



Cabinet Member for Policing and Equalities

Time and Date

3.00 pm on Thursday, 26th October, 2017

Place

Committee Rooms - Council House

Public Business

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 3 - 6)
 - (a) To agree the minutes of the Cabinet Member (Policing and Equalities) meeting held on 27th July, 2017
 - (b) Matters arising
4. **Progress Report Towards Equalities Objectives - Year End 16/17** (Pages 7 - 26)

Report of the Deputy Chief Executive (People)
5. **Draft Member/Officer Protocol** (Pages 27 - 40)

Report of the Deputy Chief Executive (Place)
6. **Proposed Amendment to the Constitution: Revocation of Hackney Carriage and Private Hire Driver's Licences** (Pages 41 - 48)

Report of the Deputy Chief Executive (Place)
7. **Outstanding Issues** (Pages 49 - 52)

Report of the Deputy Chief Executive (Place)
8. **Any Other Business**

To consider any other items of business which the Cabinet Member decides to take as a matter of urgency because of the special circumstances involved.

Private Business

Nil

Martin Yardley, Executive Director, Place, Council House Coventry

Wednesday, 18 October 2017

Note: The person to contact about the agenda and documents for this meeting is Michelle Rose Tel: 024 7683 3111; michelle.rose@coventry.gov.uk

Membership: Councillors P Akhtar (Deputy Cabinet Member), A Andrews (Shadow Cabinet Member) and A Khan (Cabinet Member)

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.

Michelle Rose

Telephone: (024) 7683 3111

e-mail: michelle.rose@coventry.gov.uk

Coventry City Council
Minutes of the Meeting of Cabinet Member for Policing and Equalities held at 3.00
pm on Thursday, 27 July 2017

Present:

Members: Councillor A Khan (Chair)
Councillor P Akhtar (Deputy Cabinet Member)

Other Members: Councillor N Akhtar
Councillor J O'Boyle
Councillor D Welsh

In Attendance: A. Bhayat
G. Farrelley PC 7253 (West Midlands Police)
Alderman Gazey
Local residents

Employees (by Directorate):

Place: G Carter, C Hickin, M McHugh, M Rose

Apologies: Councillor A Andrews

Public Business

1. Declarations of Interest

There were no declarations of interest.

2. Minutes

The minutes of the meeting held on 9th March, 2017 were signed as a true record. There were no matters arising.

3. Petition - Response to a petition regarding concerns over anti-social behaviour in the vicinity of Priors Harnall and Cawthorne Close

The Cabinet Member considered a report of the Deputy Chief Executive of Place which responded to a petition bearing 48 signatures, sponsored by Councillor's N Akhtar, O' Boyle and Welsh, the St. Michaels Ward Councillors, which had been submitted to the City Council on 16th June, 2017. The petition requested help with various concerns over anti- social behaviour in the vicinity of Priors Harnall and Cawthorne Close, notably focussed around the greenspace to the rear of 16-22 Priors Harnall.

The report noted that the recorded data from June 2016 to June 2017 showed 3 reports directly to Cawthorne Close, of those 2 were regarding abandoned vehicles and one was pest control. Priors Harnell showed no reports related to anti-social behaviour over the same period of time. The Council therefore had no reports relating to the behaviour described in the petition. Police data for the same time showed 14 logs for Cawthorne Close and 11 logs for Priors Harnall.

Officers had made contact with the lead petitioner and had been on a site visit which a number of residents attended along with Ward Councillors and another meeting had taken place with the local policing team. The report noted that West Midlands Police and the Council were monitoring the situation. Extra patrols would take place as duties allow and individuals found to be causing issues would be challenged and appropriate action taken. The area was also on a regular fortnightly cleansing schedule by the Barrow man and a 5 weekly schedule for the mechanical sweeper. In addition, specific visits were undertaken to collect reported fly tipping from council land. All cases of fly tipping would be investigated, with the appropriate course of action depending on any evidence found at the scene and witnesses to the offence(s).

In taking this matter forward the following recommendations were made to the Cabinet Member:

- 1 Request West Midlands Police and the Council to continue their monitoring of the area and respond accordingly to residents request for assistance.
- 2 Encourage residents to set up a Neighbourhood Watch in the area and report incidents of concern to Police as soon as they occur. Encourage residents to engage with the police via WMNow online messaging service <http://www.wmnow.co.uk/>.
- 3 Encourage community groups to engage with the children in the area and attempt to focus their energy in a more constructive way. Police have referred this to Sidney Stringer Academy and it is hoped the positive youth foundation may offer some assistance.

Councillor's N Akhtar, O' Boyle and Welsh and the petition organiser attended the meeting, together with other affected residents and a representative from West Midlands Police.

The petition organiser, Ward Councillors and other residents who indicated they wished to contribute were invited to speak about the difficulties experienced by local residents. A number of anti-social behaviours were causing concern in the area including littering, fly tipping, dog fouling, drug and alcohol use, gangs, violence, prostitution and dog fights. Residents had cleared rubbish and witnessed syringes and condoms. This anti-social behaviour had been taking place over a long period of time and the report recognised that residents felt distressed and intimidated and were regularly disturbed by the activity of groups of people. Possible reasons for low reporting included high tolerance levels and residents spoke about frustrations around their experience of reporting incidents and their fear of retribution.

The officer representing West Midlands Police spoke about ongoing work in the area, reporting that they would continue with work and also the new reporting application. Residents were advised that due to the financial constraints to the Council and Police, resources were targeted towards need and therefore evidence was needed for responses, however, they were not advised to put themselves or anyone else in any danger. Residents were also advised that they could request on reporting that they remain anonymous and the Police would not follow up the response with a visit to the reporter.

The Cabinet Member discussed the following issues with the local residents, Ward Councillors, Police and officers:

- Video footage and photographs sent in by residents
- A recent article in the Coventry Telegraph which referred to a neighbouring street
- Fencing the area similar to a neighbouring street
- Allotments as another potential solution
- Cameras and signage
- Involving local schools
- Youth engagement
- Police presence
- An Official Neighbourhood Watch Scheme
- Land ownership
- Staying safe

RESOLVED that the Cabinet Member for Policing and Equalities:

- 1) Request West Midlands Police and Council officers to continue their monitoring of the area and respond accordingly to residents requests for assistance.**
- 2) Encourage residents to set up a Neighbourhood Watch in the area, with the support of officers and to report incidents of concern to Police and the Council as soon as they occur.**
- 3) Request that some form of youth engagement be initiated in the area, with the assistance of the Positive Youth Foundation.**
- 4) Request that Council officers, Ward Councillors and local residents consider the feasibility of a camera, with signage, in an appropriate place.**
- 5) Agree that the Cabinet Member for Policing and Equalities discuss and investigate further, with the Cabinet Member for Jobs and Regeneration, the ownership of the land and potential solutions.**
- 6) Request that a progress report back be considered in 6 months' time and the Assistant Police and Crime Commissioner be invited to the meeting.**

4. Outstanding Issues Report

There were no outstanding issues.

5. Any Other Business

There were no other items of business.

(Meeting closed at 4.50 pm)



Cabinet Member for Policing and Equalities

26 October 2017

Name of Cabinet Member:

Cabinet Member for Policing & Equalities- Councillor A Khan

Director approving submission of the report:

Deputy Chief Executive (People)

Ward(s) affected:

All

Title:

Progress report towards equalities objectives – Year End 16/17

Is this a key decision?

No

Executive summary:

On 14 July 2016, the Cabinet Member for Policing and Equalities approved the equality objectives for the Council as set out in appendix 1. The equality objectives are linked to the Council plan and are set for four years or until the next refresh of the Council Plan. The Cabinet Member also agreed to receive a report on the progress made on the equality objectives twice a year. This report provides information on the progress made with the equality objectives from April 2016 March 2017.

Recommendations:

The Cabinet Member is recommended to:

- (1) consider the progress made on the equality objectives at year end;
- (2) approve the adoption of the Equality, Diversity & Inclusion Commitment

List of appendices included:

Appendix 1 – Council equality objectives 2016/2017

Appendix 2 – Draft Equality, Diversity & Inclusion Commitment

Background papers:

None

Other useful documents:

Equality Act 2010 (Specific Duties) Regulations 2011

<http://www.legislation.gov.uk/uksi/2011/2260/contents/made>

Equality Act 2010: specific duties to support the Equality Duty. What do I need to know? A quick start guide for public sector organisations
<http://www.homeoffice.gov.uk/publications/equalities/equality-act-publications/equality-act-guidance/specific-duties>

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?

No

Report title: Progress report on equalities – year end

1. Context (or background)

- 1.1. The Council has a duty to set at least one equality objective to meet its requirements under the Equality Act (specific duty) Regulations 2011.
- 1.2. On 14 July 2016, the Cabinet Member for Policing and Equalities approved the equality objectives as set out in appendix 1. These objectives are linked to the Council's key plans and strategies as set out in the Council Plan, and were set following consultation with trade unions, employee groups and community groups. The equality objectives are set for the next four years, or when the Council refreshes its Council Plan.
- 1.3. The Cabinet Member also agreed to receive a report on the progress made against the equality objectives twice a year. This report provides information on the progress made with the equality objectives from April 2016 to March 2017.
- 1.4. There are 15 equality objectives (attached at appendix 1). Progress towards the equality objectives are measured through a variety of means including performance indicators, comparators with other areas, contextual information and actions taken. Where possible, indicators have been broken down by protected groups to ensure that all protected characteristics under the Equality Act have been considered, monitored and reported on. For example, improving educational outcomes is broken down into gender, SEN, and race and by pupil premium.
- 1.5. **Progress at 2016/17 year end**

Progress against each equality objective is set out below and linked to the appropriate Council Plan theme.

