the Authority and the number of Members appointed from each of the 7 West Midlands Metropolitan councils.
- 1.5 Currently, members are drawn made up according to the following political ratio:
- 17 Labour
 - 8 Conservative
 - 1 Liberal Democrat
 - 1 UKIP
- 1.6 The Authority undertakes the following strategic and statutory duties
- It is accountable to the community for the services provided through the Integrated Risk Management Plan (IRMP) and the service's rolling 3-year corporate strategy, 'The Plan'.
 - It approves the budget for the delivery of these services and the setting of the precept for council tax.
 - It employs all WMFS staff and owns all properties, rights and liabilities.
 - It has ultimate accountability for decision making, however, the Authority delegates many decisions to its sub-committees such as Scrutiny and Audit and day to day operational control to the Chief Fire Officer (CFO) on matters "*concerned with maintaining operational effectiveness and the deployment of resources both physical and employees*".

1.7 The CFO is the designated Head of Paid Service as required by the Local Government and Housing Act 1989 and is responsible for the management and development of all staff, land and resources to enable and ensure the delivery of services, including the exercise of all the powers of the Authority as an enforcement authority under relevant legislation. Accordingly, the CFO is accountable to the Authority. The operational independence of the CFO is secured by virtue of the skills, knowledge and experience required to deliver on the legislative prescriptions with clear lines of demarcation between Authority and the CFO detailed in the Authority's [Constitution](#), agreed to by the Authority.

1.8 Whilst there is plenty of legislation that all public bodies are required to be compliant with, those detailed below are deemed to be most pertinent to informing the governance arrangements and the responsibilities placed upon the Authority:

- Local Government Act 1985
- Local Government and Housing Act 1989
- The Local Government Act 1972

Further detail with respect to the legislative responsibilities and a more detailed breakdown of current roles and responsibilities of the Authority is provided in Appendices 3 and 4.

1.9 The Authority has a number of sub-committees. These can be broadly divided into those that convene regularly and those that are convened upon requirement:

- Appeals Committee (convenes upon requirement)
The Appeals Committee operates as a quasi-judicial body in determining appeals relating to pensions and superannuation matters. This Committee convenes upon requirement and hears and decides upon: -
 - Appeals under the Firefighters Pensions Scheme, New Firefighters Pensions Scheme and the Firefighters Compensation Scheme.
 - Appeals under the Local Government Superannuation Regulations.
- Appointments Committee (convenes upon requirement)
The Appointments Committee convenes upon requirement to make appointments of the Chief Fire Officer, Deputy Chief Fire Officer and Assistant Chief Fire Officer.

- Audit Committee

The Audit Committee is a key component of the Authority's corporate governance and includes an independent Member to provide independent assurance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards. Its purpose is to provide independent assurance to the Members of the adequacy of the risk management framework and the internal control environment. It provides independent review of the governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

- Executive Committee

The Executive Committee deals with all matters of an urgent nature which in the opinion of the Clerk/Monitoring Officer, cannot reasonably be delayed until the next ordinary meeting of the Authority or appropriate committee. It considers recommendations from the Scrutiny Committee in respect of completed reviews and to respond to the Scrutiny Committee on what action it proposes to take. It also approves transactions that exceed delegated authority.

- Policy Planning Forum - proportionality not applied

The Policy Planning Forum comprises all elected members and independent members of the Authority. The Forum is not a decision making body, but provides a forum for discussion of important issues affecting the Service prior to formal submission and discussion with members via the Committee framework as appropriate. It is a successful feature of the Authority's governance arrangements used as a particularly effective way of engaging Members and officers on key issues faced by the Authority. The Forum also acts as a vehicle to provide training to members.

- Scrutiny Committee

The Scrutiny Committee supports the Authority in achieving its strategic objectives and ensuring that its policy and budgetary framework is followed and developed to reflect the changing needs and demands in meeting its statutory obligations.

The main purpose of the scrutiny function is to:-

- i) Inform policy development
- ii) Hold officers and the Service to account

- ii) Hold the Authority to account
- iv) Conduct reviews into specific issues.

In carrying out its role the Committee may look at both operational and strategic issues.

- Joint Consultative Panel - proportionality not applied

The Panel comprises elected members of the Authority and recognised elected officials of the Trade Unions/Representative Bodies. The Panel establishes regular methods of consultation between the Authority, management and its employees as part of the employee relationship framework to consider and make recommendations to the Authority or the Chief Fire Officer as appropriate on:

- any problems which may arise
- any relevant matter referred to it by the Service or by the relevant employee organisation
- the application of the terms and conditions of service for employees
- matters referred to it by the Joint Consultative Committee, including failure to consult and failure to agree as defined in the constitution of the Joint Consultative Committee.

The Panel also discharges such other functions that are specifically assigned to it.

- Standards Committee (convenes upon requirement)

The Standards Committee convenes upon requirement and investigates allegations of breach of the member Code of Conduct and will make decisions on allegations made.

1.10 In addition to providing the accountability detailed above the Authority also represents the Service through strategic relationships and engagements in order to support the delivery of The Plan:

- s41 principles of local accountability – The lead s41 members represent the Authority at each of the 7 constituent councils providing the opportunity for two-way engagement.
- The Local Government Association (LGA) – the Chair is a member of the Fire Services Management Committee (FSMC) and the Fire Commission. The Chair is also supported by the Vice Chair at the latter. The Chair is also a

member of the National Joint Council Employers panel and supports the engagement between the employers and the workforce at a national level through dialogue with the Employees panel, which consists of representative bodies.

- The Authority is an observer of the WMCA and through representation by the Chair the Authority is able to contribute to the regions key strategic priorities.
- Regional Chief Fire Officers and Chairs Fire Service Engagement – the Chair represents the Authority in discussions with regional Fire and Rescue Authorities and Warwickshire County Council to support the Service around key initiatives such as collaboration. This discussion incorporates Staffordshire FRA, Hereford and Worcester FRA, Shropshire FRA and Warwickshire County Council.
- The Staffordshire & West Midlands Joint Fire Control Governance Board – The Chair represents the Authority at the board as a Co-Chair. The Board oversees governance arrangements of the joint fire control.
- Local engagement with representative bodies and staff – The Chair undertakes regular engagement with the local Fire Brigade Union (FBU) and Unison representatives as part of promoting industrial relations. The Chair also represents the Authority as part of its engagement with staff by undertaking communication visits to every Community Fire Station and WMFS Headquarters. This engagement is informal and is not part of established processes.
- Local Councils – the Chair represents the Authority through focused engagement with Council Leaders as part of supporting the Service in efforts to build and develop collaborative and strategic relationships.
- Emergency Services – the Chair represents the Authority through engagement with the West Midlands Police and Crime Commissioner (PCC) and delegates at the Office of the West Midlands PCC, to support the Service in efforts to build and develop collaborative relationships.
- The Association of Metropolitan Fire and Rescue Authorities (AMFRA) – The Chair represents the Authority at AMFRA, which consists of the metropolitan fire and rescue authorities that provide services to the main conurbations in England. AMFRA discusses and progresses issues affecting the metropolitan fire authorities and engage at all political levels and work cross-party to support improved outcomes. Engaging through this group has supported a greater recognition and understanding of the challenges affecting the metropolitan Authorities, which in turn has impacted upon expectations for future efficiencies. The Chair of the Authority chairs AMFRA.

Existing WMCA Arrangements:

1.11 The WMCA governance arrangements consists of the WMCA Board and a number of other Boards / Committees:

- WMCA Board

- Overall responsibility for developing and delivering the Strategic Economic Plan (SEP)
 - Overall responsibility for developing the strategy and delivering Public Service Reform (PSR)
 - Deliver the current devolution deal
 - To negotiate and deliver further devolution deals
 - Approval of future devolution deal development, to determine strategy on investment decisions
 - Allocating resources through the Combined Authority budget & income streams such as devolution deals
 - Determination of Transport strategy and spending priorities
 - To operate a Cabinet model with Constituent Member Leaders ‘sponsoring’ a portfolio
 - To consider and determine applications for Constituent, Non-Constituent and observer status
 - To work with partners to develop the Midlands Engine
 - To work with Government to develop and influence national policy
 - To set up the fees for membership
- Audit, Risk & Assurance Committee

The Audit, Risk and Assurance Committee is a key component of the West Midlands Combined Authority’s corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards. The purpose of the Audit, Risk and Assurance Committee is to provide independent assurance to the Authority of the adequacy of the risk management framework and the internal control environment. It provides independent review of the governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

- Overview & Scrutiny Committee

To ensure that decisions made by the Combined Authority, help make the West Midlands region a better place to live, work, study and do business. To undertake call-in arrangements for the Combined Authority. To make recommendations for appointment to the Combined Authority Board.

- Transport Delivery Committee

The Transport Delivery Committee will be a sub-committee of the Combined Authority Board.

The Transport Delivery Committee will be part of the Transport for West Midlands (TFWM) activities.

To provide oversight of operational delivery of transport across the West Midlands. As requested by the Combined Authority Board or Leader with Transport responsibilities, advise on transport policy matters.

Be responsible for the discharge of specified transport functions delegated by the Combined Authority Board.

The Board membership consists of each of the 7 constituent councils, which cover the West Midlands conurbation – Birmingham, Coventry, Walsall, Dudley, Wolverhampton, Solihull and Sandwell.

Ten non-constituent members also form part of the Board and have limited voting rights – Cannock Chase District, North Warwickshire Borough, Warwickshire County, Nuneaton and Bedworth Borough, Redditch Borough, Rugby Borough, Shropshire, Stratford on Avon District, Tamworth Borough and Telford and Wrekin Councils.

The PCC and the Authority also sit on the Board as Observers. Whilst they do not possess voting rights, they are able to contribute to the strategic discussion and add value.

1.12 The WMCA has a number of priorities which are vested in the Mayor and WMCA portfolio lead members:

- HS2 growth and Health and wellbeing – devolution deals and communications & engagement, mental health, mental health commission and health devolution
- Economic growth – delivery of Strategic Economic Plan (SEP), access to finance for business, Collective Investment Fund (CIF), WMCA growth company, international trade and exports, digital strategy and the arts and cultural activity
- Housing and land – land commission, Land Remediation Fund (LRF) housing delivery, one public estate
- Skills and productivity – skills and productivity commission (including employability), learning for the future and Further Education (FE) area reviews
- Cohesion & Integration and Public service reform – public service reform agenda, troubled families, criminal justice, welfare reform, shared services and social inclusion.

