



AGENDA

MAYOR AND CABINET

Date: WEDNESDAY, 15 FEBRUARY 2017 at 6.00 pm

**Committee Rooms 1 & 2
Civic Suite
Lewisham Town Hall
London SE6 4RU**

**Enquiries to: Kevin Flaherty 0208 3149327
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MEMBERS

Sir Steve Bullock	Mayor	L
Councillor Alan Smith	Deputy Mayor - Growth & Regeneration	L
Councillor Chris Best	Health, Well-Being & Older People	L
Councillor Kevin Bonavia	Resources	L
Councillor Janet Daby	Community Safety	L
Councillor Joe Dromey	Policy and Performance	L
Councillor Damien Egan	Housing	L
Councillor Paul Maslin	Children & Young People	L
Councillor Joan Millbank	Third Sector and Community	L
Councillor Rachel Onikosi	Public Realm	L

Members are summoned to attend this meeting

**Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Thursday, 16 February 2017**



INVESTOR IN PEOPLE

The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

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The public are welcome to attend our Committee meetings, however, occasionally, committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

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MAYOR & CABINET		
Report Title	Declarations of Interests	
Key Decision	No	Item No. 1
Ward	n/a	
Contributors	Chief Executive	
Class	Part 1	Date: February 15 2017

Declaration of interests

Members are asked to declare any personal interest they have in any item on the agenda.

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.

- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
 - (a) that body to the member’s knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes , or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members’ Interests (for example a matter concerning the closure of a school at which a Member’s child attends).

(5) Declaration and Impact of interest on members' participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

MAYOR AND CABINET		
Report Title	Report Back On Matters Raised By The Overview And Scrutiny Business Panel or other Constitutional bodies	
Key Decision	No	Item No.
Ward		
Contributors	Head of Business & Committee	
Class	Open	Date: February 15 2017

Purpose of Report

To report back on any matters raised by the Overview and Scrutiny Business Panel following their consideration of the decisions made by the Mayor on February 8 2017 or on other matters raised by Select Committees or other Constitutional bodies.

MAYOR AND CABINET		
Report Title	Report Back on Matters Raised by the Overview and Scrutiny Business Panel	
Key Decision	No	Item No.3
Ward		
Contributors	Senior Committee Manager	
Class	Part 1	Date: 15 February 2017

1. Purpose of Report

To report back on matters raised by the Overview & Scrutiny Business Panel following their consideration of a report at their meeting on 14 February 2017.

Animal Welfare Charter

- 1.1 Following discussion at the Overview and Scrutiny Business Panel, Panel Members welcomed the updated Charter, and agreed to make the following comments to Mayor and Cabinet:
- i. The Business Panel believe that the fact that this policy was not reviewed for many years shows that the Council should have a policy tracking system in place to ensure timely and regular reviews of all policies.
 - ii. Whilst welcoming the new Animal Welfare policy the Business Panel would like officers to explore signing up Council partners, particularly Lewisham Homes and RSL.

MAYOR & CABINET		
Report Title	Outstanding Scrutiny Items	
Key Decision	No	Item No.
Ward	n/a	
Contributors	Head of Business and Committee	
Class	Part 1	Date: 15 February 2017

1. Purpose of Report

To report on items previously reported to the Mayor for response by directorates and to indicate the likely future reporting date.

2. Recommendation

That the reporting date of the items shown in the table below be noted.

Report Title	Responding Author	Date Considered by Mayor & Cabinet	Scheduled Reporting Date	Slippage since last report
Children and Young People Select Committee- Response to Review into Careers Information, Advice and Guidance	ED Children & Young People	9 November 2016	15 February 2017	No
Housing Select Committee and Sustainable Development Select Committee- Housing Zones	ED Resources & Regeneration	9 November 2016	1 March 2017	Yes
Response to Sustainable Development Select Committee Air Quality Action Plan	ED Community Services	7 December 2016	15 February 2017	No
Response to Housing Select Committee on Handyperson Service	ED Customer Services	7 December 2016	22 March 2017	Yes

Response to Sustainable Development Select Committee on Planning	ED Resources & Regeneration	11 January 2017	22 March 2017	No
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BACKGROUND PAPERS and AUTHOR

Mayor & Cabinet minutes 9 November 2016, 7 December 2016 & 11 January 2017 available from Kevin Flaherty 0208 3149327.

<http://councilmeetings.lewisham.gov.uk/ieListMeetings.aspx?CId=139&Year=0>

Mayor and Cabinet			
Title	Matters referred by the Safer Stronger Communities Select Committee – Capacity in the Voluntary Sector.		
Key Decision	No	Item No.	
Contributors	Safer Stronger Communities Select Committee		
Class	Part 1	Date	15 February 2017

1. Purpose

- 1.1 This report presents the final report and recommendations arising from the Safer Stronger Communities Select Committee’s review entitled Capacity in The Voluntary Sector, which is attached at Appendix A.

2. Recommendations

- 2.1 The Mayor is recommended to:
- (a) Note the views and recommendations of the Committee set out in the main report at Appendix A.
 - (b) Agree that the Executive Director for Community Services be asked to respond to the review’s recommendations.
 - (c) Ensure that a response is provided to the Safer Stronger Communities Select Committee.

3. Context

- 3.1 The review was scoped in September 2016 and an evidence gathering sessions was held in November 2016. The Committee agreed the final report and recommendations at its meeting held on the 17 January 2017.

4. Financial Implications

- 4.1 There are no financial implications arising out of this report per se, although the financial implications of the recommendations will need to be considered in due course.

5. Legal Implications

- 5.1 The Constitution provides for Select Committees to refer reports to the Mayor and Cabinet, who are obliged to consider the report and the proposed response from the relevant Executive Director; and report back to the Committee within two months (not including recess).

6. Equalities Implications

- 6.1 The Council works to eliminate unlawful discrimination and harassment, promote equality of opportunity and good relations between different groups in the community and recognise and take account of people's differences.

7. Crime and Disorder/Environmental implications

- 7.1 There are no specific implications.

BACKGROUND INFORMATION

If you have any queries on this report, please contact Katie Wood, Scrutiny Manager (020 8314 9446).

Overview and Scrutiny

Capacity in the Voluntary Sector Safer Stronger Communities Select Committee

January 2017

Membership of the Safer Stronger Communities Select Committee in 2016/17:

Councillor David Michael (Chair)

Councillor James-J Walsh (Vice-Chair)

Councillor Brenda Dacres

Councillor Colin Elliott

Councillor Joyce Jacca

Councillor Stella Jeffrey

Councillor Jim Mallory

Councillor John Paschoud

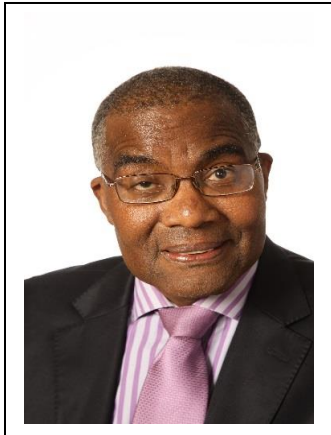
Councillor Luke Sorba

Councillor Paul Upex

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Chair's Introduction



The Capacity in the Voluntary and Community Sector Review comes at a critical time for the Council as well as our Community and Voluntary Sector organisations. The Council has been forced to pass on financial cuts imposed by Central Government, something that is on-going in our present administration. Aligned with the financial cuts has been the significant diminishing of human resources in Council Officers over a sustained period. Not surprisingly, as well as other crucial services, Community and Voluntary Sector organisations playing a crucial role in the development of our communities and Borough have been at the receiving end of this.

The Safer Stronger Communities Select Committee has rightly focused on how we as a Council can remain focused on the prevailing and developing circumstances. We have asked ourselves questions and pose questions to the Mayor and Cabinet of how we as one Council can take a holistic view of how we continue to support our Community and Voluntary Sector organisations during these most challenging times. We acknowledge the Mayor and Cabinet agreement to the reduction of funding to the main grants programme from 1 April 2017 to the equivalent of just over 25% of the main grants budget and the drying up of other funding sources reflects the present financial climate. However, we need to continue making a critical analysis on an ongoing basis of how the main grants programme is operated.

The Council has consultation events and meetings with Community and Voluntary Sector organisations as part of the main grant funding process. It is important to have an on-going dialogue and exchange of ideas and information with Community and Voluntary Sector organisations so the Council can remain as informed as possible in formulating and shaping capacity building that best fits the needs and requirements of Community and Voluntary Sector organisations. In Lewisham's Sustainable Community Strategy 2008 – 2020 (Shaping our Future) Mayor Sir Steve Bullock says, "Shaping our future sets out how Lewisham's public, private and voluntary and community sectors will work alongside our communities and citizens to make this vision of the future a reality." The Council is in a position to facilitate this happening. One of the enduring objectives of Lewisham Council's Comprehensive Equalities Scheme 2016 – 2020 is "Increasing citizen participation and engagement". Ensuring appropriate capacity building for Community and Voluntary Sector organisations will ensure an appropriate climate for this to happen.

This report is intended to act as a catalyst for the Mayor and Cabinet and all of us as One Council to demonstrate our appreciation of the importance of the work of Community and Voluntary sector organisations in contributing to the overall fabric of our Borough. We must do everything we can to demonstrate our value and appreciation of the people involved in those organisations to the advantage of our Borough as a whole.

I would like to thank Scrutiny Manager Katie Wood for her significant time and effort in researching and drafting this report, advising the Committee and her personal support to me. On my behalf and the Committee I would also like to thank the following witnesses for their interesting and informative presentations of evidence to the Committee: James Lee (Head of Culture & Community Development, Lewisham Council), James Banks (Chief Executive, Greater London Volunteering), Andrew O'Brien (Head of Policy and Engagement, Charities Finance Group), Philippe Granger (Rushey Green Time Bank) and Roz Hardie (Lewisham Disability Coalition).

Finally I would like to thank all members of the Safer Stronger Communities Select Committee for their energy, commitment and painstaking evaluation of the evidence and issues pertaining to our review and their contribution to this report.

Councillor David MICHAEL

Chair – Safer Stronger Communities Select Committee

1. Executive summary

- 1.1 Voluntary and Community organisations are facing an increasingly challenging landscape. Dramatic decreases in grant funding at a time of increasing need and pressure to provide services, sometimes where reductions in public service provision have left gaps, are having a big impact. This is at a time of increasing public scrutiny, with some high profile cases having an impact on the public's trust of the sector. Organisations are having to adapt rapidly, looking at new models and new ways to encourage participation and engagement and diversify funding sources.
- 1.2 This review focusses strongly on small and medium-sized voluntary and community organisations and also looks at the role of infrastructure support organisations, sometimes called "civil society support groups". These are organisations that provide advice and support to other charities on operating effectively and can represent their needs to decision-makers. The Council's Main Grants Programme supports voluntary and community sector organisations over 4 themes. Due to the financial pressures faced by the Council, funding through this programme has been reduced by £1 million (25%) from April 2017.
- 1.3 With these financial pressures on voluntary and community organisations, infrastructure support organisations play an increasingly important role for the sector such as sharing resources and expertise and identifying alternative funding sources. London Funders – an organisation that represents a network of fund giving organisations in the community and voluntary sector - in collaboration with partners - produced a report intitled "The Way Ahead – Civil Society in London". This review used the report "the Way Ahead" as part of its evidence and to help establish how civil society could best be supported to deliver the best outcomes for local residents. The report highlights the role of the local public sector on working in partnership to understand local need, supporting data-sharing, policy development, best practice and the importance of consistency in approach to funding and commissioning.
- 1.4 This Committee's findings and recommendations strongly link to this and include a strong focus on the importance of collaborative work, consistent information, fair commissioning and sharing data and expertise. The Committee's findings also highlight the importance of a shared understanding of need in the community but suggest this be developed further to include a shared understanding of opportunities such as availability of volunteers and skills of local residents.
- 1.5 In their findings, the Committee recognised the role the Council plays in supporting infrastructure support organisations and providing infrastructure support itself. Many of the Committee's recommendations strongly link to this such as the recommendation to set up a liaison support network for Chief Executives in the Community and Voluntary Sector and investigating the potential to offer support with data sharing. The importance of infrastructure support organisations providing a voice for the sector was also highlighted by the report's findings.

- 1.6 At the centre of this review and its findings was the role of civil society and the importance of engaging and working with volunteers. The Committee's findings include recommendations to support this such as the Council supporting a "brokerage" system between voluntary sector organisations and employers and considering the role that could be played by local assemblies.
- 1.7 The review concludes that adaptation is a necessity of the current financial climate for the voluntary and community sector and for the Council and its support role. The Committee's recommendations are designed to support the sector at this challenging time whilst recognising the limitations on finances and resources faced by the Council.

Recommendations

The Committee would like to make the following recommendations:

1. That the Council continues to work with voluntary organisations in Lewisham to help them adapt to changes in funding and reductions in grants from the Council. Support should be timely and tailored to the needs of organisations.
2. When the Council reviews the grant-making process, the Council should ensure it considers assessments of skills and opportunities available in an area and not just look at need. This could be considered as an assets model rather than a uniquely deficits model.
3. LB Lewisham's commissioning models should reflect "The Social Value Act (2013)". Real consideration should be given to the benefits to the community of tenders by local voluntary and SME organisations during the valuation process as a means of countering contract-based culture.
4. The Council should consider the possibility of supporting the development of a "brokerage" system between voluntary sector organisations and employers to support increased numbers of and more effective volunteering opportunities.
5. That the potential for setting up a liaison support network specifically for Chief Executives in the Community and Voluntary Sector in Lewisham be investigated.
6. That the Council understands the importance of volunteering and the need for organisations to get support to develop their networks. Larger charities have access to substantial sets of data which enables them to target activities to local demographics. The Council should investigate the possibility of facilitating intelligence and data support to smaller organisations in the sector, for example through purchasing data systems such as MOSAIC and sharing data. In its consideration the Council should consider cost and maintaining and upholding the highest standards of data protection.
7. The Committee welcomes the involvement of civic society and empowering people to be involved in their communities. The advocacy role voluntary groups deliver was welcomed but work carried out to meet social need was vital.
8. The Main Grants Programme should be sustained including providing the opportunity to fund core costs in some circumstances. The value of funding core costs should be recognised both when the Council funds organisations and when it is bidding for external funding itself.
9. The role of local assemblies should include community development and capacity building.
10. Following the review, there was a concern to ensure infrastructure support organisations provide a greater voice for the voluntary sector.

3. Purpose and structure of review

3.1 At their meeting of 14 April 2016, the Safer Stronger Communities Select Committee, resolved to carry out a review into developing the capacity of the community and voluntary sector.

3.2 At its meeting on 15 September 2016, the Committee agreed the scoping paper for a short review of the support offered for organisations in the community and voluntary sector. The scoping paper set out the background and key lines of enquiry for the review. The key areas proposed to be considered were:

To establish:

- The Council's principle means for providing support to the sector
- The budget available to carry out this work
- The process for assessing the support needs of community and voluntary sector organisations

To consider:

- What forms of support should be a priority for the sector?
- What form should support arrangements for the community and voluntary sector take?

3.3 The timeline for the review was as follows:

19 October 2016 – To agree the scope of the review.

19 October 2016 - Evidence-taking session to cover the analysis of the Council's role in and budget for supporting the voluntary sector and to consider evidence from voluntary organisations.

28 November 2016 – Draft Report to Committee. This will coincide with the report on the main grants programme for 2017/18

4 Policy Context

4.1 The Council's overarching vision is "Together we will make Lewisham the best place in London to live, work and learn". In addition to this, ten corporate priorities and the overarching Sustainable Community Strategy drive decision making in the Council. Lewisham's corporate priorities were agreed by full Council and they remain the principal mechanism through which the Council's performance is reported.

4.2 Improving capacity in voluntary sector plays a crucial part and has an effect on all of the Council's corporate policies of: community leadership; young people's achievement and involvement; clean, green and liveable; safety, security and a visible presence; strengthening the local economy; decent homes for all; protection of children; caring for adults and older people; active healthy citizens; and inspiring efficiency, equity and effectiveness. This demonstrates the breadth of the voluntary sector. In particular the priority

‘Community leadership and empowerment’ promotes developing opportunities for the active participation and engagement of people in the life of the community. The Council’s Sustainable Community Strategy’s priority of “Empowered and responsible” aims to create a borough where people are actively involved in their local area and contribute to supportive communities.

- 4.3 The issues facing voluntary sector organisations are increasingly challenging. There has been a dramatic decrease in public funding. London boroughs are anticipating around 44% cuts in funding by 2019/20. The National Council for Voluntary Organisations financial stability report (June 2015) predicts a £4.6 billion annual shortfall in voluntary sector income over the next five years to 2019/20¹ to maintain current spending power. This is at a time of increasing need and demographic change in communities.
- 4.4 Voluntary sector organisations in recent years have also been under increasing pressure in terms of public scrutiny following high profile cases in the media. Organisations are having to rapidly adapt in this changing climate, looking at new models, new levels of citizenship engagement and participation and adapting financial models and diversifying funding sources. In particular, small and medium-sized organisations are hardest hit by the changes in public funding and are having to adapt rapidly to survive. This theme is further explored in section 8.
- 4.5 The report “The Civic Core”² estimates that 9% of the adult population account for 66% of charitable activity (this includes donating money and volunteering). These people are defined as “the civic core”. The remaining 34% of charitable activity is undertaken by 67% of the population and are sometimes known as “the middle ground”. The remaining 24% of the population undertake little or no charitable activity and they can be defined as “zero givers”. The three distinct groups can then be looked at to help provide an overview of the population’s engagement with charities and can be used to shape strategies for engaging more people in volunteering and charitable giving.
- 4.6 In the current climate, organisations are having to diversify funding sources and quickly adapt to changes. It is important that infrastructure support organisations³ can be accessed. The Council’s Main Grants Programme’s funding strand “strong and cohesive communities” provides funding for infrastructure support, this is discussed further in section 5 of the report.

¹ Financial Sustainability Review, NCVO, July 2015

https://www.ncvo.org.uk/images/documents/policy_and_research/funding/financial-sustainability-review-of-the-voluntary-sector-july-2015.pdf

² The Civic Core, Charities Aid Foundation, September 2013, https://www.cafonline.org/docs/default-source/about-us-publications/caf_britains_civic_core_sept13.pdf?sfvrsn=5.pdf

³ Infrastructure support organisations provide advice and support to other charities on operating effectively, and they represent the interests of those charities to decision-makers. Note this term is used interchangeable with the term “civil society support groups” in this report and are also sometimes referred to as “2nd tier organisations”.

Ensuring that support is relevant and the best use of available resources for the maximum number of people is essential.

5 Lewisham Context

5.1 Lewisham has a long history of engagement and collaboration with the community and voluntary sector. In 2001, Lewisham was one of the first local authorities to develop a local compact⁴ with the sector, which established shared understandings about roles and responsibilities and set out commitments for working together.

5.2 The Lewisham Compact is an agreement between the London Borough of Lewisham and local voluntary and community organisations about how they will work together. NHS Lewisham and SLAM (South London & Maudsley Mental Health Trust) are also signatories to the Compact. The Compact recognises the significant role played by the voluntary and community sector, not only in providing services but also in generating income, adding to the local economy, developing and utilising the skills of local people and strengthening local communities, it aims to:

- increase understanding, improve working relationships and extend co-operation between the Council and voluntary and community sector organisation.
- develop the voluntary and community sector's capacity to provide services to the community and achieve high quality outputs
- support initiatives to achieve Best Value in the provision of services by the council
- enhance the effectiveness of both the council and voluntary and community sector organisations in meeting the needs of the community.

5.3 Voluntary Action Lewisham (VAL) has a longstanding partnership with the Council. Its remit is to provide leadership for the sector and to help build organisational capacity and capability. Led by the Council and VAL, stakeholders carried out further work to develop the Lewisham compact in 2010, with the addition of guidelines for commissioning with the sector. This was in recognition of the important contribution that it should play in identifying needs as well as delivering services.