Globally connected: promoting the growth of a sustainable Coventry economy

- 1.6. **Creating the infrastructure/city centre for the 21st century/Friargate: an accessible workplace**
 - 1.6.1. **Aim:** Create a modern, accessible, fit for purpose office environment and together with the introduction of flexible working
 - 1.6.2. **Progress:** The new Council building in Friargate has been built with the intention of "maximising access to all parts of the building, its facilities and services for people who are visitors and members of staff regardless of disability; follow design guidance given in relevant British Standards, and other currently published good practice detailing the needs of disabled people where possible"¹. In addition, the building incorporates a faith room for all faiths groups, and a fully accessible shower as part of the hygiene suite in the basement. There is also a wellbeing room which can be used by those needing a hygienic environment for medical reasons; milk expression for new mothers; first aid administration and other appropriate activities. Ahead of the move in October/November 2017, there will be early induction sessions for some groups of staff with additional needs to facilitate building familiarisation.
- 1.7. **Jobs for local people / reducing the impact of poverty**

¹ Friargate Coventry Building C09 & Station Square Building Statement, November 2013
<http://planning.coventry.gov.uk/portal/servlets/AttachmentShowServlet?ImageName=1097580>

- 1.7.1. **Aim: Better quality jobs** – resulting in more Coventry citizens earning the living wage, less sickness absence in Coventry and improvements in productivity; and **improving the role of workplaces** as health promoting environments, recognising the economic value of a health workforce. **Vulnerable people helped into work** – resulting in a greater proportion of people with mental health issues being in employment, more migrants securing employment, employment services aligned to specific needs and a narrowing of the earnings gap between residents and those who work but do not live in the city.
- 1.7.2. **Progress– Earning the living wage:** The Employer Hub service (based at the Job Shop) works intensively with local businesses to help them recruit and this involves discussing the quality of the job created, the salary and the terms / conditions. Over 530 jobs have been promoted in the last year for local employers, aimed at ensuring local residents find it easier to get these better quality jobs. In addition, over 200 employer events have been held at the Job Shop in the last year to encourage businesses to recruit locally and promote 'living wage and above' jobs.
- 1.7.3. **Progress – improving the role of workplaces as health promoting environments:** The Council continues to support local organisations to achieve the Workplace Wellbeing Charter, with over 100 organisations engaging with the Charter so far in 2017 and a number of organisations achieving charter status, including West Midlands Fire Service and the University of Warwick. At the annual Charter Awards in May, 18 awards were given, a mixture of working towards, reaccreditations and new awards. From these organisations alone, promoting health and wellbeing in the workplace could potentially have impacted on over 26,000 employees.
- 1.7.4. **Progress - Vulnerable people helped into work** –The Council is targeting resources at addressing the productivity and skills gap and at helping people find work, particularly groups who are struggling to do so. The Council is a lead partner in the £8.5m Ambition youth programme to help young people who are not in education, employment or training (NEET) find work. The Council supported 106 vulnerable young people to start a paid placement last year, including 19 advanced manufacturing apprenticeships of which 89% were male and 11% were female. Through the grant funded support Coventry City Council provides to migrants in the city, the Coventry Refugee and Migrant Centre has offered over 1100 appointments to nearly 400 Migrants coming into the city. This has involved making them more employable including support with CV's, applying for jobs as well as supporting people into higher education. This has helped nearly 100 people securing jobs and work experience opportunities in 2016-17

Locally committed: improving the quality of life for Coventry people

1.8. Safer Communities

- 1.8.1. **Aim - Making communities safer together with the police to reduce hate crime and anti-social behaviour** including hatred/prejudice towards a person because of their actual/perceived protected characteristics of ...disability, race/ethnicity, sex/gender/transgender, sexual orientation, religion/belief, gypsy/traveller
- 1.8.2. **Progress:** Data from 2016/17 shows a total of 490 hate incidents (both crime and non-crime) which is lower than the 527 incidents recorded in 2015. Complaints have been made cross all Hate Crime Strands, with racial/religiously aggravated intentional harassment, alarm or distress being the largest type of hate crime and an area which has seen an increase in reports.

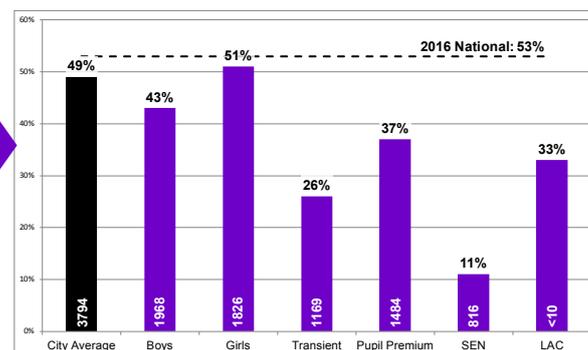
Indicator	Previous	Current
...Disability (disability hate crime)	27 2015/16	13
...race/ethnicity (racist incidents)	428 2015/16	426
...sex/gender or transgender (gender identity/reassignment)	<5 2015/16	4
...Sexual orientation (homophobia)	45 2015/16	34
...religion or belief	23 2015/16	8
...gypsy/traveller	<5 2015/16	0
...not stated	<5 2015/16	5

- 1.8.3. The Council's Street Enforcement Service has been involved with 30 hate crime cases and 23 incidents have been reported through Hate Crime Reporting Centres during 2016/17. Training sessions for potential new Hate Crime Reporting Centres continue to be provided. This will provide additional opportunities for victims to report incidents.
- 1.8.4. In January 2017 a Home Office funded Community Co-ordinator was employed to develop understanding and to generate partnership / community activity across the city to address issues that can lead to extremist views or behaviours. Hate crime is known to be a key driver and outcome of extremist behaviour and it is apparent from this work that hate crimes may be under-reported in the city. A new Hate Crime Strategy is being developed in partnership with the aim of ensuring that there is a robust city-wide response. Through the Social Inclusion Partnership a city-wide event has been held, which will further aid understanding of residents experiences, what makes them feel safe and what more communities could do towards this.
- 1.9. **Improving educational outcomes**
- 1.9.1. **Aim: Improving educational outcomes by working with schools to continue to improve standards** including monitoring outcomes for key priority groups at the end of Key Stage 2 and 4; resulting in fewer teenage pregnancies, lower rates of offending in young people and fewer young people who are not in education, employment or training
- 1.9.2. **Progress: Monitoring outcomes at key stage 2:** In this first year of the new key stage 2 curriculum, groups who are above the national average are Black Other pupils, Bangladeshi and Indian pupils. The largest educational attainment gaps are for SEN, Transient pupils and Boys overall. Amongst the ethnic groups the largest gaps are for Gypsy Roma, Black Caribbean, White and Black Caribbean and White and Black African. It is not possible to compare the data from previous years as the data set has changed.

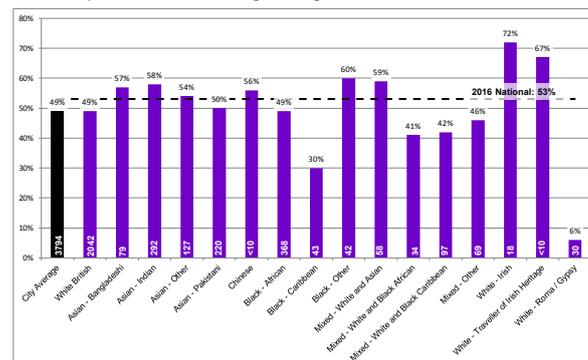
Key stage 2 results for Coventry & by key groups



KS2: At Expected Level in Reading, Writing and Maths 2016



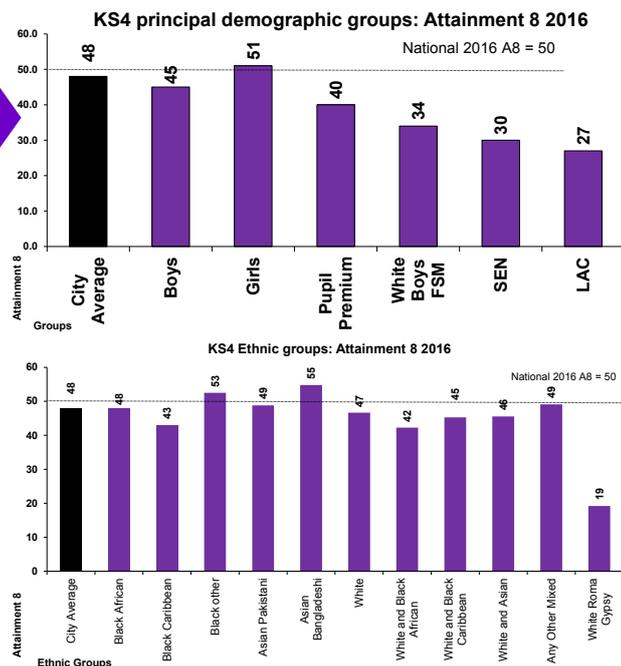
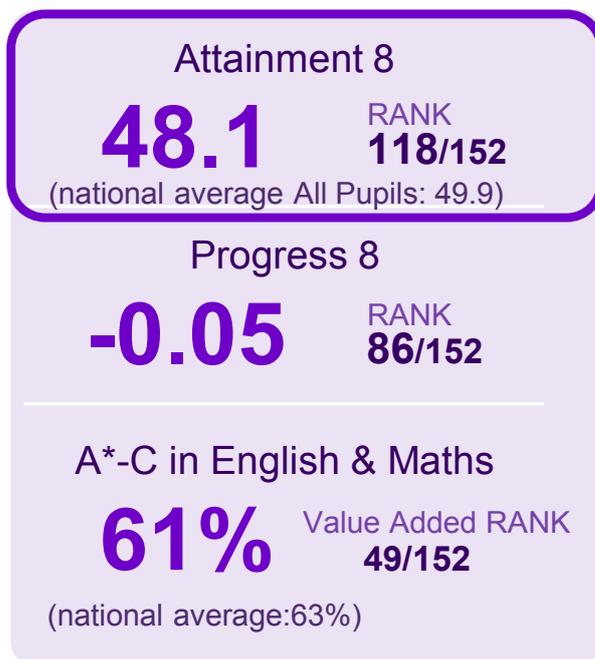
KS2: At Expected Level in Reading, Writing and Maths 2016



