

Leicester
City Council

Democratic and Civic
Support
City Hall
115 Charles Street
Leicester
LE1 1FZ

21 September 2022

Sir or Madam

I hereby summon you to a meeting of the LEICESTER CITY COUNCIL to be held at the Town Hall, on THURSDAY, 29 SEPTEMBER 2022 at FIVE O'CLOCK in the afternoon, for the business hereunder mentioned.

Monitoring Officer

AGENDA

AUDIO STREAM OF MEETING

A live audio stream of the meeting can be heard on the following link:
https://www.youtube.com/channel/UCddTWo00_gs0cp-301XDbX

- 1. LORD MAYOR'S ANNOUNCEMENTS**
- 2. DECLARATIONS OF INTEREST**

3. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 7 July 2022 are available to view at:
[Agenda for Council on Thursday, 7 July 2022, 5:00 pm \(leicester.gov.uk\)](#)

Copies are also available from Democratic Support on (0116) 454 6350 or
committees@leicester.gov.uk

4. STATEMENTS BY THE CITY MAYOR/EXECUTIVE

5. PETITIONS

- Presented by Members of the Public
- Presented by Councillors
- Petitions to be debated

6. QUESTIONS

- From Members of the Public
- From Councillors

7. MATTERS RESERVED TO COUNCIL

- a) **SELECTIVE LICENSING ORDER 1A** **Appendix A**
- b) **CITY OF LEICESTER AWARDS** **Appendix B**
- c) **ARMED FORCES COVENANT UPDATE** **Appendix C**

8. REPORTS OF THE MONITORING OFFICER

- a) **CODE OF CONDUCT** **Appendix D**

9. EXECUTIVE AND COMMITTEES

- To note any changes to the Executive
- To vary the composition and fill any vacancies of any Committee of the Council

10. REPORTS OF REGULATORY AND SCRUTINY COMMITTEES

- a) **SCRUTINY ANNUAL REPORT 2021/22** **Appendix E**
- b) **AUDIT AND RISK ANNUAL REPORT 2021/22** **Appendix F**

11. NOTICE OF MOTION

Defending the Right to Seek Safety from War and Persecution

Proposed by Assistant City Mayor Councillor Myers, seconded by Deputy City Mayor Councillor Russell:-

“That this Council:

A) notes that:

- (i) Leicester is proud of our history of welcoming people seeking safety in our city;
- (ii) there are significant problems with the UK asylum system that affect people in Leicester, including a record backlog of cases awaiting a decision, a de facto ban on working, and enforced poverty and homelessness;
- (iii) the Nationality and Borders Act does not address these issues, and has instead created a two-tier system, punishing people seeking safety based on the journeys they make;
- (iv) under these laws, people seeking safety will be criminalised and threatened with removal to Rwanda;
- (v) people will be warehoused in large accommodation centres, segregated from communities and denied support;
- (vi) many recognised refugees will receive a temporary and precarious status;
- (vii) over 400 charities and faith groups have signed a national pledge to ‘Fight the ‘Anti-Refugee Laws’.

B) believes that:

- (i) everyone’s claim for asylum should be treated equally and fairly;
- (ii) these are fundamentally ‘anti-refugee’ laws that undermine internationally recognised rights for people fleeing war and persecution to seek safety;
- (iii) these measures will create ever-longer delays in the asylum process, lead to greater poverty and homelessness in Leicester and will undermine people’s ability to rebuild their lives;
- (iv) people seeking safety should be housed as our neighbours and as a part of our communities;
- (v) the UK needs an asylum system that empowers people seeking safety to rebuild their lives and enables communities to welcome them;

- C) resolves to:
- (i) defend the right to seek safety from war and persecution in the UK and sign the national 'Fight the Anti-Refugee Laws' pledge;
 - (ii) call on the UK Government to withdraw the UK-Rwanda agreement, repeal the Nationality and Borders Act, and work with Local Authorities and communities to build a refugee protection system that treats all people with dignity and compassion;
 - (iii) work with local organisations and people with lived experience of the asylum system to identify ways to mitigate the effects of these measures in Leicester;
 - (iv) join the network of cities and towns which promote the inclusion and welfare of people who are fleeing violence and persecution and become a recognised Council of Sanctuary.”

12. ANY OTHER URGENT BUSINESS

Information for members of the public

Fire & Emergency Evacuation Procedure

- The Council Chamber Fire Exits are the two entrances either side of the top bench or under the balcony in the far-left corner of the room.
- In the event of an emergency alarm sounding make your way to Town Hall Square and assemble on the far side of the fountain.
- Anyone who is unable to evacuate using stairs should speak to any of the Town Hall staff at the beginning of the meeting who will offer advice on evacuation arrangements.
- From the public gallery, exit via the way you came in, or via the Chamber as directed by Town Hall staff.

Meeting Arrangements

- Please ensure that all mobile phones are either switched off or put on silent mode for the duration of the Council Meeting.
- Please do not take food into the Council Chamber.
- Tweeting in formal Council meetings is fine as long as it does not disrupt the meeting. Will all Members please ensure they use their microphones to assist in the clarity of the webcast

You have the right to attend, view, formal meetings such as full Council, committee meetings & Scrutiny Commissions and see copies of agendas and minutes. On occasion however, meetings may, for reasons set out in law, need to consider some items in private.

Dates of meetings and copies of public agendas and minutes are available on the Council's website at <https://cabinet.leicester.gov.uk/>, or by contacting us using the details below.

Making meetings accessible to all

Braille/audio tape/translation - If you require this please contact the Democratic Support Officer (production times will depend upon equipment/facility availability).

Further information

If you have any queries about any of the above or the business to be discussed, please contact:

Matthew Reeves, Democratic and Civic Support Manager on 0116 4546352.

Alternatively, email matthew.reeves@leicester.gov.uk or call in at City Hall.

For Press Enquiries - please phone the **Communications Unit on 0116 454 4151**



INTRODUCTION OF SELECTIVE LICENSING IN LEICESTER

Full Council 29 September 2022

Decision to be taken by: Full Council

Decision to be taken on: 29 September 2022

Executive Lead: Councillor Elly Cutkelvin

Useful information

- Wards affected: Stoneygate, Westcotes, Fosse, Braunstone Park & Rowley Fields
- Report author: Tony Cawthorne
- Authors contact details: tony.cawthorne@leicester.gov.uk

0116 4547133

- Report version number plus Code No from Report Tracking Database: 1

1. Purpose of report

1.1 The purpose of this report is;

- a. To approve the introduction of a selective licensing scheme in relation to specific streets and premises which were, in error, omitted from the selective licensing scheme approved by Council on 7 July 2022.

2. Executive Summary

2.1 Leicester Council approved the bringing in of Selective Licensing within parts of the Wards of - Stoneygate (East Cluster); Westcotes, Fosse, Braunstone Park & Rowley Fields (West Cluster); Saffron (South Cluster) to ensure the Private Rented Sector (PRS) in Leicester is fit for purpose and a key part of that is to ensure the Council raises housing standards in the sector.

The evidence provided to Full Council and the minutes can be found at [\(Public Pack\)Agenda Document for Council, 07/07/2022 17:00 \(leicester.gov.uk\)](#)

2.2 Officers have identified discrepancies in the lists attached to the report of 7 July 2022 which omitted a number of streets and individual properties that should have been included within the list of street names.

2.3 The maps contained within the order of the 7 July 2022 are correct.

3. Recommendations

3.1 It is recommended that Council approve the introduction of a selective licensing scheme to be known as “Leicester City Council designation for Areas for Selective Licensing within parts of the Wards of - Stoneygate (East Cluster); Westcotes, Fosse, Braunstone Park & Rowley Fields (West Cluster); (No.2)” which will comprise the streets and individual properties erroneously omitted from the scheme approved on 7 July 2022.

3.2 The implementation of the scheme will be the 29 December 2022 and the end date will be the 9/10/2027

4. Context/ Background

- 4.1 Leicester Council approved the bringing in of Selective Licensing within parts of the Wards of - Stoneygate (East Cluster); Westcotes, Fosse, Braunstone Park & Rowley Fields (West Cluster); Saffron (South Cluster) on the 7 July 2022
- 4.2 The report provides information following a review of the order which identified several properties and streets were not included within the order approved on 7 July 2022. To enable, as intended, the omitted streets and properties to be subject to selective licensing obligations, it is necessary for the council to approve an additional selective licensing scheme. The principle behind the introduction of the proposed scheme relies on the same evidence as the scheme approved on 7 July 2022, when the council considered the statutory conditions for Additional Licensing and Selective Licensing Schemes to be met and the evidence that the options proposed would improve the standards of property management and address problems affecting residents living in Private Rented Sector properties (except where exemptions apply)

5. Streets and Properties to be included

- 5.1 The table below identifies the streets and properties to be included.

STREET	Particulars
Briton Street	Number 1
Conifer Close	Whole Street
Devana Road	Number 12
Fosse Road South	Number 1
Norfolk Street	Number 90 - 92 evens
Paget Road	Whole street
Tudor Road	Whole street
Westcotes Drive	1 - 49 and 59 - 105 odds,
Western Road	270 - 378 even
Woodgate	80 – 88 even

- 5.2 The above list includes 830 properties omitted from the street list comprised within the selective licensing scheme approved on 7 July 2022.
- 5.3 The maps of the designation for selective licensing can be found in the [\(Public Pack\)Agenda Document for Council, 07/07/2022 17:00 \(leicester.gov.uk\)](#)

6.0 Designation

- 6.1 The designation, if approved at Full Council, will become operative at a time determined by Council, which cannot be earlier than three months after the decision i.e. 29 December 2022.

6.2 The designation/s will last for a maximum of five years in accordance with the legislation. It is a criminal offence to let a property in an area designated for Selective Licensing or in terms of an area designated for Additional Licensing to let a House in Multiple Occupation without a licence.

7. Timetable for Implementation (if approved)

7.1 The Council approval will be for an order Designating an Area for Selective Licensing under Section 80, Housing Act 2004

7.2 Should the council approve the order on the 29 09 2022 it will be subject to a 3-month standstill to facilitate challenge before it becomes operable.

7.3 Following the 3-month standstill the order may come into effect from 29 12 2022

7.4 From the proposed commencement date of 29 12 2022, persons will be able to apply for a licence to operate a privately rented residential property within the designated area.

7.5 A communication plan for implementation of the scheme has been developed to meet the key milestones.

8.0. Financial, legal and other implications

8.1 Financial implications

The Council is not permitted to generate a surplus by charging more than the costs incurred in operating a Discretionary Licensing scheme. The proposed fees and charges for this secondary scheme are the same as for the scheme approved by Council on 7th July 2022 and would generate sufficient income over the 5-year period of the scheme to cover all costs to the Council; this includes all anticipated one-off and on-going staffing and running costs.