- Transport – delivery of Strategic Transport Plan, Midlands Connect, West Midlands Rail, HS2 delivery transport and Transport Delivery Committee
- Finance and investment – delivery of the WMCA investment agenda
- Environment

2 THE NEED TO REVIEW THE CURRENT FIRE ARRANGEMENTS

- 2.1 Public Services locally across the West Midlands are changing significantly and will continue to do so with the inception and progression of the WMCA. Central governments expectations around increased efficiencies and reform place an additional expectation on this continued change and transformation.
- 2.2 The fire and rescue services in England are not exempt from these expectations and will have made efficiencies in the region of £450m by 2019/20 since the introduction of comprehensive spending review (CSR) in 2010/11. Reductions have been experienced both in front line and support service staff. In many areas across England reductions have been seen in the number of fire stations and appliances available to attend emergency calls. As budgets and physical firefighting resources continue to be cut, it is becoming increasingly difficult to meet local needs and address risk in the communities.
- 2.3 In the West Midlands the Service has sought to implement a programme of transformation to ensure the risk based needs of local communities, targeting the vulnerable, continues to be met in order to deliver stringent service delivery performance standards. A review of the discharge of the Authority’s responsibilities provides an opportunity to review the external influences on the Service’s ability to sustain its service delivery arrangements. These influences range from changes in Government policy, expectations around reform and financial pressures to the wider benefit that can be leveraged from the services that WMFS are legislatively prescribed to deliver across the public sector in the West Midlands. They include the contribution the Service can make to the achievement of the Mayoral WMCA's strategic ambitions and priorities by supporting growth and reducing the total cost of delivering public services through a coordinated, integrated and collaborative delivery of services.

Background:

The Comprehensive Spending Review and the Service’s Approach to Service Transformation

- 2.4 The Authority has fully supported service wide transformation and has embraced plans to meet the circa 50% (£38m) reduction in central government grant (core) over the course of the CSR, covering the period 2011/12 to 2019/20.
- 2.5 As cited earlier ongoing transformation over the past 6 years has impacted on both service support and service delivery functions. The Service has met the required reductions in funding through exploring and implementing more challenging and innovative approaches to the delivery of internal and external community facing services. Whilst the Service has had to make decisions that have increased risk in some areas of response, prevention and protection, these have been assessed through an evidence based approach, using integrated risk management analysis to minimise the impact on services to the community and importantly, to ensure service delivery standards and expectations continue to be met.
- 2.6 Service transformation in this way has reinforced the Services' priorities and outcomes as set out in The Plan. The Service Delivery Model (SDM) sits at the heart of The Plan and is underpinned by planning and analysis that determines the level of resources needed to be able to respond to high risk (life and property) incidents, within a risk based 5-minute attendance standard. This attendance standard evidentially enables the Service to act assertively, safely and effectively thus reducing the risk to firefighting and increasing the survivability of the victim, as well as reducing the impact of the fire on the local community and economy.
- 2.7 The SDM is pivotal to supporting an integrated approach to the delivery of the Service's prevention, protection and response services to the communities of the West Midlands. Amidst the challenges that the CSR presents to the Service, the SDM cannot be compromised particularly given the positive impact the SDM has at a time when the region has prioritised economic growth.

The Government's Fire Reform Programme

- 2.8 In addition to the significant financial challenges for the fire and rescue services there has also been significant policy challenges through reviews such as those conducted by Sir Ken Knight, (Facing the Future 2013), and Adrian Thomas (Independent review of conditions of service for fire and rescue staff in England February 2015). These reviews continue to set the backdrop for the reform of the fire and rescue sector and is reflected in the Home Office's policy development. However, they have been less challenging because the Service has and remains an agile public service committed to efficient and effective service delivery.

- 2.9 On the 11th September 2015 the Government released a consultation entitled 'Enabling Closer Working between the Emergency Services' which progressed the fire reform programme. This was soon followed by a move of government department for the fire and rescue service on the 5th January 2016, from the Department for Communities and Local Government to the Home Office. The fire reform programme has also encapsulated the reform of the professional voice of the England and Wales fire and rescue services, the Chief Fire Officers' Association (CFOA), with the Home Office contributing to its priorities. CFOA has undergone structural change mirroring the National Police Chiefs Council (NPCC), in addition to a name change resulting in the National Fire Chiefs Council (NFCC).
- 2.10 On the 24th May 2016 the then Home Secretary, the Rt Hon. Theresa May, issued a statement which outlined a clear desire from central Government to affect change and generate impetus for further reform wider than the delivery of services - reform of Fire and Rescue Authorities. The Government and the Home Office remain committed to implementing governance structures which provide increased scrutiny, transparency and accountability of decision making, building on the reform of Police Authorities.
- 2.11 The outcomes to the above consultation introduced the Policing and Crime Bill, which received Royal Assent in January 2017 (Policing and Crime Act 2017, PACA 2017). It introduced a new duty of collaboration on each of the emergency services. This Act also introduced new powers for elected Mayors to take on the governance of Fire and Rescue Services. It also delivered the same powers to the PCCs, where local agreement can be achieved.

Changing Governance and Future Opportunities

- 2.12 Government policy developments has also incorporated local councils with legislation enabling the inception of the West Midlands Combined Authority (WMCA) in June 2016 and a Mayor elected in May 2017. This change has provided a further opportunity to review the contribution that public services in the West Midlands can collectively make to the achievement of regional strategic priorities in a more efficient, effective and economical way.
- 2.13 The WMCA priorities are detailed in paragraph 1.12.
- 2.14 In view of the changing landscape and government expectations driven through policy and legislative reform, the Authority recognised that staying the same was not an option. The Authority identified four possible routes for the potential future governance structures for the Service:

- A Reformed Fire Authority (RFA),
- A Police and Crime Commissioner (PCC),
- A Mayor as part of the WMCA and
- A Combination of regional Fire and Rescue Services.

These possible governance structures were subsequently subject to an appraisal by an independently chaired Future Governance Working Group (the Group) in 2017. The work of the Group is discussed in paragraph 2.21. A more detailed description of each of these governance models is provided in Appendix 5.

- 2.15 These governance structures are enabled through a number of pieces of legislation. Governance through a PCC or a Mayor as part of a Combined Authority represents the newest structures and the policy of the current Government, enabled through the PACA 2017.
- 2.16 With the introduction of the WMCA came the first devolution agreement for the West Midlands in 2015, providing the region with additional £36.5 million a year of funding allocation over 30 years in addition to devolved responsibilities.
- 2.17 Amongst these priorities the 2015 devolution agreement for the WMCA encouraged the exploration of further opportunities for devolution on the basis of an appropriate relationship between the functions of a Mayor, the PCC's and the fire and rescue services. This intent is further outlined with respect to exploring such relationships in the mayoral manifesto.
- 2.18 These local and national changes have set the environment, pace and expectation of change to ensure the best outcomes for local communities.

WMFRA commitment to future governance

- 2.19 In view of Home Office expectations around the reform of the fire and rescue service developing apace, the Authority has embraced the developments and considered how it works with, responds to, and influences the changes to ensure the maintenance of risk-based services to local communities, delivered in a value for money way. The Authority acknowledged that a failure to address this could cause the Service to lose relevance, credibility and impact public confidence (an emerging

corporate risk) from the uncertainty around the future governance of the Service, with the potential to impact on the priorities in The Plan.

The Evidence Base

- 2.20 The Authority committed itself to exploring an evidence based approach to understand how each of the future governance options, in light of the changing external influences highlighted in this review, may support the delivery of services to local communities, enable collaboration, whilst incorporating increased scrutiny, transparency and accountability of decisions; in a value for money way.

Future Governance Working Group

- 2.21 The Authority commissioned a Future Governance Working Group (the Group) to provide an options appraisal for the Authority to be able to make an evidence based decision on the best option for governance of the Service in the future and the best approach to achieving this. The group was independently chaired by professional services firm Price Waterhouse Coopers and consisted of a number of key stakeholders from across both the public and private sector:

- WMCA
- Office of the West Midlands Police and Crime Commissioner
- NHS England
- Home Office
- West Midlands Ambulance Service – Board of Governors
- West Midlands Fire and Rescue Authority
- Greater Birmingham Chamber of Commerce
- Coventry and Rugby Clinical Commissioning Group

The approach to assessment:

- 2.22 Initially and importantly the Group considered how collaboration currently existed as well as the potential for the provision of future collaborative services across blue light emergency services, local councils, WMCA and the NHS. A critical part to this

was the impact the governance model would have on the community and the ability to deliver improved public service to the local community, with increased scrutiny, transparency and accountability of decisions in a value for money way.

- 2.23 Each of the governance models were assessed against the achievability of this through a set of high level community outcomes, recognising both strengths and opportunities for each of the governance options as well as the possible barriers and risks to progression. The analysis undertaken by the group suggested that:

'a two-stage process (two changes in governance, i.e. from Authority to PCC, then to Mayor) increases costs, risk and reduces benefits and as such should be avoided.'

'The Mayor will happen and this will create opportunity in improving public services. WMFRA need to ensure they remain engaged in this to ensure the best opportunity for the delivery of outcomes for the future'.

It also added that:

- The benefits of the WMCA model included the ability to work directly with all 7 of the metropolitan councils, the potential for working with the Police, and the non-constituents in enhancing public safety and management the demand services. It referenced the Telecare Service provided by the Service to 3 of the 7 constituent councils as good examples of this. It also discussed the potential for a regional emergency planning function and the WMCA as an appropriate footprint to integrate wider services in order to spread cost and outcomes as widely as possible.
- It referenced health as a central issue for the WMCA through its Mental Health Commission: *"As public sector reform is pursued, effective working across the local authority/health boundary will be required, as is hoped for in the STP process. The Mayor will also have convening powers which will at least require health to be at the table. There is certainly further collaboration opportunity for the Service with Health, with several good examples from elsewhere."*

The Group conclusions can be found in Appendix 6.

- 2.24 The Group's conclusions provided an evidence base to inform the Authority's considerations and an avenue to provoke discussion about the merits of each of the options.

The Integrated Risk Management Plan (IRMP) Public Consultation:

- 2.25 The Service also undertook a public consultation during December 2016 to January 2017 to engage with the community and partners as part of its Integrated Risk Management Plan (the Consultation) on the future strategy to deliver risk based services across the West Midlands. As part of efforts to enable the community to develop its understanding about the changing landscape affecting the Service and to provide transparency, the consultation extended to future funding and governance. From a governance perspective the consultation outcomes identified a Reformed Fire Authority and a Mayoral Combined Authority as 'desirable' models for future governance for best supporting the delivery of its prevention, protection and response services to the communities of the West Midlands.
- 2.26 The influences of external change and a developing evidence base have provided the Authority with the justification to move forward and pursue the engagement of the WMCA and Mayor in determining the next steps in a proposed change in governance for West Midlands Fire Service.

3 HOW THE REGION CAN BENEFIT FROM A CHANGE IN GOVERNANCE MODEL AND INTEGRATING WMFS AS PART OF THE WMCA:

- 3.1 A transfer of governance functions to the WMCA will need to satisfy the following statutory requirements:

Section 105B(1) of the Cities and Local Government Devolution Act 2016 requires that:

'appropriate consent is given and the Secretary of State considers that the making of the order is likely to improve the exercise of statutory functions in the area or areas to which the order relates'.