1.9.3. **Progress: monitoring outcomes at key stage 4:** in 2016, the government introduced a series of new measures that schools are judged against, designed to encourage schools to offer a broad and balanced curriculum. The two main measures are Attainment 8 (a measure of students' average achievement across a set group of eight subjects) and Progress 8 (a measure of students' progress on the above set group of eight subjects in secondary school). For Attainment 8, the following groups are above national rates: Black Other, Bangladeshi, Indian, Chinese and Transient Pupils. The largest gaps are seen amongst Gypsy Roma, SEN, Pupil Premium (indicating pupils from low-income families), Black Caribbean, White and Black African.

1.9.4. The Council is implementing and embedding an inclusive and sustainable model of school-to-school support that engages all providers in the city and drives improvement through agreed priorities. It is co-designing education services with schools to ensure they are fit for purpose and meet their future needs.

Key stage 4 results for Coventry & by key groups



- 1.9.5. **Progress: Fewer teenage pregnancies** - there is a downward trend in the conception rate to females aged 15-17 from 33.8 in Jan – Dec 2014 to 29.9 Jan - Dec 2015. The rolling quarterly average data available for the period Jul 15-Jun 16 would indicate that the downward trend is continuing with a further decrease to 28.3. The 13-15 year old conception rate reduced from 6.1 per 1,000 females in 2014 to 5.5 in 2015, research has demonstrated that a steady decrease in the under 16 rate is a good indicator of the future trajectory of under 18 conceptions. A range of services are available to support the reduction in teenage pregnancy such as specialist midwives working to support teenage parents to access contraception to avoid a further conception, the Aspires Early Intervention Service engaged 181 new children and young people in 2016/17 and supported them to adopt healthier behaviours associated with sexual health substance misuse and poor/coercive behaviours, 2,105 young people aged 15-24 accessed the Integrated Sexual Health Service in 2016 for contraception and/or sexually transmitted infection testing, treatment and advice.

Indicator	Previous	Current	Comparators	Progress
Conceptions to girls aged und 18 (rate per 1,000 girls aged 15-17)	29.9 Jan – Dec 2015	28.3 Jul 15- Jun 16	WMR 24.9 England 19.8 Jul 15- Jun 16 16	

- 1.9.6. **Progress - Lower rates of offending in young people.** First time entrance to youth justice – local data shows an increase to 432 (rate per 100,000 young people in the area aged 10-17) for 2016/17, from a rate of 399 for the whole of 2015/16. This is higher than the group of similar local authorities (average 411) and England as a whole (321). [Note that there is a time lag in reported data]
- 1.9.7. Of the first-time entrants in 2016/17, 84.1% are male and 15.9% are female. There is no national comparator for first time entrants split by male and female. There is no national

comparator for first time entrants split by male and female. We await contextual data from the Youth Justice Board to establish gender ratios in England as a whole.

Indicator	Previous	Current	Comparators	Progress	Target	Status
First time entrants to youth justice system	399 2015/16	432 2016/17	411 Family Group Average 2016/17		Below Family Group Average	

1.9.8. **Progress: Fewer young people who are not in education, employment or training.**

Draft figures for March 2017 suggest that only a small proportion of young people in Coventry, 3%, are not in education, employment or training (NEET). This is in line with the national average.

1.10. **Improving health and well-being**

1.10.1. **Aim: Building emotional resilience and improving mental health in young people resulting in fewer young people** in Coventry self-harming; improvement in educational attainment; and less violence, drugs and alcohol abuse in young people.

1.10.2. **Progress: Resulting in fewer young people in Coventry self-harming** –The scope of the Early Intervention Service provided by Compass has been extended beyond secondary school children to primary school children to tackle issues at an earlier age and prevent young people developing problems with substance misuse, poor relationships and sexual health. Year to date figures show that 23% of children accessing the service were aged 11 or under, so more children are accessing the support they need at an earlier stage. Work is also ongoing to improve primary mental health services for young people including work to implement a tool to measure wellbeing in schools. The current focus of work under the Suicide Prevention Strategy is children and young people. Work is underway with partners, exploring how to embed emotional and mental health resilience and support more widely in schools. Partnerships and liaison points are in place with UHCW and CWPT to optimise the management of self-harm in the acute sector.

1.10.3. **Progress: Improvement in educational outcomes and less violence, drugs and alcohol abuse** - A sexual violence prevention programme commissioned by Public Health has been delivered by CRASAC and Barnados in schools across Coventry to raise awareness, educate young people about sexual violence, appropriate behaviour and consent, and prevent sexual violence. Over the year of delivery, the programme engaged with approximately 5,200 young people over 231 sessions, covering primary schools, secondary schools, SEN schools and colleges. A full evaluation of the impact of the programme is currently being undertaken. The number of alcohol specific admissions for under 18s per 100,000 has reduced from 45.5 in 12-13 to 42.0 – though this is still higher than the regional and national rate.

1.11. **Protecting the most vulnerable**

1.11.1. **Aim: improving services for people experiencing domestic violence and abuse including monitoring domestic violence and abuse victims** known to the police; repeat victims of domestic violence and abuse and domestic incidents involving children

1.11.2. **Progress:** A total of 5771 incidents were recorded in 2016/17, which is a reduction of 201 (-3.4%) on 2015/16. The Coventry Domestic Violence & Abuse Services (CDVASS) received 1661 referrals last year: 88% were female and there were 64 males referred to the service. The majority (65%) of referrals were White British with smaller numbers of referrals recorded across a broad range of ethnicity categories - the largest being Asian or

Asian British Indian, Asian or Asian British Any other Asian background, Black or Black British African, White Other Polish and Asian or Asian British Pakistani. There has been an increase in the number of children recorded as being present at the time of incidents. Early data collection from Coventry Haven shows almost a 40% increase in numbers of women seeking support. In particular, they provided refuge service support to a total of 89 families last year.

1.11.3. **The Domestic Violence Perpetrators Programme** received 271 referrals during 2016/17. Referrals were both male and female (with the majority being male referrals at 93%).

1.11.4. **Aim: Preventing homelessness and helping households accepted as statutorily homeless**

1.11.5. **Progress:** – In 2016/17 there were 653 households accepted as statutorily homeless, an increase from 533 in 2015/16. The majority (79%) of statutory homeless households had dependent child(ren) – 50% were female lone parents. 63% of statutory homeless households were White, 23% were Black and 8% were Asian. 22% were under 25, 77% were aged between 25 and 64, and only 1% were aged 65 or over. The number of homelessness cases prevented and relieved last year was 1015, which is a reduction from 1536 cases last year. This reflects the overall reduction in the amount of social housing that has become available for re-letting, and the increasing difficulty for households to access housing in the private rented sector. The Council receives about 65-75 approaches a week from people reporting to be ‘Homeless in the Night’ in addition to people making contact in advance of becoming homeless. The Homelessness Reduction Act duties will be implemented from April 2018, meaning that the Council will have additional duties to prevent homelessness and to help to secure accommodation for all eligible households, regardless of whether they are in a ‘priority need’ category.

Indicator	Previous	Current
Households accepted as statutory homeless (in priority need)	533 2015/16	653
Homeless cases prevented and relieved	1,536 2015/16	1015

Delivering our priorities with fewer resources

1.12. **Make the most of our assets**

1.12.1. **Aim: Culture change** developing flexible and efficient ways of working to meet the needs of employees and the employer

1.12.2. **Progress:** The Council has had flexible working practices in place for many years. This has focussed on providing employees with the opportunity to manage their work-life balance through different ways of working whilst ensuring that we deliver quality services to our citizens. The Council has rolled out agile working arrangements through the Kickstart transformation programme which focus primarily on hot-desking and working from a number of locations. The Council is now building on the platform created by Kickstart, through WorkSMART, which is about all employees taking responsibility to think about where, when and how to deliver better outcomes for people of Coventry

1.12.3. **Aim: Confidence to report** - create a culture in which employees and job applicants are willing to provide equalities information for the workforce profile and so assist in promoting inclusivity and increasing accessibility.