Stuart McAvoy – Acting Head of Finance

8.2 Legal implications

8.2.1 As detailed in the report, a number of streets and individual properties were, in error, omitted from the list of streets approved on 7 July 2022, for inclusion within the “Leicester City Council designation for Areas for Selective Licensing within parts of the Wards of - Stoneygate (East Cluster); Westcotes, Fosse, Braunstone Park & Rowley Fields (West Cluster); Saffron (South Cluster)” selective licensing scheme.

8.2.2 The relevant legislation does not permit the amendment or revision of an existing selective licensing scheme. In order to ensure, as intended, that the streets and properties detailed in section 5 of the report are subject to selective licensing obligations, the council is obliged to make a new selective licensing scheme.

8.2.3 If the council decides to implement the proposed scheme, the decision must then be published in accordance with the appropriate regulations.

Jeremy Rainbow – Principal Lawyer (Litigation) – 371435.

8.3 Climate Change and Carbon Reduction implications

Housing is responsible for 33% of carbon emissions in Leicester. Following the city council's declaration of a Climate Emergency in 2019, and its aim to achieve carbon neutrality, addressing housing emissions is a vital part of the council's work. The council's housing condition report highlighted some of these issues, in terms of the proportion of dwellings experiencing excess cold and fuel poverty and numbers of dwellings with lower EPC ratings.

As noted within a previous report on this consultation, issues that could be addressed through PRS licensing measures include poor housing conditions, incorporating poor insulation, cold and letting of dwellings with EPC certificates below E. Taking action to require landlords to address these issues could lead to improvements in energy efficiency within dwellings, through improved insulation and other measures such as improved heating systems as relevant. Alongside improving comfort levels and reducing fuel poverty, this could deliver a positive climate emergency impact through reducing the corresponding carbon emissions from home heating, depending on the measures implemented.

Aidan Davis, Sustainability Officer, Ext 37 2284

8.4 Equalities Implications

Under the Equality Act 2010, public authorities (including the local authority and schools), have a Public Sector Equality Duty (PSED) which means that, in carrying out their functions, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The life chances of residents are closely linked to the quality of their neighbourhoods and their housing accommodation. The envisaged benefits of better quality housing accommodation that is well managed and complies with all relevant standards will have a positive impact on people from across all protected characteristics. Therefore, the introduction of the Selective Licensing Scheme is likely to have a positive impact on residents and has the potential to foster good relations and advance equality of opportunity between people who share a protected characteristic and those who don't.

Those with disabilities are more likely to be negatively affected by poor housing conditions, therefore initiatives to ensure housing conditions are regulated will positively impact on disabled persons. Vulnerable tenants, such as new arrivals in the country may be more likely to be exploited and affected by poor housing conditions.

Those that live in deprived areas are statistically more likely to suffer from poor housing conditions, therefore improvements to housing will positively improve their health and wellbeing.

In order to demonstrate that equalities impacts have been taken into account in the consideration and as an integral part of the decision making process this is included within the Equalities Impact Assessment undertaken. The findings from the consultation inform the assessment in order to fully understand the potential impacts.

Kalvaran Sandhu, Equalities Manager, Ext 37 6344

9. Background information and other papers

[\(Public Pack\) Agenda Document for Council, 07/07/2022 17:00 \(leicester.gov.uk\)](#) Which includes the Council report and decision and the documents below:

Private Rented Strategy

Private Rented Strategy Appendix 1

Homelessness and rough sleeping strategy 2018-2023

Leicester joint health and wellbeing strategy 2019-2024

'A Licence to rent' (joint research review conducted by the Chartered Institute of Housing and the Chartered Institute of Environmental Health)

Empty Homes Policy 1995

Empty Homes Policy revised 2009

BRE Housing stock modelling report

Article 4 Direction extension consultation

Local Plan

Safer Leicester Partnership Community Safety Plan

Guidance for local authorities on establishing discretionary licensing schemes (1)

Guidance for local authorities on establishing discretionary licensing schemes (2)

MHCLG An independent review of the use and effectiveness of selective licensing

Appendix A - Business case

Appendix B - Maps covering selective designations and Street names

Appendix C – Full Analytical Consultation Report

Appendix D - East Midlands Property Owners (EMPO)

Appendix E - National Residential Landlords Association (NRLA)

Appendix F - John Ashworth MP

Appendix G - Climate Action Leicester and Leicestershire

Appendix H - Action Homeless Leicester

Appendix I - Safe Agent

Appendix J - Discretionary Licensing Enforcement Strategy

Appendix K – Equality Impact Assessment

10. Status of report

Is this a private report (If so, please indicated the reasons and state why it is not in the public interest to be dealt with publicly)?

No

City of Leicester Award

Decision to be taken by: Council

Date of meeting: 29 September 2022

Lead director/officer: Miranda Cannon, Director of
Delivery, Communications and Political Governance

Useful information

- Ward(s) affected: All
- Report author: Matthew Reeves
- Author contact details: Matthew.Reeves@leicester.gov.uk
- Report version number: 0.1

1. Summary

To consider the conferment of the City of Leicester award, to Dr Richard Buckley OBE, Professor Turi King, Professor Emeritus Kevin Shürer and Professor Emeritus Ken Pounds CBE.

2. Recommended decision

That the City Council:

- Confirm the conferment of the City of Leicester Award to Dr Richard Buckley OBE, Professor Turi King, Professor Emeritus Kevin Shürer and Professor Emeritus Ken Pounds CBE in recognition of both excellence in their respective fields and the international acclaim which they have brought to the city of Leicester through their endeavours.

3. Report

3.1 City of Leicester award purpose and criteria

The City of Leicester award aims to provide an opportunity for individuals to be honoured for outstanding achievements which have a positive and wide-reaching impact on the City of Leicester. Recipients of the City of Leicester award should have demonstrated outstanding performance in their given field which has been a source of inspiration to the residents of the city.

This award is designed to complement the other civic awards which include the Honoured Citizen Award Scheme which has been in existence for around 20 years, and which is aimed at recognising acts of bravery, helping others and improving the community at a more local level, and Honorary Freedom of the City which is the highest honour that the City Council can bestow. This latter award is only given rarely and is governed by the provisions of Section 249 (5) of the Local Government Act 1972 and has certain local conditions including a requirement that the nominee where this is an individual, has been on the electoral role for 5 years out of the last 20 years.

The City of Leicester award recognises and acknowledges an individual's outstanding performance in their given field which has both inspired the city's residents and has positively impacted on the City of Leicester by delivering clear and demonstrable benefits to the educational, cultural, civic or economic life of the city as a whole and / or who has gained the city wider recognition. Recipients will be considered on the following basis:

- their achievements have resulted in a positive impact on the local community and its residents and / or has delivered a lasting benefit to Leicester;

- their achievements will result in educational, cultural, civic or economic improvement and may be recognised at a wider level throughout the city, county or nationally;
- the nominee does not need to be a resident of the City, but should have a close association to Leicester through their work or significant voluntary contribution;
- the nominee would not be eligible for, or have previously been awarded, Freedom of the City;
- the nominee should not be a serving politician or currently hold a political role within the City; and
- awards can be awarded posthumously, where a recipient's achievements are acknowledged subsequent to their death (up to a period of 5 years).

3.2 Proposed recipients for City of Leicester Awards 2022

The recipients being proposed to Council for the City of Leicester Awards are as follows:

- Dr Richard Buckley OBE
- Professor Turi King
- Professor Emeritus Kevin Shürer
- Professor Emeritus Ken Pounds CBE

It is particularly appropriate in the centenary year of the University of Leicester that Council is invited to consider four of the university's own academics for this award.

It is also appropriate at this ten-year anniversary point that we recognise those persons who were instrumental in the work to uncover King Richard III and the widespread recognition and positive benefits to the city which this brought.

3.3 Dr Richard Buckley OBE

Richard's work with the Leicestershire Archaeological Unit (LAU) included all the large-scale excavations that have preceded the City's urban regeneration over the last 40 years, including the Shires and Highcross shopping centres as well as the Stibbe and Waterside redevelopments, alongside landmark research excavations at Leicester Castle, Leicester Abbey and, of course, Grey Friars, the last resting place (but one) of Richard III.

Following the closure of LAU in 1995, along with Dr Patrick Clay, he formed University of Leicester Archaeological Services (ULAS) where he continued to manage archaeological projects across the Midlands, specialising in urban sites and historic buildings, until his retirement in 2020.

His contribution to archaeology has been immense and throughout his career, he has raised the public profile of archaeology in Leicester and transformed our understanding of the city's history, particularly through his involvement with the discovery of King Richard III and the subsequent reinterment at Leicester Cathedral.

Richard was awarded an OBE in the New Year's honours for 2014, for services to archaeology, and in recognition of his huge contribution to Leicester's Archaeology, the University awarded him his doctorate later that year. Following his retirement, he remains an Honorary Research Fellow with the University's School of Archaeology and Ancient History.

3.4 Professor Turi King

Professor Turi King is Professor of Public Engagement and Genetics at the University of Leicester, based in three different areas of the University: the Department of Genetics and Genome Biology, the Department of Archaeology and Ancient History, and External Relations.

She started her career in archaeology and went on to study Molecular Genetics at the University of Leicester on a scholarship. Her award-winning PhD examined the relationship between the Y chromosome and British surnames combining forensic DNA techniques with history and genealogy, the first large scale study of its kind.

As Professor of Public Engagement and Genetics, she carries out a great deal of media and television work, as well as public speaking, including the BBC series DNA Family Secrets, and is best known for having led the genetic analysis in the King Richard III case and playing a fundamental role in confirming the discovery.

3.5 Professor Emeritus Kevin Schürer

Professor Schürer is an Honorary Research Fellow and Professor Emeritus of the University of Leicester, he came to Leicester in 2010 as Pro-Vice Chancellor (Research and Enterprise). His primary research interest is historical demography and the history of the family and he was director of the UK Data Archive and a member of the internationally-renowned Cambridge Group for the History of Population and Social Structure at the University of Cambridge.

In 2009 he received a major award from the Economic and Social Research Council to create a standardised version of the censuses for Great Britain from 1851 to 1911, helping to build one of the largest historical data resources in the world. He worked on the identification of King Richard III alongside Professor Turi King, in order to identify and verify present day living relatives of the King who could be used to match DNA for identification purposes, and from this he identified a number of royal descendants including English actor Benedict Cumberbatch, who read a poem at Richard III's reinterment and Conrad Penny, whose ancestor William Stanley led the charge that ended with Richard III's death in 1485.

3.6 Professor Emeritus Ken Pounds CBE

Professor Emeritus Ken Pounds CBE, kick-started space research in Leicester more than 60 years ago with his work studying X-ray radiation from the Sun and other sources, which revealed one of the first known black holes.

He joined the University of Leicester as Assistant Lecturer in 1960 and founded the Space Research Group and was one of the pioneers of using rockets and satellites for research in the UK. He became Professor of Space Physics in 1973, was appointed Head of the Department of Physics in 1986, and the following year took the decision to merge with the Astronomy department to create the present Department of Physics and Astronomy.