Community and voluntary sector review

5.4 In 2011/12, the Safer Stronger Communities Select Committee carried out a yearlong review into the capacity of the community and voluntary sector. The Committee gathered evidence across three key themes:

- Establishing the capacity of the voluntary sector

⁴ The Compact is a voluntary agreement that aims to foster strong, effective partnerships between public bodies and voluntary organisations. Its principals apply to all relationships between voluntary organisations and public bodies that are distributing funds on behalf of the Government. See http://www.compactvoice.org.uk/sites/default/files/the_compact.pdf

- How to build capacity of the sector
- The future role of the voluntary sector

5.5 Members of the Committee found that support for the sector in Lewisham was good and that much of the Council's work with the sector reflected good practice elsewhere. The Committee recognised that grant funding by the Council played a key part in sustaining the sector and that funding enabled organisations to access support and funding from a wider range of sources than they otherwise would.

5.6 Safer Stronger Communities Select Committee submitted a final report and recommendations from the review to Mayor and Cabinet in May 2012. A specific recommendation relating to support for the sector was included:

Organisations that support the Community and Voluntary Sector in Lewisham, such as Voluntary Action Lewisham, should review the support that they offer to the sector especially in relation to capability and capacity building. The Committee feels that provision of more intensive and individual support including advice, training and guidance would create better results for organisations.

5.7 In response to the recommendation, the Council supported Voluntary Action Lewisham (VAL) to carry out its strategic review of its services⁵ which sets out the organisations strategic objectives and targets. VAL's strategic plan recognised that in the climate of reducing resources and increased demands for the delivery of more complex services, organisations might need to merge, collaborate or share facilities. The key objectives from the strategic plan were:

- To be a leader of change;
- To increase the effectiveness of the Voluntary and Community Sector (VCS) in Lewisham;
- To strengthen the voice of the VCS in Lewisham;
- To enable the representation of the VCS in Lewisham;
- To build and develop local and sub-regional partnerships and collaboration;
- To increase the value and reputation of 2nd-tier infrastructure

Lewisham Council's main grants programme

5.8 Funding through the main grants programme is provided over four themes:

- strong and cohesive communities
- communities that care
- access to advice services

⁵ Voluntary Action Lewisham Strategic Plan 2013-2015
<http://www.valewisham.org.uk/sites/default/files/files/FINAL%20Strategic%20Plan%202012-2015.pdf>

- widening access to arts and sports
- 5.9 Support for building capacity of the sector is funded through the ‘strong and cohesive communities strand of the programme’. The programme also places an emphasis on collaboration and the sharing of resources. In addition to the themes outlined above the Council committed to funding:
- Organisations that are committed to working with each other and the Council to ensure the best possible outcomes for Lewisham’s residents with shared resources.
 - Active partners who are as passionate about Lewisham as the Council is and have the drive and capacity to make a difference to people’s lives.
 - Organisations that understand the level and profile of local need and have the ability to transform the way they work to meet that need.
 - Organisations with a track record of adding value to Council funding through attracting resources both financial and volunteer time.
 - Organisations that share values with the Council as well as commitment to the London Living Wage, equalities and environmental sustainability.
- 5.10 The Council is in the midst of a decade long reduction in resources, which will reduce the funding available for services by £200m in 2020, compared to 2010/11. Therefore, Mayor and Cabinet has agreed to reduce the funding to the grants programme by £1m from 1 April 2017, which equates to just over 25% of the overall main grants budget of £3,985,600.
- 5.11 In July 2016, Safer Stronger Communities Select Committee scrutinised the outcome of a consultation with the community and voluntary sector about the reduction in funding which proposed that the reduction be made by:
- Remove funding from under performing groups/those performing least well
 - Negotiate reductions and seek alternative funding streams
 - Work with groups to consider mergers or asset sharing
 - Pro rata reductions across all groups
- 5.12 The Council is taking part in further discussions with affected organisations over the summer and autumn to encourage collaborative working, sharing resources and identifying alternative funding streams. As outlined above, infrastructure support for the sector is primarily funded under the ‘strong and cohesive communities’ theme of the grants programme. Discussions have begun with organisations providing this support under the themes identified in the report “the Way Ahead” which is further explored in the next section of this report.
- 5.13 Mayor and Cabinet will make a decision on funding for the next two years of the main grant programme at their meeting in December 2016. This will go the Safer Stronger Communities Select Committee for pre-decision scrutiny. This review into capacity in the voluntary sector and its recommendations will,

therefore, have been informed by the pre-decision scrutiny of the report on the Main Grants Programme in addition to the evidence in this report.

6 The Way Ahead

- 6.1 London Funders is an organisation that represents a network of fund giving organisations in the community and voluntary sector. London Funders has worked in collaboration with London Voluntary Service Council (LVSC) and Greater London Volunteering on the recent report: 'The Way Ahead: civil society at the heart of London'. The report sets out a vision for civil society in London and it establishes principles to help develop this vision. The main purpose of the scope of the report was the question "given constrained resources and a rapidly changing environment, how can civil society be supported to deliver the best outcomes for Londoners".
- 6.2 The Safer Stronger Communities Select Committee looked at the report and used it to help shape their questions and challenge to witnesses. This was used to help assess the situation in Lewisham and the role the Council could have in supporting the voluntary sector and maintaining and improving capacity.
- 6.3 "The Way Ahead sets out a proposed vision and system for civil society and how it should be supported in future. It proposes 12 processes and lists the key players involved in achieving this and how they interact with each other. Figure 1 below shows the Key Proposals as listed in "The Way Ahead" report. The larger circles on the outside represent the processes and the smaller inner circles represent the key players. The coloured lines link them together and show how they interact.

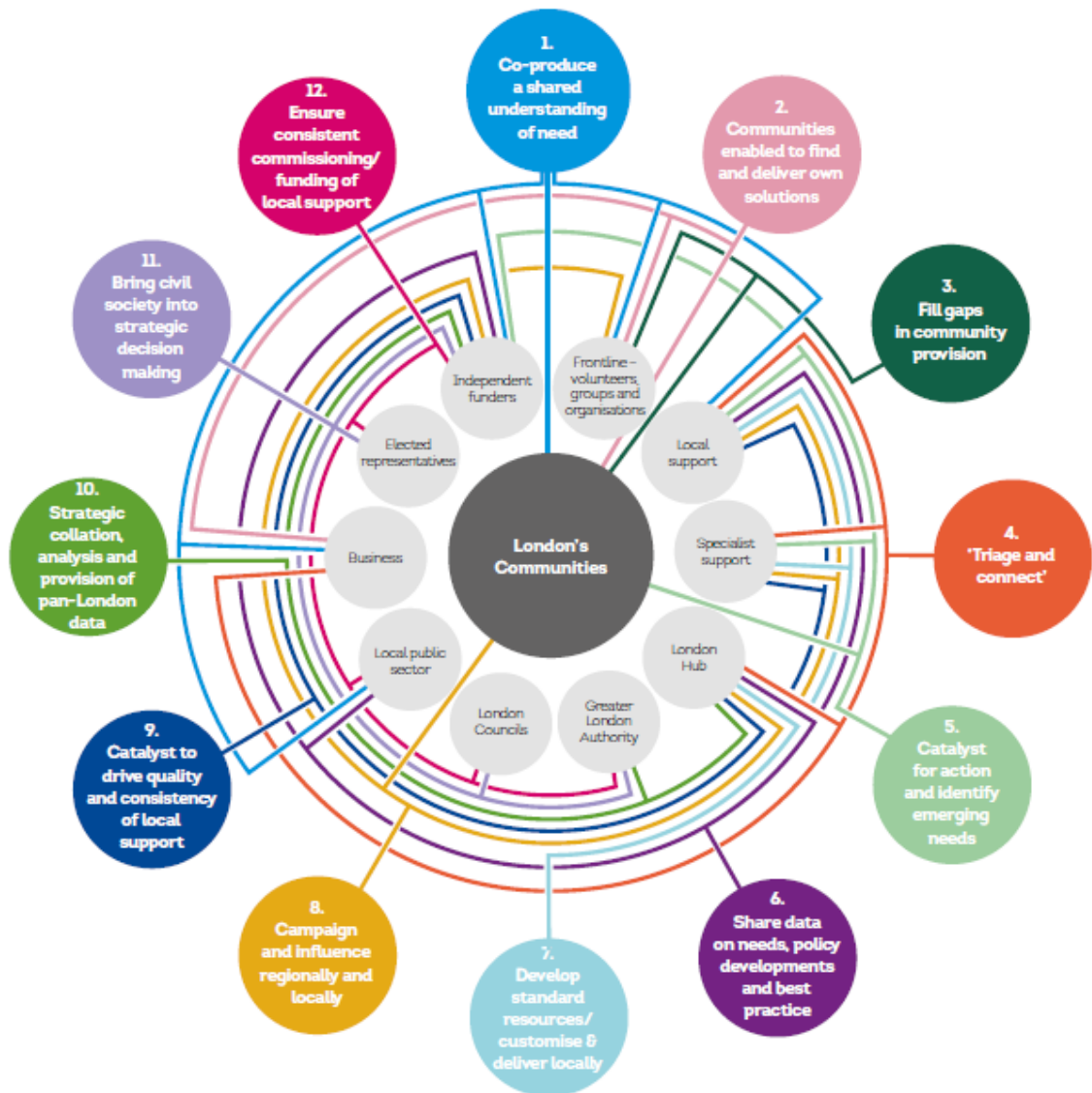


Figure 1 from “The Way Ahead: Civic Society at the Heart of London, April 2016

6.4 The diagram above shows that in their model, the role of the local public sector links to the following processes:

- Co-produce a shared understanding of need.
- Sharing data on needs, policy developments and best practice.
- Ensure consistent commissioning/funding of local support.

6.5 The report emphasizes the importance of carrying out needs assessments in collaboration with communities using relevant data and it highlights the need for stakeholders in the sector to provide each other with support and challenge. The report sets the context for the future funding of the community and voluntary activity in London and it begins to describe the future role of local authorities as equal partners with the sector. The report also sets out steps for the implementation of its findings in its “immediate steps grid”. It

outlines a timetable for completion and lists the partners for each step. Their timetable sets out November 2016 for beginning to prototype the model and looking at cross-borough approaches. It is therefore important that LB Lewisham are actively looking at the proposals and developing a strategic approach.

7 James Lee (Head of Culture and Community Development)

- 7.1 The Committee heard evidence from James Lee, Head of Culture and Community Development, on challenges faced by the sector. It is a difficult time for the sector, the Council is making substantial cuts to the main grants programme, budget and public sector commissioning budgets are being tightened at the same time that accessing funding from alternative sources is becoming more competitive. London Councils is also withdrawing its funding for infrastructure support organisations. This is at a time when there is still a high level of demand for services provided by the community and voluntary sector and there are significant numbers of people living in relative poverty who need support.
- 7.2 The Council recognises the need for a strong voluntary sector and the need for local communities to be supported through civil society. Infrastructure support is also needed to assist organisations to monitor how well they are performing and diversify their sources of funding. There is also potential for organisations to reduce the impact of funding reductions on front line service delivery through mergers and partnerships in the sector.
- 7.3 Lewisham Council is working with organisations to help them understand what funding reductions from the main grants programme would look like for them and to help them adapt. The Council recognises that this can be a particular challenge for smaller organisations and is therefore working with organisations to build the capacity of peer support networks. The local partnership of community organisations is strong and this would help make Lewisham organisations resilient to the challenges.
- 7.4 Specific work is taking place with Voluntary Action Lewisham (VAL), Rushey Green Time Bank and Volunteer Centre Lewisham to consider Lewisham's infrastructure support offer based on the 'way ahead' proposals. The Council recognises that infrastructure support needs to be less bureaucratic, more community led and more flexible. A combined infrastructure support offer might include a disclosure and barring service hub; it might procure or provide training. It might also provide a focus for local activity. It should be responsive to local issues and help the Council to engage with the sector. It should also mobilise local people to tackle local issues.
- 7.5 An important role for infrastructure support organisations in the future would be to provide a voice for the sector: to raise issues, challenge the Council and to collect information to demonstrate the cumulative impact on the sector. This would allow the Council to better meet its responsibilities without simply shunting costs from one area to another.
- 7.6 A proposal relating to infrastructure support is included as part of the main grants update to Mayor and Cabinet in December. Safer Stronger

Communities will undertake pre-decision scrutiny of the Mayor and Cabinet report at their November meeting. The recommendations for this review will have been informed by both documents with Committee members having had the opportunity to review them both to help shape the recommendations of this review.

8 James Banks (Chief Executive, Greater London Volunteering)

- 8.1 James Banks, gave evidence to the Committee regarding the report “The Way Ahead” which he co-authored and which is also discussed in section 6 of this review.
- 8.2 James stated that ‘The Way Ahead’ report brought together a wide range of stakeholders to consider the future of civil society in London and broadened the definition of voluntary activity to encompass a wider range of actions to achieve change and helped to demonstrate the requirement for civil society support. In challenging economic situations, new approaches were required to achieve positive outcomes.
- 8.3 In London, there are 120,000 civil society groups and 3.5 million Londoners who volunteer regularly. According to the Community Life Survey 2015-16, 54% of Londoners had done a form of volunteering at least once in the last year.⁶ In addition to this there are 135,000 people who work in the voluntary sector in London⁷ and the majority of Londoners will come into contact with the charitable sector in an average year. According to their statistics, “the Way Ahead” report estimated an economic and wellbeing contribution of £27 billion a year to the London economy from the voluntary sector.
- 8.4 Although the voluntary sector is large, it needs support to enable it to thrive. Focus groups and research show that there are high levels of pressure on contracts and on volunteers in the sector in part because of less funding and increased competition when bidding for contracts. There can also sometimes be an expectation that civil society organisations can change models quickly and produce their own resources. This isn’t always the case and sometimes time is needed to successfully adapt.
- 8.5 Civil society support groups are also facing high levels of demand for their services and additional financial constraints. This could often have a knock on effect on the voluntary groups who use them. For example, they may no longer be able to obtain the same levels of support that they had previously accessed.
- 8.6 The proposal in “The Way Ahead” report is that there be a new system of working, which would identify the wide range of organisations involved in

⁶ Community Life Survey 2016 Statistical Bulletin, Cabinet Office
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/539102/2015_16_community_life_survey_bulletin_final.pdf

⁷ UK Civil Society Almanac 2016 <https://data.ncvo.org.uk/a/almanac16/workforce-2/>

providing support to the sector and build on their strengths. The system being proposed in the report is markedly different from what currently exists. Greater London Volunteering was working in partnership to lead and progress the recommendations in the report, but change would take time.

- 8.7 Members of the Committee raised some concerns about differing types of social capital⁸ in different areas and whether this had the potential to make the community-driven approach to infrastructure support unbalanced as some communities would be more able to connect than others. There is an important role for infrastructure support organisations at a local level. Every member of the community should be involved in helping to decide what their community needed and how it should be delivered. Support organisations should not need to provide everything themselves and part of their role should be in brokering offers of support and providing peer to peer connections.
- 8.8 In terms of corporate fundraising, more work could be done to ensure voluntary organisations got the best possible offers of support. This is particularly relevant in terms of successfully accessing volunteer time. It could often be straightforward but accessing volunteers with the right skills for the right length of time and on the right projects was often more of a challenge. It is important that the full potential of corporate support be accessed so the benefits were fully realised for voluntary organisations themselves and not just working for the corporations. There is a range of reasons why corporations may want to donate to charities either through money or staff time, these could range from: boosting their profile in the local community; fulfilling their corporate social responsibilities; staff retention and development. Particularly in the case of volunteering, charities need to ensure that the offer works for them and not just the corporation.
- 8.9 Members of the Safer Stronger Communities Select Committee felt that a broad definition of civil society was most appropriate to capture the range and breadth of actions by communities. The definition of Civil Society used in the report “The Way Ahead” is as follows:

“Civil Society is where people take action to improve their own lives or the lives of others and act where government or the private sector don’t. Civil Society is driven by the values of fairness and equality, and enables people to feel valued and belong. It includes formal organisations such as voluntary and community organisations, informal groups of people who join together for a common purpose and individuals who take action to make their community better.”

- 8.10 The “Way Ahead Report” suggests that a “co-production of a shared understanding of need” should be undertaken. Committee members

⁸ Social capital is defined by the OECD as “networks together with shared norms, values and understandings that facilitate co-operation within or among groups”

<https://stats.oecd.org/glossary/detail.asp?ID=3560>

considered this and concluded that they felt that alongside any consideration of need in a community there should be an assessment of skills and opportunities available. To this end, it could be viewed as an assets model for understanding the sector rather than uniquely a deficits model.

- 8.11 Committee Members highlighted their concerns about types of social capital in different communities. It could be harder for voluntary groups in some areas to mobilise the resources required in their communities. They also highlighted the imbalance in spending power, marketing and use of targeted data, between large and small charities.
- 8.12 The Lloyds Bank Foundation published a report highlighting that since the financial crisis of 2008, small and medium-sized charities lost a higher proportion of their income than larger organisations. Across the voluntary sector over 23,000 charities stopped operating between 2008 and 2014, the majority with an income under £500k. Reductions in income from local and central government through contracts and grants decreased for all income bands of charities except the largest (over £100million). For small and medium-sized charities the increases in income from individuals of 21% did not offset the losses from government grants and contracts of 38%.⁹
- 8.13 The same report states that since 2010 public sector commissioning has shifted towards competitive commissioning models where all types of provider compete for contracts to deliver public services. The report states that larger organisations including larger charities are dominating the public sector procurement market. The report also highlights the National Council for Voluntary Organisation's research showing the smaller the income of the charity, the more they lost in income from both local and central government, despite an increase in demand for services. Typically charities with an income between £25k to £1m experienced reductions of 30-44% of their income from these sources.
- 8.14 The Social Value Act came into force in January 2013, it requires people who commission public services to think about how they can also secure wider, social, economic and environmental benefits. The Act states that "before they start the procurement process, commissioners should think about whether the services they are going to buy, to the way they are going to buy them, could secure these benefits for their area or for their stakeholders."¹⁰
- 8.15 The act aims to strengthen the social enterprise business sector and make the concept of 'social value' more relevant and important in the placement and provision of public services. The Act aims to encourage participation with the

⁹ Small and Medium-sized charities after the crash: what happened and why it matters, Lloyds Bank Foundation, 2014

https://www.lloydsbankfoundation.org.uk/assets/uploads/LBF_Smallest%20Charities%20Hardest%20Hit_Executive_Summary_final.pdf

¹⁰ Social Value Act Information and Resources, Cabinet Office, May 2016

<https://www.gov.uk/government/publications/social-value-act-information-and-resources/social-value-act-information-and-resources>

third sector including social enterprises. Under the act, commissioners are required to take a best value for money approach and not a lowest cost approach to ensure consideration of the wider benefits. The act requires every local authority (in England) to include in their sustainable community strategy proposals for promoting engagement with social enterprise in their area. They must also include a statement of measures for social enterprise to participate in the implementation of these proposals.

9 Andrew O'Brien (Head of Policy and Engagement, Charities Finance Group)

- 9.1 The Committee heard evidence from Andrew O'Brien, Head of Policy and Engagement at the Charities Finance Group. Charities Finance Group has over 1350 charities in its membership and provides support for those with financial responsibility in the charity sector to develop and enhance their skills through its programme of training, conferences, policy work and best practice guidance.
- 9.2 Andrew stated that there had been a significant reductions in grant funding in recent years. In 2010 there was £6billion in grants available for the sector, in 2016 this had fallen to £2billion and it was estimated that there wouldn't be any grant funding available at all by 2024. His experience indicated that it was rare for Councils to still have a separate community grants budget.
- 9.3 Grant funding was important to voluntary organisations as it allowed them to be flexible, resilient and demand led. If the Council were evaluating voluntary organisations for grant funding, it was important to understand that monetising or putting an exact financial value on savings and impacts of projects could be difficult for small and medium sized organisations and the Council should use a personal and common sense approach to evaluating the success of community and voluntary sector organisations. Organisations with small incomes might find it difficult to demonstrate their impact and effectiveness. They might also have to spend disproportionate amount of time writing bids and attempting to demonstrate their impact.
- 9.4 Successful mergers and asset sharing between organisations in the sector were reliant on sustainable funding streams. The front loading of local government cuts from central government and the speed at which these were passed on to the sector meant that some small organisations, that (given better notice) could have become self-sustaining had to close and once that capacity was lost it would be difficult to rebuild it. Providing a set of options to small organisations to encourage asset sharing and mergers was a better approach than forcing organisations to work together. Small organisations found it particularly difficult when they were merged with another organisation and their shared resources were immediately cut.
- 9.5 Members of the committee felt the main grants programme had moved towards a commissioning model and that there was further work to be done on determining what the grants programme should be trying to achieve in future. There was an opportunity through this report and the report on the

Main Grants Programme for the Council to consider its objectives and use appropriate methods to make this happen. This might be through the commissioning approach or via grant funding. Each approach had benefits and drawbacks for different reasons. The important thing would be to choose the right method for the desired outcome.