Section 113(3) of The Local Democracy, Economic Development and Construction Act 2009 requires that:

'The Secretary of State must have regard to the need -

- (a) To reflect the identities and interests of local communities and
- (b) To secure effective and convenient local government'

- 3.2 This review will demonstrate how governance delivered through the Mayoral Combined Authority will improve the exercise of the statutory functions in the WMCA area to which this review and associated scheme relates, whilst reflecting the identities and interests of local communities and securing effective and convenient local government.
- 3.3 This will be achieved by delivering a stronger focus on collaboration across the region providing a joined up strategic approach, which is key to the Service's strategic direction and delivery of its SDM. The opportunities the WMCA presents to widen and strengthen the delivery of collaborative prevention and protection based services was recognised as part of the options appraisal undertaken by the Group (cited in section 2). This is based on the strong track record the Service currently has in collaborating with local councils and other agencies to deliver joined-up services which focus on reducing vulnerability and creating stronger communities. This can be seen in the leadership the Service is currently providing to the WMCA work streams through the CFO leading on Public Service Reform. This change will meet the statutory requirements in 3.1. At the same time these changes will deliver public safety, value for money, increased scrutiny, transparency and accountability to communities, through the singularly elected individual the Government desires, in addition to providing the best opportunity for improving collaboration. The proposed arrangements are set out in section 5.

A workforce to support joined up services and reduce vulnerability

- 3.4 The Service's strategy is 'Making the West Midlands Safer, Stronger and Heathier'. The integrated SDM and five-minute attendance standard relies on an essential mix of resources and skills, provided through a whole-time multi skilled workforce delivering prevention, protection and response services.
- 3.5 The Service tackles the 'causes of the causes' and the over-arching risk in the West Midlands in this way. An example of its prevention activities is the holistic 'Safe and Well' visits. The Service gains access to more than 27,000 targeted-homes each year across the West Midlands as a direct result of the Service's unique public standing in the community. These visits do not just focus on the potential causes of fire and safety issues, but go deeper to identify and address the wider health and or lifestyle issues which may, further down the line, lead to an emergency incident or acute intervention from the wider public services.
- 3.6 Under a WMCA governance arrangement promoting greater collaboration, greater benefit will be leveraged through interventions such as the holistic Safe and Well visits enabling the further reduction of vulnerability and providing added value

within existing funding streams on a wide range of issues as recognised by [Professor Sir Michael Marmot \(Institute of Health Inequality\)](#) and [Shirley Cramer \(Chief Executive of Royal Society of Public Health\)](#).

- 3.7 The more joined-up delivery of services in this way, along with other initiatives such as better data and business advice (see Appendix 2) will not only address vulnerability within the community, strengthen the business community and enhance public safety in its widest context, but it will also deliver the economic savings referred to by the Group, as referenced in paragraph 2.23. The Service's 21st century professional, flexible, integrated SDM has the potential to deliver significantly improved value based outcomes to the communities through a more joined up public workforce.
- 3.8 Having considered the potential to deliver significantly improved value based outcomes through the WMCA this review acknowledges the duty the PACA 2017 places on emergency services to consider collaboration where it would be in the interests of efficiency or effectiveness. The Service has long standing collaborative relationships with West Midlands Police (WMP) and the West Midlands Ambulance Service (WMAS). Some examples are listed in Appendix 7.

Continued improvement and transformation

- 3.9 It is clear that as funding for public services continues to reduce, there will be a need to further reform services to improve collaborative working. This reform has to deliver improved value to local communities and should also provide greater value to the public spend.
- 3.10 The Service's commitment to transformation and reform whilst maintaining its commitment to the delivery of its integrated SDM is detailed above and as such the Service is one of the leanest Fire and Rescue Services in the country. This scale of reform has been achieved through working with the Authority, staff, representative bodies, partners and communities, implementing innovative concepts to new ways of working, which have enabled efficiencies to be achieved whilst maintaining and improving services delivered to local communities.
- 3.11 This service transformation continues as the Service seeks to understand how future services can be delivered in a more efficient and effective way, whilst ensuring public safety is clearly met through the right ratio of resources to risk.
- 3.12 Being part of the WMCA will create further opportunities to progress transformation and create greater efficiencies enabled through a single structure. This is supported by the Group's appraisal of the WMCA as the model which provides the best

opportunity to realise these benefits as detailed in paragraph 2.23.

Effective decision making

- 3.13 A model which enables accountability and leadership to be aligned effectively will enable transparent and effective decision making and reduce bureaucracy. The WMCA will provide a stable and statutory body for the Service and the Mayor will provide an accountable figure for the Service and decisions made to local communities.
- 3.14 The Mayor as an accountable figure will satisfy the Home Office's desire for 'single accountability' across public services, which together with the benefits from increased integration, greater collaboration across public services, increased public safety and value for money provide a sound rationale for the benefits of transferring the governance of the Service from the Authority to the proposed model. As discussed throughout this section this change could enable increased value to the communities through the delivery of joined-up services across the West Midlands.
- 3.15 The current governance arrangements for the Service through the Authority provides a model where accountability is spread across all 27 of its members. Representation is provided for across all seven constituent councils with a particular focus on 'lead members' for each local authority and political representation is proportional to the West Midlands area. Moving to a model of single accountability through the Mayor will provide an increased political focus on this role. The detail around the proposed model set out in section 5, below, aims to ensure that whilst accountability cannot be spread, the Mayor would be supported by a 'Mayoral Fire Advisory Committee' (the Committee) in the delivery of this role. The Committee will not be a decision making committee, this responsibility will remain with the Mayor and Chief Fire Officer, as appropriate. The Committee will advise the Mayor, represent the Mayor and review decisions made by the Mayor. Further details around the role of the committee is set out in section 5 and Appendix 8.
- 3.16 The Mayor will provide a more visible figure of accountability for the Service, which will support the expansion of collaborative opportunities in line with Government expectations set out in the 'duty to collaborate', whilst enabling, through the model proposed below, focused engagement with constituent councils in the delivery of local services.

3.17 Clear and transformational leadership across the West Midlands, will also ensure the continuation of the progressive process of devolution of funding and powers as set out in the WMCA first devolution agreement, to achieve the right outcomes for the communities of the West Midlands.

4 THE DIRECTION FOR THE FUTURE GOVERNANCE OF THE SERVICE

- 4.1 The options appraisal undertaken by the Group together with the outcome of the consultation, the current and future strategic directions of the Service, the WMCA and the overall direction set by the Government (both policy and legislation), supports the Authority as it seeks alignment to a governance model through the Mayor as part of the WMCA. The Authority believes this model would provide the best approach to the future delivery of services to the communities of the West Midlands as set out in paragraph 3. This is particularly so given the Authority maintains its belief that the Service is the largest and most complex Fire and Rescue Service outside of London, complexities recognised by Adrian Thomas as part of his review.
- 4.2 The route to a WMCA governance model has provided the opportunity to explore the relationship between the functions of a Mayor, the PCC and the Authority through local determination. This journey has triggered significant engagement with the Mayor, the WMCA, the PCC, the constituent council Chief Executives and the Leaders of the constituent councils. Support for the strategy to reform the Authority through joining the WMCA as proposed within this Review was unanimously provided at WMCA Board on the 3rd March 2017. This was preceded by approval of the overall direction and timeline for future governance of the Service by the Authority on the 20th February 2017. Subsequently the WMCA Board has approved the preparation of the Governance Review and Scheme on the 8th September 2017. These reports are referred to in the background papers, below.
- 4.3 It is proposed that the Service transfer into the WMCA at this stage to enable it to achieve the benefits identified by the Group and those listed above, whilst delivering on the duty to collaborate with the emergency services prescribed by the PACA 2017. This move will progress the intent in the first devolution agreement as set out in paragraph 2.17 whilst the Mayor and the WMCA explore the basis of an appropriate relationship between the functions of a Mayor and the PCC as further outlined in the mayoral manifesto.
- 4.4 A critical element to a change in governance to the WMCA will be the interim governance arrangements in continuing to provide the highest levels of public safety, supporting increased collaboration, without the associated costs an unnecessary change governance option would incur; as well as the risk of impact on engagement with staff, community and trust. In recognition of this the Authority believes that a Reformed Fire Authority (RFA) option can provide a more robust interim

approach to governance, this was a key consideration of the Group. In its conclusions the Group determined that, 'the Authority should consider how its own governance should change, to enhance opportunities for further reform and collaboration'. As such, it is anticipated that the RFA will be implemented in June 2018 to support the progressive change to a WMCA governance model.

4.5 An important local dynamic within the reform of the Authority is the enabling power the PCC has to seek representation on the Authority by virtue of the PACA 2017. The PCC has followed up on the Authority's invitation to request a place on the Authority. This will be a key part of the RFA, subject to approval at full Authority. This evidences further progress around the intent to explore relationships within the West Midlands.

5.0 **PROPOSED GOVERNANCE MODEL:**

5.1 A Mayoral combined authority governance model for Fire and Rescue Services is very new. Changes implemented in Greater Manchester and those legislated for in London provide examples of how Mayoral models for governance for Fire and Rescue Services are developing. Further detail is set out in Appendix 9a – Mayoral Governance Models for Fire and Rescue Services and Appendix 9b – Comparison of London and Manchester models.

A WMCA Governance Model

5.2 As part of this model it is proposed the WMCA take on the Authority's functions and as such will be to the employer of the Service's staff and own all properties, rights and liabilities in this proposed governance model. The WMCA as a 'corporate body' will have the right structures in place to support the requirements of employer status, as well as any liabilities that result from this. These functions are set out by the following legislation and detailed further in Appendices 1 and 4.

Local Government Act 1985

Local Government and Housing Act 1989

The Local Government Act 1972

The Fire and Rescue Services Act 2004

The Fire and Rescue Services Order 2007

Civil Contingencies Act 2004

Regulatory Reform (Fire Safety) Order 2005

The National Framework for Fire and Rescue Services in England 2012

5.3 This model proposes that the Mayor (only) as a singularly accountable figure, will have the power to exercise these functions, delegating decision making and operational functions as appropriate. The essential roles, responsibilities and accountabilities of Mayoral governance, should incorporate functions transferred to the WMCA but exercised only by the Mayor as follows:

- Fire and rescue functions as required of the Fire and Rescue Service Act 2004 and other enabling legislation (detailed above and in Appendix 1).
- Decisions and functions relating to all properties, rights and liabilities in relation to the exercising of fire and rescue functions
- Accountability for the Integrated Risk Management Plan
- Accountability for the Corporate Strategy
- Approval of Budget and setting of precept
- Appointment and dismissal of the CFO

5.4 **The Mayoral Fire Advisory Committee (the Committee)**

1. *Enable leadership for the Service and Mayoral priorities across each of the 7 local constituent authorities of the WMCA.*

It is proposed that through the Committee arrangements the philosophy of collective representation across all seven constituent authorities remain and that the Committee reflects the membership and balance derived from the approved arrangements for the West Midlands Reformed Fire Authority. This will enable proportionality across each of the constituent councils, as well as enabling continuity and equitable spread in roles and responsibilities.