Together with Professor Alan Wells, he also proposed the initial idea of a space centre as a research facility with public access in Leicester in the 1980's, which later became the National Space Centre. He retired in 2002 but remains active in the University's department as a research fellow where he continues to contribute to astronomy and

planetary sciences research and maintains a close interest in the ongoing development and support of the National Space Centre.

3.7 Conferment of City of Leicester Award

The significant contribution of Dr Richard Buckley OBE, Professor Turi King, Professor Emeritus Kevin Schürer and Professor Emeritus Ken Pounds CBE through their educational, historic and scientific endeavour have achieved significant improvements in their fields which have led to major cultural impact and greater understanding which has been recognised both within the city, nationally and internationally. They have been involved in some of the most major historic and scientific discoveries and are widely recognised and acknowledged both locally and nationally for promoting the city and its institutions in a very positive light through their personal commitment to achieving excellence in their fields. They each rightly deserve to be recognised for this through the conferment of the City of Leicester Award.

4. Financial, legal, equalities, climate emergency and other implications

4.1 Financial implications

There are no financial implications arising from this report.

Martin Judson, Head of Finance, Ext 37 4101

4.2 Legal implications

There are no direct legal implications arising from this proposal. This is a non-statutory gesture of recognition that confers no specific rights or obligations and the Council has the general competence to make it.

Kamal Adatia, City Barrister, Ext 37 1401

4.3 Equalities implications

There are no direct equalities implications arising from the report, but the City of Leicester Award is a positive gesture of recognition supporting the work of individuals for the work they have potentially done to foster good relations and advance equality of opportunity between people who share a protected characteristic and those who don't, as described in the report.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

Kalvaran Sandhu, Equalities Manager, Ext 37 6344

4.4 Climate Emergency implications

There are no significant climate emergency implications directly associated with this report.

Aidan Davis, Sustainability Officer, Ext 37 2284

5. Background information and other papers:

None

Armed Forces Covenant update

Full Council

Date of Full Council: 29 September 2022

Lead director/officer: Miranda Cannon

Useful information

- Ward(s) affected: All
- Report author: Miranda Cannon, Director of Delivery, Communications and Political Governance
- Author contact details: miranda.cannon@leicester.gov.uk
- Report version number: 0.2

1. Summary

The purpose of this report is to provide an update on the ongoing work that the Council does in support of the Armed Forces community and to provide an overview of future plans including how we propose to respond to recent legislation which places new duties on local authorities in relation to the Armed Forces Covenant.

2. Recommended actions

Full Council are recommended to:

- Agree the report and action plan at Appendix A as a reflection of the Council's ongoing commitment to the Armed Forces community; and
- Support the ongoing work to raise awareness of our Covenant commitments and to support the Council in working with the Armed Forces Community and meeting the requirements of the new legal duties placed upon education, health and housing services.

3. Background

The Armed Forces Covenant sets out the relationship between the nation, the state and the armed forces and it establishes how they should expect to be treated. Leicester City Council re-signed our Armed Forces Covenant on 23 June 2018. The overall aim of the Covenant nationally is about removing disadvantages so armed service personnel, past and present, get the same treatment and access to services as the civilian community.

In delivering on our Armed Forces commitments we consider the Armed Forces community to include:

- Serving personnel (Army, Navy, RAF)
- Veterans (a veteran is defined nationally as anyone who has served for at least one day in Her Majesty's Armed Forces, either Regular or Reserve Forces or Merchant Mariners who have seen duty on legally defined military operations).
- Adult Cadet Force Leaders
- Reservists
- Spouses and families of serving personnel, reservists and veterans

The Council has an Armed Forces Member Champion, Councillor Vi Dempster and a Senior Officer Champion, Miranda Cannon and the work we do is supported by officers

within the Delivery, Communications and Political Governance Division who meet quarterly to discuss current activity and proposed actions.

The Council also holds a silver award from the Defence Employer Recognition Scheme (ERS). This scheme focuses on what organisations can do as employers to pledge, demonstrate and advocate support to defence and the armed forces community, including alignment with the Armed Forces Covenant. Whilst the ERS is designed primarily to recognise private sector support, public sector organisations such as the emergency services, local authorities, NHS trusts and executive agencies are also eligible to be recognised and many, like us, locally have done so.

A key challenge in this area of work has always been identifying the size and nature of the Armed Forces population locally, particularly the veteran community. As a Council we hold pockets of information that provide some insight, for example we know that in 2021:

- The school census across city schools identified 29 children who were eligible for the service pupil premium
- There were 21 registered service voters on the Electoral register
- There were 155 veterans from Leicestershire in HM Prisons

This information provides a very partial picture which suggests a comparatively small population locally of those in service but provides no insight into the wider veteran community. However, the 2021 census included a question which enabled former Armed Forces personnel to identify themselves as veterans for the first time. It is anticipated that this data will provide a better understanding going forward of the ex-Armed Forces community within each local area and this data is likely to be published in late 2022 / early 2023.

A further national development in 2021 was the passing of the Armed Forces Bill 2021. This Act introduces a statutory duty on certain public bodies to pay due regard to the principles of the Armed Forces Covenant when carrying out specific functions in the areas of housing, healthcare and education. Work has been undertaken on statutory guidance and a draft Statutory Instrument (SI) has now been laid in Parliament to enact this. If Parliament approves the SI, the minister will then be able to sign the SI into law, and two weeks later the new Covenant Duty will come into legal force. There is no confirmed date as yet for this. There will be a transition period to provide organisations with sufficient time to prepare to meet this duty. We will be required to meet this new duty as will schools across the city along with other public sector housing, healthcare and education providers.

Locally the Council works closely with 7th Infantry Brigade and HQ East - 'The Desert Rats'. The Brigade comprises both Regular and Reserve units and is the Army regional point of contact for the 12 counties of the East Midlands and the East of England. The Brigade's work locally includes engagement with employers in support of reservist activity and with community groups and organisations including schools. In relation to the Navy and RAF we maintain links with RAF Wittering and HMS Sherwood particularly through over civic events and we are looking to further strengthen and build on these links going forward.

4. Detailed report

The Council continues to actively work in support of our Armed Forces Covenant commitments. Our work is co-ordinated via an action plan designed to deliver against three main priorities:

- Increase awareness of the Armed Forces Covenant
- Strengthen the council's commitment to the Covenant
- Work in partnership with other local organisations to support the Covenant

The report below sets out some of the key areas of work undertaken over the last two years. An updated draft action plan is included at Appendix A which sets out the intended areas of focus of our continued work for the next 12 to 18 months.

4.1 Workforce

Within our HR system we have a section where employees can complete a personal profile providing information in relation to the protected characteristics. We have now included in that profile the ability for employees to declare if they are any of the following:

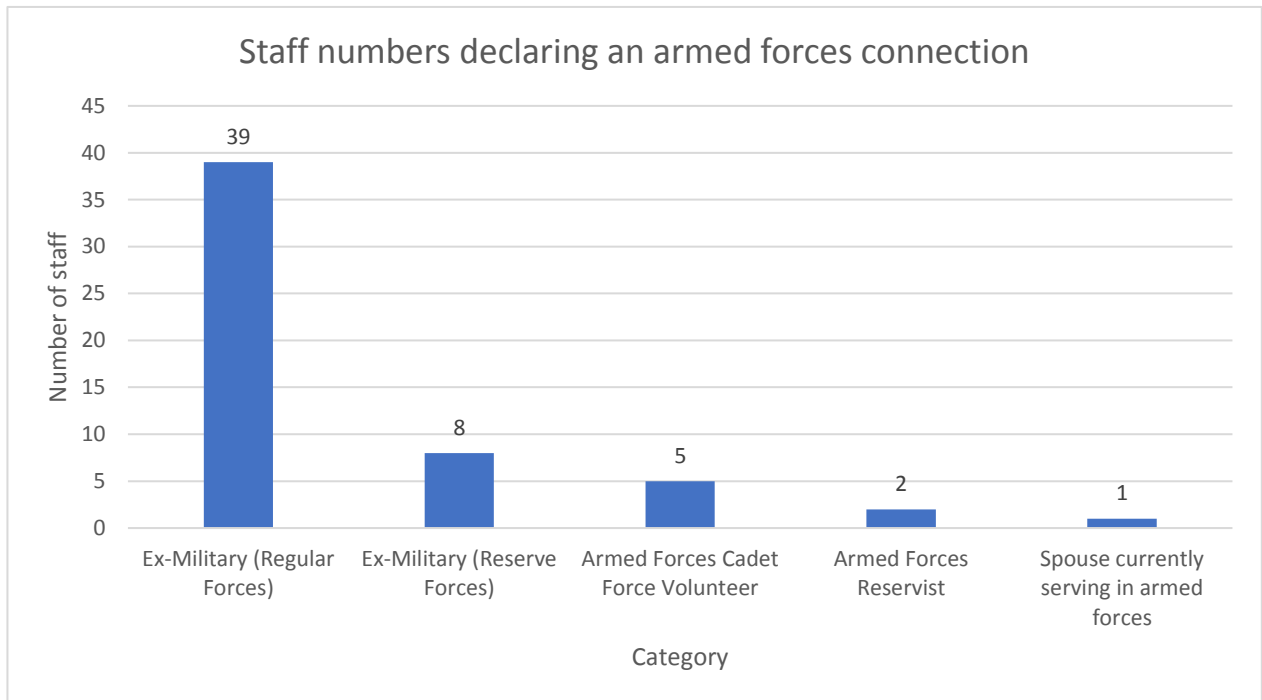
- Ex-Military (Regular Forces)
- Ex-Military (Reserve Forces)
- Armed Forces Cadet Force volunteer
- Armed Forces Reservist
- Spouse currently serving in armed forces

The table below shows the percentage of the workforce who have completed a declaration against each category.

	Declared	Not declared
Ex-Military (Regular Forces)	53%	47%
Ex-Military (Reserve Forces)	41%	59%
Armed Forces Cadet Force Volunteer	41%	59%
Armed Forces Reservist	41%	59%
Spouse currently serving in armed forces	41%	59%

We will continue to work with both HR and Communications to promote this to staff and to encourage them to declare any Armed Forces connections and to explain how this may benefit both them and the Council.

Of those who have declared there are 55 staff with an Armed Forces connection as at 13th September 2022, with the breakdown shown in the chart below:



In relation to recruitment, we have a guaranteed interview scheme for veterans. Under this scheme, we guarantee to give an interview as long as the individual meets the following criteria:

- Their last full-time employer was one of the British armed forces
- They left the armed forces less than three years ago
- They have the essential skills for the job
- They tell us that they are an armed forces veteran when applying.

The Council is also signed up to promote relevant job opportunities on the Career Transition Partnership (CTP) website. CTP provides resettlement services for those leaving the Royal Navy, Army, Royal Air Force and Marines, and operates as an intermediary service for employers wishing to hire Service leavers. We also signpost jobs on the Forces Friendly Jobs website who support the spouses and families of those serving in the Armed Forces to access employment.