10 Philippe Granger (Rushey Green Time Bank)

- 10.1 Philippe Granger from the Rushey Green Time Bank addressed the Committee on their experiences of voluntary sector capacity. Time Banking is a community development tool and works by facilitating the exchange of skills and experience within a community. Time Banking values everyone's time as equal, 1 hour equals 1 hour. For every hour you spend helping someone in your community you are entitled to an hour of help in return.
- 10.2 The community and voluntary sector have moved from a situation in which it had lots of money available to a situation of restrained resources. When resources were plentiful, there were lots of projects and lots of groups. This had led to a situation of providing services for people, rather than enabling them to do things for themselves.
- 10.3 Organisations in the sector were asking themselves questions about what they should do with less money in order to support communities to thrive.
- 10.4 There was a danger of creating a deficiency model in the sector – in which people believed they needed more and more funding to meet their needs. Investment was needed to equip people and empower them in their own communities to make a change.
- 10.5 Similarly to the Committee's views highlighted in paragraph 8.11 promoting an assets not just deficits understanding of need, Philippe stated that Civic society should promote a new vision and a new language for Lewisham, which focused on people's assets and helped them to connect with others.
- 10.6 The UK Giving report 2015 showed that within the last 12 months of the survey, 13% of adults aged 16 and above had volunteered for a charity. The challenge in all areas was to engage wider numbers of people in the civic core. Committee members considered that an approach might be to work more with younger generations in creating a sense of pride and place. It is worth noting however that the same survey cited above showed that young people aged 18-24 in full-time higher education were over twice as likely to have volunteered in the last 4 weeks than the rest of the population. (14% vs 6% overall).¹¹
- 10.7 The Committee felt that for the longer term, it remained important to engage younger generations to engrain habits for life. The Council could ensure it works with schools around volunteering and placements to help that

¹¹ Charities Aid Foundation, UK Giving Report 2015 <https://www.cafonline.org/about-us/publications/2016-publications/uk-giving-report-2015>

volunteering opportunities are promoted and supported within schools and possibly given equal weighting to work experience placements.

10.8 The Council is working with Goldsmiths University and in May 2016, the London Borough of Lewisham and Goldsmiths University of London signed a Memorandum of Understanding which confirms that the two organisations have a formal agreement to work cooperatively towards a strategic alliance in which the Borough recognises Goldsmiths as its preferred higher educational partner and commits to work together on activities that integrate Goldsmiths:

- As part of the Lewisham community eg volunteering opportunities and working with the assemblies
- As part of the Lewisham skills economy eg supporting young people and adult learners progress to higher education
- Into the work the Council is doing to support the Lewisham economy – business start-ups and supporting innovation

10.9 An example of work that has been taking place over the last six months through this memorandum of understanding includes working with the Creekside project on volunteering opportunities. In addition to this Lewisham Local have been collaborating with Goldsmiths to promote “Giving Tuesday- 29th November” amongst the students and local community particularly in the New Cross area.

10.10 Large charities had access to substantial sets of data, which enabled them to target activities to local demographics. The Council might look to carry out further work to provide intelligence and data support for smaller organisations in the sector. Purchasing access to data systems such as MOSAIC had the potential to provide large amounts of data that could be disseminated to voluntary organisations through partnerships.

11 Roz Hardie, Lewisham Disability Coalition

11.1 Roz Hardie from the Lewisham Disability Coalition (LDC) addressed the committee on her experiences of capacity in the voluntary sector and in terms of infrastructure support. The Lewisham Disability Coalition is a charity based in Lewisham and works to promote equality for disabled people and to provide services that support Independent Living.

11.2 Understanding who was falling through the gaps was important and challenging. It was not the role of charities to pick up everything and charities should run alongside well-funded public services.

11.2 The LDC wanted to access a trusted specialist support or a trusted framework for purchasing or trading skills. The sector might look to share support, rather than having to develop specialist skills in each organisation. Organisations were sometimes buying expensive contracts because they were not aware they could get the support free elsewhere.

11.3 Organisations in the sector found that the Council was helpful in providing

technical support. It was recognised however, that this might be problematic if an organisation had an issue with the Council. There was a view that sometimes the Council made it difficult for groups to do things because of the levels of bureaucracy. In addition to this, they felt there appeared to be a worrying trend of large organisations taking up resources. In order to adapt the sector needed consistent support and sometimes additional funding to take the risks to adapt.

- 11.4 The provisions of the Social Value Act (previously discussed in section 8.15 of this report) might help to redress the balance between small and large charities locally. Understanding how this was being implemented locally by Lewisham Council was important and ensuring the aims and objectives tallied with those outlined in the Main Grants Programme to achieve the targeted outcomes and ensure clarity for organisations.
- 11.5 It was important that work carried out at national level to quantify and qualify the work done by and benefits to society of the voluntary sector took into account the local context. It would also be important for benefits to be defined in terms of outcomes and not limited to outputs.
- 11.6 Change did not need to be feared and the current climate offered an opportunity for innovation. Trustees of local charities had a strong leadership role to play in the current climate. To thrive they should look towards the future with optimism and ambition.

12 Conclusion

- 12.1 The report summarises the evidence the Committee have received around developing capacity in the voluntary sector. It draws on evidence from the Council, representatives from voluntary and community sector organisations National studies. The report recognises that the current financial system is particularly challenging for small and medium-sized charities and work can be done to continue to support them but in innovative and cost-effective ways. The Council is adapting and this report and its recommendations can help to ensure that resources are used in the best possible way to support the local community.

13 Monitoring and ongoing scrutiny

- 13.1 The recommendations from the review will be referred for consideration by the Mayor and Cabinet at their meeting on 15th February 2017 and their response reported back to the Safer Stronger Communities Select Committee within two months of the meeting. The Committee will receive a progress update in six months' time in order to monitor the implementation of the review's recommendations.

Sources and Background Papers

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https://www.ncvo.org.uk/images/documents/policy_and_research/funding/financial-sustainability-review-of-the-voluntary-sector-july-2015.pdf

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Agenda Item 5

Chief Officer Confirmation of Report Submission	
Cabinet Member Confirmation of Briefing	
Report for: Mayor	<input type="checkbox"/>
Mayor and Cabinet	<input checked="" type="checkbox"/>
Mayor and Cabinet (Contracts)	<input type="checkbox"/>
Executive Director	<input type="checkbox"/>
Information <input checked="" type="checkbox"/> Part 1 <input type="checkbox"/> Part 2 <input type="checkbox"/> Key Decision <input type="checkbox"/>	

Date of Meeting	15 February 2017
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Title of Report	Budget Update Report 2017/18
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Originator of Report	Executive Director for Resources and Regeneration
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	✓	
Legal Comments from the Head of Law	✓	
Crime & Disorder Implications	✓	
Environmental Implications	✓	
Equality Implications/Impact Assessment (as appropriate)	✓	
Confirmed Adherence to Budget & Policy Framework	✓	
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)	✓	

Signed:  _____ Executive Member

Date: 9 February 2017

Signed:  _____ Executive Director

Date: 9 February 2017

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR & CABINET			
Report Title	2017/18 Budget Update		
Key Decision	Yes	Item No.	
Ward	All		
Contributors	Executive Director for Resources & Regeneration		
Class	Part 1	Date: 15 February 2017	

REASONS FOR URGENCY AND LATENESS

Lateness: This report was not available for the original dispatch to ensure that any decisions taken by the Mayor & Cabinet on 8 February 2017 could be appropriately considered within this report.

Urgency: Given the significance of the financial constraints that the Council will face over the coming years, it is essential that the Mayor and his Cabinet are updated on any changes affecting the 2017/18 Budget prior to presenting it to full Council.

Where a report is received less than 5 clear days before the date of the meeting at which the matter is being considered, then under the Local Government Act 1972 Section 100(b)(4) the Chair of the Committee can take the matter as a matter of urgency if he is satisfied that there are special circumstances requiring it to be treated as a matter of urgency. These special circumstances have to be specified in the minutes of the meeting.

1. SUMMARY

1.1 This report presents the Mayor with updates to the main 2017/18 Budget Report presented to Mayor and Cabinet on 8 February 2017, and seeks the Mayor's approval to finalise the recommended 2017/18 Budget for consideration and agreement by the Council on 22 February 2017.

2. PURPOSE

2.1 The purpose of this report is to finalise the 2017/18 budget for consideration by the Council on 22 February 2017.

3. RECOMMENDATIONS

That the Mayor:

3.1 Agrees to recommend to Council a Band D Council Tax for 2017/18 of £1,157.68 for the Council's element. This is an increase of 4.99% (including a social care precept of 3%), based on a General Fund Budget Requirement of £232.746m for 2017/18.

3.2 Notes and asks Council to note an overall increase in the total Council Tax for 2017/18 of 4.28% to include the Greater London Authority (GLA) precept being

increased by £4.02 to £280.02 (Band D equivalent), a 1.46% increase from its 2016/17 level as proposed.

- 3.3 Agrees to recommend to Council on 22 February 2017, the statutory calculation of the Budget Requirement for Lewisham for 2017/18, attached at Appendix A.
- 3.4 Agrees to recommend to Council on 22 February 2017, the motion on the budget, attached at Appendix B, including modifications made to the proposals published in the 2017/18 Budget Report.
- 3.5 Notes the provisional and estimated precept and levies from the GLA and other bodies as detailed in Appendix C and delegates authority to the Executive Director for Resources and Regeneration to include any changes to these in the report for Council.
- 3.6 Notes the final settlement figure for 2017/18 is yet to be announced, and is now expected in the week commencing the 20 February.
- 3.7 Notes that there were no responses from Business rate payers to the consultation on the draft Budget which took place from 20 January 2017 to 3 February 2017.
- 3.8 Considers the Section 25 Statement from the Chief Financial Officer. This is attached at Appendix D.
- 3.9 Agrees the Q11 savings proposal in respect of Meliot Road as attached at Appendix E.

4. UPDATE ON THE COUNCIL'S CURRENT FINANCIAL POSITION

- 4.1 This report updates the main 2017/18 Budget Report through considering the following areas:-
 - Revenue Budget Savings and Funding Issues
 - The Greater London Authority Precept
 - Final Level of Council Tax

Revenue Budget Savings and Funding Issues

- 4.2 The impact of the final grant settlement and savings decisions taken at Mayor and Cabinet and their impact on the statutory calculations (if any) in respect of Council Tax are set out in this section:

Revenue Budget Savings

Saving Q11 - Meliot Centre

- 4.3 A proposal for the Meliot Centre Service to cease operation as an assessment centre and re-align as a contact and intervention centre (with a lesser function of providing interventions and parenting assessments) was presented to Mayor and Cabinet on the 28 September 2016.
- 4.4 The Mayor requested that this proposal return to Mayor and Cabinet for decision after the required consultation and progress update report to CYP

Select Committee. Updates were presented to the Select Committee on 10 November 2016 and 12 January 2017.

- 4.5 The detailed savings report is attached at Appendix E, along with the guidance on making fair financial decisions at Appendix F.

Final Settlement Funding Assessment

- 4.6 The Department for Communities and Local Government is yet to announce the final Local Government settlement figures in parliament.
- 4.7 The Local Government Association notified Councils that the parliamentary debate on the Final 2017/18 Local Government Finance Settlement will take place shortly after Parliament returns from recess on Monday 20 February. It is not yet known when the final settlement will be published by the Department for Communities and Local Government.
- 4.8 For the purposes of this report, the Council's Settlement Funding Assessment for 2017/18 remains the same as the figures published in the main Budget Report of the 8 February.

Update on other grants and future year's strategy

- 4.9 No further announcements have been made by the Secretary of State since the 16 December Local Government Finance Settlement announcement. Details and implication of any further announcements made with the final settlement will be communicated to Council at the earliest time possible.

Overall Budget Position for 2017/18

- 4.10 This remains unchanged from the main Budget Report of 8 February. For 2017/18, the overall budget position for the Council is a General Fund Budget Requirement of £232.746m. The overall position is set out in Table 1 below.

Table 1: Overall Budget Position for 2017/18

Detail	Expenditure/ (Income) £m	Expenditure/ (Income) £m
Settlement Funding Assessment (SFA) for 2017/18	(135.019)	
Council Tax 2017/18 at 4.99% increase	(93.874)	
Surplus on Collection Fund	(3.853)	
Assumed Budget Requirement for 2017/18		(232.746)
Total Resources available for 2017/18		
Base Budget for 2016/17	236.218	
Plus: Reversal of reserves drawn in 16/17 (once off)	10.943	
Plus: Additional Pay inflation	0.978	
Plus: Non-pay Inflation	2.500	
Plus: Education Support Grant changes for 17/18	2.870	
Plus: Budget pressures to be funded from 17/18 fund	5.120	
Plus: Risks and other potential budget pressures	2.130	
Less: 16/17 pressures funding no longer required	(0.750)	
Less: Previously agreed savings for 2017/18	(16.237)	

Less: September approved savings for 2017/18	(5.999)	
Less: Use of New Homes Bonus reserve	(5.000)	
Less: Once off use of Corporate reserves	(0.027)	
Total		232.746

Levies

- 4.11 There are three bodies which charge a levy against Lewisham's Council Tax: the London Pensions Fund Authority (LPFA); the Environment Agency; and the Lee Valley Park Authority. Formal notification from the Environment Agency has been received, and officers have estimated the levy for the LPFA and the Lee Valley Park Authority and assumed no change. The detail for these levies is provided in Appendix C. The Council's 'relevant basic' amount of Council Tax has been calculated and results in a 4.99% increase for 2017/18.

The Greater London Authority Precept

- 4.12 On the 25 January, the Mayor of London's draft budget was approved by the Assembly. The proposed 2017/18 GLA precept for Band D is £280.02. This represents an increase of £4.02 from its 2016/17 level. The final announcement is due after the 20 February (the date the London Assembly will consider the Mayor's final budget), and officers have assumed no change to the precept already announced.
- 4.13 Accordingly, the Mayor is asked to agree to recommend to Council on 22 February 2017, the motion, attached at Appendix B.

Final Level of Council Tax

- 4.14 Table 2 shows Lewisham's overall proposed Council Tax Calculation for 2017/18 and calculation of the Council Tax for Band D for 2017/18, based on the recommended budget requirement of £232.746m.

Table 2: Calculation of Council Tax Requirement and Band D based on spend of £232.746m for 2017/18.

	£
Assumed Budget Requirement for 2017/18	236,745,990
Less: Revenue Support Grant (Provisional)	46,158,845
Less: Baseline Funding Level (Provisional)	88,860,595
Less: Surplus in collection fund	3,853,000
Council Tax requirement	93,873,550
Divide by: Council Tax Base	81,087.65
Council Tax for Lewisham Services (Band D)	1,157.68
Add: Precept demand from GLA (estimated)	280.02
Total Council Tax (Band D)	1,437.70

- 4.15 The final calculation of Council Tax for different Council Tax bands is shown in Table 3, based on the Band D calculated in Table 2.

Table 3: Council Tax for different Council Tax Bands in 2017/18

Council Tax Band	Fraction	Lewisham Council Tax	GLA Precept	Total Council Tax
		£	£	£
A	6/9	771.79	186.68	958.47
B	7/9	900.42	217.79	1,118.21
C	8/9	1,029.05	248.91	1,277.96
D	9/9	1,157.68	280.02	1,437.70
E	11/9	1,414.94	342.25	1,757.19
F	13/9	1,672.20	404.47	2,076.68
G	15/9	1,929.47	466.70	2,396.17
H	18/9	2,315.36	560.04	2,875.40

Conclusion

- 4.16 This report sets out the updated information for the Mayor to make recommendations to Council to set the 2017/18 budget. This includes finalising the statutory requirements to allow Council to make final decisions (subject to confirmation of and no changes to the Final Local Government Finance Settlement) on 22 February 2017.

5. FINANCIAL IMPLICATIONS

- 5.1 This entire report is concerned with the Council's budget.

6. LEGAL IMPLICATIONS

- 6.1 Many legal implications are referred to in the body of the main report. Particular attention is drawn to the following:

Capital Programme

- 6.2 Generally, only expenditure relating to tangible assets (e.g. roads, buildings or other structures, plant, machinery, apparatus and vehicles) can be regarded as capital expenditure. (Section 16 Local Government Act 2003 and regulations made under it).
- 6.3 The Local Government Act 2003 introduced a prudential system of financial control, replacing a system of credit approvals with a system whereby local authorities are free to borrow or invest so long as their capital spending plans are affordable, prudent, and sustainable. Authorities are required to determine and keep under review how much they can afford to borrow having regard to CIPFA's Prudential Code of Capital Finance in Local Authorities. The Code requires that in making borrowing and investment decisions, the Council is to take account of affordability, prudence, and sustainability, value for money, stewardship of assets, service objectives, and practicality.
- 6.4 Section 11 Local Government Act 2003 allows for regulations to be made requiring an amount equal to the whole or any part of a capital receipt to be paid to the Secretary of State. Since April 2013 there has been no requirement to set aside capital receipts on housing land (SI2013/476). For right to buy

receipts, the Council can retain 25% of the net receipt (after taking off transaction costs) and is then entitled to enter an agreement with the Secretary of State to fund replacement homes with the balance. Conditions on the use of the balance of the receipts are that spending has to happen within three years and that 70% of the funding needs to come from Council revenue or borrowing. If the funding is not used within three years, it has to be paid to the Department for Communities for Local Government, with interest.

Housing Revenue Account

- 6.5 Section 24 of the Housing Act 1985 provides that a local authority may make such reasonable charges as they determine for the tenancy or occupation of their houses. The Council must review rents from time to time and make such charges as circumstances require.
- 6.6 Under the Local Government and Housing Act 1989, the Council is obliged to maintain a separate HRA (Section 74) and by Section 76 must prevent a debit balance on that account. Rents must therefore be set to avoid such a debit.
- 6.7 By Schedule 4 of the same Act where benefits or amenities arising out of a housing authority functions are provided for persons housed by the authority but are shared by the community, the Authority must make such contribution to the HRA from their other revenues to properly reflect the community's share of the benefits/amenities.
- 6.8 The process for varying the terms of a secure tenancy is set out in Sections 102 and 103 of the Housing Act 1985. It requires the Council to serve notice of variation at least four weeks before the effective date; the provision of sufficient information to explain the variation; and an opportunity for the tenant to serve a Notice to Quit ending their tenancy.
- 6.9 Where the outcome of the rent setting process involves significant changes to housing management practice or policy, further consultation may be required with the tenants' affected in accordance with section 105 of the Housing Act 1985.
- 6.10 Part 7 of the Localism Act 2011 abolished HRA subsidy and moved to a system of self financing in which Councils are allowed to keep the rents received locally to support their housing stock. Section 174 of the same Act provides for agreements between the Secretary of State and Councils to allow Councils not to have to pay a proportion of their capital receipts to the Secretary of State if he/she approves the purpose to which it would be put.

Balanced Budget

- 6.11 Members have a duty to ensure that the Council acts lawfully. It must set and maintain a balanced budget each year. The Council must take steps to deal with any projected overspends and identify savings or other measures to bring the budget under control. If the Capital Programme is overspending, this may be brought back into line through savings, slippage, or contributions from revenue. The proposals in this report are designed to produce a balanced budget in 2017/18.

- 6.12 In this context, Members are reminded of their fiduciary duty to the Council Tax payer, effectively to act as trustee of the Council's resources and to ensure proper custodianship of Council funds.

An annual budget

- 6.13 By law, the setting of the Council's budget is an annual process. However, to enable meaningful planning, a number of savings proposals for 2017/18 were anticipated in the course of the budget process. They were the subject of full report at that time and they are now listed in Appendix Y1 and Appendix Y2. Members are asked now to approve and endorse those reductions for this year. This report is predicated on taking all of the agreed and proposed savings. If not, any shortfall will have to be met through adjustments to the annual budget in this report.
- 6.14 The body of the report refers to the various consultation exercises (for example with tenants' and business) which the Council has carried out/is carrying out in accordance with statutory requirements relating to this budget process. The Mayor must consider the outcome of that consultation with an open mind before reaching a decision about his final proposals to Council. It is noted that the outcome of consultation with business rate payers will only be available from the 6 February 2017 and any decisions about the Mayor's proposals on the budget are subject to consideration of that consultation response.