It is proposed that lead members will represent the priorities and strategy of the Mayor and WMFS in their respective councils and will report on performance in relation to fire functions.

Committee members will also support their local community fire stations in engaging with the community and through providing a link into respective constituent councils.

2. *Composition*

It is proposed the committee appointed should consist of 15 elected members from the WMCA constituent councils, the Police and Crime Commissioner (in accordance with the PACA 2017) and three further co-opted members from health, Ambulance and the WMCA to promote greater challenge, transparency and further collaboration.

Existing political balance will be applied to the Committee.

The Chair of the committee will be appointed by the Mayor.

It is recognised within this proposed model that the Mayor will gain greater accountabilities and this will need to be balanced effectively with both existing and future roles and responsibilities. It is proposed that the Committee members will support the Mayor in providing advice around fire related issues to ensure the right level of detail and understanding is provided to inform the Mayors role as the Authority.

The Committee will support the Mayor in providing advice around exercising fire functions to ensure the right level of detail and understanding is provided to inform the Mayors role as the Authority.

3. Keep under review decisions made by the Mayor

It is proposed that the role of reviewing decisions made by the Mayor is delegated to the Committee. Such reviews will be aligned to the National Framework for the Fire and Rescue Service and through prepared reports, will inform the WMCA about decisions made in relation to the exercising of fire and rescue functions. This will enable a continuation of knowledge and expertise in relation to fire at the outset of transferring the role of fire into the WMCA.

The Committee will review decisions made by the Mayor.

The proposed role of the Committee would be to report back to the WMCA on decisions made.

The Committee will not be a decision-making committee this responsibility will remain with the Mayor and Chief Fire Officer, as appropriate.

4. Act as the 'voice' of the fire service within the 7 Constituent councils, regionally with other Fire and Rescue Services, nationally through the National Joint Council and Local Government Association.

The Committee will support the Mayor by continuing with the strategic engagements cited in paragraph 1 thereby adding value to and influencing local, regional and national engagements through its sector expertise.

5. *Engage with and influence government policy on behalf of the Mayor in matters such as the impact of CSR on the ability to provide continuity of services to the West Midlands communities.*

Working regionally and nationally with the Fire Sector to engage with and influence issues such as flooding, funding, etc. The Committee will continue to be a key resource in enabling a wider awareness of the challenges faced locally both from a fire-fighting and community perspective. It will continue to represent the Service through bodies such as AMFRA listed in paragraph 1.

6. *Enable the development of collaboration, partnerships and services to the community through engagement with local councils, emergency services and beyond, thereby fulfilling the requirements of the duty to collaborate.*

The Committee will provide the support required to fulfil the legislative obligations prescribed by the PACA 2017.

- 5.5 This proposed model seeks to create an efficient and effective decision making structure, which will support the Mayor in focusing on strategy and setting direction for the Service.
- 5.6 This proposed model compares favourably with the model recently implemented in Greater Manchester. The model for London which is yet to be implemented is different in that the London Commissioner role also acts as the governing body. It is understood that the scrutiny role of the Greater London Assembly can in the case of fire be delegated to its fire committee.
- 5.7 An overview of the proposed governance framework incorporating roles and responsibilities of the Mayor, committee and CFO/Officers is set out in Appendix 8.
- 5.8 **CFO/Officer roles**

This model will enable the Mayor to delegate functions to the CFO enabling the CFO to be directly accountable for:

- the management of the Service

- the delivery of WMFS Strategy (incl. matters relating to exercising functions of the Fire and Rescue Services Act 2004, etc.)
- the delivery of a staffing structure and model which supports current and future Strategy
- the deployment of resources to meet risk
- the transformation of services to meet WMFS and Mayoral/WMCA priorities.

- 5.9 The above areas of accountability would enable the CFO as head of paid service of West Midlands Fire Service to effectively manage staff, employee relations, workforce development, resources and assets to support the delivery of day to day functions, as well as the development of future delivery of services aligned to the strategy agreed with the Mayor. Such a proposal appears well placed when considered alongside Chief Officers for other emergency services.
- 5.10 In accordance with section 2(3) of The Police Reform and Social Responsibility Act 2011 a Chief Constable has direct control of the police force and civilian staff of a police force. This is therefore equivalent to the head of paid service conferred by s4 of the Local Government and Housing Act 1989. Furthermore, a Chief Constable is also a corporation sole by virtue of s2 of Schedule 2 of The Police Reform and Social Responsibility Act 2011.

6. The legislative route to enabling Mayoral governance

6.1 The main pieces of legislation enabling the change to be enacted in governance can be listed as follows:

- The Local Democracy, Economic Development and Construction Act 2009 and
- The Cities and Local Government Devolution Act 2016
- The Policing and Crime Act 2017 (PACA 2017)

6.2 The preferred route to achieve Mayoral governance of WMFS is through the Cities and Devolution Act 2016. This legislation enables the WMCA to take on additional functions, either local authority and/or other public authority functions. This route will enable, through a devolution deal, the powers and functions of WMFRA to be devolved to the WMCA and exercised only by the Mayor.

6.3 The justification and evidence base to support this route has been provided throughout this review and is listed in the scheme. The scheme will be consulted upon and approved locally prior to being submitted to government. The process is detailed below.

6.4 Process and timeline:

The following timeline demonstrates the next steps and stages required to effect the change in governance as outlined in this review. The timeline is indicative but it is envisaged that the governance could be implemented within a 15-18-month period. It should be noted that if the transfer of the Authority functions to the WMCA were to be achieved within this period, the RFA as an interim governance change may not be necessary move.

October - November 2017: Constituent Authority approval of content of governance review and scheme.

8th December 2017: WMCA approval of content of Governance Review and Scheme.

January – February 2018: Consultation of proposals set out in the scheme on behalf of the Secretary of State (a minimum of 6 weeks)

March 18: Analyse consultation responses locally

April 18: Governance Review, Scheme and analysis of consultation reviewed by Secretary of State (4-12 weeks)

May - June 18: Government development of Order detailing changes required in legislation to abolish WMFRA and amend legislation to enable future WMCA governance

July - September 18: Constituent Authority/ CA approval of detail of Order

September - October July 18: Order amended where needed locally enters Parliamentary Process

November 18: Secretary of State approves Order

November/ December 18: Authority functions can transfer to the WMCA

7. Schedule of background papers

WMFRA report: 'Route Map to Mayoral Governance' (20 February 2017)

WMFRA Report - Future Governance Working Group (20 February 2017)

Future Governance Working Group Report February 2017

West Midlands Combined Authority (WMCA) report (3 March 2017)

WMFRA report – 'Route map to Mayoral West Midlands, Combined Authority Governance - a Reformed Fire Authority (RFA) and decision (10 April 2017)

West Midlands Combined Authority (WMCA) report (8 September 2017)

8. Appendices

Appendix 1 – The Most Pertinent Legislatively Prescribed Service Delivery Provisions:

The most pertinent legislatively prescribed service delivery provisions are as follows:

- **The Fire and Rescue Services Act 2004**

As a requirement of the Fire and Rescue Services Act 2004, the Government published the Fire and Rescue National Framework setting out the priorities and objectives for Fire and Rescue Authorities in England. FRA's must have regard to it in carrying out their duties. The Framework places responsibility on Fire and Rescue Services to prepare an Integrated Risk Management Plan (IRMP). The plan must include targets and objectives for reducing risks, balancing prevention and intervention, and determining response standards and resource allocation. In West Midlands this is called The Community Safety Strategy. The CFO will manage and advise the Mayoral on the IRMP, subject to the Mayor's approval.

- **The Fire and Rescue Services (Emergencies) (England) Order 2007**

Section 58 of the FRS Act 2004 specifies other emergencies for which fire and rescue authorities must make provision. These are set out in the above Order 2007 and specifies functions in connection with emergencies involving chemical, biological, or radio-active contaminants, structural collapse or a train, tram or aircraft ("transport emergencies"), but does not apply in relation to transport emergencies, unless the incident is likely to require a Fire and Rescue Authority to use resources beyond the scope of its normal day to day operations.

In addition, where a Fire and Rescue Authority has specialist resources, including specialist trained personnel, to enable it to deal with emergencies of a kind described in this Order, and such an emergency occurs or is likely to occur in the area of another Authority; this Order requires the Authority with the specialist resources, if asked to do so, to use those resources in that

other Authority's area so far as is reasonable for the purpose of dealing with the emergency. The CFO will manage the configuration of the resources as part of day to day business, however, the Mayor will retain oversight and be able to provide time critical resilience to emergencies on a regional and national scale.

- **The Regulatory Reform (Fire Safety Order) 2005**

This places emphasis on business continuity and containing and preventing the spread of small fires. It provides a minimum fire safety standard in all non-domestic premises. It designates a person (e.g. employer, manager or owner) as a responsible person who is then required to carry out certain fire safety duties, which include ensuring that general fire precautions are satisfactory and that fire risk assessments are conducted.

Fire Authorities are the primary enforcing agencies for all fire legislation in non-domestic use. The Authority has delegated the power to prosecute to the Chief Fire Officer. However, the Mayor will retain oversight.

- **The Civil Contingencies Act 2004**

The Civil Contingencies Act 2004 delivers a framework for civil protection. It establishes a statutory framework of roles and responsibilities for local responders; of which the Authority is one, and on emergency powers, establishing a framework for the use of special legislative measures that might be necessary to deal with the effects of the most serious emergencies. The Act also divides local responders into two categories. The Fire Authority is a Category 1 responder. This means that it is at the core of emergency response. Upon transfer of governance the CFO will continue to manage operational handling and the Mayor will retain oversight.

Appendix 2 – A Risk Based Service and Risk Based Service Delivery

The Service is a unique public body in that it is funded to provide adequate cover against risk, informed by demand, as opposed to restricted to demand.

Risk is analysed by employing sophisticated processes to manage performance in responding to emergency incidents, based upon the principle of proportionality, dependent on the risk involved. Local geography is analysed, based on factors such as deprivation and the history of dwelling fire incidents within locations to determine the weighting of the risk. In this way, a picture is painted of the future likelihood of high risk incidents occurring in particular areas allowing a reliable Risk Map for assessing foreseeable future risk to be developed. The Area Risk Maps (ARM's) are then used as the basis for planning prevention, protection and emergency response strategies. This data is key not only relevant to WMFS but also to partners in authorities such as constituent councils, health and social care.