Since November 2021 (when detailed recording commenced in the HR system) we have had 79 applicants declare a military connection with 15 made an offer/appointed making an overall success rate of 19%. The breakdown is shown in the table below.

Recruitment	Applied	Offered / Appointed	Success rate
Ex-Military (Regular Forces)	41	6	15%
Ex-Military (Reserve Forces)	10	2	20%
Armed Forces Cadet Force Volunteer	12	4	33%
Armed Forces Reservist	5	1	20%

Spouse currently serving armed forces	11	2	18%
Total	79	15	19%

**Note: one candidate who had a currently serving spouse subsequently declined the job offer*

Whilst at the current time there are comparatively small numbers of employees with an Armed Forces connection, we will be looking further at how we can engage and support them for example through the possibility of developing a staff network or forum who we can also use to support the Council's wider work relating to the Armed Forces community.

We are also currently reviewing and updating our training offer in relation to the Armed Forces Covenant and this will sit alongside the embedding of the new duty (see section 4.5 below).

4.2 Partnership working

The Council continues to work actively with partners from the public sector, military and voluntary and community sector in relation to the Armed Forces. The Director of Delivery, Communications and Political Governance continues to Co-Chair the Leicester, Leicestershire and Rutland Civil and Military Partnership Board. This Board does not have any formal powers or decision making role but it meets quarterly to bring together partners from across LLR to share knowledge around the issues facing the Armed Forces Community both nationally and locally, to share details of local projects and initiatives and to help partners understand the range of support available for the Armed Forces community and particularly veterans, including via formally commissioned services in the NHS and through the wide range of local charities and organisations such as The Royal British Legion, Help for Heroes, SSAFA and Walking with the Wounded. The Board continues to be well attended and receives a range of useful information and updates about national and local activity for example the meeting in February 2022 included presentations on the NHS Op Courage veterans' mental health service, the Defence Medical Welfare Service Veterans' Places, Pathways, and People Programme, an update on 7th Brigade's current community-based activity, and the meeting in June 2022 included updates from Turning Point on veterans engagement and a session on understanding the new duty. Through the Board we have also supported the development of a list of local key contacts and networks to help individual organisations to better respond to enquiries from the Armed Forces Community and to signpost individuals to appropriate organisations.

4.3 Support to the Armed Forces Community

The Council maintains a range of key information on the corporate website for the Armed Forces Community at [Armed Forces Covenant \(leicester.gov.uk\)](https://www.leicester.gov.uk/armed-forces-covenant) and this includes details of a generic contact email address which is AFCovenant@leicester.gov.uk. This email address receives a small number of enquiries most often general enquiries from organisations involved in working with the Armed Forces Community, as well as occasional enquiries from individuals seeking support.

The Council has recently joined the Forces Connect app and provided a range of information about local services for inclusion in the app. The Forces Connect mobile app is free and is designed to signpost veterans, armed forces personnel and their families to support and advice in their local area across a range of services. The information is updated monthly, there are no charges or adverts and individuals do not need to enter any

personal data. It is reported that currently over nine thousand members of the armed forces community from across the UK are using the app. We will continue to ensure we provide updated information on local services to support the app. To download the app, search "Forces Connect" in Apple's App Store or the Google Play Store.

Since early 2020 the Council has been supporting the Armed Forces Generalship Programme in conjunction with Sandhurst Military Academy and 7th Brigade. Our support has involved the development of a day's programme of visits and events for several groups of senior Armed Forces Leaders who are on the Sandhurst Generalship Programme which prepares them for the most senior roles across the Armed Forces. The focus of the day's programme is to provide insight into the challenges facing local communities and the work of public sector and voluntary sector organisations in responding to those. This has included an opening presentation by the City Mayor, visits and presentations to a range of Council Services in areas such as Homelessness, Revenues and Customer Support, Adult Social Care and Community Safety plus others visits including to local schools, Neighbourhood Policing Units, Leicester Royal Infirmary, a multi-faith visit and discussion, Leicester City in the Community, and a foodbank. The programme has been a major undertaking and has been run three times in February 2020, October 2021 and February 2022. Previously no city has been asked to run this more than twice but the breadth of the programme offered by us in Leicester and the insights it has provided has led to a request to host three times and we have been asked and have agreed to host again in 2023.

Councillor Dempster has led on a project to allocate an allotment in Beaumont Leys for use by veterans and has co-ordinated with officers, additional support to ensure veterans involved in this project have the necessary tools and equipment to take on and manage the allotment. A key aim of this being to support the mental health and wellbeing of veterans.

4.4 Events

The Council continues to deliver a number of important events each year in support of the Armed Forces. This includes Armed Forces Day which takes place on the last Saturday each June. Armed Forces Day celebrations this year commenced on Monday 20 June when the Armed Forces Day flag was raised at the Town Hall and the Armed Forces Day service and parade took place on Saturday 25th June. Normally the service takes place at Leicester Cathedral and is followed by a parade through the city centre. However due to the current works at the Cathedral, for the first time the service was held outdoors this year in Green Dragon Square, as a publically accessible event open to anyone to attend and with a public parade held prior to the service. The new format was very well received and offered a greater opportunity for public engagement and we will be exploring how we can build on this as a model for this event in future.

The Council also delivers the annual Remembrance Day Service at the War Memorial in Victoria Park in November each year. During the pandemic activity moved online but the Service returned to the Park in November 2021.

In 2020 the Council also undertook a range of activities to commemorate the 75th Anniversary of VJ Day and the 75th Anniversary of VE Day. This included digital activities (due to the pandemic) such as a virtual Cathedral service. Leicester's museums also hosted two exhibitions:

- *Finding the Fallen, VE75 – A Pilgrim’s Journey of Remembrance*, at Leicester Museum and Gallery exploring the artist Loz Atkinson’s memories of her great grandfather Arthur Pinder, who died along with his crew when their Halifax Bomber crashed in the Second World War.
- Newarke Houses Museum and Gardens commemorated VJ Day with an exhibition entitled *VJ 75 – Leicestershire Prisoners of War in the Far East 1941-45*.

The Council also supported the installation of a memorial stone in Peace Walk, near Leicester’s Arch of Remembrance in Victoria Park, commemorating those who were taken prisoner in the Far East during the Second World War, and held a ceremony to dedicate the stone in August 2021. The stone was commissioned by local members of the charity Children and Families of Far East Prisoners of War (COFEPOW), following a campaign to erect a memorial for those who fought, died or were made prisoners of war in the Far East, as well as those who returned home and continued to suffer as a result of their treatment in captivity.

4.5 Understanding and embedding the new duty

The new duty to pay due regard to the principles of the Armed Forces Covenant is not dissimilar to the requirements of the public sector equality duty. Within the Council’s existing equality impact assessment (EIA) tool we have for a number of years already included ex-Armed Forces as another group which services are encouraged to consider. Our approach therefore is to further rework our EIA process and tools to ensure the new duty relating to the Armed Forces community is fully reflected. This will be done once the new statutory guidance is finalised and formally published and further details are provided with regard to the transition period.

Appendix A sets out areas of proposed activity for the next 12 – 18 months to continue to build on these achievements.

5. Financial, legal, equalities, climate emergency and other implications

5.1 Financial implications

There are no direct financial implications arising from this report.

Martin Judson, Head of Finance. Ext 37 4101

5.2 Legal implications

There are no direct legal implications arising from this report.

Kamal Adatia, City Barrister. Ext 37 1401

5.3 Equalities implications

Under the Equality Act 2010, public authorities (including the local authority and schools), have a Public Sector Equality Duty (PSED) which means that, in carrying out their functions, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act, to advance equality of opportunity between people who share a protected characteristic and

those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The work detailed in the report will support the Armed Forces Community from a range of protected characteristics and would help to support their integration into society. By including the duty to pay due regard to the principles of the Armed Forces Covenant into the Equality Impact Assessment process we will ensure that it is integrated into a process that works well for the PSED and hence ensure it well adopted corporately. The release of the statutory guidance will be pivotal in considering the next steps and the implications.

Kalvaran Sandhu, Equalities Manager. Ext 37 6344

5.4 Climate Emergency implications

There are no significant Climate Emergency implications arising from this report.

Duncan Bell, Climate Change Manager. Ext. 37 2249

6. Background information and other papers:

7. Summary of appendices:

Appendix A – Armed Forces Covenant action plan

Leicester Armed Forces Covenant (AFC) Action Plan - 2022/23

This action plan supports the Council's Armed Forces Covenant (AFC) commitment. The Covenant is about removing disadvantages so armed service personnel, past and present, get the same treatment and access to services as the civilian community.

This plan is designed to deliver against three main priorities:

- Increase awareness of the Armed Forces Covenant
- Strengthen the council's commitment to the Covenant
- Work in partnership with other local organisations to support the Covenant

25

1. Increase awareness of the Armed Forces Covenant (AFC)

Ref	What will we do	By when?	By whom?	Progress
1.1	<p>Continue to raise awareness of the Armed Forces Covenant and what it means with staff and elected members.</p> <p><u>Elected members:</u></p> <ul style="list-style-type: none"> • Ongoing engagement with the AF member champion • Provide an update on the Council's commitments and activity to the City Mayor and Executive and Full Council during 2022 with an updated action plan • Prepare appropriate information for the induction programme which will follow the May 2023 elections 	<p>Ongoing</p> <p>June – Sept 2022</p> <p>May 2023</p>	<p>Miranda Cannon</p> <p>Miranda Cannon</p> <p>Matthew Reeves / Liz McKenzie</p>	

	<ul style="list-style-type: none"> Plan to include a specific session in the member development programme for the new four-year administrative term <p><u>Staff</u></p> <ul style="list-style-type: none"> Provide an update on the Council's commitments and activity to the Corporate Management Team during 2022 with an updated action plan Promote the AF covenant via staff communication channels such as FACE and particularly linked to relevant specific days/events such as Armed Forces week, Reserves Day Offer briefings to key service areas including relevant frontline staff, in conjunction with Equalities in relation to the new duties (see below) Review the updated nationally developed e-learning when available to determine if helpful to adopt and promote to staff. Identify a way to engage staff with an Armed Forces background to act as a sounding board and to help support enquiries and issues as they arise 	<p>To be determined as part of the 2023 onwards member development programme</p> <p>Sept 2022</p> <p>Ongoing</p> <p>Ongoing</p> <p>October 2022</p> <p>December 2022</p>	<p>Matthew Reeves / Liz McKenzie</p> <p>Miranda Cannon</p> <p>Miranda Cannon / Liz McKenzie / Comms and Marketing Team</p> <p>Miranda Cannon / Matthew Reeves</p> <p>Amran Ismail / Matthew Reeves</p> <p>Amran Ismail / Liz McKenzie</p>	
1.2	<p>Promote the Armed Forces Covenant with external stakeholders (businesses, armed forces groups / charities, residents, charities which potentially may have AFC clients etc) to demonstrate the council's commitment and ensure clear expectations.</p>			