Referendum

- 6.15 Sections 72 of the Localism Act 2011 and Schedules 5 to 7 amended the provisions governing the calculation of Council Tax. They provide that if a Council seeks to impose a Council Tax increase in excess of limits fixed by the Secretary of State, then a Council Tax referendum must be held, the results of which are binding. The Council may not implement an increase which exceeds the Secretary of State's limits without holding the referendum. Were the Council to seek to exceed the threshold, substitute calculations which do not exceed the threshold would also have to be drawn up. These would apply in the event that the result of the referendum is not to approve the "excessive" rise in Council Tax. Attention is drawn to the statement of the Secretary of State that the Council may impose a precept of 3% on the Council Tax, ring-fenced for social care provision, and may impose an additional increase of less than 2% without the need for a referendum. The maximum proposed Council Tax increase is 4.99% and therefore below the combined limit.
- 6.16 In relation to each year the Council, as billing authority, must calculate the Council Tax requirement and basic amount of tax as set out in Section 31A and 31B of the Local Government Finance Act 1992. These statutory calculations appear Appendix Y5.

Robustness of estimates and adequacy of reserves

- 6.17 Section 25 of the Local Government Act 2003 requires, when the authority is making its calculations under s32 of the Local Government Finance Act 1992, the Chief Finance Officer to report to it on:-
- (a) the robustness of the estimates made for the purposes of the Calculations; and
 - (b) the adequacy of the proposed financial reserves.

- 6.18 The Chief Financial Officer's section 25 statement will be appended to the Budget Report update to Mayor & Cabinet on 15 February 2017.

Treasury Strategy

- 6.19 Authorities are also required to produce and keep under review for the forthcoming year a range of indicators based on actual figures. These are set out in the report. The CIPFA Treasury Management Code of Practice says that movement may be made between the various indicators during the year by an Authority's Chief Finance Officer as long as the indicators for the total Authorised Limit and the total Operational Boundary for external debt remain unchanged. Any such changes are to be reported to the next meeting of the Council.
- 6.20 Under Section 5 of the 2003 Act, the prudential indicator for the total Authorised Limit for external debt is deemed to be increased by an amount of any unforeseen payment which becomes due to the Authority within the period to which the limit relates which would include for example additional external funding becoming available but not taken into account by the Authority when determining the Authorised Limit. Where Section 5 of the Act is relied upon to borrow above the Authorised Limit, the Code requires that this fact is reported to the next meeting of the Council.
- 6.21 Authority is delegated to the Executive Director for Resources & Regeneration to make amendments to the limits on the Council's counterparty list and to undertake Treasury Management in accordance with the CIPFA Treasury Management Code of Practice and the Council's Treasury Policy Statement.

Constitutional provisions

- 6.22 Legislation provides that it is the responsibility of the full Council to set the Council's budget. Once the budget has been set, save for those decisions which he is precluded from, it is for the Mayor to make decisions in accordance with the statutory policy framework and that are not wholly inconsistent with the budget. It is for the Mayor to have overall responsibility for preparing the draft budget for submission to the Council to consider. If the Council does not accept the Mayor's proposals it may object to them and ask him to reconsider. The Mayor must then reconsider and submit proposals (amended or unamended) back to the Council which may only overturn them by a two-thirds majority.
- 6.23 For these purposes the term "budget" means the "budget requirement (as provided for in the Local Government Finance Act 1992) all the components of the budgetary allocations to different services and projects, proposed taxation levels, contingency funds (reserves and balances) and any plan or strategy for the control of the local authority's borrowing or capital expenditure." (Chapter 2 statutory guidance).
- 6.24 Authorities are advised by the statutory guidance to adopt an inclusive approach to preparing the draft budget, to ensure that councillors in general have the opportunity to be involved in the process. However it is clear that it is for the Mayor to take the lead in that process and proposals to be considered should come from him. The preparation of the proposals in this report has

involved the Council's select committees and the Public Accounts Select Committee in particular, thereby complying with the statutory guidance.

Statutory duties and powers

- 6.25 The Council has a number of statutory duties which it must fulfil by law. It cannot lawfully decide not to carry out those duties. However, even where there is a statutory duty, the Council often has discretion about the level of service provision. Where a service is provided by virtue of a Council power rather than a duty, the Council is not bound to carry out those activities, though decisions about them must be taken in accordance with the decision making requirements of administrative law. In so far as this report deals with reductions in service provision in relation to a specific service, this has been dealt with in the separate savings report that accompanies this budget report.

Reasonableness and proper process

- 6.26 Decisions must be made reasonably taking into account all relevant considerations and ignoring irrelevancies. Members will see that in relation to the proposed savings there is a summary at Appendix Y2. If the Mayor decides that the budget for that service must be reduced, the Council's reorganisation procedure applies. Staff consultation in accordance with that procedure will be conducted and in accordance with normal Council practice, the final decision would be made by the relevant Executive Director under delegated authority.

Staff consultation

- 6.27 Where proposals, if accepted, would result in 100 redundancies or more within a 90 day period, an employer is required by Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 as amended, to consult with the representatives of those who may be affected by the proposals. The consultation period is at least 45 days. Where the number is 20 or more, but 99 or less the consultation period is 30 days. This requirement is in addition to the consultation with individuals affected by redundancy and/or reorganisation under the Council's own procedure.

Best Value

- 6.28 Under section 3 of the Local Government Act 1999, the Council is under a best value duty to secure continuous improvement in the way its functions are exercised, having regard to a combination of economy, efficiency, and effectiveness. It must have regard to this duty in making decisions in relation to this report.

Integration with health

- 6.29 Members are reminded that provisions under the Health and Social Care Act 2012 require local authorities in the exercise of their functions to have regard to the need to integrate their services with health.
- 6.30 The legal implications in relation to the Meliot Road saving proposal are set out in Appendix E of this report.

7. HUMAN RESOURCES IMPLICATIONS

7.1 There are no specific human resources implications directly arising from this report. Any human resources implications have been set out in the main budget report.

8. CRIME & DISORDER IMPLICATIONS

8.1 There are no specific crime and disorder implications directly arising from this report. Any crime and disorder implications have been set out in the main budget report.

9. EQUALITIES IMPLICATIONS

9.1 The Equality Act 2010 (the Act) introduced the public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

9.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

9.3 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the key ways in which the Council can demonstrate that they have had ‘due regard’.

9.4 The Equality and Human Rights Commission issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with services and public functions. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:
<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

9.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

- 9.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties, and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:
<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>
- 9.7 The EHRC has also issued Guidance entitled “Making Fair Financial Decisions”. It appears at Appendix Y6 and attention is drawn to its contents.
- 9.8 Assessing impact on equality is not an end to itself and it should be tailored to, and be proportionate to, the decision being made. Whether it is proportionate for the Council to conduct an Equalities Analysis Assessment of the impact on equality of a financial decision or not depends on its relevance to the Authority’s particular function and its likely impact on people from protected groups, including staff.
- 9.9 Where savings proposals are anticipated to have an impact on staffing levels, it will be subject to consultation as stipulated within the Council’s Employment/Change Management policies, and services will be required to undertake an Equalities Analysis Assessment (EAA) as part of their restructuring process.
- 9.10 It is also important to note that the Council is subject to the Human Rights Act, and should therefore, also consider the potential impact their particular decisions could have on human rights. Where particular savings have such implications, they are dealt with in relation to those particular reports.
- 9.11 The Council is proposing to increase Council Tax by 1.99% within the referendum limit and a further 3% as a social care precept. In proposing to increase Council Tax in 2017/18, the Council must have regard to the equalities implications of so doing, both in terms of raising and then spending this additional money. This has been done as described below. Overall there will be a positive equalities impact for the elderly and disabled in Lewisham as a consequence of these proposals.
- 9.12 In respect of raising additional Council Tax there are no new equality impacts for any of the identified characteristics because Council Tax is raised from all households in line with existing national arrangements. There are also no new equality impacts for any of the identified characteristics from the 1.99% increase as the £1.78m raised will be spent on the Council's general services for the benefit of the population as a whole.
- 9.13 There are positive equality impacts for some of the identified characteristics from the 3% social care increase as this £2.68m will be ring fenced for

spending on those in receipt of adult social care. In particular, by definition the characteristics of age and disability.

9.14 To put this in context; Lewisham's population was identified as being 276,000 (census 2011) of whom 9.5% were 65 years or older and 14.5% were living with a long term condition (a proxy for disability).

9.15 In terms of adult social care in 2015/16 (the latest annual figures available) the Council;

- supported the following;
 - 2,260 Carers needs were considered or reviewed
 - 4,280 Peoples needs were assessed or reviewed
 - 883 People were in receipt of Direct Payments of these
 - 390 Carers received a Direct Payment.
 - 3192 People were in receipt of a Personal Budget
 - 828 People were supported during the year in in permanent residential and nursing placements
 - 276 People were admitted to nursing care.
- spent £80m on adult social care services, directed as follows:
 - Mental Health - 10%
 - Physical Disability - 34%
 - Learning Disability - 40%
 - Other Services - 16%

10. ENVIRONMENTAL IMPLICATIONS

10.1 There are no specific environmental implications directly arising from this report. Any environmental implications have been set out in the main budget report.

11. BACKGROUND DOCUMENTS AND ORIGINATOR

Short Title of Document	Date	Location	Contact	Exempt
2017/18 Budget Report	Mayor & Cabinet 8 February 2017	5 th Floor Laurence House	David Austin	No
2017/18 Revenue Budget Savings Report	Mayor & Cabinet 28 September 2016	5 th Floor Laurence House	David Austin	No

For further information on this report please contact:

Janet Senior, Executive Director for Resources & Regeneration on 020 8314 8013

David Austin, Head of Corporate Resources on 020 8314 9114

APPENDIX A

Statutory Calculations

- 1) It be noted that at its meeting on 15 January 2017, the Council calculated the number of **81,087.65** as its Council Tax base for 2017/18 in accordance with the Local Authorities (Calculation of Taxbase) Regulations;
- 2) The following amounts be now calculated by the Council for the year 2017/18 in accordance with the Local Government Finance Act 1992:
 - a. **£976,670,456** being the aggregate of the amounts which the Council estimates for gross expenditure, calculated in accordance with Section 32(2)A of the Act;
 - b. **£743,924,466** being the aggregate of the amounts which the Council estimates for income, calculated in accordance with Section 32(3)A of the Act;
 - c. **£232,745,990** being the amount by which the aggregate of 2(a) above exceeds the aggregate of 2(b) above, calculated by the Council, in accordance with Section 32A(4) of the Act, as its General Fund budget requirement for the year;
 - d. **£135,019,440** being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of the Settlement Funding Assessment.
 - e. **£97,726,550** being the residual amount required to be collected from Council Tax payers. This includes the surplus on the Council's Collection Fund of **£3,853,000**.
 - f. **£1,157.68** being the residual sum at (e) above (less the surplus on the Collection Fund), divided by the Council Tax base of **81,087.65** which is Lewisham's precept on the Collection Fund for 2017/18 at the level of Band D;

Band	Council Tax (LBL)
	£
A	771.79
B	900.42
C	1,029.05
D	1,157.68
E	1,414.94
F	1,672.20
G	1,929.47
H	2,315.36

Being the amounts given by multiplying the amount at (f) above by the number which, in proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

- 3) It be noted that for the year 2017/18, the Greater London Authority is currently consulting on the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992 (as amended), for each of the categories of dwellings shown below:-

Band	GLA Precept
	£
A	186.68
B	217.79
C	248.91
D	280.02
E	342.25
F	404.47
G	466.70
H	560.04

- 4) Having calculated the estimated aggregate amount in each case of the amounts at 2) (f) and 3) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, assumed the following amounts as the amounts of Council Tax for the year 2017/18 for each of the categories of dwellings shown below:-

Band	Total Council Tax (LBL & GLA)
	£
A	958.47
B	1,118.21
C	1,277.96
D	1,437.70
E	1,757.19
F	2,076.68
G	2,396.17
H	2,875.40

APPENDIX B

MOTION FOR THE MAYOR TO RECOMMEND TO COUNCIL

Having considered:

- (i) an officer report, the comments of the Public Accounts Select Committee of 25 January 2017, and a presentation from the Cabinet Member for Resources;
- (ii) the views of those consulted on the budget as required and subject to proper process and consultation;

The Mayor, from the options available, is asked to:

Capital Programme

- 3.1 note and ask Council to note the 2016/17 Quarter 3 Capital Programme monitoring position and the Capital Programme potential future schemes and resources as set out in section 5 of this report;
- 3.2 recommend that Council approves the 2017/18 to 2020/21 Capital Programme of £336.6m, as set out in section 5 of this report and attached at Appendices W1 and W2;
- 3.3 recommend that Council agrees to write-off debt totalling £282,759.34 related to Building Control works at the former Hatcham Temple Grove School. Further detail is provided in Appendix W3;

Housing Revenue Account

- 3.4 note and ask Council to note the consultation report on service charges to tenants' and leaseholders in the Brockley area, presented to area panel members on 13 December 2016, as attached at Appendix X2;
- 3.5 note and ask Council to note the consultation report on service charges to tenants' and leaseholders and the Lewisham Homes budget strategy presented to area panel members on 15 December 2016, as attached at Appendix X3;
- 3.6 recommend that Council set a decrease in dwelling rents of 1.0% (an average of £0.97 per week) – as per the requirements from government as presented in section 6 of this report;
- 3.7 recommend that Council set a decrease in the hostels accommodation charge by 1.0% (or £0.35 per week), in accordance with Government requirements;
- 3.8 approve the following average weekly increases/decreases for dwellings for:

3.8.1 service charges to non-Lewisham Homes managed dwellings (Brockley);

- caretaking 3.00% (£0.13)
- grounds 3.00% (£0.06)
- communal lighting 3.00% (£0.02)
- bulk waste collection 3.00% (£0.04)
- window cleaning 3.00% (£0.01)
- tenants' levy no change

3.8.2 service charges to Lewisham Homes managed dwellings:

- caretaking 1.99% (£0.12)
- grounds 0.69% (£0.01)
- window cleaning no change
- communal lighting 3.33% (£0.04)
- block pest control 1.88% (£0.03)
- waste collection -4.17% (-£0.02)
- heating & hot water no change
- tenants' levy no change
- bulk waste disposal -5.00% (-£0.04)
- sheltered housing 1.00% (£0.24)

3.9 approve the following average weekly percentage changes for hostels and shared temporary units for;

- service charges (hostels) – caretaking etc.; 2.00% (£1.42)
- energy cost increases for heat, light & power; 8.93% (£0.49)
- water charges increase; 5.56% (£0.01)

3.10 approve an increase in garage rents by Retail Price Inflation (RPI) of 2.00% (£0.23 per week) for Brockley residents and 2.00% (£0.23 per week) for Lewisham Homes residents;

3.11 note and ask Council to note that the budgeted expenditure for the Housing Revenue Account (HRA) for 2017/18 is £159.8m which includes the capital and new build programmes;

3.12 agree and ask Council to endorse the HRA budget strategy savings proposals in order to achieve a balanced budget in 2017/18, as attached at Appendix X1;

Dedicated Schools Grant and Pupil Premium

- 3.13 agree and ask Council to agree, subject to final confirmation of the allocation, that the provisional Dedicated Schools Grant allocation of £290.7m be the Schools' Budget for 2017/18 and notes and asks Council to
- note the proposed fair funding formula consultation on both the schools block and high needs block
 - note the position on the early years block
 - note the position on the schools block
 - agree that a PFI factor should be introduced to the schools funding formula for Lewisham.
 - note the latest financial position in schools
 - note the likely future cost pressures on schools
 - note the estimated pupil premium of £16.0m
 - note the position on the Education Services Grant

General Fund Revenue Budget

- 3.14 note and ask Council to note the projected overall variance against the agreed 2016/17 revenue budget of £11.6m as set out in section 8 of this report and that any year-end overspend will have to be met from reserves;
- 3.15 agree and ask Council to agree officers' recommendation to opt in to the Public Sector Audit Appointments (PSAA) process to appoint an auditor for the 2018/19 financial year.
- 3.16 endorse and ask Council to endorse the previously approved revenue budget savings of £16.2m for 2017/18 and budget savings proposals of £6m as per the Mayor and Cabinet meeting of the 28 September 2016, as set out in section 8 of the report and summarised in Appendix Y1 and Y2;
- 3.17 agree and ask Council to agree the transfer of £5.0m in 2017/18 from the New Homes Bonus reserve to the General Fund for one year to meet funding shortfalls and that the position be reviewed again for 2018/19;
- 3.18 agree and ask Council to agree the use of £0.027m reserves to meet the budget gap in 2017/18;
- 3.19 agree and ask Council to agree the remaining £2.75m of unallocated corporate risk and pressures monies in 2016/17 be transferred to Adult Social Care budgets from 2017/18;

- 3.20 agree and ask Council to agree to a saving of £1.0m per year for three years from 2017/18 (£3m in total) from the reduction of the corporate risks and pressures budget to £6.5m;
- 3.21 note and ask council to note that £0.75m of the 2016/17 risk and pressures monies allocated to Directorate budgets is no longer required and is to be recovered corporately and re-allocated in 2017/18, in addition to the £6.5m above;
- 3.22 agree and ask Council to agree the allocation of £5.12m in 2017/18 to fund quantified budget pressures from the £7.25m (£6.5m plus £0.75m) set aside for corporate risks and pressures;
- 3.23 agree and ask Council to agree to create a fund in respect of the identified but as yet un-quantified revenue budget risks in the sum of £2.13m in 2017/18 (the balance of budget for corporate risks and pressures), allowing the Executive Director for Resources & Regeneration to hold these resources corporately in case these pressures emerge during the year, and authorises the Executive Director for Resources and Regeneration to allocate these funds to meet such pressures when satisfied that those pressures cannot be contained within the Directorates' cash limit;
- 3.24 agree to recommend to Council that a General Fund Budget Requirement of £232.746m for 2017/18 be approved, based on a 4.99% increase in Lewisham's Council Tax element. This will result in a Band D equivalent Council Tax level of £1,157.68 for Lewisham's services and £1,437.70 overall. This represents an overall increase in Council Tax for 2017/18 of 4.28% and is subject to the GLA precept for 2017/18 being increased by £4.02 (i.e. 1.5%) from £276.00 to £280.02, in line with the GLA's draft proposal;
- 3.25 note and ask Council to note the Council Tax Ready Reckoner which for illustrative purposes sets out the Band D equivalent Council Tax at various levels of increase. This is explained in section 8 of the report and is set out in more detail in Appendix Y3;
- 3.26 ask that the Executive Director for Resources & Regeneration issues cash limits to all Directorates once the 2017/18 Revenue Budget is agreed;
- 3.27 note that the Chief Financial Officer's Section 25 Statement will be presented in the Budget Update Report on the 15 February 2017 for approval;
- 3.28 agree and ask Council to agree the draft statutory calculations for 2017/18 as set out at Appendix Y5;
- 3.29 note and ask Council to note the prospects for the revenue budget for 2018/19 and future years as set out in section 9;

- 3.30 agree that officers continue to develop firm proposals and bring them forward as soon as possible as part of the Lewisham Future Programme to help meet the future forecast budget shortfalls;
- 3.31 agree and ask Council to agree the use of up to £10.6m of once off corporate resources for transformation projects as set out in the report and at Appendix Y7 (£2.2m in 2016/17 and £8.4m in 2017/18 and future years).