Source	Percentage of ethnicity recorded as 'not declared'	Percentage of ethnicity recorded as prefer not to state'	Total percentage of missing ethnicity records	Percentage of disability status recorded as 'not declared'	Percentage of disability status recorded as prefer not to state'	Total percentage of missing disability records
2016/17 Workforce Profile	14.66%	No data	14.66%	18.97%	0.41%,	19.38%
2015/16 Workforce Profile	11.65%	No data	11.65%	16.73%	0.49%	16.98%

- 1.12.4. **Progress:** The table below shows that there has been an increase in the number of employees that do not have recorded information related to both ethnicity and disability status.
- 1.12.5. These figures do not necessarily reflect an increase in employees choosing not to state their ethnicity or disability. The data on disability shows a decrease from last year in the number of employees who have chosen the option of 'prefer not to state' which could be a reliable indicator of not having the confidence to report this information.
- 1.12.6. The remainder of the missing information falls under the category of 'not declared' which could be due to issues in recording employee information, rather than the employee not wanting to provide it.
- 1.12.7. A Data and Reporting workgroup has been set up as part of the HR Digital Programme which will evaluate how information is captured across different systems and will investigate why data is missing.
- 1.12.8. In addition to this, the categories used to record all data will be reviewed to bring them in to line with the national census criteria.
- 1.12.9. **Aim: Progression of black and minority ethnic (BME) employees and women employees** to consider barriers that prevent black and minority ethnic employees and women progressing to higher grade posts.
- 1.12.10. **Progress:** The data below shows that the proportion of BME employees at Senior Management Level is lower than the BME representation across the whole Council. BME representation at Senior Management Level and across the whole Council has declined slightly from last year.
- 1.12.11. The proportion of female employees at Senior Management Level is lower than the female representation across the whole Council, and has increased since last year. Female representation across the whole Council has had no statistically significant change since last year.
- 1.12.12. The Data and Reporting Workgroup which sits within the HR Digital Programme are investigating capturing employee data at all stages of the recruitment and selection process for both internal and external candidates. It will then be possible to track and monitor candidates by a particular characteristic such as gender or ethnicity at application, assessment, interview and job offer stages. In addition, progression and retention rates will also be monitored

Source	Percentage of BME Council employees	Percentage of BME representation at Senior Management level (above Grade 10)	Percentage of Female Council employees	Percentage of Female representation at Senior Management Level (above Grade 10)
2016/17 Workforce Profile	15.44%	7.38%	69.42%	56.56%
2015/16 Workforce Profile	16.11%	8.06%	69.58%	53.23%
% of Coventry residents in employment	21% (BME)		45% (Female)	

Active citizens: strong, involved communities

- 1.13. **Aim: Customer Voice** - Developing of the 'Voice of the Customer Strategy and embedding equality objectives within this.
- 1.14. **Progress:** The Council is working to embed the voice of the customer into how it delivers and improves services. An Improvement and Development Manager role in Customer Services has recently been created, which is supported by a new Customer Experience Manager. This developing team will lead on the voice of the customer work, and will be focusing on improving the quality of the services delivered. Once established, learning and good practice from Customer Services will be shared with the rest of the organisation.
- 1.15. **Aim: Customer and Business Services Transformation** putting the customer at the heart of everything we are doing through Customer Journey Phase 2, by continuing to introduce well designed online services; maintaining the high standard of face to face services and continuing to improve other channels. There is a need to make sure that online services are designed so that they are easy to access for the majority of people, whilst improving other access channels for those who need them, including people with protected characteristics relating to age and language spoken.
- 1.16. **Progress:** whilst recognising that not everyone is digitally able there has been an increase in the transactions online from last year (2015/16) to this year (2016/17). This has increased from 20% of customer contact being online or self-service to 28%. There has been a significant increase in the number of people using My Account and an increase in the number of people using self-service kiosks. Overall, face to face contact levels have reduced however there has been an increase in some forms of face to face contact, due to changes such as the introduction of charging for those who would historically have received Council Tax Support.
- 1.17. The introduction of online services has not resulted in the closure of other contact channels. Customers still have the option to contact the Council by phone, in person, by email or social media. All changes made in progressing this agenda are considered from an equality perspective and assessment of impact is completed at the appropriate point in the process.

Indicator	Previous	Current	Comparators	Progress	Target	Status
Transactions done online	20% 2015/16	28%	N/A		35%	
Reduction in face to face and telephone contact	24% 2015/16	30%	N/A		30%	

- 1.18. **Aim: Create an accessible democratic civic centre** to enable councillors, employees and residents to take part in Council business resulting in more residents taking part in democratic processes.
- 1.19. **Progress:** Accessibility was a key design challenge given the location of the new committee rooms and the listed nature of the Council House. Openings have been enlarged as much as possible; a new stair lift installed and the furniture and audio visual systems are designed / laid-out in a way that promotes inclusivity. Audio visual systems in the existing Diamond rooms have also now been upgraded.
- 1.20. In summary, from this report it can be seen that there has been good progress in some areas; lots of work is being undertaken in relation to employment and training, in particular around the promotion of 'living wage and above' jobs. In addition, support is continuing to be offered to migrants with regard to accessing employment, work experience and higher education. There has also been a reduction in numbers of teenage pregnancies and alcohol related admissions to under-18s. However, there are also areas for concern highlighted by this report; increases in first time entrants to the youth justice system and increasing numbers of children witnessing incidents of domestic violence. There has also been an increase in the number of households accepted as statutorily homeless and a reduction in homelessness cases prevented and relieved last year. It should be noted that this sits within the context of growing numbers of households experiencing poverty due to the impact of benefit cuts and broader austerity measures.

Equal Opportunities Commitment

- 1.21. **Equal Opportunities Policy** – A review of the Council's current Equal Opportunities policy has taken place and a draft Equality, Diversity and Inclusion Commitment is proposed in its place (see Appendix 2).
- 2. Options considered and recommended proposal**
- 2.1. Cabinet Member is recommended to note the progress made on the equality objectives during 2016/17. This will enable the Council to report on progress and meets its duty under the Equality Act. To not do this would be contravening the Equality Act 2010.
- 2.2. Cabinet Member is recommended to approve the adoption of the Equality, Diversity & Inclusion Commitment.
- 3. Results of consultation undertaken**

As this is a performance report on the equality objectives that were agreed last year, there have been no requirements to consult on this year-end report. The vision and values underpinning the Council's Equal Opportunities Policy are continued in the appended Equality, Diversity and Inclusion Commitment. The Commitment has been supported and developed with employees, members and trade union colleagues. The Commitment will be widely disseminated to interested parties following adoption.

4. Timetable for implementing this decision

As this is a performance report on the equality objectives, there is no decision to implement.

5. Comments from Director of Finance and Corporate Services

5.1. Financial implications

The cost for setting and monitoring equality objectives and delivering equality objectives will be met from within existing resources.

5.2. Legal implications

This report recommends approval for considering progress against equality objectives as required under the Equality Act (Specific Duties) Regulations 2011. By not publishing equality objectives the Council would be acting unlawfully.

6. Other implications

6.1. How will this contribute to achievement of the Council's key priorities (www.coventry.gov.uk/councilplan/)?

The achievement of the equality objectives will be performance managed with the plans and strategies in the Council Plan, including Workforce Strategy, Friargate, Culture Change, Democratic Centre, Customer Journey, Marmot and Health Inequalities as set out in the Council's performance management framework.

6.2. How is risk being managed?

The achievement of the equality objectives will be performance managed within the plans and strategies the Council is currently working on like the Workforce Strategy, Friargate, Culture Change, Democratic Centre, The performance management of the equality objectives will help the Council to manage risk by systematically measuring progress in relation to the equality objectives. This means that areas where good progress is being made can be identified, as well as those areas where progress is not as expected and where corrective action may be needed.

6.3. What is the impact on the organisation?

The Council Plan vision and objectives impact on all of the Council Directorates. Effective performance management arrangements at all levels will help to ensure that the Council's priorities are delivered. All Council employees have a duty to pay due regards to the three aims of the Equality Act.

6.4. Equalities / EIA

The process outlined in this report will enable the Council to comply with its obligations under the Equality Act (General and Specific Duties) Regulations 2011.

6.5. Implications for (or impact on) the environment

None identified.

6.6. Implications for partner organisations?

By making equality information easily accessible for local residents, it will also make it easier for partner agencies to obtain equalities information and will prevent the duplication of information gathering. Many of the Council's objectives are delivered through partnership working which means that there will be implications for partner organisations.

Report author(s):

Name and job title: Jaspal Mann, Equality & Diversity Officer

Directorate: People

Tel and email contact: 024 7683 3112

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:				
Michelle Rose	Governance Services Officer	Place	25.09.17	28.09.17
Helen Shankster	Insight Manager (Engagement)	People	25.09.17	20.09.17
Si Chun Lam	Corporate Performance Officer	People	25.09.17	
Liz Gaulton	Acting Director Public Health	People	25.09.17	29.09.17
Bev McLean	Performance Information Officer	People	25.09.17	
Hannah Watts	Public Health Inequalities	People	25.09.17	
Louise Slevin	Community Safety Officer	Place	25.09.17	
Leanne Draycott	Change Manger - Transformation		25.09.17	
Kevin Coughlan	Performance Manager - Data Team: Education, Early Years and YOS	People	25.09.17	
Elka Williams	Kickstart Programme	Place	25.09.17	
Kim Mawby	Economy and Jobs Manager	Place	25.09.17	
Sunairah Miraj	Programme Delivery Manger - Migration	Place	25.09.17	

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
Kim Fawcett	Planning and Housing Policy Assistant	Place	25.09.17	
David Woodhouse	Lead Performance Analyst	People	25.09.17	
Jane Craig	Public Health	People	25.09.17	
Andy Hyland	Organisational Development	Place	20.09.17	20.09.17
Names of approvers for submission: (officers and members)				
Barrie Hastie	Director of Finance and Corporate Services	Place	25.09.17	25.09.17
Legal: Gill Carter	Team Leader (Regulatory)	Place	25.09.17	25.09.17
Director: Gail Quinton	Deputy Chief Executive	People	25.09.17	26.09.17
Members: Cllr Abdul Khan	Cabinet Member		25.09.17	05.10.17

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www.coventry.gov.uk/councilmeetings

Council's Equality Objectives 2016/17

To be delivered by getting networks more actively involved in working alongside the Council and its partners to deliver objectives.