	<ul style="list-style-type: none"> • Use opportunities such as Armed Forces Week to promote the covenant • Ensure useful and up to date information is on the Council's website • Continue to review, update and add local Leicester based information to the Forces Connect app • Reshape the format of the Armed Forces Day parade and service to maximise opportunities for more public engagement and review learning from this for future events 	<p>Ongoing</p> <p>Complete a refresh by Nov 2022</p> <p>Ongoing</p> <p>June 2022 and June 2023</p>	<p>Liz McKenzie / Comms & Marketing Team Amran Ismail</p> <p>Amran Ismail</p> <p>Liz McKenzie</p>	
1.3 27	<p>Embed understanding of the AFC legislation and what is required of the relevant services</p> <ul style="list-style-type: none"> • Incorporate an overview of the requirements of the new legislation in the update reports to Corporate Management Team, City Mayor Briefing and Full Council (see 1.1 above) • Support the Corporate Equalities team in raising awareness of the new duty of due regard and in embedding this as part of the EIA approach • Continue to engage with other authorities locally and through relevant networks and conferences as the new legislation is applied in practice and share relevant learning with key service areas 	<p>June – Sept 2022</p> <p>Ongoing</p> <p>Ongoing</p>	<p>Miranda Cannon</p> <p>Miranda Cannon / Kal Sandhu</p> <p>Miranda Cannon / Kal Sandhu</p>	

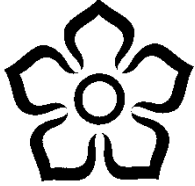
2. Strengthen the council's commitment to the Armed Forces Covenant

Ref	What will we do	By when?	By whom?	Progress
2.1	<p>Consider ways in which to engage and support staff who are members of AF community:</p> <ul style="list-style-type: none"> • Work with HR and Communications to encourage staff to declare any Armed Forces connection on the HR system • Liaise with the HR Management Information Team to gather quarterly data on the percentage of completed declarations/numbers declaring • Give further consideration to shaping a staff network or holding events for staff with an Armed Forces connection and any advocates who would wish to support 	<p>Ongoing</p> <p>Every quarter</p> <p>December 2022</p>	<p>Comms and Marketing Team</p> <p>Amran Ismail</p> <p>Miranda Cannon / Matthew Reeves / Liz McKenzie / Amran Ismail</p>	
2.2	Work with seventh brigade and others to look at how we can promote and support AF cadet units and encourage young people to engage in cadet opportunities	Ongoing	Miranda Cannon	
2.3	<p>Continue to promote relevant job opportunities to the AF community</p> <ul style="list-style-type: none"> • Promote relevant job opportunities on the Career Transition Partnership website and Forces Friendly • Liaise with Recruitment on a quarterly basis to understand data on job applicants who have declared an Armed Forces connection to assess the impact of promotion activity • Engage with any local opportunities to promote jobs to ex-service personnel such as specific career fairs 	<p>Ongoing</p> <p>Quarterly</p> <p>As opportunities arise</p>	<p>Recruitment and Resourcing Team</p> <p>Amran Ismail</p> <p>Recruitment and Resourcing Team</p>	

3. Work in partnership with other local organisations to support the Covenant

Ref	What we will do	By when?	By whom?	Progress
3.1	<p>Work with local Armed Forces on other engagement opportunities</p> <ul style="list-style-type: none"> • Host the Generalship programme in 2023 • Proactively engage with 7th Brigade, RAF Wittering, HMS Sherwood and the Regional Employer Engagement Programme to continue to look at opportunities to support the Armed Forces locally 	<p>Feb 2023 Ongoing</p>	<p>Miranda Cannon / Shaaeda Qureshi Miranda Cannon / Liz McKenzie</p>	
3.2 29	<p>Continue to work with partners across LLR in support of AF community:</p> <ul style="list-style-type: none"> • Continue to support the Leicester, Leicestershire and Rutland Civil and Military Partnership Board as Co-Chair and Administrative support • Engage with other local authorities across LLR to share experience and best practice in implementing the Armed Forces legislation locally • Support work by the Partnership Board to share information and contact details on local organisations who can support the Armed Forces Community • Continue to build and strengthen links to local Armed Forces organisations including those in the voluntary and community sector 	<p>Ongoing quarterly meetings –</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	<p>Miranda Cannon</p> <p>Miranda Cannon / Kal Sandhu / Matthew Reeves</p> <p>Miranda Cannon / Shaaeda Qureshi</p> <p>Miranda Cannon / Matthew Reeves / Liz McKenzie / Amran Ismail</p>	

	<ul style="list-style-type: none">Respond effectively and in a timely way to enquiries to the Armed Forces generic email enquiries channel and to any enquiries raised by partners	As enquiries arise – aim to respond within 5 working days		
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Leicester
City Council

WARDS AFFECTED
All

Standards Committee
Council

27th April 2022
29th September 2022

REVIEW OF THE MEMBER CODE OF CONDUCT

Report of the Monitoring Officer

1. PURPOSE OF REPORT

- 1.1 To seek the approval of the Full Council to the revised “Member Code of Conduct” under the Localism Act 2011.

2. SUMMARY

- 2.1 The Council adopted a new Code of Conduct (and associated ‘Arrangements’) on 1st July 2012 pursuant to changes in the law. These were reviewed by Full Council on 19th September 2013 and minor modifications were made. They were further reviewed and amended by Full Council on 14th November 2014. This report reflects upon the intervening years and seeks approval for further changes.

3. RECOMMENDATIONS (OR OPTIONS)

- 3.1 That the Standards Committee receives the report and comments upon the proposed changes
- 3.2 That Full Council accepts the changes to the Code of Conduct

4. REPORT

- 4.1 In 2019 the Committee for Standards in Public Life (CSPL) produced a comprehensive report on the topic of Local Government Ethical Standards. At its meeting on the 1st of October 2019 Leicester City Council's Standards Committee considered the CSPL report in full. The CSPL report made 26 recommendations, almost all of which were directed at Government, in relation to changes that it felt were required to the framework for upholding ethical standards in Local Government. That report also made 15 Best Practice points against which each Local Authority could assess its ethical Standards regime. Leicester City Council, through the Standards Committee, self-audited against those Best Practice points and recommended some changes to our Code of Conduct. In relation to the 26 recommendations, many of them required action by the Government because certain recommendations could not be taken forward without legislative change. For example, it is widely acknowledged that sanctions available for proven Member misconduct are weak. The Government did not reply to the CSPL report until January 2022. It has declined to make any substantive changes to the existing law. One key recommendation which was not within the purview of government was a recommendation that the Local Government Association (LGA) produce a Model Code of Conduct which LAs could choose to adopt. This was in response to the fact that after the Localism Act 2011 each Local Authority drafted its own Code of Conduct and there were widespread inconsistencies between them. The LGA Model Code was issued in late 2020 and was discussed by the City Council Standards Committee meeting on the 8th of November 2021. This report implements the recommendations made by the Standards Committee to make changes. The Council's Standards Committee considered the draft on 27th April 2022 and endorsed it.

4.2 The proposed amended Code is attached.

The main changes comprise:

- a) Expanded scope and significantly expanded narrative concerning when the Code of Conduct applies to a Member. In the ten years since the Localism Act 2011 imposed new requirements in relation to Standards regimes there has been a general view that Codes of Conduct have not kept pace with the many and varied ways in which Members interact with society and thereby the settings in which they ought to be held to high standards of behaviour. Too narrow a focus upon exercising their “representative” role excludes, for instance, deliberate misuse or manipulation of status to achieve, or seek to achieve, certain outcomes. Broadly speaking, the previous Code focussed very much on establishing that a Member was conducting the “business” of the Authority when the alleged behaviour occurred. The proposed version incorporates behaviour whilst a Member is misusing that role, for example by claiming to be acting in that capacity. It also incorporates a test focussed on whether a member of the public could reasonably be of the view that the Member was acting in their official capacity. This revised section does however expressly acknowledge that Members have the right to act in their private citizen capacity without being held to be acting on official business.
- b) Expanded narrative in relation to specific behaviours/standards such as “respect”, “bullying” and “respecting impartiality”
- c) Express reference to expectations of Member cooperation and compliance with the Code of Conduct.
- d) New preamble to the Gifts & Hospitality section to make reference to a general expectation (consistent with the Employee Code of Conduct) that gifts should be declined. Thereafter, a raising of the registration threshold from £25 to £50.
- e) Incorporation of the Member Conduct in Meetings Protocol into the Code as an appendix
- f) Cross-referencing in the Code to complementary Guidance such as Social Media Guidance for Members, and the Council’s Political Conventions.

5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5.1 Financial Implications

There are no direct financial implications arising from these proposed modifications to the Code of Conduct – Amy Oliver, Head of Finance, ext. 37 5667

5.2 Legal Implications

The legal implications are dealt with in the body of the report. The Localism Act 2011 compels each Local Authority to have in place a Code of Conduct by which Member conduct can be held accountable – Kamal Adatia, City Barrister & Head of Standards, ext. 37 1401

Report Author

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Leicester
City Council

**** MINUTE EXTRACT ****

Minutes of the Meeting of the
STANDARDS COMMITTEE

Held: WEDNESDAY, 27 APRIL 2022 at 5:30 pm

P R E S E N T :

Councillor Dr Barton (Chair)

Councillor Rae Bhatia

Also present:

Mr Mike Galvin	Independent Member
Ms Jayne Kelly	Independent Member
Ms Alison Lockley	Independent Member
Mr Simon Smith	Independent Member
Mr David Lindley	Independent Person

* * * * *

23. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dr Moore and Mr Michael Edwards.

24. QUORUM OF THE COMMITTEE

The Monitoring Officer advised the Committee that it required three Councillors to be present for a quorum. Although a quorum was not present, the Committee could still continue to consider the business on the agenda; but any decisions could not be implemented until the minutes of the meeting were approved by the next quorate meeting of the Committee. It would not affect consideration of the draft reports as the Committee's comments would be incorporated into the final reports which would then be submitted to the Council for approval.

25. DECLARATIONS OF INTEREST

Members were asked to declare any interest they may have in the business on the agenda. No such declarations were received.

27. CODE OF CONDUCT UPDATE

The Monitoring Officer submitted the Draft Report of the Standards Committee on the Review of the Member Code of Conduct. Members were asked to note the report and make any amendments prior to it being submitted to the Council for approval.

In accordance with Rule 1 of Part 4B of the Constitution (Access to Information – Procedure Rules) the report was not available in the public domain as it was in ‘draft’ form and was only circulated to Members of the Committee. Members were advised that if they wished to discuss specific individuals or circumstances, the Monitoring Officer may need to advise them to exclude the public and press to enable the meeting to continue in private session.