Other Grants (within the General Fund)

- 3.32 note and ask Council to note the adjustments to and impact of various specific grants for 2017/18 on the General Fund as set out in section 8 of this report;

Treasury Management Strategy

- 3.33 agree and recommend that Council approves the prudential indicators and treasury limits, as set out in section 10 of this report;
- 3.34 agree and recommend that Council approves the 2017/18 treasury strategy, including the authority to undertake debt restructuring and to invest for longer than one year in non-specified property investments (namely, pooled property funds and AAA Residential Mortgage Backed Securities), along with the investment strategy and the credit worthiness policy as set out at Appendix Z3;
- 3.35 agree and recommend that Council approves the revised Minimum Revenue Provision (MRP) policy which confirms the asset life approach adopted in 2016/17 and adds an option to waive the MRP charge on borrowing where sufficient collateral and security is held against the relevant borrowing, as set out in section 10 of this report.
- 3.36 agree and recommend that Council agrees to delegate to the Executive Director for Resources & Regeneration authority during 2017/18 to make amendments to borrowing and investment limits provided they are consistent with the strategy and there is no change to the Council's authorised limit for borrowing;
- 3.37 agree and recommend that Council approves the credit and counterparty risk management criteria, as set out at Appendix Z3, the proposed countries for investment at Appendix Z4, and that it formally delegates responsibility for managing transactions with those institutions which meet the criteria to the Executive Director for Resources & Regeneration; and
- 3.38 agrees and recommends that Council approves a minimum sovereign rating of AA-.

APPENDIX C

RELEVANT AMOUNTS OF COUNCIL TAX AND LEVIES

'Relevant Basic' Amount of Council Tax	2016/17	2017/18
Council Tax Base	78,528.58	81,087.65
Council Tax Requirement with Levy (£)	86,590,324	93,873,550
Basic Amount of Council Tax (£)	1,102.66	1,157.68
Increase in basic amount of Council Tax (%)	3.99%	4.99%

Levy bodies for Lewisham	2016/17 £	2017/18 £	Change £
LPFA	1,229,386	1,229,386	0
Lee Valley Regional Park	224,364	224,364	0
Environment Agency	178,500	183,987	5,487
Total Levies	1,632,250	1,632,250	5,487

APPENDIX D

APPENDIX Y4: Chief Financial Officer's Section 25 Statement

1. This statement makes reference to the 2017/18 Budget Report to Mayor & Cabinet circulated to all Members.
2. Section 25 of the Local Government Act 2003 requires the Chief Financial Officer (CFO) to report to an authority when it is making the statutory calculations required to determine its Council Tax. The Authority is required to take the report into account when making the calculations. The report must deal with the robustness of the estimates, included in the budget and the adequacy of the reserves, for which the budget provides. This Statement also reflects the requirements of CIPFA's current Local Authority Accounting Panel (LAAP) Bulletin 77 on 'Local Authority Reserves and Balances'.
3. Section 114 of the Local Government Act 1988, requires the CFO to issue a report to all the Local Authority members to be made by that officer, in consultation with the monitoring officer and head of paid service, if there is or is likely to be unlawful expenditure or an unbalanced budget.

Generally

4. The Council has already made savings from its revenue budget of £138m since May 2010. The Medium Term Financial Strategy was reported to Mayor & Cabinet in July 2016. This set out that an estimated £62m of savings is required from 2017/18 to 2019/20. Based on the local government finance settlement, including maximum Council Tax increases for each of the next three years, and using largely the same assumptions as set out in the Medium Term Financial Strategy this estimate reduces to £56m. To date saving proposals for £23m have been presented for scrutiny and agreed by Mayor & Cabinet for 2017/18, leaving a gap to 2019/20 of £33m.
5. The final Local Government Finance Settlement expected in the week commencing on the 20 February 2017 will confirm the settlement for 2017/18 as part of the four year settlement to 2019/20 for local government confirmed in the provisional settlement in December 2016. This confirmed the need for £28m of savings in 2017/18. The estimates for 2018/19 to 2020/21 may vary depending on future year settlements and the outcomes to consultations due for a number of areas impacting local government finance. Current forecasts expect the Council to need to find in the region of a further £33m of savings for the two years 2018/19 and 2019/20.
6. The Council has not yet prepared detailed forecasts beyond 2019/20 as this will be subject to, amongst other things, the results of the next Comprehensive Spending Review, the move to 100% business rates retention by local government in 2020, and possible changes to health and social care

governance and funding arrangements. From the government's financial forecasts and outlook, further reductions to local government funding are to be expected in the early 2020s.

7. The Council continues to take a prudent approach towards financial planning. During these times, the Council will need to weigh up the need to hold reserves and balances against the increased risk to delivery of the budget if services are not transformed so that they are managed within the resources available.
8. The report discusses the use of once off reserves and balances when considering the in-year financial position, transformation opportunities, and savings requirements to enable members to set a balanced budget. In particular the proposal to draw £10.6m from reserves to support invest to save projects. This commitment is additional to the use of once off resources required to meet any overspends and to balance the budget until the required savings are delivered.
9. This balance of risk and reserves is even more important for the Council looking to 2017/18 and future years as a number of fundamental changes are proposed to the way in which local government will be financed. The emphasis of these changes is focused on local authorities becoming more self-sufficient and less reliant on central government grant.

Budget Risks

10. During 2016/17 there have been a number of pressures which have crystallised due to increasing demographics and legislative changes. Namely; looked after children, demand for adult social care, transport costs, and the apprenticeship levy. Consideration is given in the report to the management and funding of these risks. It is also to be noted that going into the seventh consecutive year of sustained and significant budget reductions, the proposals to save money have necessarily become more ambitious, more risky and carry a higher level of uncertainty about the exact timing and value they will deliver.
11. In addition to the Council's General Fund, other areas of the Council's activities face resource constraints and if not managed could potentially present impact the General Fund. For example:
 - The Housing Revenue Account (HRA) which is impacted by the national right-to-buy and four years of annual 1% rent reduction for social housing policies. These policies put pressure on the HRA and its plans to bring forward more housing.
 - Changes to the Dedicated Schools Grant (DSG) through changes to the schools funding in 2017/18 and the introduction of a new national funding formula from 2018/19. These changes will result in budget reductions for Lewisham schools.

12. These HRA and DSG risks and those related to the Capital Programme are discussed in more detail in the budget report. In respect of the capital works these are managed scheme by scheme. Officers review required funding (be it from capital receipts, grant support, or borrowing) quarterly. The most recent review was in January 2017 and updated projections are reported regularly to Mayor & Cabinet.
13. In setting this budget, the Council will maintain a level of corporate balances and reserves which should be adequate to deal with any risk associated with the delivery of this budget. That said there are still considerable risks associated with delivering the scale of savings required. The Chief Financial Officer recommends that the un-earmarked reserves are held at the current level of £13.0m. Should the need arise to call upon these reserves during the year, consideration should be given to replenish them as soon as possible.
14. In addition, the Council held Specific Earmarked Reserves which totalled £80m at the end of March 2016. These funds are earmarked for various future planned spending and to undertake one-off projects or work that does not happen every year. Examples include, the transitional fund, redundancy provisions, elections, replacement of obsolete equipment and contractual claims that may become due (e.g. dilapidations that may become payable on properties we lease from the private sector to provide housing).
15. The 2017/18 budget pressures have been outlined in the main budget report. These include a range of pressures, some of which cannot be quantified at this stage, and include: demographic pressures for children and adult services; unachieved savings and further potential changes to funding as a result of government legislation and reform. These funds will either be transferred to the Directorate budgets where quantifiable and not thought to be directly controllable at the start of the year or held corporately until such time as the pressure emerges during the year.

Budget assumptions

Inflation

16. For financial planning purposes, the Council continues to anticipate the environment of public sector pay restraint to continue and assume an average pay inflation of 1% per annum, which equates to approximately £1.0m. Negotiations have confirmed a pay offer of 1.0% from the 1 April 2017.
17. The Council applies a notional non-pay inflation level of 2.5% per annum which equates to approximately £2.5m on net non-pay expenditure.
18. Moving forward, officers will need to closely monitor inflationary pressure on contracts, which in many cases, continue to outstrip the current level of Consumer Prices Index (CPI) inflation. In particular, this applies to those areas which are viewed as being particularly sensitive to contract price

changes, for example; Adult Social Care or long term fixed rate contracts such as the range of PFI contracts which the Council is currently engaged with.

Savings

Identifying savings

19. The Council, through the Lewisham Future Programme, continues to look at reshaping the Council over the medium term. This Programme recognises that in the seventh consecutive year of spending reductions even greater innovation, focus on the customer, and cross-cutting thinking is required to deliver savings. This whilst attempting to minimise the impacts on residents and customers for Lewisham Council services.
20. The Programme comprises a mixture of thematic and cross-cutting reviews. Some examples of these include: smarter assessment arrangements and deeper integration of social & health care, including public health; approach to safeguarding and early intervention services; opportunities for asset rationalisation; a strategic review of income generation and the drive to make further reductions in management and corporate overheads.
21. Since 2014/15 the annual budgets were supported by the use of reserves. The 2017/18 budget makes use of once off resources from New Homes Bonus of £5.00m and £0.03m of earmarked reserves. Going forward, ongoing measures will need to be put in place to ensure the sustainability of the budget.

Implementing savings

22. There is a risk that one or more budget savings, in full or in part, may not be delivered on time in the year. The Council operates financial management on the principle of devolved responsibility for budgets to managers in Directorates. This is managed through the monthly budget monitoring process with quarterly updates provided in the budget monitoring reports for members. The extent to which any anticipated savings are not delivered adds to future pressures, as noted with the £11.6m forecast Directorate overspend for 2016/17.

Budget control

23. Going forward into 2017/18 the Council will continue to maintain its strong systems for monitoring expenditure and controlling expenditure through Directorate cash limits.
24. During 2016/17 instructions to budget managers were re-affirmed to ensure tight spending on budgets and focus on ensuring the Council's budget position remains within budget at the year-end. However, throughout the year the Council has forecast a persistent overspending position. The forecast outturn position for the year at November 2016 was an overspend of £11.6m. This will likely reduce with the application of the unallocated element of the

risk and pressures monies in the 2016/17 budget. Any overspend at the end of the financial year will have to be met from once off resources.

25. For 2017/18, the budget holders within Directorates are again being requested to endorse their cash limits before the start of the financial year and provide confirmation of an ability to deliver their services within the agreed allocated resources. At this stage it is expected that the Departmental Expenditure Panels and the Corporate Expenditure Panel will continue into 2017/18 and this will be kept under review.
26. Given the forecast outturn position in 2016/17, the level of savings required for 2017/18 and the anticipated significant level of savings/cuts required in the years beyond; it remains critically important to monitor the progress being made in implementing these savings throughout the year.

Conclusion

27. The Council has an established and mature approach for producing and maintaining its annual budget. Its financial plans and strategies have contributed to the achievement of the Council's corporate objectives to date. However, continuing public sector austerity in the face of demographic growth and rising demand for services increases the uncertainty on managing future financial pressures within the available resources.
28. The Council has drawn on once-off resources for three years and will do so again in 2017/18. This approach has been used to allow the Council to identify and implement cost reduction and transformational changes in a measured way. However, it does need to be recognised that this is not sustainable over the long term as continued use of reserves, if unplanned, could reduce the resilience of the Council to respond flexibly to unforeseen expenditure or continued resource reduction.
29. 2016/17 was the seventh consecutive year the Council has made sustained budget reductions and with the local finance settlement for 2017/18 we know this will continue for at least a further three years. The measures taken to date have, in the main, been successful. However, the identification and implementation of savings is becoming more challenging and taking longer to achieve. This pressure is expected to continue and tight control will need to be exercised over the budget for 2017/18 given the level of risk the Council faces. As well as managing within budget, attention also needs to continue to be focussed on identifying the savings necessary to achieve a balanced budget in future years.
30. The use of once off resources on a continuous basis to balance the annual budget is not sustainable and could quickly lead to the depletion of reserves. Should the Council find itself in a position where it does not have the resources to meet expenditure this would lead to the consideration of a Section 114 notice. Whilst the Council does currently have adequate

reserves and an established financial management regime, the budget preparation for both the short and medium term must remain a priority.

Janet Senior – Executive Director for Resources & Regeneration
Chief Financial Officer – Section 151

February 2017

APPENDIX E

MAYOR & CABINET		
Report Title	Realignment of Meliot Road Family Assessment Provision	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Director of Children's Social Care	
Class	Open	Date: 15 February 2017

1. Summary and Summary of the Report

- 1.1 Following the budget report to Mayor & Cabinet Meeting on 28th September 2016 and progress update to CYP Select Committee on 10 November 2106 and 12th January 2017 this report sets out proposals for the Meliot Centre Service to cease operation as an assessment centre and re-align as a contact and intervention centre (with a lesser function of providing interventions and parenting assessments).
- 1.2 This report reviews the Meliot Centre Service detailing its work and demand for assessments and interventions, discusses the proposed service change including need for and patterns of contact, examines capacity within the service to deliver the proposed changes and provides an analysis of financial spend and associated savings.

2. Recommendations

- 2.1 The Mayor & Cabinet are asked to endorse the Meliot Road Family Assessment provision realignment and agree the associated budget savings.

3 Policy Context

- 3.1 The proposals within this report are consistent with 'Shaping Our Future: Lewisham's Sustainable Community Strategy' and the Council's corporate priorities. In particular, they relate to the Council's priorities regarding young people's achievement and involvement, including inspiring and supporting young people to achieve their potential, the protection of children and young people and ensuring efficiency, effectiveness and equity in the delivery of excellent services to meet the needs of the community.
- 3.2 It supports the delivery of Lewisham's Children & Young People's Plan (CYPP), which sets out the Council's vision for improving outcomes for all children and young people, and in so doing ensuring children stay safe by

- a) identifying and protecting children and young people at risk of harm and ensuring they feel safe, especially from:
 - Domestic violence and abuse
 - Child sexual exploitation
 - Serious youth violence
 - Child abuse and neglect
 - Deliberate and accidental injury
- b) Reducing anti-social behaviour and youth offending.
- c) Ensuring that our Looked After Children are safe

3.3 The National Family Justice Review 2011 recommended that criteria for using expert evidence in family proceedings should be strengthened to avoid the lengthy delays which commissioning unnecessary or superfluous reports can create. Provisions in the Children and Families Act 2014 and changes to the Family Procedure Rules 2010 mean that expert evidence can now only be ordered where the judge deems it to be necessary to resolve the case justifiably and where the information sought cannot be obtained from one of the parties. This has significantly reduced the requirement for expert witnesses and Independent Social Worker use by the Court.

4 Details

Rationale

- 4.1 The rationale for the proposed re-alignment of the Meliot Centre is to meet the corporate objective to deliver efficient, effective and equitable services whilst achieving value for money and addressing the Council's savings requirements given the impact of the Government's austerity measures.
- 4.2 It aims to maximise the skills, development and learning for front line practitioners by delivering a service in line with arrangements with most other local authorities. At the same time this proposal allows for the development of a new 'centre for excellence' model for our in-house contact service, which will include new ways of working with foster carers and families providing quality assured, flexible and appropriate provision to our most vulnerable children. It will ensure that services provided are value for money and delivered within the most effective and efficient arrangements.

Current Meliot Service Provision

- 4.3 The Meliot Centre sits within the Family Social Work (FSW) service. Members of the staff team are either social work qualified or hold relevant child care qualifications.
- 4.4 The Centre works with families with children from 0–16 years who either reside with their families or are Looked After.

- 4.5 The Centre has independent oversight of cases and produces assessments of children’s needs and parenting capacity. It is seen as an independent ‘expert’ in court proceedings.
- 4.6 The work of the team includes child protection assessments, court directed parenting assessments, transition and rehabilitation work, assertive outreach support and group work.

Demand for Assessments and Interventions

- 4.7 Practice statistics demonstrate that 116 assessments were started in the period between December 2015 and November 2016 inclusive (Table 1).

Table 1

Month	Court assess	PLO assess	CP assess	Total assess
Dec 2015	8	4	7	19
Jan 2016	7	3	5	15
Feb 2016	7	5	3	15
Mar 2016	3	4	2 (1CIN)	9
Apr 2016	3	0	4	7
May 2016	2	1	3	6
Jun 2016	1	2	1	4
Jul 2016	4	0	2	6
Aug 2016	8	0	1	9
Sep 2016	4	0	0	4
Oct 2016	7	0	0	7
Nov 2016	14	0	1	15
Total	68	19	29	116

- 4.8 Two Focussed Attachment to Babies (FAB) groups have been delivered this year with 9 parents in attendance.
- 9 parents were involved in the parenting assessment process at Meliot.
 - 8 followed positive assessments, with children returning or remaining at home.
- 4.9 Four Caring and Safe Practical Parenting (CASPP) groups were delivered following 30 referrals received. All parents were known to the Meliot Centre and were either undertaking assessment or having their children rehabilitated to their care.

The Venue

- 4.10 The Meliot building is a one story, detached structure situated within a housing estate in New Cross. The centre is served well by public transport. The staff team moved to the premises in April 2015. The building operates

Monday to Friday 8am – 6pm with staff working a shift system to maintain these hours. The building is open occasionally at weekends for contact by prior arrangements. The health and safety and security of the building is maintained by the manager at Meliot.

- 4.11 The building comprises of 3 family rooms, an art room and 2 small meeting rooms. There is a room with a one way mirror and taping facilities. There is a room for staff training, meetings, parent groups and workshops. An upstairs office accommodates the majority of the staff team, whilst the small downstairs office supports and monitors reception and greets service users and contract workers.
- 4.12 The Centre was chosen for its layout and would be conducive for contact purposes.

Proposed Service Change

- 4.13 It is proposed that Meliot Centre ceases operation as primarily an expert parenting assessment centre and becomes the 'Meliot Contact and Assessment Centre,' re-aligning as principally a contact and intervention centre retaining a lesser function of providing parenting assessments.

Current Supervised Contact Provision

- 4.14 Lewisham has no in-house supervised contact provision and consequently supervised contact is arranged via spot purchase. Proposed changes will therefore have the benefit of both saving money on supervised contact and allowing contact to be provided in a consistent premises within a Council service that allows flexibility of response to need as well as enabling stronger quality assurance than exists under the current spot purchase arrangement.
- 4.15 Lewisham spot purchases three main providers for supervised contact: A&A, NRS and Proactiv. A&A have recently ceased operation. Contact services are also spot purchased out of area if children are placed at a distance.
- 4.16 These arrangements have been reviewed and officers assess them as not representing best value for money. The provision is not benchmarked by the Local Authority against quality standards. There are no contracts in place with the current providers therefore there will be no notice period required to terminate them. (Appendix 1: Current Provision).

The Statutory Context in Relation to Contact

- 4.17 **The Children Act 1989 stipulates that every Local Authority has a duty to promote contact Looked After Children, and, where required, to provide safe contact for Children in Need. In any situation contact must be in the best interests of the child and should not be harmful or detrimental to the child. The child's own wishes and feelings must be taken into account, having regard to their age and degree of understanding. Prior**

to making any order, the Court is required to consider the issue of contact.

- 4.18 It is essential to be clear about the purpose of contact for each child in the context of their care plan and based on the assessment of all of their individual needs. The paramount consideration in planning contact, as for all other aspects of their care plan, is the best interests of the child.
- 4.19 Any contact plan should give due consideration both to the child's wishes and feelings and also to their parents' wishes and feelings, but ultimately it must be based on an assessment of the child's developmental needs and how contact can contribute to meeting these in the context of their plan.
- 4.20 Contact is not just between children and their birth parents but is also considered in relation to the child's needs for contact with others in their family including siblings, if placed separately and with their friends.
- 4.21 Contact may benefit both the child and birth relatives in numerous ways (Appendix 2) but it is important to recognise that these benefits will not be present for all.
- 4.22 Supervised contact safeguards children and their families, whilst allowing contact sessions to be recorded so those observations can support and inform assessments.

Proposed Programme of Work and Capacity

- 4.23 Parenting assessments will be undertaken mostly during normal working hours but will also involve some contact on Saturdays to meet service user need and availability.
- 4.24 Parenting groups will be run between 9am – 10am weekdays, as there is reduced requirement for supervised contact during these times. Groups will be set up and delivered to meet requirements.
- 4.25 Supervised contact will generally be provided for cases involved in court proceedings only. Approximately a hundred hours of supervised contact will be delivered per week between 10am – 6pm. Saturday contact will be provided to meet assessed need.
- 4.26 Regularity of contact will vary from case to case as some children are involved in multiple contact arrangements, which if not carefully managed allow them little time for anything else. Regularity and duration will be informed by:
- Court order
 - Previous levels of contact (non-resident parent /extended family);
 - Purpose of contact i.e. assessments;
 - Emotional capability of the child and parent to cope with the contact;
 - Views of the child;

- The potential disruption and stress to the child' caused by the contact arrangements;
 - Ages of children;
 - Previous parental engagement with supervised contact service.
- 4.27 With regard to cases in court proceedings, in most cases contact three times a week of 90 minutes duration is usual. This would allow a child to balance contact with other social commitments. In considering overall contact arrangements, in general all children should have at least 2 days per week when they are free to enjoy normal social activities within placement.
- 4.28 If parents are presenting separately and each wishes to be assessed as a sole carer for the child a level of twice per week with each parent may be appropriate even though this is slightly more intrusive.
- 4.29 Parental contact with newly-born babies and infants may be higher, particularly if the mother is breastfeeding, though sessions may be of shorter duration as there is increasing evidence that even 5 times a week is disruptive and stressful for the baby or infant and again, that such frequent contacts should be avoided to allow the child to settle in its new placement.
- 4.30 A proposed schedule (Appendix 3) has been drawn up detailing the purpose and context of contact. This will be used with social care staff to regulate the level of contact arranged to ensure consistency in the best interests of children and their families. It will also be put to the courts to inform and support care planning thus inhibiting the need for the court to set levels of contact.