It serves a population of more than 2.8 million people with some of the most diverse and multi-cultural communities in the country, in a relatively small geographical space. The population demographics, socio-economic and health and well-being challenges means that the Service has amongst the highest levels of social risk in England, which makes its communities particularly vulnerable to fire, road traffic and other emergency incidents. The West Midlands has a disproportionate percentage of the total number of incidents with more fires per head of population in the West Midlands compared to the rest of the country including London. There are also proportionately more serious life threatening incidents in the West Midlands as is shown by analysing the Primary Fires. There is a similar pattern when total incidents - not just fires but all manner of emergencies.¹ Serving a relatively small geographical space means that WMFS' fire stations serve more people compared to the rest of the country, serving the highest levels of population outside of London, typically double the population of other non-Metropolitan FRS's.² Serving larger number of high risk people means WMFS stations are amongst the busiest in the country, attending more than double the number of incidents per Fire Station.³

Prevention, Protection and Response Services:

Prevention – creating a healthier community through changing behaviours to improve outcomes

¹ CIPFA Fire Statistics

² CIPFA Fire Statistics

³ CIPFA Fire Statistics

As well as responding to risks when they do happen WMFS is about preventing those incidents and protecting communities in the first instance – That is where its key successes and improvements have been. Nationally, the FRS has undergone a major cultural change to embrace prevention and develop a sophisticated understanding of community risk. This has brought about a dramatic reduction in fires (58%), deaths (38%) and injuries (35%) through services' engagement with communities.⁴ The Service plays a very practical and essential role in managing and responding to the risks that face society and they are also uniquely placed to reduce some of the risk in the community through their unrivalled standing and high levels of public trust, satisfaction and confidence by situating firefighters at the very heart of the West Midlands community. This allows the community to have comprehensive contact with firefighters who are then able to cross the front doors of residents in the high 80% of the time without any prior contact. This means WMFS firefighters are able to go further when conducting their comprehensive Safe and Well Checks in providing critical interventions, promoting health messages and making referrals to appropriate services to help keep people safe and reduce incidents of harm – *fire-fighting upstream*.

Protection Services – creating a stronger business community

Serving the heartlands of businesses and the UK economy the Service plays a major role in contributing to the national protection activity. The West Midlands has large numbers of industrial and relatively high risk premises within its community. Often this is a legacy of former industrial heritage and how the cities have developed. One example of the relative risk is that the West Midlands has a higher percentage of unsatisfactory business audits undertaken, meaning they comprise the greatest business risk, which therefore requires further resources to enforce compliance.

Accordingly, protection services are geared towards supporting the local economy. This means prioritising the business sector, focusing on giving a wide range of advice and, when necessary, enforcing the law through qualified inspectors. Officers also work with building control and approved inspectors to inspect plans for new buildings and ensure compliance with the following:

- Clear access routes for fire appliances in areas of new build
- Adequate water supplies and firefighting facilities
- Suitable escape routes and fire resisting construction
- Safety systems such as fire alarms and escape lighting

Safety audits are carried out using a risk based system of ranking sites in order of priority, to ensure visits take place where they will achieve the greatest impact on safety.

⁴ Fire Statistics Data Tables, Home Office

The business help-first approach helps to foster positive perceptions in the diverse business community of the West Midlands where there are more small to medium businesses with 18,337 new businesses registered in Birmingham in 2014⁵, the highest in any UK city outside London. 80% of small to medium businesses in the West Midlands do not recover from a fire. An important part of the work the Service does is to work with such businesses to increase their resilience and help to keep businesses in businesses.

These activities strategically align to the WMCA, which has prioritised economic development as part of its plans to use its extensive economic market area covered by the three Local Enterprise Partnerships (LEPs) to jointly create an economy which is the strongest outside London and contributes fully to the Government's vision of a wider "Midlands Engine for Growth".

Response Services – creating safer communities:

Although the Service has been very successful in reducing fires, there remains an underlying level of risk which means that the Service needs to be resourced to enable it to continue to respond effectively to all the risk in their communities. There is a key public expectation that the Service will respond swiftly to help effectively whatever the emergency. Emergency response will always remain a core priority because, despite efforts to prevent fires and reduce their impact, they and other emergencies continue to occur, putting life, property and the local economy at risk. Emergency calls range from rubbish fires, road traffic incidents, special service calls or a life threatening house fire.

Incidents which threaten life or property require swift attendance times. A swift attendance time reduces the risk to the victim and the responding firefighter, and the financial impact of fire on the local and national economy. WMFS believe that achieving the fastest response time possible is evidentially important to survivability.

Alongside coping with local risks the Service is an integral part of the National Resilience plans for dealing with serious incidents and major catastrophes including natural disasters, terrorism, whereby it provides specialist support in the event of Marauding Terrorist Fire Arms incidents, and specialist capabilities to the UN approved UK International Search and Rescue Teams.

⁵ Start-up Britain 2014

Appendix 3 – Current governance framework for WMFRA
CURRENT WMFRA MODEL
ROLES & RESPONSIBILITIES
MEAN?

HOW IS THIS ENABLED?

WHAT DOES THIS

<p>West Midlands Fire and Rescue Authority (WMRA) 27 councillors proportionality representing 7 constituent councils.</p> <p>Model based on Section 41 – lead member principles</p>	<ul style="list-style-type: none"> ■ Governance (supervisory body) for WMFS ■ Accountable for 'fire and rescue' functions – FRS Act 2004: ■ Approve the Integrated Risk Management Plan (N.Framework), Corporate Strategy, budget * ■ Raise council tax precept ■ Owns all properties, rights and liabilities, including employment contracts ■ Appointment of Principal & Statutory officers ■ Lead members (section 41) enable Local Authority representation ■ Regional and national (LGA/NJC) rep ■ Lobbies government - AMFRA 	<p>WMFRA is responsible for employing staff, owns all assets and is liable for all civil/criminal action.</p> <p>WMFRA is accountable to the communities for services provided as set out in the Fire and Rescue Services Act and other enabling legislation</p> <p>WMFRA collects council tax contributions from constituent councils</p>	<p>Officers prepare and present the IRM and Corporate Strategy for Authority approval</p> <p>Officers prepare and present all financial, property and asset plans for Authority approval</p> <p>Officers manage all activity to ensure services are delivered as set out in enabling legislation</p> <p>Officers line manage all employees & employee/management relationships through employee relations framework</p>
<p>Committees</p> <p>Councillors undertake delegated responsibilities</p>	<p>Audit – governance, risk management and financial control</p> <p>Scrutiny – inform policy development and scrutinise performance</p> <p>Executive Committee – urgent matters, approve procurement over £250k</p>	<p>Committees provide delegated roles on behalf of the WMFRA. Both Audit and Scrutiny are 'statutory' roles.</p> <p>Scrutiny is an important element of 'good governance' in ensuring robust frameworks are in place</p>	<p>Executive arrangements have reduced and now hear urgent matters & scrutiny outcomes.</p> <p>Scrutiny supported by officers to enable an effective approach to reviews.</p>
<p>Chief Fire Officer/Officers</p> <p>Delegated responsibilities</p> <p>Accountable to WMFRA</p>	<p>Head of Paid Service</p> <p>Control of all matters relating to administration of WMFRA functions under fire and rescue services act & other legislation - firefighting, fire safety, road traffic collisions, emergencies, civil contingencies, MTFA, National Resilience.</p>	<p>Decision making to enable operational effectiveness through the right:</p> <ul style="list-style-type: none"> ■ Allocation of resources ■ People ■ workforce development <p>To enable delivery of the SDM & WMFRA strategy</p>	<ul style="list-style-type: none"> ■ line management of staff ■ development of staff ■ Day to day varying deployment of resources to meet risk ■ Effective varying of staffing structure and SDM to match resources to risk ■ Advises WMFRA on exercise of fire and rescue functions

Appendix 4 – Legislative Responsibilities Currently Placed on WMFRA

The responsibilities as set out in the following pieces of legislation will need to be transferred on abolition of the Authority.

- **Local Government Act 1985**

The Authority as it stands was legally created under the LGA 1985, which created joint fire authorities and stipulated the number of Members appointed from constituent councils to the Fire Authority (27). Section 34 also sets out the annual appointment of the Chair, Vice Chair and Clerk. The responsibilities as set out in this Act including their transfer will depend on the governance model adopted for the future provision of community services.

- **Local Government and Housing Act 1989**

This Act requires the designation of one of WMFS's officers as Head of Paid Service (the Chief Fire Officer) and outlines the specific responsibilities of this role. It also stipulates the requirement to appoint a Monitoring Officer. It is proposed the CFO will continue to be the head of paid service and will be accountable to the Mayor in the operation of their duties, subject to the detail set in the Scheme and the WMCA's Constitution. The requirement to appoint a Monitoring Officer will depend on the governance model adopted.

- **The Local Government Act 1972**

This Act requires the appointment of a Chief Finance Officer (section 151 Officer) in addition to the appointment of such officers as the Authority thinks necessary for the proper discharge of its functions. Under this Act the Authority may also acquire, appropriate or dispose of land/and or premises. Further, the Authority is permitted to make standing orders in respect to the making of contracts by them or on their behalf (subject to relevant procurement legislation). The responsibilities set out in this Act will depend on the governance model adopted.

Appendix 5 – The Governance Models

A Fire and Rescue Authority

Currently all Fire and Rescue Services (excluding Scotland, London and those abolished upon incorporation in combined authorities) whether Metropolitan, Combined or County Council, are governed through an Authority and Committees. These provide democratic accountability and governance of Fire Services to the communities they serve.

A Fire Authority is a statutory body. The Local Government Act 1985 and Local Government and Housing Act 1989, provides the basis for these arrangements. More specifically, for West Midlands Fire Service as a Metropolitan Service schedule 10 of the 85' Act sets out the number of Members that should sit on the Authority, apportioning this amongst each of the 7 West Midlands Local Authorities.

The purpose of a Fire Authority is to provide policy and political direction to the Service and to carry out strategic and legislative duties such as the approval of the Authority budget.

A Police and Crime Commissioner (PCC):

The introduction of the Policing and Crime Act 2017 (PACA 2017) as an outcome of the 'Enabling Closer Working' consultation, introduced two key proposals:

It placed a duty on each of the emergency services to consider collaboration. PACA 2017 also enabled the governance of the Fire and Rescue Services to be provided for through a single elected accountable person, a Mayor or where this is locally determined, a PCC. PCC's now have the ability to submit a business case to the Secretary of State, to take over the governance of Fire and Rescue Services in their areas.

Any business case must be able to demonstrate the benefits of this change against the delivery of improved efficiency, effectiveness, economy and public safety.

The PACA 2017 provides two options for the future governance and management of both organisations (Police and Fire).

The first is where the PCC provides the governance for both the Police and Fire, with Chief Officers from both organisations reporting in through their separate management structures. This would lead to the disbanding of the Authority and the transference of the employer status for fire and rescue staff to the PCC.

The second also enables the PCC to provide governance for both Services but appoints a ‘single employer’, a Chief Officer, to oversee both organisations (Police and Fire). In this option the Chief Officer becomes the employer of fire and rescue staff.