The Monitoring Officer commented that the Committee had considered the 26 recommendations of the Committee for Standards in Public Life (CSPL) report in October 2020. The Committee had self-audited against those Best Practice points and recommended some changes to our Code of Conduct. Many of the 26 recommendations required legislative changes and the Government responded to the CSPL report in January 2022 declining to make any substantive changes to the existing law. The Committee had also reviewed the LGA Model Code of Conduct in November 2021, and the current draft report implemented the recommendations made by the Committee at that time. The Committee had recommended that the LGA Code of Conduct should not be adopted in its entirety parts of it should be added to the Council’s Code of Conduct.

The Committee commented that they were content with the changes that had been made and the Code of Conduct was clear and easily understandable.

Mr Lindley commented that he and Mr Edwards had discussed the changes and they felt it reflected their experience in dealing with complaints as well as pulling together other guidance.

Following comments made by the Committee the Monitoring Officer stated that:-

- He would change the heading for paragraph 6 of the Code of Conduct from ‘Other’ to ‘Validity of Acts’ to make it clear that the paragraph was a stand-alone paragraph and was not a follow on from paragraph 5 on Gifts and Hospitality.
- He would expressly cross-reference in the Code of Conduct the LGA Guidance, so that the latter could be used, as appropriate, to help to adjudicate on future complaints.
- The Code was embedded in the Council’s operations as all councillors had mandatory training when elected to office and the code of conduct was one of those topics in the mandatory training programme. He also reported on complaints and outcomes to the Committee regularly and

wrote to councillors after a complaint had been dealt with to include any suggestions for reparations. The Code of Conduct was approved by Council, so all councillors were aware it and it was included in the Council's Constitution. Information on how to submit complaints against a councillor had its own dedicated platform on the website; so those looking for information did not have to search the whole of the webpages.

- If other councillors made comments on the suggested Code of Conduct when it was considered by Council, the Council would determine if those suggestions should be incorporated before the Code of Conduct was approved. If the Council meeting proposed amendments that were substantially different to those approved by the Standards Committee, then the Code should come back to this Committee before being finally approved by Council.
- Once the revised Code of Conduct had been approved, an all-member briefing could be arranged to explain the implications of changes to the Code.

RESOLVED:

That the report be received, and subject to the comment to change the heading of paragraph 6 in the Code of Conduct as outlined above, no further comments were made to the content of the draft report prior to the Monitoring Officer submitting the report to Council for approval

31. CLOSE OF MEETING

The Chair declared the meeting closed at 6.10pm.

LEICESTER CITY COUNCIL
CODE OF CONDUCT FOR MEMBERS
(updated July 2022)

1. Application

The Code of Conduct applies to you whenever you are acting in your capacity as a Member (to include co-opted Members and the Elected Mayor) of Leicester City Council, and it continues to apply to you until you cease to be a Member.

It applies to you when:

- You are acting in your capacity as a Member
- You misuse your position as a Member
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Member

You may misuse your position by using, or attempting to use, your position as a Member to seek to gain an advantage for yourself or someone close to you, or to disadvantage someone. This includes threatening to use your position to do something, even if you don't in fact have the power to achieve it. Alternatively, you may misuse resources that are conferred upon you in your capacity as a Member (e.g. electronic hardware, your identity badge or letter headed paper/business cards).

However, Members are also private citizens. For something to fall within the Code there must be a link between the conduct and your Local Authority role as a Member. For example, an argument with a neighbour which does not relate to Local Authority business would not engage the Code, even if your neighbour knows you are a Member and therefore complains to the Local Authority about being treated disrespectfully. Equally, conduct engaged-in whilst on party political business does not fall within the Code (though you may be subject to separate expectations and sanctions from your political Group).

The Code applies to all forms of communication and interaction, including:

- At face-to-face meetings
- At online or telephone meetings
- In written communication
- In verbal communication
- In non-verbal communication
- In electronic and social media communication, posts, statements and comments

The interaction may take place whilst engaged on the business of your Local Authority, or when sitting on an outside body which you have been appointed by your Local Authority

The interaction may be with other Members, officers, members of the public or representatives of other organisations

Social Media postings – simply describing yourself as a Member in a social media posting or at the top of your page or in your username or profile does not of itself mean that every posting you make is covered by the Code. There must be a link between the individual posting or thread and your role as a Local Authority Member. However even if you do not describe yourself as a Member you may fall foul of the Code if you are discussing Local Authority business in such a way that a reasonable member of the public might think you were invoking your office. The Council has published separate Guidance to Councillors on the use of Social Media ([Standards.socialmediav2.pdf \(leicester.gov.uk\)](https://www.leicester.gov.uk/standards-socialmediav2.pdf))

- ~~a. At formal meetings of the Council, its Committees and Sub Committees, its Executive and Executive Committees~~
- ~~b. When acting as a representative of the Authority~~
- ~~c. In taking any decisions as a Member of the Executive or as a Ward Councillor~~
- ~~d. In discharging your functions as a Ward Councillor~~
- ~~e. At briefings meetings with officers~~
- ~~f. At site visits~~
- ~~g. When corresponding with the Authority other than in a private capacity~~
- ~~h. At any other time when you conduct the business of your Authority~~

*—The Code therefore applies when performing your duties in meetings, or when acting alone, and it applies whether you are acting inside or outside of the City boundary

2. Principles

The Principles underpinning this Code of Conduct are that you will act with:

- a. Selflessness
- b. Integrity
- c. Objectivity
- d. Accountability
- e. Openness
- f. Honesty
- g. Leadership
- h. Respect for others
- i. A commitment to uphold the law

~~3. General conduct~~

The Code sets out the minimum expected standards of behaviour. You must, for example:therefore:

- a. Treat others with respect

You must respect other people, as well as respect the role they perform. Examples of disrespectful behaviour might include angry outbursts; use of inappropriate language such as swearing; ignoring someone who is attempting to contribute to a discussion; attempts to shame or humiliate others; nit-picking and fault-finding and the sharing of malicious gossip or rumours.

Members will engage in robust debate at times and are expected to challenge, criticise and disagree with views, ideas, opinions and policies. But you should do this in a respectful way in order to build up healthy working relationships and public trust and confidence. You should focus criticism or challenge upon ideas and policies rather than personalities. (In relation to Member meetings, see Table 2 for agreed Protocol for Member behaviour in meetings)

The circumstances in which the behaviour occurs are relevant to determining whether it is disrespectful. This will include where it occurs, with whom it occurs and the relationship of the people involved. It must also be balanced with the Member's right to Freedom of Expression. This extends to the expression of views that may shock, disturb or offend the beliefs of others. Freedom of Expression is protected more strongly in some contexts than others. In particular, a wide degree of tolerance

is accorded to political speech. Public servants (i.e. officers) are subject to wider levels of acceptable criticism than other members of the public when matters of public concern are being discussed. However, the limits are not as wide as they are between elected politicians.

b. Not bully others

Bullying may be characterised as offensive, intimidating, malicious, insulting or humiliating behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. It may be a regular pattern of behaviour or a one-off incident, happen face to face or virtually and may not always be obvious or noticed by others.

c. Respect the impartiality of officers

Officers work for the local authority as a whole and must be politically neutral. They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of a report if doing so would prejudice their professional integrity.

Members take decisions every day that affect the lives of those who live and work within the community. It is therefore important to have regard to all available evidence and to weigh up all sides of the argument. Decisions can be challenged if they are unreasonable. Members must have regard to any professional advice they have been offered. Members should also give reasons for their decisions in accordance with statutory requirements and any reasonable requirements imposed by the local authority.

d. Respect the confidentiality of information which you receive as a Member.

In addition you must (i) not disclose confidential information to third parties other than in accordance with the law and (ii) not act to prevent a third party gaining access to information to which they are entitled in law

- e. Uphold and promote the Authority's discharge of its Equality obligations, in particular to (i) eliminate discrimination (ii) promote equality of opportunity (iii) foster good relations
- f. Uphold and promote these principles by leadership and by example, and act in a way that secures and preserves public confidence
- g. Comply with the requirements regarding registration, declaration and participation in the Authority's business where you have a Disclosable Pecuniary Interest (DPI) or "Other Disclosable Interest (ODI)"
- h. When using the Authority's resources, do so in accordance with the Authority's requirements, and not use such resources improperly
- i. Not conduct yourself in a manner which is likely to bring the Authority into disrepute
- j. Not use your position as a Member to improperly confer (or attempt to confer) upon yourself or any other person an advantage or disadvantage, but act only to further the public interest
- k. k. Comply with the Code of conduct. This includes (i) undertaking any training provided by my local authority; (ii) cooperating with any Code of conduct investigation; (iii) not to intimidate, or attempt to intimidate, any person who is involved with the administration of any investigation or proceedings and (iv) comply with any sanction imposed on you following a finding that you have breached the code of conduct.

The above list is not exhaustive, and any conduct which breaches the principles set out in section 2 can constitute a breach of this Code. Further Guidance can also be found in the Political Conventions found in Part 5 of the Council's Constitution ([Our constitution January 2022 \(leicester.gov.uk\)](#))

4. Disclosable Pecuniary Interests (DPIs) (see Table 1 enclosed)

In addition to conducting yourself in accordance with the principles set out in section 2 you must:

- a. Declare any and all DPIs on your Register of Interests.
- b. Ensure that your Register of Interests is kept fully up to date, and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your DPIs
- c. Make a verbal declaration (at the beginning, or as soon as you become aware of your interest) of the existence and nature of any DPI “in a matter” to be considered (unless it is already declared on your Register, in which case you must simply comply with point d. below).
- d. Comply with the statutory requirements to withdraw from participating in respect of any matter in which you have a disclosable pecuniary interest (DPI), by either leaving the room (where the business is being conducted at a “meeting”) or by ceasing further participation in the item (where acting alone outside of a meeting)
 - The requirements cover not only DPI’s of Members but a DPI of any other “relevant person”, defined as spouse/civil partner, or someone with whom the Member is living as though they were a spouse or civil partner
 - Separate provisions within the law provide for the circumstances in which a Member may seek a “dispensation”, or may ask that the interest be treated as “sensitive”

5. **Other Disclosable Interests (ODIs)** (pecuniary or non-pecuniary)

Aside from the statutorily defined DPIs, you may have another type of interest in a matter being discussed. These will be of category A. or B. below and you will either:

- disclose that interest (regular ODI), or
- disclose and withdraw from the meeting (prejudicial ODI).