Judiciary

- 4.31 Following informal discussions between the Director, Children's Services, Principal Lawyer for Lewisham and Lewisham's Link Judge, indications were of essentially being in agreement with the proposal for social workers to undertake, and present to court their own parenting assessments rather than using Meliot as an expert assessor.
- 4.32 The independently chaired Family Justice Review (2011) concluded that there was a culture of 'routine acceptance' of the need for 'experts' in family law cases and raised concerns that this was duplicating the work of the local authority, leading to delays and potentially compromising the welfare of children (Family Justice Review, 2011a.)
- 4.33 The interim report of the Family Justice Review (2011b) cited evidence that suggested an over-reliance on experts may be, in part, a result of a cycle whereby the courts assessed that social work evidence was of insufficient quality which, in turn, affected the confidence of social workers and led to local authorities relying on experts to inform decision-making and planning. More recent research has indicated that reforms to the public law system since 2014 have resulted in the local authority social worker being seen as the

primary expert in proceedings and this has empowered social workers to take ownership of their cases (Ipsos MORI, 2014.)

- 4.34 The government has also developed standards to improve the quality of expert evidence by Social Workers who want more support to provide “effective and confident” evidence to courts. Development work is also in place locally to enhance this.

Staff Consultation Process

- 4.35 Informal discussions with staff have been taking place looking at how the refocused service could work. This will help inform the proposals for formal consultation. Affected staff and their trade unions will be fully consulted on proposed changes in accordance with the Council’s Management of Change Policy.
- 4.36 Questionnaires were also sent to FSW staff to seek their views. Responses indicate that 50% felt they already had the skills to complete parenting assessments on their own cases and had done so over the last year; around 50% also said they would be keen to learn new skills to assist their social work practice and would interested in co-working with colleagues who already undertake parenting assessments or group work and 75% said they already used tools to assist them with direct work and assessments. The main worry for staff was capacity to complete assessments.
- 4.37 The retention of parenting assessment capacity within Meliot will ensure that there is consultation and joint work with the Family Social Work service and capacity to do a high percentage of court ordered assessments. The main impact for the service will be completing Child Protection assessments and Public Law Outline assessments which is what would anyway be expected of social workers in most local authorities as it is in line with their skills and formal training.
- 4.38 Irrespective of this proposed change, plans are in place for a review of capacity and skills development aligned to the Children’s Social Care Workforce Strategy.

Analysis of Spend

- 4.39 In order to meet the corporate objective to deliver efficient, effective and equitable services, whilst delivering value for money and addressing the savings requirements on Children’s Social Care following the Government’s austerity measures, the review of the Meliot Centre has considered and concluded that Meliot should change from primarily a family assessment centre and re-focus as a contact and intervention centre with a lesser function of providing parenting assessments.

Health & Safety Costs

- 4.40 To ensure that the service meets health and safety requirements a ramp and handrail should be fitted to facilitate access to the Meliot Centre front door.

Expenditure **-£9k**

- 4.41 A gate and fencing is required to aid security to the Meliot Centre, this is to ensure the security of children and other service users during periods of contact; this addresses the risk of children being taken from the centre by their parents during contact.

Expenditure **-£8k**

Establishment Costs

- 4.42 A reorganisation of staffing arrangements will release a saving of £93k. Some staff will also transfer to provide an in-house supervised contact service.

Bringing Supervised Contact In-house

- 4.43 The cost of spot purchasing supervised contact by external providers calculated from paid invoices for the 15/16 Outturn = £643k; 16/17 to Nov.16 = £381k. A reduction of £30k has been made for provision of spot purchase as required for children placed some distance from Lewisham.

5 Financial implications

- 5.1 Apart from the minor alterations of the building there are no capital implications of this savings.
- 5.2 The main cost of the supervised contacts is for the hire of rooms and using the Meliot Centre will avoid these high rental costs. Some of the existing staff will supervise the contacts in the future making an overall saving on supervised contacts of £417k.
- 5.3 The saving does allow for transitional work with the Family Social Work service to support delivery of the new arrangements.
- 5.4 This will allow an overall estimated saving of £600k to be made in a full year. The original saving proposal put forward to the Mayor in September 2016 was £734k and officers will consider alternative savings to close the gap.

6 Legal implications

- 6.1 There are no particular legal implications arising, save that our HR procedures will be adhered to in relation to staffing issues.
- 6.2 The conduct and timetabling of Public Law applications in relation to children is now governed by the Children and Families Act 2014, and the practise

directions issued from time to time in relation to this. The duties to promote contact to Looked After Children and to provide support services to families arise from the provisions of the Children Act 1989 and the Children Act 2004.

7 Crime and disorder implications

7.1 There are no crime and disorder implications arising from this report.

8 Equalities implications

8.1 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.2 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

8.3 The gender and ethnicity breakdown for the service is attached (Graph 16). All posts are currently occupied by women, 5 of which are from BME groups. This is a higher proportion than the Council as a whole.

9 Environmental implications

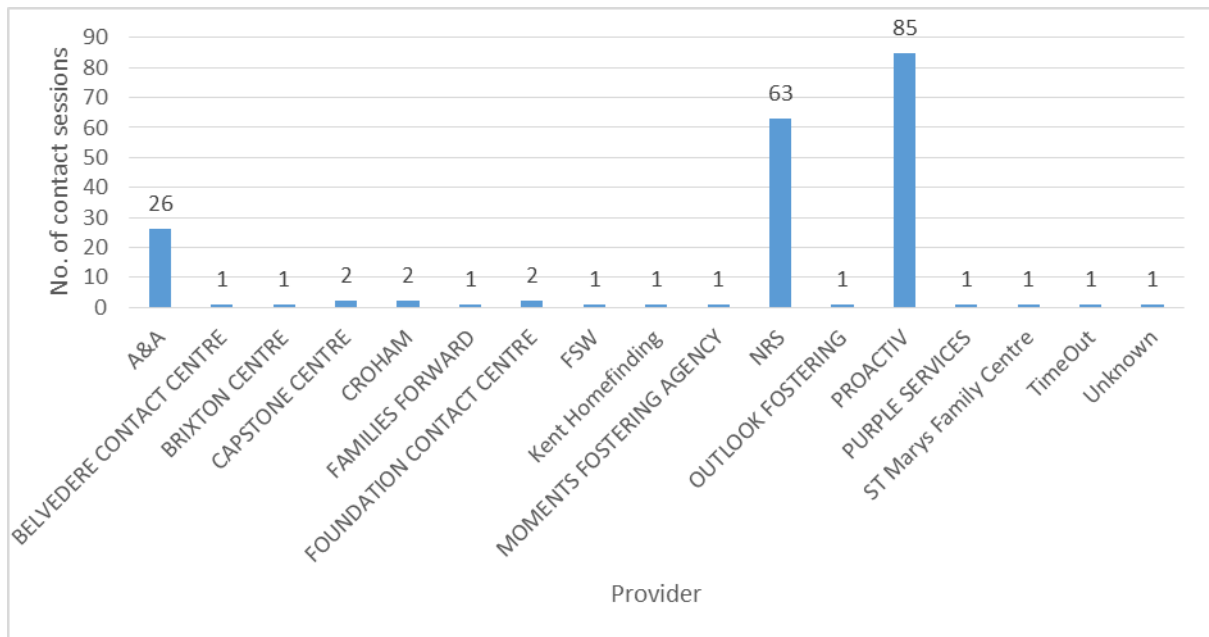
9.1 There are no environmental implications arising from this report.

10 Background documents and originator

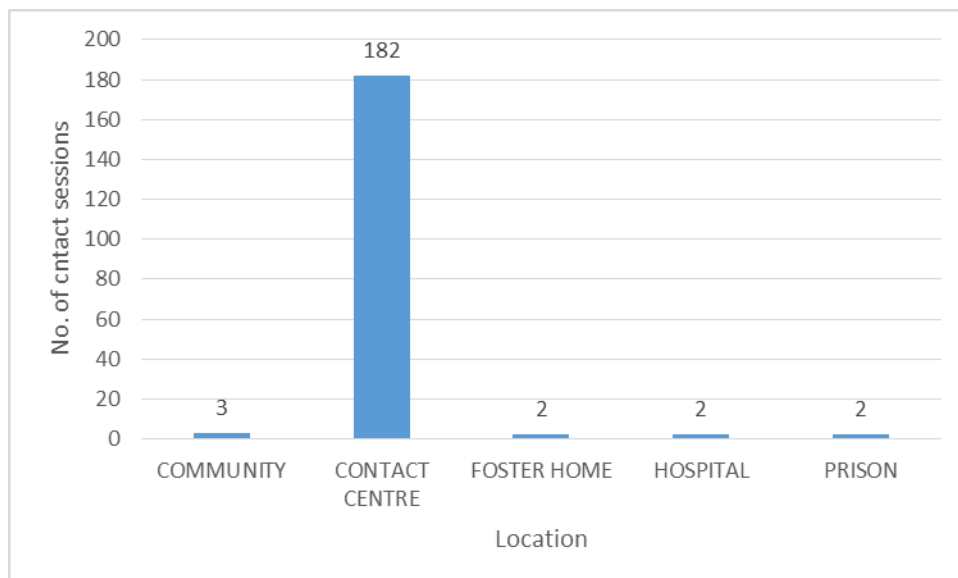
If there are any queries on this report please contact Stephen Kitchman on 020 8314 8140.

Appendix 1: Current Provision

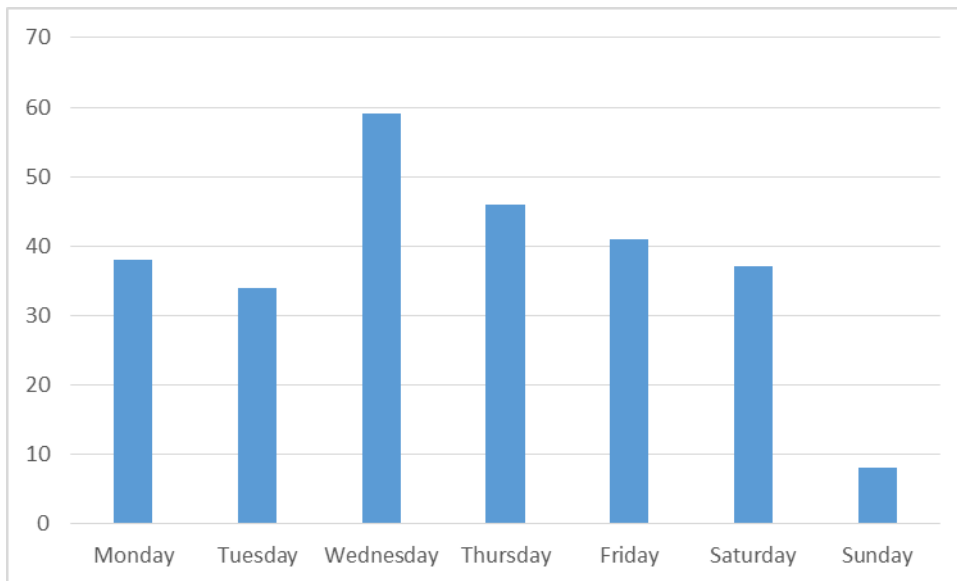
Graph 1: Contact agencies used to provide supervised contact during the period between 1/1/15 -18/10/16:



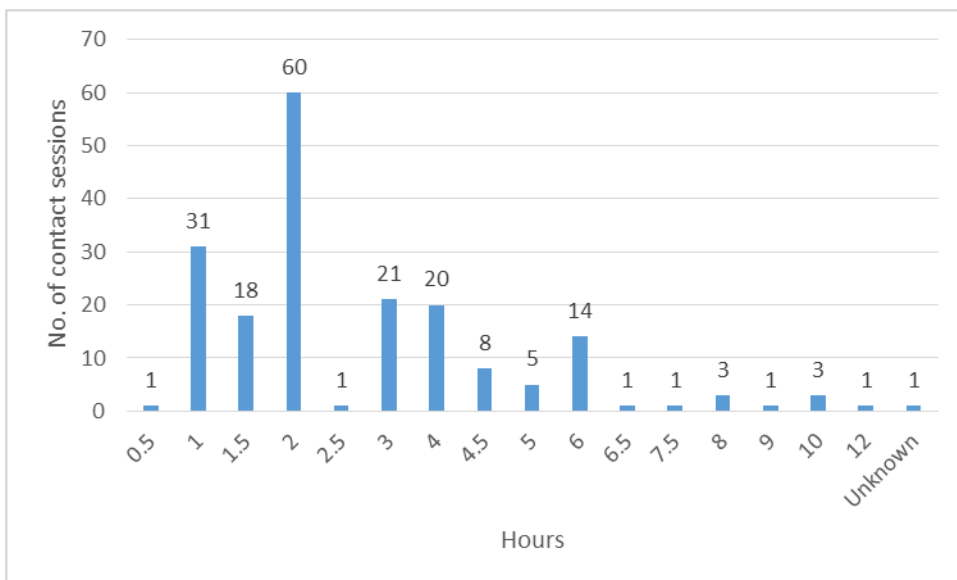
Graph 2: Where supervised contact took place during this period:



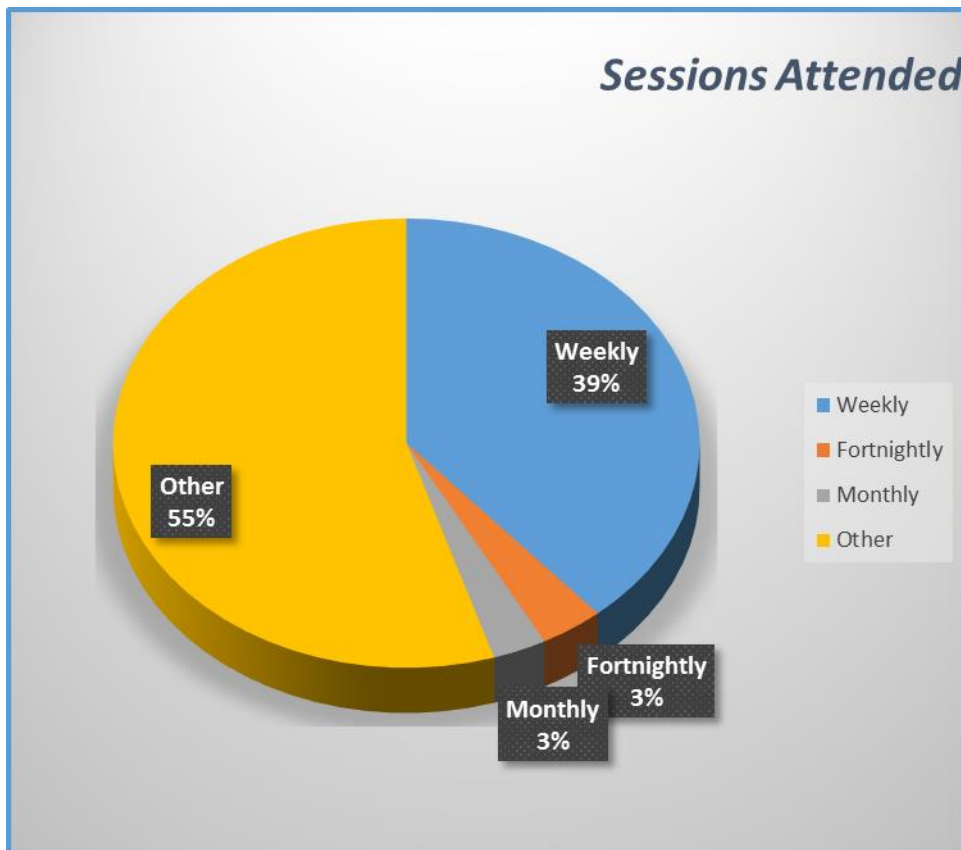
Graph 3: All supervised contacts needed during the period 1/1/15 -18/10/16:



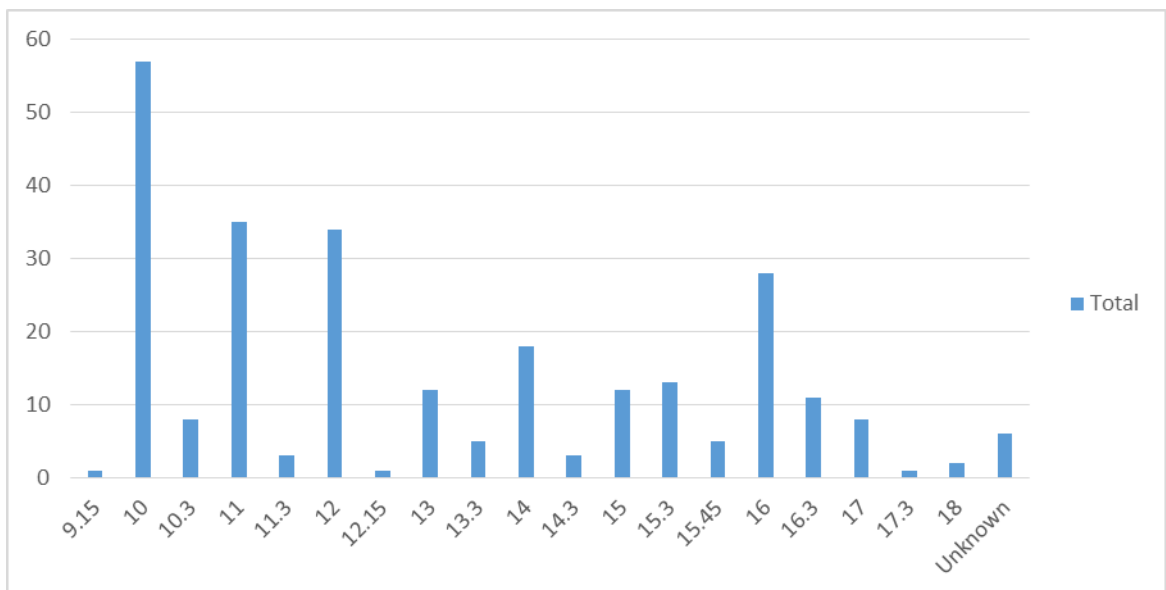
Graph 4: The number of hours per week, per family, that were set up during 1/1/15 -18/10/16:



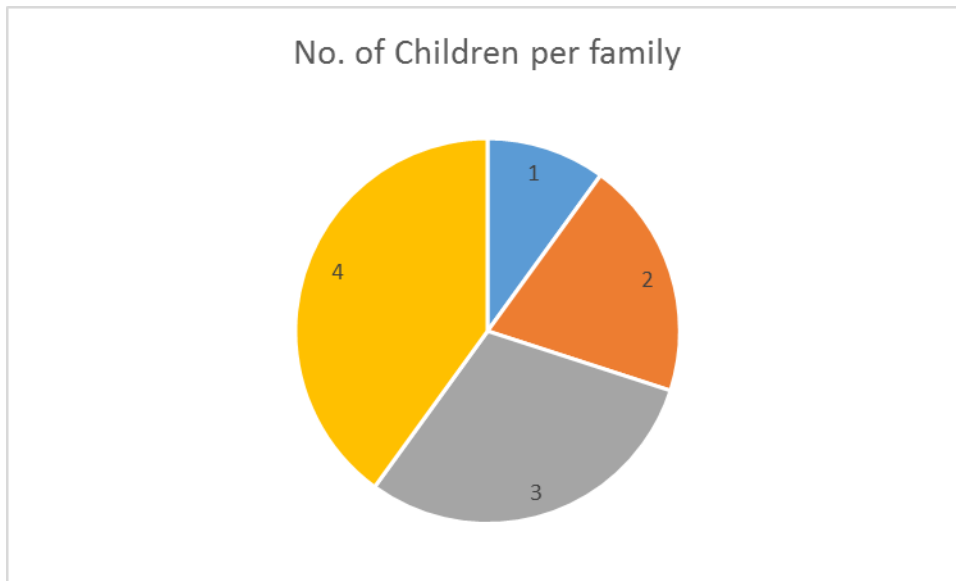
Graph 5: The percentage of weekly, fortnightly, monthly and other sessions attended by families between 1/1/15 until 18/10/16:



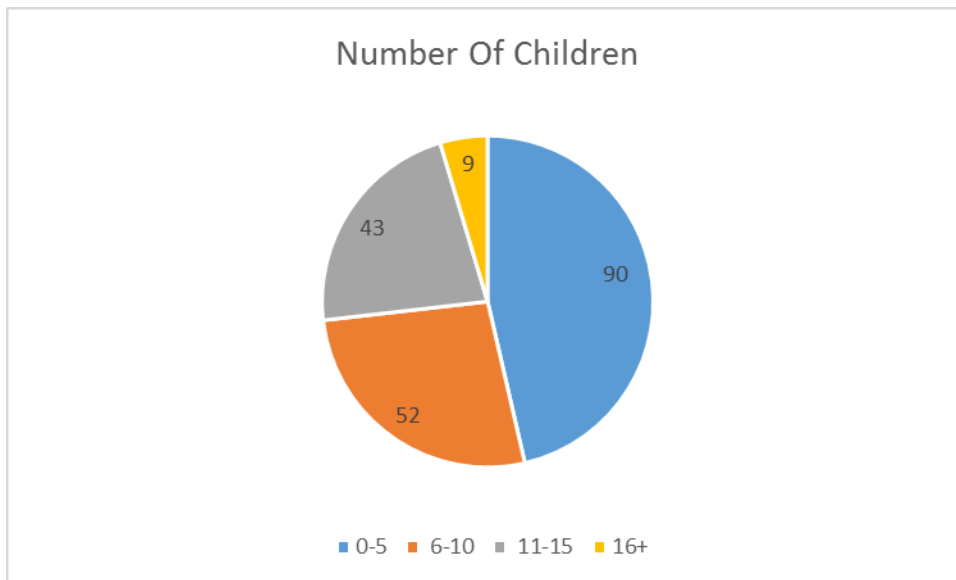
Graph 6: Contact start times throughout the day:



Graph 7: The number of children, per family, that attended supervised contact sessions:



Graph 8: The ages of children requiring contact during the period 1/1/15 - 18/10/16:



Appendix 2: Benefits of Contact

For the child contact may assist in:

- Helping to ease their sense of loss and provide reassurance about the well-being of birth relatives and significant others.
- Maintaining relationships that are important to them.
- assessing whether reunification with the birth family is possible.
- Maintaining relationships so that reunification is possible.