In 2016/17, the Council is focusing on a smaller small set of equality objectives which link to the Council's key plans and strategies:

Globally connected: promoting the growth of a sustainable Coventry economy

- **Creating the infrastructure/city centre for the 21st century**
 - **Friargate: an accessible workplace** - Create a modern, accessible, fit for purpose office environment and together with the introduction of flexible working practices, improve productivity and staff behaviour.
- **Jobs for local people/reducing the impact of poverty**
 - **Better quality jobs** – resulting in more Coventry citizens earning the living wage, less sickness absence in Coventry and improvements in productivity; and **improving the role of workplaces** as health promoting environments, recognising the economic value of a health workforce.
 - **Vulnerable people helped into work** – resulting in a greater proportion of people with mental health issues being in employment, more migrants securing employment, employment services aligned to specific needs and a narrowing of the earnings gap between residents and those who work but do not live in the city.

Locally committed: improving the quality of life for Coventry people

- **Safer communities**
 - **Making communities safer together with the police to reduce hate crime and anti-social behaviour** including hatred/prejudice towards a person because of their actual/perceived protected characteristic of...disability, race/ethnicity, sex/gender/transgender, sexual orientation, religion/belief, gypsy/traveller.
- **Improving educational outcomes**
 - **Improving educational outcomes by working with schools to continue to improve standards**, including monitoring outcomes for key priority groups at the end of Key Stage 2 and 4; resulting in fewer teenage pregnancies, lower rates of offending in young people and fewer young people who are not in education, employment or training.
- **Improving health and wellbeing**
 - **Building emotional resilience and improving mental health in young people** resulting in fewer young people in Coventry self-harming; improvements in educational attainment, and less violence, drug and alcohol abuse in young people.
- **Protecting the most vulnerable**
 - **Improving services for people experiencing domestic violence and abuse**, including monitoring domestic violence and abuse victims known to the police;

repeat victims of domestic abuse; and domestic violence incidents involving children.

- **Preventing homelessness and helping households accepted as statutorily homeless** including monitoring households accepted as statutory homeless and homelessness cases prevented.
- **Delivering our priorities with fewer resources**
- **Making the most of our assets**
 - **Culture change:** develop flexible and efficient ways of working to meet the needs of employees and the employer.
 - **Confidence to report:** create a culture in which employees and job applicants are willing to provide equalities information for the workforce profile and so assist in promoting inclusivity and increasing accessibility.
 - **Progression (gender):** to consider the representation of women within different pay grades and to understand if there are any barriers to progression to higher grade posts.
 - **Progression (BME):** to consider barriers that prevent Black and Minority Ethnic employees progressing within the organisation.
- **Active citizens; strong, involved communities**
 - **Customer voice:** Developing of the 'Voice of the Customer Strategy' and embedding equality objectives within this.
 - **Customer journey:** Putting the customer at the heart of everything we are doing through Customer Journey Phase 2 by continuing to introduce well designed online services, maintaining the high standard of face to face services and continuing to improve other access channels. There is a need to make sure that online services are designed so that they are easy to access for the majority of people, whilst improving other access channels for those who need them.
 - **Create an accessible democratic civic centre** to enable councillors, employees and residents to take part in Council business resulting in more residents taking part in democratic processes.

Find out more

- Council Plan: www.coventry.gov.uk/councilplan/
- Information and statistics: www.coventry.gov.uk/infoandstats/
- Equality and diversity: www.coventry.gov.uk/equality/

Appendix 2

Coventry City Council Draft Equality, Diversity & Inclusion Commitment

Coventry City Council is committed to:

- Its continuing duty as a public authority and will have due regard to the need to eliminate discrimination, harassment, and any other conduct prohibited under the Equality Act 2010.
- Recognising and celebrating diversity, and ensuring equality of opportunity both as a provider and commissioner of services and as a large employer
- Developing a culture that embeds the effective management of equality, diversity and inclusion in our day-to-day practices, policies, procedures, and through our external relationships

Coventry City Council recognises that people still experience inequality because of their background. The Council will therefore lead by example and not tolerate discrimination, harassment and victimisation on the grounds of:

- Age, disability, gender reassignment, marital and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

This commitment is supported by and has been developed with employees, members and our trade union colleagues.

Putting Communities first

The Council is committed to:

- Working with partner organisations and citizens to find out what is important to communities and working together to make a difference on issues and priorities that matter most
- Fostering good relations between different groups and communities to build and maintain strong social networks and opportunities for greater cohesion
- Informing, consulting and involving a wide range of people including employees and stakeholders about decisions which affect them so that they can influence policies and practices
- Ensuring that people from different backgrounds are able to fully participate in consultation and involvement activities

Service Delivery / Provision

The Council is committed to promoting equality of opportunity in our service delivery by:

- Providing accessible information about the services available
- Taking into account the equality impacts of the decisions we make and seek to mitigate any adverse impacts where possible
- Delivering services in ways which are appropriate to citizen needs and, whenever possible, removing barriers which may deny access
- Taking steps to ensure that organisations providing services on our behalf operate in accordance with the aims of this commitment

Employment

The Council is committed to promoting equality of opportunity in employment by:

- Monitoring the composition of its workforce and taking positive action to redress inequalities
- Recruiting and retaining a workforce, at all levels, with the aspiration that it reflects the city's diverse communities and the people we serve
- Providing appropriate training and guidance to all staff to develop the aims of this commitment
- Investigating any instances of breaches of this commitment or relevant policies following the applicable procedures

Implementation

To ensure the effectiveness of this commitment, the Council will:

- Set equality objectives and monitor progress against them – these set out more detail on current priorities for action and can be read here:
http://www.coventry.gov.uk/info/132/equality_and_diversity/1272/equality_and_diversity/2
- Continue to consider equal opportunities implications on as part of decision making

Accountability

All employees of the Council are accountable and responsible for taking steps to promote our equality, diversity and inclusion commitment in their day to day work.

This commitment will underpin and support our workforce strategy and will be integrated within our policies and practices.

This commitment will be reviewed jointly by senior leaders, employees and our trade union colleagues on a regular basis.

[Officer contacts to be listed]



Public report Cabinet Member Report

Cabinet Member for Policing and Equalities
Council

26 October 2017
5 December 2017

Name of Cabinet Member:

Cabinet Member for Policing and Equalities — Councillor Abdul Khan

Director Approving Submission of the report: Deputy Chief Executive Place

Ward(s) affected: All wards

Title: Draft Member/Officer Protocol

Is this a key decision?

No

Executive Summary:

In 2016 the Acting Monitoring Officer conducted a review of governance arrangements at the City Council in the light of two critical public interest reports which were issued in respect of other councils. As a result of that review, officers identified that it would be of benefit for the Council to approve and adopt a Member/Officer Protocol. The purpose of the Protocol is to set out for both members and officers what is expected of them in their respective roles and what they can expect from each other.

A draft Protocol was approved by Ethics Committee on 14 September 2017. As the Protocol would be included in the Constitution, it was considered by the Constitutional Advisory Panel on 9 October. The Panel agreed to recommend the approval of the Protocol to the Cabinet Member subject to an amendment to paragraph 8.2.2 of the Protocol. The suggested change is shown in the draft Protocol in the Appendix. The Panel also recommended that the contents of the Protocol should be publicised to both officers and members once approved.

This report brings forward the draft Member/Officer Protocol for the Cabinet Member to consider. If approved, it will need to be agreed by full Council.

Recommendations:

Cabinet Member is recommended to:

(1) Approve the draft protocol as drafted subject to the amendment of paragraph 8.2.2;
and

(2) Recommend to full Council that they agree to its being included in the Constitution.

Council is recommended to:

(1) agree to the inclusion of the Member /Officer Protocol in the Constitution.

List of Appendices included: Draft Member Officer Protocol

Other useful background papers: 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?

Constitutional Advisory Panel, 9 October 2017

Will this report go to Council? Yes, 5 December 2017

Report title: Draft Member/Officer Protocol

1. Context (or background)

- 1.1. In July 2016 the Ethics Committee considered reports that had been published in connection with two other councils which had raised concerns about, among other things, governance in those councils. In one case both councillors and officers were heavily criticised in terms of political interference in day-to-day management of some services, bullying and intimidation and involvement in matters where councillors and officer had interests. Some officers were also criticised for allowing themselves to be bullied and coerced, failing to report concerns and failing to secure adequate reporting of concerns.
- 1.2 In the other case a public interest report by external auditors was published into a number of matters of concern at another council. These included failures of governance in the management of major projects and in relation to member conduct. In particular the report concluded that members were too involved in operational matters in relation to major projects and inappropriate interventions by members in licensing matters. Officers were found not to have ensured that some council actions were legal, allowing decisions to be taken at too low a level or by members who did not have power to do so and blurring of member and officer roles.
- 1.3 The then Acting Monitoring Officer undertook a review of governance matters raised by these two reports to ensure that appropriate checks and balances are in place in Coventry. Many of the actions criticised in the two reports arise from a 'blurring of the lines' between Officers and Members, inappropriate behaviour by members towards Officers and a lack of arrangements in place to deal with such issues. Whilst there are no particular areas of concern in Coventry, the lack of any arrangements to deal with issues if they occurred could result in an erosion of ethical standards.
- 1.4 Such arrangements are typically set out in Member/Officer Relations Protocols and a Monitoring Officer Protocol. The Ethics Committee therefore requested officers to draft a Member/Officer Protocol and a Monitoring Officer Protocol for its consideration.
- 1.5 A Member/Officer Protocol is beneficial as it sets out for both members and officers what is expected of them in their respective roles and what they can expect from each other. While experienced councillors and officers may understand and appreciate the different roles that they have, newly elected members and recently appointed employees may find it helpful to have these roles explained in some detail. Understanding what is, and is not, expected of each other can assist in maintaining and improving excellent member/officer working relationships.