The PACA 2017 also makes provision for differing arrangements in London where the London Fire and Emergency Planning Authority (LFEPA) will be abolished and the London Fire Service will be brought under the direction of the Mayor of London, who will set its budgets and strategic direction. The London Fire Commissioner will become a ‘corporation sole’, with the functions of the abolished LFEPA being transferred to the Commissioner. The Commissioner will have the functions of the Fire and Rescue Authority for Greater London. A Fire and Emergency committee will be formed with the purpose of scrutinising the Commissioner, Fire Service and Mayor.

West Midlands Combined Authority and the Mayor:

As part of public sector reform, handing down power and money from central government to local authorities through devolution deals, means that decisions and spend can be made locally for the benefit of the region. This can be achieved through the joining of services to deliver better outcomes for the community. Devolution is a critical agenda for central government and through the Cities and Devolution Act 2016, has been delivered through a Mayor as the single accountable leader of a Combined Authority.

Mayoral elections for WMCA took place on the 4th May 2017 and following amendments to the PACA 2017 at Bill stage, provisions are in place for the Mayor to have the direct power to “exercise the functions of Fire and Rescue Services”. This has provided a route for the governance of the Service to become functions of the Mayor as part of the WMCA and be provided for through this structure.

Combination of Fire and Rescue Services:

The west midlands county footprint incorporates five fire and rescue services. Research undertaken during 2015 highlighted the possibility of the combination of Fire and Rescue Services with the potential to increased public safety and improved performance whilst delivering wider efficiencies. The commitment to joint working within the WMCA footprint is evident by the increase in the number of non-constituent members which brings into focus the wider fire and rescue services.

The Fire and Rescue Services Act 2004 and enables the PACA 2017 enables these changes to be made.

Appendix 6 – The Future Governance Working Groups Conclusions

1. The analysis suggests that a two-stage process, whilst there is no “stand out” option, increases costs, risk and reduces benefits and as such should be avoided. There is considerable potential change in the next year or so:

- PCC business cases
- The development of the Combined Authority model in Manchester and London
- The programme of the Mayor and the WMCA
- Additional devolution deals

The WMFRA needs to ensure it continues to engage with stakeholders to ensure it can fully consider its position and the options available to it.

2. The Working Group found that there was enthusiasm and commitment from other organisations for collaboration. The Service has made great progress over recent years, and the working group felt that the Authority would benefit from considering its constitution and structure and how it might change enable further collaboration.

3. The Mayoral and WMCA model is just emerging and the first Mayor is yet to be appointed, so there is as yet lack of clarity about its programme. However, change with a new Mayor will happen and this will create opportunity in improving public services. The WMFRA need to ensure that they remain engaged in this to ensure the best opportunity for delivery of outcomes for future.

4. If a mayoral option is not available in the medium term for police or fire, then the options would need re appraised to ensure the benefits of collaboration across the emergency services and wider public services are realised.

5. The Bill does not enable governance changes with the Ambulance Service which may prevent full collaboration to be realised as well as the benefits from this.

6. Ambulance sits outside of governance analysis however the opportunities for collaboration are significant

7 A Fire/Fire combination would realise significant benefits at lower risk than other options. This would require local consensus and a formal business case, approved by the Home Office. The associated Council tax consequences, and any boundary issues would need to be considered.

8 The PCC model is relatively new but is having an impact on Police effectiveness. Although there would be some risk associated with the Fire/Police combination, there could be significant cost benefits.

Appendix 7 – Collaborative Relationships

Multi-Agency Specialist Assessment Team (MASAT):

Combining the resources, expertise and specialist knowledge of the Service, West Midlands Ambulance Service (WMAS) and West Midlands Police (WMP) for the initial assessment of hazardous substance at potential/suspected Chemical Biological, Radiological and Nuclear (CBRNe) incidents achieves a flexible and a scalable approach, which delivers an effective and efficient response.

The relationships formed through this work has enabled greater communication particularly with WMP. Through these relationships, shared work locations have now been established, which further the ongoing support for daily activities and the ability to share information.

The Multi Agency Specialist Assessment Team (MASAT) seeks to develop a single, joint and co-ordinated emergency services response to a suspected/potential CBRN(e) event, implementing consistent working practices and maximising interoperability across equipment, resources and knowledge.

The MASAT is a combination of CBRN(e)/HAZMAT specialist resources from WMFS, WMAS and Police Officers from the four regional forces. By working as a single operational entity the MASAT will provide an initial assessment of suspected/potential CBRN incidents and rapidly detect, identify and monitor the presence of any hazardous substance, to secure an informed and proportionate multi-agency response. The team may also be deployed to other incidents which encounter hazardous materials, for example, chemical suicides and drugs or explosive laboratories where chemicals are found.

The principal contributions of each service are:-

➤ Ambulance Service

The WMAS Hazardous Area Response Team (HART) provide an initial health assessment of any incident and alert the wider health community on their potential scale and impact. The team support Fire and Police Service responders, ensuring a safe system of work and providing immediate medical care to MASAT staff.

➤ Fire Service

The Fire Service provide a Detection Identification and Monitoring (DIM) capability to rapidly identify and analyse suspected CBRN(e) substances. The team also ensure that items recovered are handled and retained with due care for forensic integrity. The team also ensure that safe systems of work exist for Breathing Apparatus equipment and rescue functions.

➤ Police Service

The Police Service will have primary responsibility to command the response to an actual or potential CBRN(e) event by managing any civil disorder, to ensure a permissive environment exists in which the other emergency services can operate. It will also conduct intelligence/scene assessments to inform operational risk assessments and any subsequent response.

Benefits:

A more dynamic, effective and efficient delivery of services when an incident occurs as all emergency services respond together using the same approach and together.

Collaborative Pensions Board:

WMFS and WMP chair each other's respective Pensions Board meetings. This arrangement was established in order to provide an independent Chair at each Pension Board meeting without incurring additional costs.

Benefits:

- This has been a quick win for both services and has removed the potential costs associated with recruiting an independent Chair into this role.
- Sharing of practice and development of working relationships between the WMP and WMFS.

Emergency Planning / LRF

For a number of years WMFS and WMP have shared the co-ordination and delivery of the Local Resilience Forum (LRF) in support of the Local Authorities and other Category 1 and 2 responders under the Civil Contingencies Act.

WMFS and WMP provide the Chair and Vice Chair of both the Strategic LRF and the General Working Group (GWG) that supports the LRF. The administrative resources for the LRF are employed by WMP but directly support the Chair from WMFS.

Local Police Units & Operations Commanders:

This collaboration is underway with WMFS Operations Commanders regularly attending WMP Local Police unit meeting and vice versa.

There are regular meetings between the Principal officers in WMFS and WMP to ensure that all opportunities are discussed such as:

- The possibility of sharing data and information about properties and estates
- Looking at closer alignment of LPU/Command plans to take account of each other's local priorities
- The chance of Police sharing data about RTCs to help WMFS measure the impact of prevention activity

Appendix 8 – Proposed Future Governance Framework for Mayoral model

ROLES & RESPONSIBILITIES

WHAT WILL THIS MEAN?

Mayor
Single elected accountable figure

- Governance (supervisory body) for WMFS, guided by LGA and LGiH Acts
- Exercises all 'fire and rescue' functions – FRS Act 2004 and enabling:
- Accountable for the:
 - Integrated Risk Management Plan (N.Framework)*
 - the Corporate Strategy – The Plan*
 - Budgets (Capital and revenue)*
- Raises precept
- Responsible for Senior & Statutory Officer appointments

- The WMCA owns all properties rights and liabilities of the former WMFRA and all functions
- The WMCA employ all staff including the CFO
- The Mayor **only** can exercise all fire and rescue functions and can delegate these to a committee and/or officers other than* functions
- The Mayor is accountable figure to the communities for services provided, as set out in the Fire and Rescue Services Act and other enabling legislation
- The Mayor provides strategic policy direction
- The Mayor oversees the efficiency and effectiveness of WMFS

WMCA
(governing body)

- Owns all **functions**, properties, rights and liabilities, including employment contracts of WMFS staff

Fire Advisory Committee (Specialist review and advice to Mayor)

- Leadership for WMFS priorities across seven local constituent authorities
- Enabling development of local authority and health care partnerships
- Review functions - i.e. reviewing decisions made against the local risk plan and the corporate strategy (statutory functions)
- Enabling regional fire and local government relationships
- Lobbying functions with other FRSs through AMFRA
- A voice and representation within LGA and NJC working with alongside NFCC
- Ceremonial support for Mayor for WMFS

The MFAC has clear delegations around scrutiny of Mayoral decisions, providing reports to the WMCA

Supports the Mayor both locally and nationally as the political 'voice' for WMFS

Chief Fire Officer/Officers
Accountable to the Mayor

- Head of Paid Service for WMFS
Accountable to the Mayor for the delivery of services within a balanced budget:
- the delivery of WMFS Strategy (incl. matters relating to exercising functions of the fire and rescue services ac, etc)
 - the delivery of a staffing structure & models supporting current and future Strategy
 - the deployment of resources to meet risk
 - the transformation of services to meet WMFS and Mayoral/WMCA priorities.

- Accountability for the delivery of Strategy and Integrated Risk Plan, enabled through robust decision making at the right level. Delivering operational effectiveness through the right:
- Allocation of resources
 - Recruitment and management of staff
 - workforce reform & development

Appendix 9a – Mayoral Governance Models for Fire and Rescue Services

London arrangements: The Mayor of London already provides a role for oversight of the current London Fire and Emergency Planning Authority (LFEPA). The new London Mayoral model which is created by the Policing and Crime Act 2017, places responsibility for the governance of the London Fire Brigade with the London Fire Commissioner (LFC), transferring the functions of the LFEPA to the LFC. This role will also be the Chief Fire Officer for the Fire Brigade.

The detail around this model is still emerging and a ‘scheme of supervision’ is currently being created to ensure the Mayor is able to hold the LFC to account for the exercise of functions.

A ‘fire, resilience and emergency planning committee’ was constituted on the 3rd May 2017 and is intended to provide a scrutiny function to the LFC on behalf of the Mayor.

Manchester arrangements: The Manchester Mayoral model created through the Cities and Devolution Act 2016, transfers the governance of the Fire and Rescue Service and the functions of the previous Fire Authority, to the Greater Manchester Combined Authority (GMCA). However, these functions are only exercisable by the Mayor. The transfer of these functions took place on the 8th May 2017.

The Mayor is able to delegate to both the CFO and a ‘fire committee’.

A ‘fire committee’ is provided for within the order that created the fire function within GMCA, The Greater Manchester Combined Authority (Fire and Rescue Functions) Order 2017. The role of the fire committee is not set out in this order and but is in the early stages of being developed.

What are the differences?