For children in long term placements including adoption, the contact may also assist in:

- Helping them to come to terms with the past.
- Providing an opportunity for the young person to gain more knowledge and understanding about their personal and family history.
- Helping them to maintain links with their race, religion and culture of origin – which may enhance their self-esteem and identity.
- Linking their past and present.
- Enabling them to see their birth family acceptance of their carers and therefore reducing feelings of potential conflict.

For the birth family contact may assist in:

- Helping to ease their sense of loss.
- Maintaining relationships so that reunification remains a possibility.
- Assessing and developing parenting skills.
- Promoting sibling contact.

In long term placements contact may also help birth families through:

- Enabling them to come to terms with the new circumstances including acceptance of the carers.
- Enabling them to give the child a link with the past and reassurance.

For the carer contact may assist in:

- Providing reassurance for the child, reducing anxiety, fear of rejection and improving placement stability.
- Improving the carers' understanding of the child's birth family and providing information from the past which may assist in understanding current and future behaviour of the child.

In long term placements the contact may also assist carers in:

- Working with the child's story throughout the course of childhood rather than closing off the child's past.
- Encouraging discussion with the child and help them to understand the situation better.
- Allowing birth families to give carers permission to parent the child.
- Helping the carer to give the child a view of relationships which can change over time as circumstances change.

Appendix 3: Proposed Schedule

SUPERVISED CONTACT FOR CASES IN COURT PROCEEDINGS (CASES NOT IN COURT PROCEEDINGS TO BE SUPERVISED BY FAMILY MEMBERS/CONNECTED PEOPLE)			
PURPOSE AND CONTEXT OF CONTACT			
AGE	DURING ASSESSMENT	RE-UNIFICATION (PRO-ACTIVE AND TIME LIMITED)	PERMANENCE
0 – 2	3 x per week –maximum for 1.5 hours. (Where possible and if appropriate the foster carer will supervise contact).	5 x per week – 2 hours Leading to some overnight stays (Placement with Parents as applicable), when assessment indicates this is appropriate and re-unification is likely.	If direct contact agreed minimum 1 x per year, 1 hour; maximum 2 x per year – 2 hours (Adoption) Indirect contact, one or two way, minimum 1 x per year maximum 2 x per year
3 – 4 (pre school)	3 x per week –maximum for 1.5 hours. (Where possible and if appropriate the foster carer will supervise contact).	3 x per week – 3 hours Leading to some overnights (Placement with Parents as applicable), when assessment indicates this is appropriate and re-unification is likely.	If direct contact agreed minimum 1 x per year, 1 hour; maximum 2 x per year – 2 hours (Adoption) Indirect contact, one or two way, minimum 1 x per year maximum 2 x per year
5 – 10 (primary school)	2 x per week –maximum for .5 hour (after school). (Where possible and if appropriate the foster carer will supervise contact).	3 x per week – 1 hour (midweek) weekend 2 hours leading to some overnights (Placement with Parents as applicable), when assessment indicates this is appropriate and re-unification is likely.	Adoption. If direct contact agreed 1 x per year – minimum 2 hours, maximum 2 x per year – 4 hours. Indirect contact, one or two way, minimum 1 x per annum maximum 2 x per year. Long term fostering 1 x visit per school holiday up to 2.5 hours plus indirect and phone contact, as agreed.
11 – 16 (senior school)	1 x per week – maximum 2 hours	2 x per week – weekday 1.5 hours weekend 3 hours. Leading to some overnights (Placement with Parents as applicable.) When assessment indicates this is appropriate and re-unification is likely.	Long term fostering young people of this age will be much more involved in the contact plan. Once per school holiday (i.e. 6 times per year).

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Making fair financial decisions

Guidance for decision-makers

3rd edition, January 2015

B Introduction

With major reductions in public spending, public authorities in Britain are being required to make difficult financial decisions. This guide sets out what is expected of you as a decision-maker or leader of a public authority responsible for delivering key services at a national, regional and/or local level, in order to make such decisions as fair as possible.

The public sector equality duty (the equality duty) does not prevent you from making difficult decisions such as reorganisations and relocations, redundancies, and service reductions, nor does it stop you from making decisions which may affect one group more than another group. The equality duty enables you to demonstrate that you are making financial decisions in a fair, transparent and accountable way, considering the needs and the rights of different members of your community. This is achieved through assessing the impact that changes to policies, procedures and practices could have on people with different protected characteristics .

Assessing the impact on equality of proposed changes to policies, procedures and practices is not just something that the law requires, it is a positive opportunity for you as a public authority leader to ensure you make better decisions based on robust evidence.

1B What the law requires

Under the equality duty (set out in the Equality Act 2010), public authorities must have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation as well as to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

The protected characteristics covered by the equality duty are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnerships, but only in respect of eliminating unlawful discrimination.

The law requires that public authorities demonstrate that they have had 'due regard' to the aims of the equality duty in their decision-making. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the key ways in which public authorities can demonstrate that they have had 'due regard'.

It is also important to note that public authorities subject to the equality duty are also likely to be subject to the Human Rights Act 1998. We would therefore recommend that public authorities consider the potential impact their decisions could have on human rights.

2B Aim of this guide

This guide aims to assist decision-makers in ensuring that:

- The process they follow to assess the impact on equality of financial proposals is robust, and

- The impact that financial proposals could have on people with protected characteristics is thoroughly considered before any decisions are arrived at.

We have also produced detailed guidance for those responsible for assessing the impact on equality of their policies, which is available on our website at www.equalityhumanrights.com

3B The benefits of assessing the impact on equality

By law, your assessments of impact on equality must:

- Contain enough information to enable a public authority to demonstrate it has had 'due regard' to the aims of the equality duty in its decision-making
- Consider ways of mitigating or avoiding any adverse impacts.

Such assessments do not have to take the form of a document called an equality impact assessment. If you choose not to develop a document of this type, then some alternative approach which systematically assesses any adverse impacts of a change in policy, procedure or practice will be required.

Assessing impact on equality is not an end in itself and it should be tailored to, and be proportionate to, the decision that is being made.

Whether it is proportionate for an authority to conduct an assessment of the impact on equality of a financial decision or not depends on its relevance to the authority's particular function and its likely impact on people with protected characteristics.

We recommend that you document your assessment of the impact on equality when developing financial proposals. This will help you to:

- **Ensure you have a written record of the equality considerations** you have taken into account.
- **Ensure that your decision includes a consideration of the actions that would help to avoid or mitigate any impacts on particular protected characteristics.** Individual decisions should also be informed by the wider context of decisions in your own and other relevant public authorities, so that people with particular protected characteristics are not unduly affected by the cumulative effects of different decisions.
- **Make your decisions based on evidence:** a decision which is informed by relevant local and national information about equality is a better quality decision. Assessments of impact on equality provide a clear and systematic way to collect, assess and put forward relevant evidence.
- **Make the decision-making process more transparent:** a process which involves those likely to be affected by the policy, and which is based on evidence, is much more open and transparent. This should also help you secure better public understanding of the difficult decisions you will be making in the coming months.
- **Comply with the law:** a written record can be used to demonstrate that due regard has been had. Failure to meet the equality duty may result in authorities being exposed to costly, time-consuming and reputation-damaging legal challenges.

4B When should your assessments be carried out?

Assessments of the impact on equality must be carried out at a **formative stage** so that the assessment is an integral part of the development of a proposed policy, not a later justification of a policy that has already been adopted. Financial proposals which are relevant to equality, such as those likely to impact on equality in your workforce and/or for your community, should always be subject to a thorough assessment. This includes proposals to outsource or procure any of the functions of your organisation. The assessment should form part of the proposal, and you should consider it carefully **before** making your decision.

If you are presented with a proposal that has not been assessed for its impact on equality, you should question whether this enables you to consider fully the proposed changes and its likely impact. Decisions not to assess the impact on equality should be fully documented, along with the reasons and the evidence used to come to this conclusion. This is important as authorities may need to rely on this documentation if the decision is challenged.

It is also important to remember that the potential impact is not just about numbers. Evidence of a serious impact on a small number of individuals is just as important as something that will impact on many people.

5B What should I be looking for in my assessments?

Assessments of impact on equality need to be based on relevant information and enable the decision-maker to understand the equality implications of a decision and any alternative options or proposals.

As with everything, proportionality is a key principle. Assessing the impact on equality of a major financial proposal is likely to need significantly more effort and resources dedicated to ensuring effective engagement, than a simple assessment of a proposal to save money by changing staff travel arrangements.

There is no prescribed format for assessing the impact on equality, but the following questions and answers provide guidance to assist you in determining whether you consider that an assessment is robust enough to rely on:

• Is the purpose of the financial proposal clearly set out?

A robust assessment will set out the reasons for the change; how this change can impact on protected groups, as well as whom it is intended to benefit; and the intended outcome. You should also think about how individual financial proposals might relate to one another. This is because a series of changes to different policies or services could have a severe impact on particular protected characteristics.

Joint working with your public authority partners will also help you to consider thoroughly the impact of your joint decisions on the people you collectively serve.

Example: A local authority takes separate decisions to limit the eligibility criteria for community care services; increase charges for respite services; scale back its accessible housing programme; and cut concessionary travel. Each separate decision may have a significant effect on the lives of disabled residents, and the cumulative impact of these decisions may be considerable. This combined impact would not be apparent if the decisions were considered in isolation.

• Has the assessment considered available evidence?

Public authorities should consider the information and research already available locally and nationally. The assessment of impact on equality should be underpinned by up-to-date and reliable information about the different protected groups that the proposal is likely to have an impact on. A lack of information is not a sufficient reason to conclude that there is no impact.

• **Have those likely to be affected by the proposal been engaged?**

Engagement is crucial to assessing the impact on equality. There is no explicit requirement to engage people under the equality duty, but it will help you to improve the equality information that you use to understand the possible impact on your policy on different protected characteristics. No-one can give you a better insight into how proposed changes will have an impact on, for example, disabled people, than disabled people themselves.

• **Have potential positive and negative impacts been identified?**

It is not enough to state simply that a policy will impact on everyone equally; there should be a more in-depth consideration of available evidence to see if particular protected characteristics are more likely to be affected than others. Equal treatment does not always produce equal outcomes; sometimes authorities will have to take particular steps for certain groups to address an existing disadvantage or to meet differing needs.

• **What course of action does the assessment suggest that I take? Is it justifiable?**

The assessment should clearly identify the option(s) chosen, and their potential impacts, and document the reasons for this decision. There are four possible outcomes of an assessment of the impact on equality, and more than one may apply to a single proposal:

Outcome 1: No major change required when the assessment has not identified any potential for discrimination or adverse impact and all opportunities to advance equality have been taken.

Outcome 2: Adjustments to remove barriers identified by the assessment or to better advance equality. Are you satisfied that the proposed adjustments will remove the barriers identified?

Outcome 3: Continue despite having identified some potential for adverse impacts or missed opportunities to advance equality. In this case, the justification should be included in the assessment and should be in line with the duty to have 'due regard'. For the most important relevant policies, compelling reasons will be needed. You should consider whether there are sufficient plans to reduce the negative impact and/or plans to monitor the actual impact, as discussed below.

Outcome 4: Stop and rethink when an assessment shows actual or potential unlawful discrimination.

• **Are there plans to alleviate any negative impacts?**

Where the assessment indicates a potential negative impact, consideration should be given to means of reducing or mitigating this impact. This will in practice be supported by the development of an action plan to reduce impacts. This should identify the responsibility for delivering each action and the associated timescales for implementation. Considering what action you could take to avoid any negative impact is crucial, to reduce the likelihood that the difficult decisions you will have to take in the near future do not create or perpetuate inequality.

Example: A University decides to close down its childcare facility to save money, particularly given that it is currently being under-used. It identifies that doing so will have a negative impact on women and individuals from different racial groups, both staff and students.

In order to mitigate such impacts, the University designs an action plan to ensure relevant information on childcare facilities in the area is disseminated to staff and students in a timely manner. This will help to improve partnership working with the local authority and to ensure that sufficient and affordable childcare remains accessible to its students and staff.

• **Are there plans to monitor the actual impact of the proposal?**

Although assessments of impact on equality will help to anticipate a proposal's likely effect on different communities and groups, in reality the full impact of a decision will only be known once it is introduced. It is therefore important to set out arrangements for reviewing the actual impact of the proposals once they have been implemented.

6B What happens if you don't properly assess the impact on equality of relevant decisions?

If you have not carried out an assessment of impact on equality of the proposal, or have not done so thoroughly, you risk leaving yourself open to legal challenges, which are both costly and time-consuming. Legal cases have shown what can happen when authorities do not consider their equality duties when making decisions.

Example: A court overturned a decision by Haringey Council to consent to a large-scale building redevelopment in Wards Corner in Tottenham, on the basis that the council had not considered the impact of the proposal on different racial groups before granting planning permission.

However, the result can often be far more fundamental than a legal challenge. If people feel that an authority is acting high-handedly or without properly involving its service users or employees, or listening to their concerns, they are likely to be become disillusioned with you.

Above all, authorities which fail to carry out robust assessments of the impact on equality risk making poor and unfair decisions that could discriminate against people with particular protected characteristics and perpetuate or worsen inequality.

As part of its regulatory role to ensure compliance with the equality duty, the Commission monitors financial decisions with a view to ensuring that these are taken in compliance with the equality duty and have taken into account the need to mitigate negative impacts, where possible.

Agenda Item 6

Chief Officer Confirmation of Report Submission			
Report for:	Mayor		
	Mayor and Cabinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Mayor and Cabinet (Contracts)	<input type="checkbox"/>	<input type="checkbox"/>
	Executive Director	<input type="checkbox"/>	<input type="checkbox"/>
Information	<input type="checkbox"/>	Part 1	<input checked="" type="checkbox"/>
		Part 2	<input checked="" type="checkbox"/>
		Key Decision	<input checked="" type="checkbox"/>

Date of Meeting	15 February 2017
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Title of Report	Response to the Comments of the Sustainable Development Select Committee on the Air Quality Action Plan
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Originator of Report	Geeta Subramaniam-Mooney, Head of Crime Reduction and Supporting People	Ext. 49569
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources	✓	
Legal Comments from the Head of Law	✓	
Crime & Disorder Implications	N/A	
Environmental Implications	✓	
Equality Implications/Impact Assessment (as appropriate)	✓	
Confirmed Adherence to Budget & Policy Framework	N/A	
Risk Assessment Comments (as appropriate)	N/A	
Reason for Urgency (as appropriate)	N/A	

Signed  Director/Head of Service
(Aileen Buckton – Executive Director)

Date 25/1/17

Signed  (Cllr Rachel Onikosi – Cabinet Member)

Date 3/2/17

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET		
Report Title	Response to the Comments of the Sustainable Development Select Committee on the Air Quality Action Plan	
Key Decision	No	Item No.
Ward	All	
Contributors	Executive Director for Community Services, Head of Crime Reduction and Supporting People	
Class	Part 1	Date: 15 February 2017

1. Purpose

- 1.1 This report sets out the response to the comments and views arising from the Sustainable Development Select Committee, discussions held on the Council's proposed Air Quality Action Plan at its meeting on the 25 October 2016.

2. Recommendations

It is recommended that the Mayor:

- 2.1 Approves the responses from the Executive Director for Community Services to the comments from the Sustainable Development Select Committee.
- 2.2 Agrees that this report should be forwarded to the Sustainable Development Select Committee.

3. Background

- 3.1 On 25 October 2016, the Sustainable Development Select Committee considered an officers report on the draft Air Quality Action Plan. Following the Select Committee a referral was made to the Mayor and Cabinet on 7 December 2016. The Committee resolved to advise Mayor and Cabinet of the following:

3.2 Referral 1

- 3.2.1 The Committee commends the air quality action plan. However, it believes that an additional point should be added to the plan, which tasks Lewisham's political leadership with championing the issue of air quality inside and outside of the borough.

3.3 Response

- 3.3.1 An additional action was added to the Air Quality Action Plan and Cllr Onikosi, will take responsibility for progressing this on behalf of the Mayor and Cabinet Committee and consider implementation dates and progress which will be reported to the Greater London Authority (GLA) through the Annual Status Report (ASR).

3.4 Referral 2

- 3.4.1 The Committee welcomes the proposed increase in charging points for electric vehicles. The Committee recommends that the Council carries out a campaign to encourage usage.

3.5 Response

- 3.5.1 An additional Action was added to the Air Quality Action Plan for carry out such a campaign and this will be timed to coordinate with the increase of Electric Vehicle Charging Points (EVCPs) planned for March 2017. The Council will report back to the GLA through the ASR on feedback to the campaign and monitor increases in numbers of residents using EVCPs.

3.6 Referral 3

- 3.6.1 The Committee also recommends that there be a proactive and high profile anti-idling campaign, which sets out the importance of good air quality to the whole community.

3.7 Response

- 3.7.1 An additional Action was added to the Air Quality Action Plan for carrying out a Council wide anti-idling campaign, discouraging unnecessary idling by vehicles, with a date being considered in the summer, potentially coordinating this with a summer school campaign already proposed. The Council will report back to GLA through the ASR on the review and outcome of campaign.

4. **Financial Implications**

- 4.1 Any financial implications in respect of the above will be part of the existing budget resourcing with support from Lewisham's Communication Team.