A. **Regular ODI**

You will have an “Other Disclosable Interest” in an item of business of the Authority where:

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you, or a member of your family or a person with

whom you have a close association (see below), to a greater extent than it would affect the majority of Council Tax payers, ratepayers or inhabitants of the Ward or electoral area

- You may need to register such “Other Disclosable Interest” into the Register of Interests operated by the Monitoring Officer
- If you attend a meeting at which any item of business is to be considered and you are aware that you have an “ODI” in that item, you should make verbal declaration of the existence and nature of that interest at or before the consideration of that item of business, or as soon as the interest becomes apparent

B. Prejudicial ODI

In addition to the above:

Where your ODI is of a nature where a member of the public, who knows the relevant facts, would reasonably think your “other disclosable interest” is so significant that it is likely to prejudice your judgement of the public interest you should disclose and withdraw from participating in respect of that matter

- “close association” is not defined in law but would reasonably include someone with whom you are in regular or irregular contact over a period of time, who is more than an acquaintance, and is someone whom a reasonable member of the public might think you were prepared to favour or disadvantage when discussing a matter that affects them.
- Note that that when a Member is acting as a decision-maker (but not in Scrutiny) there is a relationship between “bias/predetermination” and “interests”. Sometimes they will be synonymous [e.g. sitting on Planning Committee for a development that could, if approved, lower the value of your home will (i) certainly constitute a prejudicial ODI; (ii) possibly constitute a DPI; (iii) likely amount to “apparent bias” in common law].

However you might be predetermined over a matter in a way which does not translate into a registerable or a declarable “interest” (e.g. you are a member of Licensing Committee and have an ethical objection to the consumption of alcohol and a closed mind to the granting of any/all Liquor Licensing applications). Whilst this (i) will not constitute a DPI; (ii) may not constitute an ODI; it will (iii) constitute bias in law and breach the Nolan principles of objectivity, openness and upholding the law. You could therefore breach the Code of Conduct even though you strictly had no “interest” to declare/register.

6. Gifts and Hospitality

The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness, in which case you could accept it but must ensure it is publicly registered.

- a. You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £~~50~~²⁵ which you have accepted as a member from any person or body other than the authority
- b. The Monitoring Officer will place your notification on a public register of gifts and hospitality
- c. This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the authority for this purpose

7. Validity of acts ~~Other~~

Breaches of this Code will be dealt with under the “Standards Arrangements” as approved by Council on 06.07.17

In interpreting the Nolan Principles the relevant officers and Committee/subcommittee Members will be entitled to cross-refer the Local Government Association’s Guidance [Guidance on Local Government Association Model Councillor Code of Conduct | Local Government Association](#)

By virtue of section 28(4) Localism Act 2011 a decision is not invalidated just because something that occurred in the process of making the decision involved a failure to comply with this Code (though this does not mean that the decision cannot be impugned on other legal grounds e.g. judicial review)

Kamal Adatia
City Barrister & Head of Standards
July 2022 ~~October 2014~~

Table 1

Categories of DPIs

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(1).</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to M's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p>

(i) the total nominal value of the securities exceeds £25,000 or one hundredth 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 one hundredth of the total issued share capital of that class.

Protocol - Member Conduct in Meetings
(as agreed by The Standards Committee)

Political interaction is one of the most powerful of the checks and balances which are built into policy development and service delivery. Such interaction should be robust and challenging but must stay within the Code of Conduct for Members. This protocol applies to all meetings held within the Council.

Members should at all times:-

1. Treat others with respect
 - Allow others to speak and explain their position without persistent interruption
 - Avoid unreasonable or excessive personal attack
 - Challenge unacceptable behaviours in others
 - Apologise immediately if they are aware they have caused personal offence
2. Not bully or intimidate others
 - Avoid language that is abusive, malicious, insulting, humiliating, defamatory or offensive
 - Avoid intimidating body language
3. Be aware of the need to respect confidentiality and treat information as such where appropriate
4. Not bring the office of councillor or Leicester City Council into disrepute
5. Avoid attempting to compromise the impartiality of officers
 - Officers are neutral and must not be persuaded to act in a way that would undermine their neutrality
6. Address comments to the Chair and avoid direct conversations with other members

7. Take personal responsibility for their behaviour and avoid the need for intervention from the Chair
8. Avoid playing to the public gallery, which could result in disruption of the meeting.

Scrutiny Annual Report 2021-22

Decision to be taken by:
Full Council

Decision to be taken on/Date of meeting:
Overview Select Committee –27 September 2022
Full Council – 29 September 2022

Lead director/officer:
Miranda Cannon
Director – Delivery, Communications and Political
Governance

Useful information

- Ward(s) affected: All
- Report author: Francis Connolly, Scrutiny Support Manager
- Author contact details: Francis.Connolly@leicester.gov.uk
- Report version number: 1

1. Summary

- 1.1. This report provides a summary of the Scrutiny Annual Report 2021-22.
- 1.2. The Chair of the Overview Select Committee has developed a report that details the activity performed by the City Council's nine scrutiny bodies during 2021/22. The report does not primarily cover scrutiny work that has been undertaken since May 2022, though there are references to ongoing and proposed scrutiny activity.

2. Recommended actions/decision

- 2.1 Full Council is asked to note the report and endorse the work of scrutiny during 20121-22.
- 2.2 The Overview Select Committee is asked to review the report and provide any comments/recommendations ahead of consideration by Full Council.

3. Scrutiny / stakeholder engagement

- 3.1 The report details a summary of work and outcomes from scrutiny across OSC and the range of commissions during 2021-22.
- 3.2 Although it is a decision of Full Council to approve the scrutiny annual report, as it covers the work and operation of scrutiny, it is appropriate for it to be subject to consideration by the Overview Select Commission, and therefore each of the scrutiny commission chairs, ahead of its submission to Full Council.

4. Background and options with supporting evidence

- 4.1 The main report begins with an introduction by Councillor Ted Cassidy, Chair of the Overview and Select Committee.
- 4.2 It then provides general detail of the scrutiny structure, format and operation during the previous year.
- 4.3 The report includes a separate section for each of the nine scrutiny bodies, setting out the key achievements and highlights for each committee/commission and also refers to some of the ongoing and proposed work.
- 4.4 The report is designed to serve as a summary of activity. Full detail of the activity of each scrutiny body can be found via <https://bit.ly/3P7AOEh>

5. Detailed report

The full 'Scrutiny Annual Report 2021-22' is included on the subsequent pages.

6. Financial, legal, equalities, climate emergency and other implications

6.1 Financial implications

There are no financial implications associated with the preparation of the Annual Scrutiny Report, beyond the use of existing resources.

(Colin Sharpe, Deputy Director of Finance)

6.2 Legal implications

There are no direct legal implications arising from this report

(Kamal Adatia, City Barrister & Head of Standards)

6.3 Equalities implications

Under the Equality Act 2010, public authorities have a Public Sector Equality Duty (PSED) which means that, in carrying out their functions, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

There are no direct equalities implications arising from this report and equalities implications would have been considered for each of the areas mentioned when reports

have been presented to the scrutiny commissions throughout the timeframe referred to in the report.

Kalvaran Sandhu, Equalities Manager

6.4 Climate Emergency implications

There are no significant climate emergency implications directly associated with this report.

Aidan Davis, Sustainability Officer, Ext 37 2284

6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

N/A

7. Background information and other papers:

None

8. Summary of appendices:

Scrutiny Annual Report 2021/22

9. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

No

10. Is this a “key decision”? If so, why?

No

Leicester City Council Scrutiny Report 2021-22

Message from the Chair of the Overview Select Committee, 2021-22

I am delighted to have again served as Chair of the Overview Select Committee during 2021-22 and am very pleased to present a report that sets out an extensive range of work by scrutiny committees and commissions.

Throughout 2021 and entering 2022, the impact of the coronavirus pandemic still dominated the operation of the council and the city, and crucially, it remained at the heart of our scrutiny. It has been helpful for scrutiny to understand the implications on services and communities and my colleagues and I will continue to have a key role in examining the long lasting impacts of the pandemic.

We have however been able to spend more time this year focussing on services, strategic priorities and other emerging issues and I have been impressed with the volume and quality of scrutiny and the number of recommendations by scrutiny to the Council's Executive and to our key partners. I am once again thankful for the involvement and contributions of the City Mayor and his team, along with officers from across the organisation in supporting and equipping our scrutiny function. I am also particularly thankful for the level of engagement from our health sector partners, and I remain committed to engaging with decision-makers beyond the local authority.

At Leicester, we take great pride in our scrutiny, and we aim to examine those issues that are central to the lives of the people in our city. We have this year continued to scrutinise the key strategic priorities of the City Council, and have investigated many matters in detail, setting up task and finish work to allow a broader range of evidence to be gained by commissions. Examples of this include some focussed work on our corporate equality responsibilities, a review of a proposal to establish a new anti-social behaviour service and ongoing work in relation to the University Hospitals of Leicester reconfiguration and the emergence of the Integrated Care System (ICS).

I'm also pleased that further in-depth scrutiny work is progressing well, and I look forward to a number of reviews producing recommendations that will influence decision-making and improve service delivery for our citizens.

I look forward to developing scrutiny throughout 2022/23. It goes without saying that all local authorities face a mounting degree of pressure and challenge, and in a city such as ours, it is essential that my colleagues and I are ready to examine the implications of the circumstances that we face and to help to influence decision-making to support and enhance Leicester and its people.

Councillor Ted Cassidy – Chair of the Overview Select Comm

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Glossary

The following abbreviations are used to describe each scrutiny body:

ASC: Adult Social Care Scrutiny Commission

CYPE: Children, Young People and Education Scrutiny Commission

EDTCE: Economic Development, Transport and Climate Emergency Scrutiny
Commission

HCLT: Heritage, Culture, Leisure and Tourism Scrutiny Commission

HSC: Housing Scrutiny Commission

HWB: Health and Wellbeing Scrutiny Commission

JHSC: Joint Health Scrutiny Committee

NS: Neighbourhood Services Scrutiny Commission

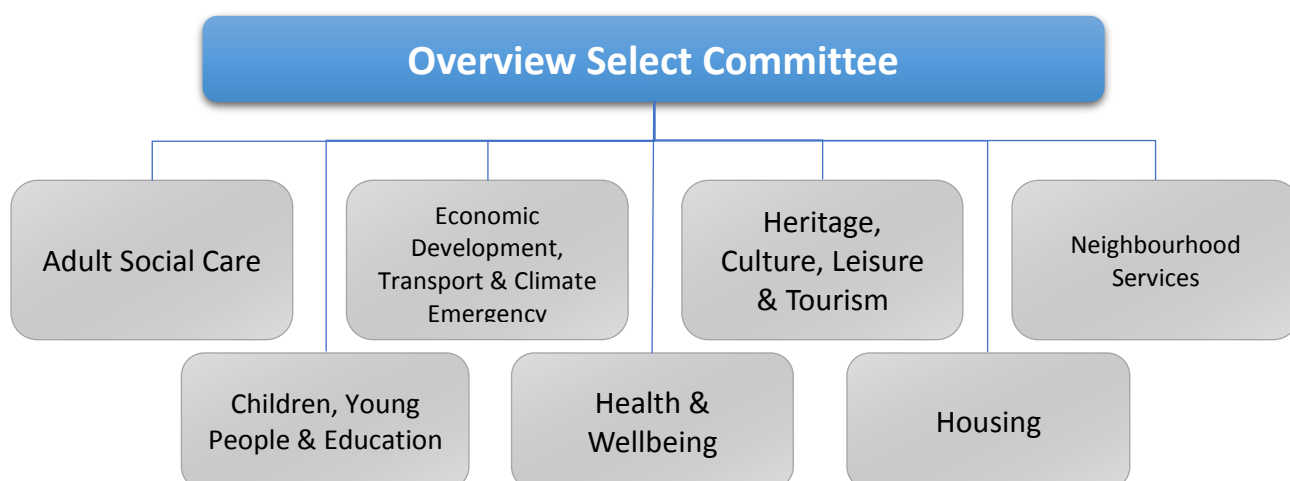
OSC: Overview Select Committee

Introduction

What is Scrutiny?