2. Options considered and recommended proposal

Option 1: Consider and Approve the Draft Protocol (recommended)

- 2.1 The draft Protocol is attached at the Appendix to this report. It has been drafted both to reflect current practices within the Council and best practice in other local authorities.
- 2.2 The Protocol offers guidance on some of the issues which most commonly arise in relation to Member/Officer relationships. It is partly a statement of current practice and convention. In some respects, however, it seeks to promote greater clarity and certainty. In particular, it covers the behaviour that is expected between Members and Officers. The Protocol gives

guidance only but it may be taken into account if there is a complaint about a Member or an Officer.

- 2.3 The Protocol clarifies the different but complementary roles of Officers and Members and sets what each can expect from the other. In addition it contains more detailed guidance on matters such as:
- Complaints
 - Member enquiries
 - Information and advice
 - Member briefings
 - Support services

Monitoring and periodic review of the Protocol is the responsibility of the Monitoring Officer.

- 2.4 The Ethics Committee approved the draft Protocol at its meeting on 14 September. The Protocol was considered by the Constitutional Advisory Panel on 9 October. The Panel approved the draft Protocol subject to an amendment to Paragraph 8.2.2. The suggested amendment is shown in the Appendix with text to be deleted struck through and new text in bold.
- 2.5 If the Cabinet Member is minded to approve the Protocol (with or without amendments), it would need to be considered by full Council before being incorporated into the Constitution.

Option 2: Do nothing (not recommended)

- 2.5 The Council is not required by law to have a Member Officer Protocol. If the Council so chose, it could decide not to pursue this matter. However, officers are strongly of the view that having a formal Protocol will assist both members and officers in understanding their respective roles and responsibilities and in setting clear standards which will help to maintain excellent working relationships.

2.6 Recommendation

Cabinet member is recommended to:

- (1) Approve the draft protocol as drafted subject to the amendment of paragraph 8.2.2; and
- (2) Recommend to full Council that they agree to its being included in the Constitution.

Council is recommended to:

- (1) agree to the inclusion of the Member /Officer Protocol in the Constitution.

3. Results of consultation undertaken

The Draft Protocol has been approved by Ethics Committee and by the Constitutional Advisory Panel.

4. Timetable for implementing this decision

- 4.1 Not applicable

5. Comments from Director of Finance and Corporate Services

5.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

5.2 Legal implications

There are no specific legal implications arising from this report, as there is no statutory obligation on the Council to have a Member Officer Protocol, although it is recommended as it assists both officers and members in understanding what is expected of them and what they can expect in return. The approval of a Member Officer Protocol assists in compliance for the Council as a whole, in its duty to promote high standards of ethical conduct

6. Other implications

None

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Not applicable

6.2 How is risk being managed?

There is no direct risk to the organisation as a result of the contents of this report.

6.3 What is the impact on the organisation?

The Protocol, once approved, should help both members and officers understand what their respective roles and responsibilities are and set clear standards. While there are no particular areas of concern in Coventry, the Protocol should help to set standards for both officers and elected.

6.4 Equalities / EIA

There are no public sector equality duties which are of relevance at this stage.

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None at this stage

Report author(s)

Name and job title: Carol Bradford, Corporate Governance Lawyer, Regulatory Team, Legal and Democratic Services

Directorate: Place

Tel and email contact: 024 7683 3976 carol.bradford@coventry.gov.uk

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:				
Suzanne Bennett	Governance Services	Place	29.9.17	9.10.17
Names of approvers for submission: (officers and members)				
Finance: Graham Clarke		Place	25.9.17	26.9.17
Legal: Julie Newman	Legal Services Manager	Place	25.9.17	27.9.17
Adrian West	Members and Elections Team Manager	Place	25.9.17	9.10.17
Cllr A Khan	Cabinet Member Policing and Equalities		5.10.17	5.10.17

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Appendix

Draft Member Officer Protocol

1. Status of this Code

- 1.1 This Protocol seeks to offer guidance on some of the issues which most commonly arise in relation to the relationships between Members and Officers.
- 1.2 The Protocol is partly a statement of current practice and convention. In some respects, however, it seeks to promote greater clarity and certainty. In particular, it covers the behaviour that is expected between Members and Officers.
- 1.3 The Protocol gives guidance only but it may be taken into account if there is a complaint about a Member or an Officer. Members must observe the Members' Code of Conduct. Any complaints received in relation to alleged breaches of the Code of Conduct will be considered initially by the Monitoring Officer. Officers are also obliged to comply with the Code of Conduct for Employees. Any complaints received about Officers behaviour or conduct will be considered by the relevant managers.

2. Roles of Members and Officers

Officers and Members both serve the public but they have different roles. Officers are employees of the Council and are politically neutral. Their role is to advise Members and implement the policies of the Council to the best of their abilities. Members are office holders and will often belong to a political party. They are obliged to exercise their own judgement in respect of matters before them but may also legitimately pursue party political objectives. Employees are answerable to the Chief Executive, not to individual Members (whatever office they hold), but there should be good communication between senior officers and Members with special responsibility for their area of work.

3. Expectations

3.1 *What Members can expect from Officers:*

- (a) A commitment to the authority as a whole, not to any political group;
- (b) A working partnership;
- (c) An understanding of and support for respective roles, workloads and pressures;
- (d) Timely responses to enquiries and complaints in accordance with agreed standards: (see paragraph 7)
- (e) Professional advice, not influenced by political views or preference;

- (f) Regular up-to-date information on matters that can be reasonably considered appropriate and relevant to the Member's needs, having regard to any individual responsibilities that they have and positions that they hold;
- (g) Awareness and sensitivity to the political environment;
- (h) Respect and courtesy;
- (i) Training and development in order to carry out their roles effectively;
- (j) Not to have personal issues raised with them by Officers outside the agreed procedures;
- (k) Officers should not try to persuade individual Members to make a decision in their personal favour or raise things to do with their employment with individual Members. Nor should they approach individual Members with allegations about other Officers. They should use the Council's grievance, whistle blowing and disciplinary procedures instead; and
- (l) Compliance with the Employee Code of Conduct.

3.2 *What Officers can expect from Members:*

- (a) A working partnership;
- (b) An understanding of and support for respective roles, workloads and pressures;
- (c) Political policy direction and leadership;
- (d) Respect and courtesy;
- (e) Members should generally restrict their discussion on strategic or significant issues to more senior officers (that is the Chief Executive, Deputy Chief Executives, Directors or Heads of Service); Members should raise all queries on operational matters initially with Directors or Heads of Service who will ensure that Members receive a prompt response.
- (f) Members are encouraged to use regular briefings and/or normally make appointments before visiting Officers in order to try to avoid frequent unscheduled interruptions;
- (g) Members should not pressure Officers to work outside their normal hours or to do anything they are not allowed to do or that is not part of their normal work;
- (h) Not to be subject to bullying, harassment or intimidation. Members should have regard to the seniority and experience of Officers in determining what

constitutes a reasonable request. Members with special responsibilities should be particularly aware of this;

- (i) Members should not use their position or relationship with Officers to advance their personal interests or those of others or to influence decisions improperly;
- (j) Members should not make detrimental remarks about individual Officers during meetings, in public or to the media; and
- (k) Members should at all times comply with the Member Code of Conduct.

4. Limitations on behaviour

The distinct roles of Members and Officers necessarily impose limitations upon behaviour. By way of illustration and not as an exclusive list:

- (a) Personal relationships between individual Members and Officers can confuse the separate roles and get in the way of the proper discharge of the authority's functions. In this situation, others may feel that a particular Member or Officer may be treated more favourably.
- (b) Personal relationships should be avoided. Where they do exist the officer concerned must notify his or her manager.
- (c) The need to maintain the separate roles means that there are limits to the matters on which Members may seek the advice of Officers, both in relation to personal matters and party political issues;
- (d) Relationships with particular individuals or party groups should not be such as to create public suspicion that an employee favours that Member or group above others.

5. Politeness and respect

5.1 Members and Officers should show each other politeness and respect. Members have the right to challenge Officers' reports or actions, but they should avoid personal and/or public attacks; and ensure their criticism is fair and constructive.

5.2 Officers should not publicly criticise Council decisions even if they do not personally agree with those decisions.

6. Complaints about Members or Officers

6.1 If an Officer feels a Member is not treating them with politeness and respect, they should consider talking to the Member directly. If they do not feel they can talk to the Member or talking to the Member does not help, they should talk to their Head of Service or Director immediately. The manager approached will talk to the Member or

the Leader of their political group and may also tell other senior officers. The Officer will be told the outcome. Officers may also make a complaint alleging a breach of the Members' Code of Conduct.