5. **Legal Implications**

- 5.1 The Council is legally required, under Section 84 of the Environment Act 1995, to progress its approved Air Quality Action Plan and through the establishment of the London Local Air Quality Management system is required to report to the Mayor of London annually, empowered under Section 85(5) of the same Act, on progress through their ASR.

6. **Crime and Disorder Implications**

- 6.1 There are no crime and disorder implications associated with this report.

7. **Equalities Implications**

- 7.1 The Air Quality Action Plan will apply across the areas designated as Air Quality Management Areas. Measures aimed at tackling poor air quality however tend to have wider benefits and actions introduced will also improve air quality throughout the borough. Therefore there is no adverse equalities implications associated with this report.

8. Environmental Implications

- 8.1 An Air Quality Action Plan will have positive benefits for the environment. A synergy exists between actions aimed at improving the quality of the air we breathe locally and tackling carbon emissions and improving public health and well-being.

Background papers

Report to the Sustainable Development Select Committee on the air quality action plan
<http://councilmeetings.lewisham.gov.uk/documents/s45996/05%20Air%20quality%20action%20plan%20251016.pdf>

Report of comments of the Sustainable Development Select Committee on the air quality action plan to Mayor and Cabinet:
<http://councilmeetings.lewisham.gov.uk/documents/s47004/Comments%20of%20the%20Sustainable%20Development%20Select%20Committee%20on%20the%20air%20quality%20action%20plan.pdf>

Report to the Mayor and Cabinet Committee on Draft Air Quality Action Plan 2015-2021
<http://councilmeetings.lewisham.gov.uk/documents/s47002/Air%20Quality%20Action%20Plan.pdf>

For further information on this report please contact Geeta Subramaniam-Mooney, Head of Crime Reduction and Supporting People on 020 8314 9569.

Agenda Item 7

Chief Officer Confirmation of Report Submission			
Cabinet Member Confirmation of Briefing			
Report for:	Mayor	<input type="checkbox"/>	
	Mayor and Cabinet	<input checked="" type="checkbox"/>	
	Mayor and Cabinet (Contracts)	<input type="checkbox"/>	
	Executive Director	<input type="checkbox"/>	
Information	<input type="checkbox"/>	Part 1	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	Part 2	<input type="checkbox"/>
		Key Decision	<input type="checkbox"/>

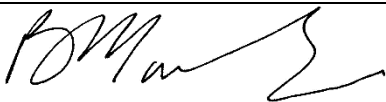
Date of Meeting	15 th February 2017
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Title of Report	Response to CYP Select Committee Review into Careers Information Advice and Guidance
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Originator of Report	Kate Bond	Ext 46142
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources		X
Legal Comments from the Head of Law	√	
Crime & Disorder Implications		X
Environmental Implications		X
Equality Implications/Impact Assessment (as appropriate)	√	
Confirmed Adherence to Budget & Policy Framework		
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed: 
 Date: 31st January 2017

Executive Member

Signed: 
 Date: 31st January 2017

Executive Director

Control Record by Committee Support

Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

Mayor and Cabinet			
Title	Response to CYP Select Committee Review into Careers Information Advice and Guidance		Item No
Key Decision	No	Item No.	
Ward	All		
Contributors	Sara Williams – Executive Director for Children and Young People		
Class	Part 1	Date	15 February 2017

1. Purpose of paper

- 1.1 As part of its work programme in 2016 the CYP Select Committee undertook an in-depth review into independent advice and guidance (IAG) in Lewisham secondary schools.
- 1.2 This paper provides further detail to Mayor and Cabinet regarding the Select Committee's view that a Champion for Children's Rights be appointed following discussion regarding the response to recommendation 11 within the initial report.

2. Recommendations

It is recommended that the Mayor:

- 2.1 Approves the response from the Executive Director for Children and Young People to the comments from CYP Select Committee.
- 2.2 Agrees that this report should be forwarded to the Children and Young People's Select Committee.

3. Background

- 3.1 On 12th October 2016, the Children and Young People Select Committee considered a report entitled *Response to recommendations of the review into Careers, Information, Advice and Guidance*. The Committee resolved to advise Mayor and Cabinet of the following:

3.2 Referral 1

- 3.2.1 The Committee recommends that the Mayor appoint a Champion for Children's Rights with a focus as outlined in recommendation of the review.

3.3 Response

- 3.3.1 Whilst the CYP Select Committee has asked for the Mayor and Cabinet to consider whether a Champion for Children's Rights should be appointed, the Mayor is asked to note the current provisions which ensure appropriate champions are in place

within Lewisham and nationally to ensure the rights of children are respected. Given the very clear statutory guidance below it could be argued that the Council already has a number of Champions for Children's Rights including the Executive Director for Children and Young People, the Lead Member for Children's Services as well as the Young Mayor.

4. Context and background

- 4.1 The CYP Select Committee consulted with Young Advisors through the Lewisham Young Mayor programme and heard from young people about their concerns on the quality and amount of guidance and support they and their peers had received in relation to careers education at Key Stages 4 and 5 as well as for higher education. These concerns, and a number of recent legislative changes, meant that reviewing careers information, advice and guidance was particularly relevant at this time.
- 4.2 The review investigated the current situation in Lewisham including providing analysis of the statistics around those young people not in education, employment or training (NEET) and destination data of school leavers. It also had a strong emphasis on good practice looking closely at the London Ambitions Framework and also drawing on the evidence in the Gatsby report and from practitioners within Lewisham and other local authorities. There was also a strong focus on those young people who are most vulnerable such as looked after children and care leavers.
- 4.3 The review focussed its recommendations on areas where the local authority retains the statutory responsibility and where the local authority can provide support and guidance to support improvements in schools and educational setting across Lewisham. Every young person in Lewisham should receive one to one guidance and have as much exposure to the world of work as possible and that there should be as comprehensive as possible support to all vulnerable young people.
- 4.4 The review resulted in eleven recommendations, the responses to which were discussed and accepted by the committee. The final response to recommendation 11 resulted in further discussion regarding the possibility of appointing an elected member to be a Champion for Children's Rights in Lewisham as the committee acknowledged that a Children's Rights Officer was not necessarily a requirement.

5. Recommendation 11 and response

5.1 Recommendation 11

Support should be put in place to ensure young people are apprenticeship/work or college ready. This should include skills such as time management, financial awareness, resilience, emotional support and understanding their rights and requirements. Further, a children's rights officer should be appointed to work across the borough and support young people.

5.1.1 Response 11

The Lewisham Apprenticeship programme has been running since April 2009 and aims to create real and valuable training opportunities for 16 to 24 year olds that will enable them to build a career. So far the programme has placed 400 16 – 24 year

olds into opportunities across the borough and been very successful; 75% of apprentices have entered jobs so far.

- 5.1.2 The local authority continue to provide support to the apprentices during their programme this includes developing skills in time management, financial awareness, resilience etc. Every apprentice has access to a mentor in addition to their college tutors and line managers. The council facilitates a monthly Apprenticeship forum to allow apprentices to meet and discuss matters of interest, as well as find out what is happening across the programme. It is expected that most quality apprenticeship programmes would offer some of this support.
- 5.1.3 The appointment of Children's Rights Officer does not sit with current statutory duties in relation to the Raising of the Participation Age or Careers Education and would require an additional resource to be identified.

6. A Champion for Children's Rights

- 6.1 The CYP Select Committee discussed the response to recommendation 11 as above in detail and understood that a Children's Rights Officer was not required to meet the Council's statutory obligations and that much is already being done to ensure children and young people have the support and help they need with regard to Information, Advice and Guidance. The Committee asked if the Mayor would like to consider appointing an elected member as a Champion for Children's Rights.
- 6.2 In April 2013 the DfE published statutory guidance regarding the roles and responsibilities of the Director of Children's Services and Lead Member for Children's Services. A few key extracts from this document are below for reference:

"The DCS and LMCS should each have an integrated children's services brief, ensuring that the safety and the educational, social and emotional needs of children and young people are central to the local vision. Between them, the DCS and LMCS provide a clear and unambiguous line of local accountability.

The DCS has professional responsibility for children's services, including operational matters; the LMCS has political responsibility for children's services. Together with the Chief Executive and Leader or Mayor² the DCS and LMCS have a key leadership role both within the local authority and working with other local agencies to improve outcomes for children and young people.....

The Lead Member for Children's Services (LMCS)

3) Section 19 of the Children Act 2004 requires every top tier local authority to designate one of its members as Lead Member for Children's Services. The LMCS will be a local Councillor with delegated responsibility from the Council, through the Leader or Mayor⁵, for children's services. The LMCS, as a member of the Council Executive, has political responsibility for the leadership, strategy and effectiveness of local authority children's services. The LMCS is also democratically accountable to local communities and has a key role in defining the local vision and setting political priorities for children's services within the broader political context of the Council.

4) *The LMCS is responsible for ensuring that the needs of all children and young people, including the most disadvantaged and vulnerable, and their families and carers, are addressed. In doing so, the LMCS will work closely with other local partners to improve the outcomes and well-being of children and young people. The LMCS should have regard to the UNCRC and ensure that children and young people are involved in the development and delivery of local services.¹*

6.3 This final paragraph specifically references the obligation of the Lead Member for Children's Services to have regard to the United Nations Convention on the Rights of the Child². Given the very clear statutory guidance it could be argued that the Council already has a number of Champions for Children's Rights including Executive Director for Children and Young People and the Lead Member for Children's Services.

6.4 In addition, Lewisham, unlike many other councils, also has the long established Young Mayor's programme supported by Young Advisors who are regularly consulted and actively involved in many initiatives and the formal decision making process. The role of the Young Mayor as published on the Council's website is set out below:

“The Young Mayor serves a one year term and:

- *supports, and is a spokesperson for, the borough's young people*
- *informs and advises the current Mayor, Sir Steve Bullock, on issues relating to young people*
- *works with the young advisers and Young Citizens' Panel to inform the work of the Mayor, Council and other decision-making bodies*
- *oversees a budget of at least £25,000.³*

7. National Children's Commissioner for England

7.1 In 2005 England's first Children's Commissioner was appointed following on from the Children's Act 2004. The Children's Commissioner for England has a legal duty to promote and protect the rights of all children in England. They must focus on children and young people in particular who are living away from home, in or leaving care, or receiving social care services, as well as other vulnerable groups of children whose voice is less likely to be heard. A brief extract from their website is below for information.

“The Children's Commissioner

The Children's Commissioner for England is Anne Longfield OBE.

She has a statutory duty to promote and protect the rights of all children in England in accordance with the United Nations Convention on the Rights of the Child.

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/271429/directors_of_child_services_-_stat_guidance.pdf

² <http://www.childrenscommissioner.gov.uk/about-us/childrens-rights-and-uncrc>

³ <http://www.lewisham.gov.uk/mayorandcouncil/youngmayor/Pages/About-the-young-mayor.aspx>

The Children and Families Act 2014 gives her special responsibility for the rights of children who are in or leaving care, living away from home or receiving social care services.

She speaks for wider groups of children on non-devolved issues including immigration (for the whole of the UK) and youth justice (for England and Wales).

It is her job to make life better for all children and young people by making sure their rights are respected and realised and that their views are taken seriously.

The Commissioner is supported in her work by [a team of staff](#). Together, they are responsible for the rights of all children and young people until they are 18 years old, or 25 years if they have been in care, are care leavers or have a disability.

A brief history of the Children's Commissioner for England

A number of children's sector charities called for the post of Children's Commissioner to be established following a recommendation made by Lord Laming in the [Victoria Climbié Inquiry](#). In its advice on implementing the [UNCRC](#), the UN Committee on the Rights of the Child recommends that countries should ideally have an individual such as a Children's Commissioner or Ombudsman responsible for children's rights.

The post of Children's Commissioner was initially established by the [Children Act 2004](#) and the remit strengthened through the [Children and Families Act 2014](#).

Commissioners to date

Sir Al Aynsley Green, Children's Commissioner 2005-2009

Dr Maggie Atkinson, Children's Commissioner 2009-2015

Anne Longfield OBE, Children's Commissioner 2015-present⁴

8. Financial implications

8.1 There are no financial implications arising from this report.

9. Legal implications

9.1 These are addressed in the body of the report.

10. Equalities implications

10.1 Equalities are central to children's rights and vice versa.

Background documents

<http://councilmeetings.lewisham.gov.uk/ieListDocuments.aspx?CId=134&MId=4149&Ver=4>

If there are any queries arising from this report, please contact Kate Bond, Head of Standards and Inclusion, telephone 0208 314 6142.

⁴ See <http://www.childrenscommissioner.gov.uk/about-us>

Chief Officer Confirmation of Report Submission			
Cabinet Member Confirmation of Briefing			
Report for:	Mayor	<input type="checkbox"/>	
	Mayor and Cabinet	<input checked="" type="checkbox"/>	
	Mayor and Cabinet (Contracts)	<input type="checkbox"/>	
	Executive Director	<input type="checkbox"/>	
Information	<input type="checkbox"/>	Part 1 <input checked="" type="checkbox"/>	Part 2 <input type="checkbox"/>
			Key Decision <input type="checkbox"/>

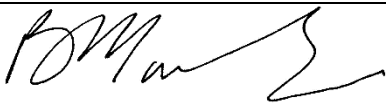
Date of Meeting	15 th February 2017
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Title of Report	Local Authority Governor Nomination
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Originator of Report	Kate Bond	Ext 46142
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At the time of submission for the Agenda, I confirm that the report has:

Category	Yes	No
Financial Comments from Exec Director for Resources		X
Legal Comments from the Head of Law	√	
Crime & Disorder Implications		X
Environmental Implications		X
Equality Implications/Impact Assessment (as appropriate)	√	
Confirmed Adherence to Budget & Policy Framework		
Risk Assessment Comments (as appropriate)		
Reason for Urgency (as appropriate)		

Signed: 
 Date: 7th February 2017

Executive Member

Signed: 
 Date: 7th February 2017

Executive Director

Control Record by Committee Support	
Action	Date
Listed on Schedule of Business/Forward Plan (if appropriate)	
Draft Report Cleared at Agenda Planning Meeting (not delegated decisions)	
Submitted Report from CO Received by Committee Support	
Scheduled Date for Call-in (if appropriate)	
To be Referred to Full Council	

MAYOR AND CABINET			
Report Title	Local Authority Governor Nomination		
Key Decision	No	Item No.	
Ward	Catford South		
Contributors	Executive Director for Children and Young People Head of Law		
Class	Part 1	Date:	15 February 2017

1. Summary

- 1.1 In May 2014, amendments to the School Governance (Constitution) (England) Regulations 2012 (The Constitution Regulations 2012) were made and laid before Parliament. The Department for Education (DfE) also published statutory guidance on the constitution of maintained schools which governing bodies and Local Authorities must have regard to. The most recent version of this Guidance was issued in September 2016.
- 1.2 The Constitution Regulations 2012 determine the size and membership of governing bodies. Previously the Local Authority was able to appoint Local Authority governors to governing bodies, however amendments to the Regulations now permit a Local Authority only to nominate such a person, with it being a matter for the governing body to appoint. For the Local Authority governor position, the Local Authority nominates a governor for "appointment" by the governing body.
- 1.3 This report is to request the nomination of a Local Authority governor for the school listed in paragraph 6 below.

2. Purpose

- 2.1 To consider and approve the nomination of the Local Authority governor detailed in paragraph 6 below.

3. Recommendation/s

The Mayor is recommended to:

- 3.1 note the information concerning the recommended nominated governor in Appendix 1.

- 3.2 agree to nominate the person set out in paragraph 6 as a Local Authority governor.

4. Policy Context

- 4.1 Lewisham's Children & Young People's Plan sets out our vision for improving outcomes for all children. The main purpose of a governing body is to account for the achievement of children and young people in their schools.
- 4.2 The appointment of governors supports the broad priorities within Lewisham's Sustainable Community strategy, in particular those of being "ambitious and achieving" and "empowered and responsible". Governors help inspire our young people to achieve their full potential and they also promote volunteering which allows them to be involved in their local area.
- 4.3 Two specific corporate priorities that are relevant pertain to "community leadership and empowerment" and "young people's achievement and involvement".

5. Background

- 5.1 Under Section 19 of the Education Act 2002 and School Governance (Constitution) (England) Regulations 2012, every governing body is required to have at least one representative of the Local Authority as part of its membership. Governing bodies reconstituted under The School Governance (Constitution) (England) Regulations 2012 only allows for one Local Authority governor. Free schools and Academies are exempt from this requirement.
- 5.2 The Constitution Regulations 2012 and associated Guidance highlight the importance of governors having the appropriate skills to contribute to the effective governance and success of the school.
- 5.3 The suggested nominee has the requisite skills and experience required to be effective in their role as a Local Authority nominated governor.
 - 5.3.1 A Local Authority governor vacancy will arise on the governing body of the school listed in paragraph 6. Appointments to school governing bodies are usually for a four-year term, unless stipulated otherwise in the Instrument of Government. The individual set out in paragraph 6 would serve the normal 4 years if appointed. The governing body of the school would like to appoint them to the role of Local Authority governor at the next governing body meeting and thus a nomination is required to enable this to happen.

5.4 Appendix 1 highlights the skills and experience that the individual possess which will enable them to be an effective member of a governing body.

6. Candidate recommended for Nomination as Local Authority governor for governing bodies constituted under the School Governance (Constitution) (England) Regulations 2012 .

Name	School
Levin Wheller	Torridon Infants School

7. Financial implications

7.1 There are no financial implications arising from this report.

8. Legal implications

8.1 Section 19 of the Education Act 2002 and the School Governance (Constitution) (England) Regulations 2012(as amended) requires every governing body of a maintained school to have one representative of the Local Authority as part of its membership.

Equalities Legislation

8.2 The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

8.4 It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed at 7.5 above.

- 8.5 The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. The Mayor must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 8.6 The Equality and Human Rights Commission has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:
<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-codes-practice>
<https://www.equalityhumanrights.com/en/advice-and-guidance/equality-act-technical-guidance>
- 8.7 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- [The essential guide to the public sector equality duty](#)
 - [Meeting the equality duty in policy and decision-making](#)
 - [Engagement and the equality duty: A guide for public authorities](#)
 - [Objectives and the equality duty. A guide for public authorities](#)
 - [Equality Information and the Equality Duty: A Guide for Public Authorities](#)
- 8.8 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:
<https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance#h1>

9 Crime and Disorder Implications

- 9.1 There are no specific crime and disorder implications arising from this report.

10. Equalities Implications

- 10.1 Lewisham Council's policy is to encourage all sections of the community to be represented as Local Authority governors. In particular, we would encourage further representation from the black community and minority groups including disabled people, who are currently under-represented as governors. The numbers of governors in these groups is kept under review

11. Environmental Implications

- 11.1 There are no specific environmental implications arising from this report.

12. Conclusion

- 12.1 The individual detailed in Appendix 1 views being a governor as a way of utilising their skills and experience to make a difference to the lives of children and young people in Lewisham schools. Section 19 of the Education Act 2002 and School Governance (Constitution) (England) Regulations 2007 made under it require every governing body to have at least one representative of the Local Authority as part of its membership. Governing bodies reconstituting under The School Governance (Constitution) (England) Regulations 2012 only require one Local Authority governor. Academies are exempt from this requirement.
- 12.2 Appointments to school governing bodies are usually for a four-year term, unless stipulated otherwise in the Instrument of Government. The person listed in paragraph 6 would serve the normal 4 years.

Background Documents

There are no background papers.

If there are any queries arising from this report, please contact Suhaib Saeed, Service Manager – School Services, 3rd Floor, Laurence House, telephone 020 8314 767

LA Governor nominations					APPENDIX 1
Name	School	Occupation	Residential Area	Précis of Suitability and Skills to be considered as a school governor	Governor Monitoring Information

Levin Wheller	Torridon Infants	Civil Servant	SE6	<p>Mr. Wheller has worked in the public sector for over 10 years as a social researcher and is currently employed at the College of Policing. He has a keen interest in public policy and the 'what works' agenda which is becoming increasingly important across government and in the provision of public services. He is keen to ensure that due attention is given to the existing evidence base in education (for example the Education Endowment Foundation, and cost-benefit work undertaken at the Washington State Institute for Public Policy) in making decisions about how money is spent.</p> <p>Mr. Wheller is a local resident and would like to put something back into the local community and has met with governors who are keen to appoint him. He has experience in managing budgets and project-related investment contracts.</p>	Male White British
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