The London model places accountability for governance, delivery of fire and rescue functions and services, the ownership of assets and employment of staff on the LFC role. This role will also be the CFO for the Fire Service.

The scrutiny role enabled through the ‘fire, resilience and emergency planning committee’ is essential for this model.

The Manchester model enables the responsibility for the delivery of services, the ownership of assets and employment of staff to be spread. Whilst the GMCA employs staff and owns assets, the Mayor is accountable for the exercising of ‘fire and rescue’ functions. The Mayor can delegate some functions to a deputy, committee and the CFO.

The advantages of the LFC model will be that there is clarity in roles and responsibilities around decision making concerning the management of fire service resources and in particular the development of the workforce. The accountability of the LFC will enable a progressive and agile approach to the transformation of workforce and services delivered to local communities.

The LFC holds a great deal of accountability and liability within a 'Corporation Sole' model which will present risks. It is assumed that whilst this model is now legislated for, there is still some detail being worked out as progress to implement has so far been deferred.

The Manchester model retains accountability for decision making with the Mayor. These decisions can be delegated to a committee or to the CFO. There will need to be clear delegations between the roles of the GMCA, Mayor, Committee and CFO, to ensure that the fire service is able to maintain operational effectiveness and transform services through effective decision making. The committee model offers additional political support to the Mayor, informed advice and guidance and maintains a clear connection through lead members with each of the constituent councils in the region.

There remains within each model, essential scrutiny functions.

Appendix 9b – Comparison of London and Manchester models

This comparison seeks to clarify the differences between the governance models of Manchester Fire and Rescue Service and London Fire Brigade. The Manchester model is now in place but in its infancy, the London model is not as yet and there are elements to both which are still emerging and developing.

	<p style="text-align: center;">London Fire Brigade to London Fire Commissioner</p> <ul style="list-style-type: none"> • The Policing and Crime Act 2017 (PACA 2017) 	<p style="text-align: center;">Manchester Fire and Rescue Service to Greater Manchester Combined Authority</p> <ul style="list-style-type: none"> • The Greater Manchester Combined Authority (Fire and Rescue Functions) Order 2017 (S.I.2017/469) • The Greater Manchester Combined Authority Order 2011 (S.I.2011/908)
	<p>The London Fire and Emergency Planning Authority (LFEPA) is the Fire Authority for London</p>	<p>The Greater Manchester Fire</p>

<p>What are the Fire Authority functions and how has/will this change?</p>	<p>Fire Brigade.</p> <p>This is to be abolished by the above Act and its functions are to be transferred to the London Fire Commissioner (LFC). These are the 'fire and rescue' functions and passes responsibility for providing fire services to the Mayor from October 2017 (though date tbc by Parliament). The PACA 2017 requires the London Assembly to arrange for those functions granted to it by Schedule 2 of that Act to be discharged on its behalf by a particular committee, proposed to be known as the Fire, Resilience and Emergency Planning Committee. Source: https://www.london.gov.uk/moderngov/documents/g6205/Public%20reports%20pack%20Wednesday%2003-May-2017%2010.00%20London%20Assembly%20Plenary.pdf?T=10 (p.28)</p> <p>This change is due to take place in April 2018</p>	<p>and Rescue Authority (GMFRA) have been abolished.</p> <p>The functions of the GMFRA are transferred to Greater Manchester Combined Authority (GMCA) under the above 2017 order. This took place on the 8th May 2017. GMCA will employ staff and own assets.</p> <p>The 'fire and rescue' functions of the GMCA may only be exercisable by the Mayor. These relate to the ability to vary staff and</p>
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		resources to enable the delivery of services.
Body corporate	The LFC will be a 'corporation sole' and all proprieties, rights and liabilities of the LFEPA will transfer across to this role.	The GMCA is a 'body corporate' and all proprieties, rights and liabilities of the previously GMFRA, transfer across to the combined authority.
What are the Mayors responsibilities and what can be delegated?	<p>The Mayor:</p> <ul style="list-style-type: none"> • appoints the LFC • can dismiss the LFC • sets the terms of employment for the LFC • will hold the LFC to account for the exercise of the Commissioner's functions. • approves the local risk plan and the LFC's corporate strategy. • Can guide and/or direct the LFC in his/her functions <p>The Mayor is not responsible for the functions of the FRS Act 2004. This is the responsibility of the LFC and as such all decisions relating to the delivery of services and employment of staff rest with the LFC</p>	<p>The Mayor:</p> <ul style="list-style-type: none"> • Is responsible for exercising all fire functions under the Fire and Rescue Service Act 2004

		<ul style="list-style-type: none">• appoints and can dismiss the manager of the FRS (the CFO)• sets his / her terms of employment.• Will hold the CFO to account• approves the local risk plan, the corporate strategy and civil contingency arrangements.• Delegates roles and responsibilities to the CFO <p>the Mayor as the</p>
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		<p>governing body is responsible for functions under the FRS Act 2004? If so this needs adding here as it provides an important distinction to London.</p>
<p>What responsibilities can the Mayor delegate?</p>	<p>The Mayor may delegate responsibilities to a Deputy Mayor for Fire.</p> <p>The Greater London Assembly must also receive the local risk plan and corporate strategy.</p> <p>The Assembly must arrange for its responsibility to be discharged by a “Fire and Emergency Committee” (the Committee).</p>	<p>Members and officers of the GMCA may assist the Mayor in the exercising of fire and rescue functions.</p> <p>The Mayor may delegate the exercising of fire and rescue functions to a ‘Fire Committee’, except for those set out above.</p>

<p>What does the committee do?</p>	<p>The Fire, Resilience and Emergency Planning Committee, will provide scrutiny of:</p> <ol style="list-style-type: none"> 1. the LFC’s documents (including any revisions) i.e. the local risk plan and the corporate strategy and make recommendations to the Mayor. 2. Review the exercise of functions of the LFC, investigate and prepare reports about any actions or decisions of the London Fire Commissioner, Deputy Mayor for Fire, an officer of the London Fire Commissioner, functions of the London Fire Commissioner and any other matters considered of importance relating to fire and rescue services in Greater London; <p>The committee also has the power to submit proposals to the LFC.</p> <p>Wider powers of the Assembly include the power to call the proposed LFC or Deputy Mayoral candidate to a 'confirmation hearing' following which the committee call the proposed LFC or Deputy Mayoral candidate to a 'confirmation hearing' following which the committee can veto the appointments if unsatisfied.</p> <p>The power to require the Deputy Mayor for Fire, The London Fire Commissioner and any officer of the London Fire Commissioner to attend the Committee to answer questions.</p> <p>A ‘scheme of supervision’ for the Mayor of London is currently being drafted to enable oversight of the LFC and decision making processes.</p>	<p><i>The actual role of the fire committee of the GMCA fire function is not set out in legislation as it has been for the London model. However, the arrangements highlighted in the above section cannot be delegated. This could create the assumption that the committee would provide a scrutiny or advisory function to support the Mayor in decision making.</i></p> <p><i>Further information is being sought via Manchester Fire and GMCA.</i></p>
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<p>Committee appointments</p>	<p>There are no statutory rules regarding the size of this committee or the number of meetings it must hold. The London Assembly proposed that the Fire Committee should comprise 7 Assembly Members and meet 6 times in a full municipal year.</p> <p>The members term of office is fixed by the Assembly.</p> <p>Membership may be wider than Members of the Assembly (with powers to vote on matters) - procedures for these members yet to be drawn up.</p>	<p>The GMCA Fire Committee will comprise of no more than 15 members.</p> <p>It will consist of 1 elected member from each of the 10 constituent councils.</p> <p>Each constituent council will nominate a member.</p> <p>The Mayor may then appoint 5 or fewer further members onto the Fire Committee, from the elected members of one</p>

		or more of each of the constituent councils.
Committee composition	<p>Current composition of the Greater London Authority is: Labour Group – 48%, GLA Conservatives Group - 32%, Green Party Group – 8%, UK Independence Party – 8%, Liberal Democrat Group – 4%.</p> <p>The London Assembly, at its annual meeting on 13 May 2016, unanimously agreed to dis apply the strict application of proportionality rules from the establishment of its committees and subcommittees.</p> <p>The Fire Committee may appoint a sub-committee(s) to discharge any of its functions, other than any of the special scrutiny functions. The number of members of any sub-committee and their terms of office are to be fixed by the Fire Committee. Persons who are not members of the Assembly may be members of a sub-committee.</p>	The Fire Committee must reflect as far as reasonably practicable, the balance of the political parties among the constituent councils when appointed to the committee.
Who will Chair the Committee	The Assembly may determine the Chair (and Deputy Chair (if any)), or otherwise determine that the Fire, Resilience and Emergency Planning Committee is to appoint the Chair (and Deputy Chair (if any)).	The Mayor will appoint a member of the Fire Committee to Chair.
What is the role of the Chief Fire Officer of the Fire Service?	<p><i>As highlighted above the LFC who will be the CFO will take on all functions of LFEPA, including 'fire and rescue' functions. The LFC will:</i></p> <ul style="list-style-type: none"> • <i>Employ all staff</i> • <i>Own all assets</i> <p><i>This provides the LFC with the role and power to decide how staff, equipment and assets will</i></p>	As highlighted above the Mayor can delegate to the CFO. Whilst this model is now

	<p><i>be used to deliver services aligned to the local risk plan.</i></p>	<p>in place the delegations to the 'committee' and CFO are yet to be understood.</p> <p>At the very least it is likely that the CFO will be delegated the control of all operations as required under the Fire and Rescue Service Act 2004.</p>
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West Midlands Combined Authority SCHEME

This scheme is prepared and published following/pursuant to the decision of the West Midlands Combined Authority (WMCA) on 8 September 2017.

The proposals in this scheme will be subject to a further public consultation.

The scheme provides as follows:

1.1 It is proposed that the functions exercisable by the West Midlands Fire and Rescue Authority (WMFRA) across the area that the WMCA covers, should become functions of the WMCA pursuant to sections 105 A of the Local Democracy, Economic Development and Construction Act 2009.

These functions are those as set out in the following acts and where relevant identified sections:

- Local Government Act 1985 (including Part IV, schedule 10)
- Local Government in Housing Act 1989
- Fire and Rescue Service Act 2004
- Fire and Rescue Order 2007
- National Framework for Fire and Rescue Services in England 2012.
- Regulatory (Fire) Reform Order 2005
- Civil Contingencies Act 2014

The requirements for change are set in 1.13 to this scheme.

1.2 It is proposed that the properties, rights and liabilities of the WMFRA would become functions of the WMCA.

1.3 It is proposed that the functions relating to fire and rescue referred to in 1.1 should become WMCA functions.

1.4 It is proposed that the fire and rescue functions once they become functions of the WMCA are exercisable only by the Mayor (section 107D (1) Cities and Local Government Devolution Act 2009).