6.2 If a Member feels an Officer is not treating them with politeness and respect, they should consider talking to the Officer directly. If they do not feel they can talk to the Officer or talking to the Officer does not help, they should talk to the Officer's Head of Service or Director immediately. If the problem continues the Head of Service or Director approached will consider whether to use the Council's disciplinary procedures.

7. Members' enquiries

7.1 Officers should answer Members' enquiries, in whatever form, within five working days. If that is not possible, they should send a holding reply. Where a Senior Officer considers that the enquiry received is inappropriate, the Member should be advised of this and the reason or reasons why the enquiry is considered to be inappropriate. Members should contact a more senior officer in the event that a response is not received within this time. The Chief Executive may be asked to resolve any issues arising from unreasonable delays in responding to Members' enquiries.

Casework

7.2 Where a Member is making an enquiry of Officers as part of their ward casework, Officers will normally assume that they have the implicit consent of an individual to disclose personal information about them to the Member but only where:

- the Member represents the ward in which the individual lives;
- the Member makes it clear that they are representing the individual in any request for their personal information to the local authority; and
- the information is necessary to respond to the individual's complaint.

In all other cases Officers may need to seek the explicit consent of the individual to share their personal data with the Member in order to comply with the Data Protection Act 1998.

7.3 Personal information about third parties (i.e. individuals who have not sought the Member's assistance) may only be shared with a Member where the law permits this. See also paragraphs 8.1.3 and 8.1.4 below.

8. Information and advice

8.1 Requests for written information

8.1.1 Members should be provided with adequate information about services or functions on which they may be called upon to make decisions or to scrutinise the decisions of others, or which affect their constituents. This information will normally be made routinely available by Officers in the form of reports, departmental plans etc.

Members are encouraged to make use of existing sources of information wherever possible.

- 8.1.2 Written information supplied to a Member regarding the implications of current Council policies or containing statistical information about Council services may be copied to the relevant Cabinet Member.
- 8.1.3 The Leader of the Council or Leader of any other political group may request the Chief Executive or the relevant Deputy Chief Executive, or other designated Officer to prepare reports on matters relating to the authority for consideration by the group. Such requests must be reasonable and should not seek confidential information in relation for instance to casework or personal details of applicants for services.
- 8.1.4 Wherever possible, such requests will be met. However, if the Officer considers that the cost of providing the information, or the nature of the request is unreasonable or inappropriate, the request will be referred to the Chief Executive for determination, where necessary in consultation with the Leaders of the political groups. Requests will also only be met where they comply with data protection or other legal requirements.
- 8.1.5 Officer reports to political groups should be limited to a statement of relevant facts, identification of options and the merits and demerits of such options for the authority. Reports should not deal with any political implications of the matter.

8.2 *Briefings*

- 8.2.1 In order for them to discharge their responsibilities Cabinet Members will be briefed by senior officers (Deputy Chief Executives, Directors or Heads of Service) on service issues, proposals and policy development either on an ad hoc or a regular basis, in accordance with the requirements of the Member involved.
- 8.2.2 The other political party groups may also have nominated ~~portfolio leads~~ **Shadow Cabinet Members** and, if those ~~leads~~ so request, the relevant senior officers will make themselves available to meet with them to brief them on service issues. The other political party groups should be aware that at times the amount of information that officers can share with them may be limited due to issues of confidentiality
- 8.2.3 The content of these informal briefing sessions shall remain confidential as between Officers and the political group concerned.

8.3 *News items*

When an event or development occurs in the city which has or will have a significant impact on the Council or city residents, the Chief Executive will ensure that the Leaders of all political groups are informed as soon as possible.

8.4 *Ward Members*

- 8.4.1 Senior officers should ensure that Ward Members are given information relevant to their ward where appropriate. As well as letting Ward Members know when there has been a significant incident in their ward, Ward Members should be notified about the following types of issue:

- Public consultation events affecting their wards;
- Proposed changes to services sited within their wards;
- Applications and proposals in their wards

8.4.2 Ward Members should be invited by Officers to public events, such as openings, festivals etc., in their wards regardless of political affiliation.

8.4.3 The Media and Communications Team will advise Cabinet Members of 'photo shoots' taking place. The team will aim to give 48 hours' notice of any photo shoot to the Cabinet Member.

8.4.4 If Officers organise a public meeting about a specific ward issue, all the Ward Members should be invited and given as much notice as possible.

8.4.5 If Officers undertake consultation about specific ward issues they should consult the Members for that ward at the start of the consultation.

8.4.6 Ward Members should be told in advance about anything which particularly affects their ward and which is potentially controversial.

8.5 *Officer attendance at Group Meetings*

8.5.1 The Leader of the Council or Leader of any other political group may ask the Chief Executive or relevant Deputy Chief Executive to give or arrange a private briefing for the party group on a matter of relevance to the Council.

8.5.2 Any briefings offered to or requested by a party group will be offered to the other party groups.

8.5.3 While Officers may attend political group meetings at which individuals who are not elected Members may be present, Members need to understand that those Officers' ability to share confidential information with the Group may be limited. In particular Officers will not be able to share personal information with third parties present if to do so would cause the Council to breach the Data Protection Act 1998.

8.5.4 Decisions at group meetings are not Council or Cabinet decisions and party groups do not have any delegated authority to make formally binding decisions.

8.6 *Advice for Members with special responsibilities*

8.6.1 The Lord Mayor, Cabinet Members and Committee Chairs can ask the Chief Executive, Deputy Chief Executives, Directors and Heads of Service for extra background information and advice on different courses of action.

8.6.2 Although these Members have additional responsibilities and different relationships because of their more frequent contact with Officers, these Members must still respect the impartiality of Officers. This includes not asking them to undertake work of a party political nature, or to do anything which would prejudice that impartiality.

8.6.3 The Leaders of minority political groups can ask the Chief Executive, Deputy Chief Executives, Directors or Heads of Service for background information or more details about items coming to the next meeting of a Committee or Cabinet. The

appropriate Chair or Cabinet Member will be entitled to receive the same information.

8.6.4 Party group Leaders can ask for advice on presenting their budget in a correct and accurate form. This will be given in confidence.

9. Members' briefings on agendas and reports

9.1 *Briefings on agendas*

Deputy Chief Executives, Directors and Heads of Service will give briefings on full Council, Cabinet and Committee agendas to the Leader and Deputy Leader and Committee Chairs as appropriate.

9.2 *Consultation on agendas*

The Leader will be consulted on agendas for the Cabinet. Committee Chairs will be consulted on agendas for their Committees.

9.3 *Requests for reports*

9.3.1 Instructions for reports to come to Cabinet or Committees can only come from the Leader, Cabinet, a Cabinet Member in respect of the Cabinet and a Committee or a Committee Chair in respect of Committees. Cabinet Members may ask for reports to come to their Cabinet Member meetings.

9.3.2 Whilst Cabinet Members have political responsibility for drawing up proposals for consideration or for the agenda for a forthcoming meeting, it must be recognised that in some situations an Officer will be under a professional duty to submit a report. Similarly, senior officers will always be fully responsible for the contents of any report submitted in his/her name. This means that any such report will be amended only where the amendment reflects the professional judgement of the author of the report. Any issues arising between a Cabinet Member and a senior officer in this respect should be referred to the Chief Executive for resolution in conjunction with the Leader of the Council.

10. Support services to Members and Political Groups

Support services should only be used for Council business. They should never be used for private purposes, for party political or campaigning activity.

11. Correspondence

11.1 *Between Members and Officers*

If emails or letters between Officers and Members are copied to someone else, they should say so. Blind copies should not be sent. Members should not forward information received from an Officer to a constituent or member of the public if that information is expressed to be private or confidential.

11.2 Letters on behalf of the Council

Letters on behalf of the Council will normally be sent by Officers rather than Members. The Leader or Committee Chairs may write some letters on behalf of the Council, for example representations to government ministers. Members must never send letters that create obligations or give instructions on behalf of the Council.

12. The Council as an Employer

The Council as a whole employs its Officers. The appointment and dismissal of Officers and any disciplinary or grievance proceedings will be carried out in accordance with the Employment Procedure Rules and any other agreed policies and procedures.

13. Responsibility for this Code

The Monitoring Officer has overall responsibility for this Protocol and will periodically review how it is working.



Cabinet Member for Policing and Equalities
Licensing and Regulatory Committee
Council

26 October 2017
14 November 2017
5 December 2017

Director Approving Submission of the report:
Director of Finance and Corporate Services

Title: Proposed Amendment to the Constitution: Revocation of Hackney Carriage and Private Hire Driver's Licences

Executive Summary:

Under the current Scheme of Delegation to Officers, the Deputy Chief Executive, Place and the Senior Licensing and Enforcement Officer have delegated powers to suspend a hackney or private hire driver's licence where it is necessary that immediate steps be taken in the interests of public safety. Any such decisions are taken in consultation with the Chair of the Licensing and Regulatory Committee (or in his/her absence the Deputy Chair or in the absence of either, the City Solicitor). This provision has been used by officers to suspend a driver following serious allegations of impropriety or criminal behaviour and pending the Committee's decision whether to revoke the licence.

Case law has confirmed, however, that the power to suspend a licence under Section 61 of the Local Government (Miscellaneous) Provisions 1976 is a final decision on the question of a person's fitness and propriety. It cannot be used to as an interim measure pending further investigation into a driver's conduct.