1.5 For the purposes of the exercise of the fire and rescue functions, the Mayor may do anything that the WMCA may do under section 113A of the LDEDC Act 2009 (general power of EPB or combined authority) (1).

1.6 It is proposed that the WMCA has the same borrowing powers in respect to its functions, relating to fire and rescue as are currently exercised by the WMFRA.

1.5 It is proposed that the WMCA retain the same core grant and precept funding arrangements in respect to its functions relating to fire and rescue, as currently exercised by the WMFRA.

1.6 Any decisions/acts made before abolition of the WMFRA should have effect as if agreed by, or, in relation to the Mayoral WMCA. For example, the setting of the precept for, under section 40 Local Government Finance Act 1988 to the constituent councils in respect of the financial year beginning before transfer in governance, should have effect as if issued by the Mayoral WMCA.

1.7 It is proposed that Members of the WMCA may assist the Mayor in the exercise of the fire and rescue functions in line with delegations, provided that the functions may not include:

- Functions relating to the budget and setting of the precept
- Functions relating to statutory plans such as the Integrated Risk Management Plan (IRMP) and strategies
- Functions relating to all properties, rights and liabilities
- The appointment of the Chief Fire Officer and Principal officers

Mayoral Fire Advisory Committee

1.8 It is proposed that the Order should contain provision for the Mayor to arrange for a committee of the WMCA (the Mayoral Fire Advisory Committee), consisting of members appointed by the constituent councils, to advise and support the Mayor in relation to West Midlands Fire Service (WMFS).

1.9 It is proposed the committee appointed should consist of 15 Elected members from across the constituent councils, proportionally balanced, the Police and Crime Commissioner (in accordance with the Policing and Crime Act 2017) and two further co-opted members from Health and Ambulance to promote greater challenge, transparency and further collaboration.

1.10 The following additional provisions are proposed to apply to the Mayoral Fire Advisory Committee (the Committee): (section 107D(6))

Governance:

- Appointment of elected members from each of the constituent councils will be made so that the members of the committee taken as a whole, reflect as far as reasonably practicable, the overall balance of political parties prevailing amongst the constituent councils.
- The majority of members of the committee must be members of the constituent councils, all of those members have one vote.
- Where a member is not from a constituent council they don't have a vote automatically, but can be given one by resolution of the WMCA.
- Two-thirds of members must be present for a meeting to be quorate.
- The Chair of the Committee will be appointed by the Mayor.

Functions:

- The Committee will not be a decision-making committee this responsibility will remain with the Mayor and Chief Fire Officer, as appropriate.
- The Committee will advise the Mayor, support the Mayor and review decisions made by the Mayor.
- Where decisions are reviewed, the Committee will submit a report to the WMCA Overview and Scrutiny Committee.
- The Committee will support the Mayor in providing advice around exercising fire functions, to ensure the right level of detail and understanding is provided to inform the Mayors role as the Authority.
- The Committee will represent the priorities and strategy of the Mayor and WMFS in their respective local authorities and will report on performance in relation to fire functions.
- The Committee will represent the priorities and strategy of the Mayor and WMFS within the 7 constituent councils, regionally with other Fire and Rescue Services, nationally through the National Joint Council and Local Government Association.
- The Committee will seek to influence the Government on behalf of the Mayor in matters related to the delivery of fire and rescue services locally, regionally and nationally.
- The Committee will enable the development of partnerships and services to the community through constituent council engagement.

A member's allowance scheme for the committee will be payable by the WMCA.

1.11 The Chief Fire Officer (CFO) as head of paid service will be accountable to the Mayor in the operation of their duties.

1.12 It is proposed that the CFO maintains full accountability for the operational functions of the Fire Service. This will include:

- The management of the Fire and Rescue Service
- The appointment and development of staff
- The delivery of WMFS Strategy (including matters relating to exercising functions of the Fire and Rescue Services Act 2004, etc.)
- The delivery of staffing structures and models which support current and future Strategy
- The deployment of resources to meet risk
- The transformation of services and reform of the workforce to meet WMFS and Mayoral/WMCA priorities.

1.13 Modification requirements of enactments in their application to the WMCA as a Fire and Rescue Authority.

Primary Legislation

Local Government Act 1972

1. In section 138(5) of the Local Government Act 1972 (powers of principal councils with respect to emergencies or disasters) (a), the reference to “metropolitan county fire and rescue authority” is to apply as if it included “the WMCA as a fire and rescue authority”.

Greater Manchester Act 1981

2. (1) The Local Government and Housing Act 1989(c) is modified as follows.

(2) In section 67 (application of provisions about companies in which local authorities have interests), subsection (3)(k) applies as if the reference to “joint authority established by Part IV of that Act” included a reference to “the WMCA as a fire and rescue authority”.

(3) In section 155 (emergency financial assistance to local authorities) subsection (4)(g) applies as if the reference to a “joint authority established by Part IV of the Local Government Act 1985” included a reference to “the WMCA as a fire and rescue authority”.

Crime and Disorder Act 1998

3.— (1) The Crime and Disorder Act 1998(d) is modified as follows.

(2) In the definition of “fire and rescue authority” in section 5(5) (authorities responsible for strategies), the reference in paragraph (b) to a “metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

(3) In the definition of “relevant authority” in section 115(2), the reference in paragraph (j) to a “metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

Local Government Act 2003

4. Section 23(1) of the Local Government Act 2003 (meaning of “local authority” for purposes of Part 1)(a) the reference in paragraph (k) to “a joint authority established by

Part IV of that Act” is to apply as if it included a reference to “the WMCA as a fire and rescue authority.”

Fire and Rescue Services Act 2004

5.— (1) The FRS Act 2004(b) is modified as follows.

(2) Section 4A (power to provide for police and crime commissioner to be fire and rescue authority) has effect as if at the end of subsection (3)(b) there were inserted—
“, and (c) outside the Area.”;

(3) Section 4B(1)(changes to existing fire and rescue authorities) has effect as if the reference to fire and rescue authorities in England outside Greater London did not include the WMCA.

6. In section 1 of the FRS 2004 Act(1), after subsection (4) insert—

“(5) This section is also subject to an order under Part 6 of the Local Democracy, Economic Development and Construction Act 2009 which transfers the functions of a fire and rescue authority to a combined authority established under section 103 of that Act.”.

Secondary legislation

7. In paragraph (a) of the definition of “local authority” in regulation 2(1) of the Pipelines Safety Regulations 1996 (interpretation)(c) the reference to a “metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

8. In article 1(2) of the Local Government (Best Value Authorities) (Power to Trade) (England) Order 2009 (application of order to best value authorities) (d) the reference in paragraph (c) to a “metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

9. In regulation 3 of the Community Right to Challenge (Fire and Rescue Authorities and Rejection of Expressions of Interest) (England) Regulations 2012 (relevant authorities) (e) the reference in paragraph (a) to a “metropolitan county fire and rescue authority established under section 26 of the Local Government Act 1985” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

10.— (1) The Local Government Pension Scheme Regulations 2013(f) are modified as follows.

(2) After regulation 64(8), insert—

“(8A) Paragraph (8B) applies where the exiting employer is the WMFRA and the liabilities of the fund in respect of benefits due to the WMFRA’s current and former employees (or those of any predecessor authority) have been or are to be transferred to the WMCA by virtue of this Order.

(8B) Where this paragraph applies, no exit payment is due under paragraph (1) and paragraph (2) does not apply.”.

11. In regulation 2(1) of the Explosives Regulations 2014 (interpretation)(g) in the definition of “local authority”, the reference in paragraph (c) to “a metropolitan county fire and rescue authority” is to apply as if it included a reference to “the WMCA as a fire and rescue authority”.

12. In regulation 2(1) of the Control of Major Accident Hazards Regulations 2015(a) in paragraph (b) of the definition of “local authority”, sub-paragraph (ii) is to apply as if there were substituted for that sub-paragraph—
“(ii) the Area, the WMCA as a fire and rescue authority;”.

Cabinet

31st October 2017

Name of Cabinet Member:

Cabinet Member for Policy and Leadership – Councillor G Duggins

Director approving submission of the report:

Deputy Chief Executive (Place)

Ward(s) affected:

N/A

Title:

Outstanding Issues

Is this a key decision?

No

Executive summary:

This report is to identify those issues on which further reports have been requested or are outstanding so that Members are aware of them and can monitor their progress.

Recommendations:

The Cabinet are recommended to consider the list of outstanding items as set out below, and to ask the Member of the Management Board concerned to explain the current position on those which should have been discharged at this meeting or an earlier meeting.

List of Appendices included:

Table of outstanding issues

Other useful background papers:

None

Has it or will it be considered by scrutiny?

N/A

Has it, or will it be considered by any other council committee, advisory panel or other body?

No

Will this report go to Council?

No

**Report title:
Outstanding Issues**

1. Context (or background)

- 1.1 In May 2004, the City Council adopted an Outstanding Minutes system, linked to the Forward Plan, to ensure that follow-up reports can be monitored and reported to Members.
- 1.2 The Table appended to the report outlines items where a report back has been requested to a future Cabinet meeting, along with the anticipated date for further consideration of the issue.
- 1.3 Where a request has been made to delay the consideration of the report back, the proposed revised date is identified, along with the reason for the request.

2. Options considered and recommended proposal

- 2.1 N/A

3. Results of consultation undertaken

- 3.1 N/A

4. Timetable for implementing this decision

- 4.1 N/A

5. Comments from Executive Director of Resources

- 5.1 Financial implications

N/A

- 5.2 Legal implications

N/A

6. Other implications

- 6.1 **How will this contribute to achievement of the council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Coventry Sustainable Communities Strategy?**

N/A

- 6.2 **How is risk being managed?**

This report will be considered and monitored at each meeting of the Cabinet

- 6.3 **What is the impact on the organisation?**

N/A

6.4 Equalities / EIA

N/A

6.5 Implications for (or impact on) the environment

N/A

6.6 Implications for partner organisations?

N/A

Report author(s):

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Directorate:

Place

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Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Contributors:				
Names of approvers: (officers and Members)				

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	Subject	Minute Reference and Date Originally Considered	Date For Further Consideration	Responsible Officer	Proposed Amendment to Date For Consideration	Reason for Request To Delay Submission Of Report
1.	Coventry Station Masterplan Update Report on proposed constructor contract appointments	Minute 101/16 24 th January 2017	March 2018	Deputy Chief Executive (Place) Colin Knight		
2.	Friargate Update Report Further report on Council buildings to be retained, investment to maintain them in use for operational purposes, and any other mitigation measures.	Minute 105/16 24 th January 2017	December 2017	Deputy Chief Executive (Place) - David Cockroft		
3.	Further report on investment to maintain Broadgate House in use for operational purposes and any other mitigation measures.	Minutes 28/17 and 32/17 1 st August 2017	December 2017	Deputy Chief Executive (Place) - Richard Moon/ Nigel Clews		

* identifies items where a report is on the agenda for your meeting.