This means that if officers believe that an allegation is so serious that the driver should not be allowed to drive pending an investigation, they cannot suspend the licence. The only options are:

- (a) To allow the driver to continue to drive pending the matter coming before the Committee, which could be some time; or
- (b) Delegate power to officers to revoke a licence where public safety requires it. The driver would still have a right of appeal.

This report recommends changes to the Hackney Carriage and Private Hire Licensing Scheme of Delegation, which forms part of Part 2M of the Constitution to permit officers to revoke drivers' licences where public safety requires it.

This proposed change was considered by the Constitutional Advisory Panel at its meeting on 9 October 2017. The Panel resolved to recommend to the Cabinet Member that the change be approved.

Powers are delegated to officers under the licensing scheme of delegation by the Licensing and Regulatory Committee. A report will therefore be going to the next meeting of that Committee to ask it to agree the change. The Cabinet Member is therefore asked to approve this change, subject to the agreement of the Licensing and Regulatory Committee.

Any change to the Constitution must be approved by full Council.

Recommendations:

Cabinet Member is recommended to:

- (1) Approve the proposed change to the Hackney Carriage and Private Hire Licensing Scheme of Delegation; and
- (2) Recommend to the Licensing and Regulatory Committee that it approves the change in the Hackney Carriage and Private Hire Licensing Scheme of Delegation; and
- (3) Recommend to full Council that they agree to its being included in the Constitution.

Licensing and Regulatory Committee is recommended to:

- (1) Approve the proposed change to the Hackney Carriage and Private Hire Licensing Scheme of Delegation; and
- (2) Recommend to full Council that they agree to its being included in the Constitution

Council is recommended to:

- (1) Agree that the change to the Hackney Carriage and Private Hire Licensing Scheme of Delegation be included in the Constitution

Appendix included: None

Other useful background papers: 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?

The report was considered and approved by the Constitutional Advisory Panel on 9 October 2017. The report will go to the next meeting of Licensing and Regulatory Committee.

Will this report go to Council?

Yes 5 December 2017

Report title: Proposed Amendment to the Constitution: Revocation of Hackney Carriage and Private Hire Driver's Licences

1. Context (or background)

- 1.1. Under the current Scheme of Delegation to Officers, the Deputy Chief Executive, Place and the Senior Licensing and Enforcement Officer have delegated powers to suspend a hackney or private hire driver's licence where it is necessary that immediate steps be taken in the interests of public safety. Any such decisions are taken in consultation with the Chair of the Licensing and Regulatory Committee (or in his/her absence the Deputy Chair or in the absence of either, the City Solicitor). This provision has been used by officers to suspend a driver following serious allegations of impropriety or criminal behaviour and pending the Committee's decision whether to revoke the licence.
- 1.2 Case law has confirmed, however, that the power to suspend a licence under Section 61 of the Local Government (Miscellaneous) Provisions 1976 is a final decision on the question of a person's fitness and propriety. It cannot be used to as an interim measure pending further investigation into a driver's conduct.
- 1.3 The Council therefore needs to consider how it is going to deal with urgent situations where a driver cannot be allowed to continue driving pending a full investigation into an allegation.

2. Options considered and recommended proposal

2.1 Option 1: Do nothing (not recommended)

If the Scheme of Delegation is left as it is, then officers could not suspend a licence where there are public safety concerns without running the risk that the suspension would be challenged, given the case law which clearly states that suspension is a final sanction, not an interim sanction. Otherwise, the driver would have to be allowed to continue driving pending a full investigation.

2.2 Option 2: Amend the Hackney Carriage and Private Hire Licensing Scheme of Delegation (recommended)

- 2.3 The current delegations to officers are set out below (at paragraph 6.6.66 of Part 2M of the Constitution):

1.3 Suspension of Licence

To suspend where:

(a) A driver is disqualified from driving during the term of a licence issued by the City Council and the driver's DVLA licence will be restored during that term; or

(b) In the opinion of the Senior Licensing and Enforcement Officer in consultation with the Chair of the Licensing Committee (or in his/her absence the Deputy Chair or in the absence of either, the City Solicitor) it is necessary that immediate steps be taken to suspend a licence in the interests of public safety.

1.4 Revocation of Licence

To revoke where a driver is disqualified from driving during the term of a licence issued by the City Council and where the driver's DVLA licence will not be restored during that term.

- 2.4 It is recommended that the Scheme of Delegation is amended as follows. Deleted text is scored through and new text is underlined:

1.3 Suspension of Licence

To suspend where:

- (a) A driver is disqualified from driving during the term of a licence issued by the City Council and the driver's DVLA licence will be restored during that term; or*
(b) ~~In the opinion of the Senior Licensing and Enforcement Officer in consultation with the Chair of the Licensing Committee (or in his/her absence the Deputy Chair or in the absence of either, the City Solicitor) it is necessary that immediate steps be taken to suspend a licence in the interests of public safety.~~

1.4 Revocation of Licence

To revoke where:

- (a) a driver is disqualified from driving during the term of a licence issued by the City Council and where the driver's DVLA licence will not be restored during that term; or*
(b) In the opinion of the Senior Licensing and Enforcement Officer in consultation with the Chair of the Licensing Committee (or in his/her absence the Deputy Chair or in the absence of either, the City Solicitor) it is necessary that immediate steps be taken to revoke a licence in the interests of public safety.

There will still be a requirement for the officer to consult with the Chair of the Committee in the event that revocation is required. Drivers will continue to have the right to appeal a decision to revoke and if, once the investigation is complete, it is considered that revocation was not justified, arrangements would have to be made to reissue the licence.

2.5 Recommendation

2.5.1 Cabinet Member is recommended to:

- (1) Approve the proposed change to the Hackney Carriage and Private Hire Licensing Scheme of Delegation; and
- (2) Recommend to the Licensing and Regulatory Committee that it approves the change in the Hackney Carriage and Private Hire Licensing Scheme of Delegation; and
- (3) Recommend to full Council that they agree to its being included in the Constitution.

2.5.2 Licensing and Regulatory Committee is recommended to:

- (1) Approve the proposed change to the Hackney Carriage and Private Hire Licensing Scheme of Delegation; and
- (2) Recommend to full Council that they agree to its being included in the Constitution

2.5.2 Council is recommended to:

- (1) Agree that the change to the Hackney Carriage and Private Hire Licensing Scheme of Delegation be included in the Constitution

3 Results of consultation undertaken

None, as the change requested arises from a change in case law.

4. Timetable for implementing this decision

4.1 Not Applicable

5. Comments from Director of Finance and Corporate Services

5.1 Financial implications

There are no specific financial implications arising from the recommendations within this report.

5.2 Legal implications

The change requested arises from case law which makes the current delegations to officers to suspend licences unsafe and liable to challenge. The change in delegation will allow officers to take decisions to protect the public quickly without having to wait until the Committee can consider the matter.

6. Other implications

None

6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Not applicable.

6.2 How is risk being managed?

The proposal seeks to address the current risk of the Council being challenged if officers continue to suspend licences on the ground of public safety.

6.3 What is the impact on the organisation?

The change will give officers the power to protect the public without having to wait until a scheduled Committee meeting.

6.4 Equalities / EIA

There are no public sector equality duties which are of relevance at this stage.

6.5 Implications for (or impact on) the environment

None

6.6 Implications for partner organisations?

None at this stage

Report author(s): Carol Bradford

Name and job title: Corporate Governance Lawyer, Regulatory Team, Legal and Democratic Services

Directorate: Place Directorate

Tel and email contact: 024 7683 3976 carol.bradford@coventry.gov.uk

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:				
Suzanne Bennett	Governance Services	Place	29.9.17	9.10.17
Names of approvers for submission: (officers and members)				
Finance: Graham Clarke		Place	29.9.17	29.9.17
Legal: Julie Newman	Legal Services Manager	Place	29.9.17	29.9.17
Adrian West	Members and Elections Team Manager	Place	29.9.17	29.9.17
Mick Coggins	Senior Licensing and Enforcement Officer	Place	28.9.17	29.9.17
Cllr A Khan	Cabinet Member Policing and Equalities			

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Cabinet Member for Policing and Equalities

26 October 2017

Name of Cabinet Member:

Cabinet Member for Policing and Equalities – Councillor Abdul Khan

Director Approving Submission of the report:

Executive Director of Resources

Ward(s) affected:

None

Title:

Outstanding Issues Report

Is this a key decision?

No

Executive Summary:

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. The attached appendix sets out a table detailing the issues on which further reports have been requested by the Cabinet Member for Policing and Equalities so he is aware of them and can monitor progress.

Recommendations:

The Cabinet Member for Policing and Equalities is requested to consider the list of outstanding issues and to ask the Member of the Management Board or appropriate officer 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?

No

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 author(s): Usha Patel

Name and job title: Governance Services Officer

Directorate: Resources

Tel and email contact: 024 7683 3111
michelle.rosel@coventry.gov.uk

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:				
Other members	Not applicable			
Names of approvers: (officers and members)				
Finance: Name	Not applicable			
Legal: Name	Not applicable			

This report is published on the council's website:

www.coventry.gov.uk/meetings

	Subject	Date for Further Consideration	Responsible Officer	Proposed Amendment to Date for Consideration	Reason for Request to Delay Submission of Report
1	<p>Petition - Response to a petition ing concerns over :anti-social behaviour in the vicinity of Priors and Cawthorne Close</p> <p>Request that a progress report back be considered in 6 months' time CM(PE) 27th July 2017 (Minute 3/17)</p>	TBC	<p>Executive Director of Place</p> <p>Craig Hickin</p>		

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