The Centre for Public Scrutiny defines scrutiny as “the activity by one elected or appointed organisation or office examining and monitoring all or part of the activity of a public sector body with the aim of improving the quality of public services. A public sector body is one that carries out public functions or spends public money. Scrutiny ensures that executives are held accountable for their decisions, that their decision-making process is clear and accessible to the public and that there are opportunities for the public and their representatives to influence and improve public policy.” As such, it is important that scrutiny is an essential part of ensuring that the council and its partners remain effective and accountable.

Leicester City Council’s Scrutiny Structure



As highlighted here, the council continued with the model of an Overview Select Committee supported by seven scrutiny commissions covering all facets of the council’s business. Since May 2021, the City Council has also acquired responsibility for leading the support to the Leicester, Leicestershire and Rutland Joint Health Scrutiny Committee; an arrangement that rotates on a bi-annual basis between Leicester City Council and Leicestershire County Council.

Report Structure

This annual report covers the period between May 2021-May 2022, reverting back to the standard format following the production of two-year report that covered the 2019-2021 municipal years.

The report provides detail of the work of the Overview Select Commission, and each of the seven City Council scrutiny commissions along with the Leicester, Leicestershire and Rutland Joint Health Scrutiny Committee. The annual report does not intend to draw out a large quantity of detail or highlight each recommendation, and instead sets out some of the key achievements by the scrutiny bodies, examining areas of influence and work undertaken as part of focussed reviews or task and finish work. Full detail of each scrutiny meeting can be found by accessing relevant agendas, and minutes via <https://bit.ly/3P7AOEh>

The report does not also intend to provide full detail of what is covered by each of the scrutiny bodies. Detail of the configuration of scrutiny at Leicester City Council can be accessed via <https://www.leicester.gov.uk/your-council/decisions-meetings-and-minutes/overview-and-scrutiny/our-scrutiny-system/>

Scrutiny by its very nature examines some work over a more considerable period of time, and this report also points to those strands of work that will continue throughout 2022/23. This is reflected as part of the commission summary pages throughout the report.

Overview of Scrutiny 2021/22

During 2021/22, meetings developed a greater sense of normality with all public meetings being held in person at Leicester's City Hall. In light of continued implications as a result of the pandemic, scrutiny maintained a degree of caution in its operation, with a hybrid meeting function enabling non-voting elected members, presenting officers and other contributors to attend remotely.

In total, there were 56 public meetings across the nine scrutiny bodies. This was supplemented by a vast amount of further work performed by members in the form of separate scrutiny task group meetings or additional briefing sessions on topics of significance.

At Leicester, the majority of meetings are comprised of approximately seven elected members, with some commissions being supplemented by co-opted members or standing invitees. The Chairs of the scrutiny bodies throughout 2021/22 were as follows:

Overview Select Committee – Councillor Ted Cassidy
Adult Social Care – Councillor Rashmikanth Joshi
Children, Young People and Education – Councillor Stephan Gee
Economic Development, Transport and Climate Emergency – Cllr Ashiedu Joel
Heritage Culture Leisure and Tourism – Councillor Elaine Halford
Health and Wellbeing – Councillor Patrick Kitterick
Joint Health Scrutiny Committee – Councillor Patrick Kitterick
Housing – Councillor Paul Westley
Neighbourhood Services – Councillor Aminur Thalukdar

The commissions and committees continued to examine several strands of work that featured previously, particularly in relation to the pandemic, but also in respect of other key strategic priorities and emerging priorities. As in previous years, a significant proportion of scrutiny related to the consideration of executive decisions prior to them being taken. This equips scrutiny to challenge, support and influence the City Council's decision-making processes and remains a prime role of the scrutiny function. Scrutiny also strives to examine issues that emerge throughout the year that have significant implications for the people of Leicester. The work overseen by OSC in relation to women's safety is one of many examples where scrutiny has responded quickly in considering the implications and potential solutions for a key emerging issue.

Many of the scrutiny bodies have also performed an extensive level of work in addition to that taking place as part of ordinary scrutiny meetings. A number of focussed task group reviews continued throughout 2021/22 and several were also initiated during the year. It is commonplace for the concept of this work to originate at a formal meeting, often when it is apparent that the level of scrutiny required is extensive and requires a more detailed process of evidence gathering. One recent example is the Housing Scrutiny Commission's work to review the Council's proposal to introduce a new, in-house team for dealing with cases of anti-social behaviour. The proposal was initially presented at a commission meeting, and it was felt that a significant amount of further detail was required to allow the commission to assess whether or not they wished to support the proposal. A number of task group meetings then took place to gather the information that was required, and as a result, the commission provided support towards the proposal along with the compilation of a series of recommendations. Upon the completion of all task group work, the executive submit a report back to a commission meeting that details a response to the scrutiny recommendations.

Scrutiny continues to gather the majority of its evidence from City Council service departments, though it has always been necessary for this to be supplemented with input from other organisations and stakeholders. During 2021/22, scrutiny sought evidence from a range of partners including the Police and Crime Commissioner, Healthwatch and Serendipity. The Health and Wellbeing Scrutiny Commission continued to examine the work of health partner organisations and also empowered a number of youth representatives to contribute to the scrutiny process; a concept that is set to be developed during 2022/23. More generally, scrutiny once again provided a platform for the public to directly examine decision makers. This was particularly apparent in the Health and Wellbeing commission's work in inspecting the process for the establishment of the Integrated Care System board, with a significant number of questions being put to health partners by members of the public.

The following pages document some of the key achievements and highlights of each of Leicester's nine scrutiny bodies, drawing on areas of significance during the past year and referring to some of the priorities for taking scrutiny forward during 2022/23.

Overview Select Committee

This Overview Select Committee is the City Council's overarching scrutiny body. The committee primarily scrutinises the work overseen by the City Mayor, the council's strategic priorities and cross-cutting issues including equalities, property and the Council's finances. The Committee also engages with leaders and decision makers from key partner organisations across the city.

The major Overview Select Committee scrutiny developments during 2021/22 included:

Pandemic recovery – throughout the year, the committee sought detail of the latest position in respect of council service recovery following the pandemic and examined a range of data sets, including those relating to infection rates, vaccinations and geographical trends, making recommendations to NHS partners, particularly in light of vaccination take up amongst certain cohorts. The committee also inspected the council's post-pandemic working practices and will continue to monitor these throughout 2022/23.

Corporate Equalities – the committee undertook some additional scrutiny work to examine the proposed Equalities and Workforce Action Plans in detail and made a number of recommendations for future service delivery. The commission also examined work in relation to tackling racism, inequality and disadvantage.

Enhancing Women's Safety – In light of prominent national cases, the committee reviewed existing safety measures and recommended the formulation of a multi-partner action plan to enhance the overall level of safety for women across the city. The committee will continue to examine progress with this work during 2022/23.

Scrutiny of the Budget – the committee examined the proposals for the City Council's revenue budget, capital programme and Housing Revenue Account. In doing so, the commission considered the comments of all scrutiny commissions, and endorsed these in advance of Full Council approval of the budget. As part of its ongoing work, OSC also considers the Council's revenue and capital budget monitoring reports throughout the year.

Strategic Priorities – the commission continued to review progress made with the City Mayor's key strategic commitments and ensured that OSC and the relevant commissions were able to examine these as appropriate.

Scrutiny plans for 2022/23 include:

- To examine the final proposals for Leicester's local plan, which sets out the vision and objectives for growth in the city for the next fifteen years.
- Following an extensive scrutiny session with the Police and Crime Commissioner in March 2022, the commission aims to engage with other key leaders and decision-makers, including local universities.
- To understand more about the Council's corporate parenting responsibilities and strategy.
- To understand more about the findings and outcomes regarding the recently completed survey of Leicester, with a view to delegating commissions to examine areas of particular interest.

Further detail in relation to the work of OSC during 2021/22 and detail of the meetings for 2022/23 can be accessed via <https://bit.ly/3A0nOuw>

Adult Social Care Scrutiny Commission

This commission focuses on matters relating to the delivery of statutory adult social care functions, such as care services to allow independence in own homes, care services for those that require care away from home and policies for a broad range of health needs.

The key Adult Social Care scrutiny developments during 2021/22 included:

- **Cost of Care Packages** – In light of the overall outlook for the ASC budget, a scrutiny task group was set up to understand more about trends in care costs and changes in demand – and the impact on budgets. This work concluded during the year though the final set of recommendations will be presented in early 2022/23. Moreover, the commission examined generally the budget pressures and workforce issues impacting on care services at a local and national level.
- **Healthwatch Leicester** – scrutiny has forged closer relationships with Healthwatch, the body responsible for championing the views of users of health and social care services. Healthwatch representatives have presented a number of reports to the commission and attend each meeting to compliment and add value to the scrutiny process.
- **Technology Care Aids** – This service has grown rapidly in recent years and was scrutinised in detail by the commission. Members examined the aids themselves to better understand how they support those in need and will continue to monitor developments during 2022/23.
- **Procurement of social care services** – the commission looked at the overall plan for service procurement over the next two years. There was particular interest in the monitoring of a number of individual contracts and further scrutiny was agreed to take place in relation to these.
- **Extra Care Provision** – in scrutinising the latest programme, members sought assurances around the opportunity to make progress over the coming year and enquired whether elements of the service could be delivered in-house.
- **Other key Adult Social Care strategies and policies** – the commission scrutinised various plans, strategies and annual reports, which included the Adult Social Care Operational Strategy, the Learning Disabilities Plan, the Mental Health Strategy and the Leicester Partnership Adult Safeguarding report. There was a commitment to undertake further scrutiny on many of these and several recommendations and actions were sought.

Scrutiny plans for 2022/23 include:

- Understanding the outcome of the recommendations in respect of the cost of care packages task group review
- To continue to understand the future ASC budget implications on services
- To examine the upcoming Winter Care Plans
- To understand the implications of the health and social care reforms
- To undertake a greater amount of joint scrutiny with the Health and Wellbeing Scrutiny Commission in relation to areas of shared significance

Further detail in relation to the work of ASC during 2021/22 and detail of the meetings for 2022/23 can be accessed via <https://bit.ly/3A1rJYf>

Children, Young People and Education Scrutiny Commission

The Children, Young People and Education Scrutiny Commission is responsible for considering children's social care, education & attainment and support provision for children and young people and families. Diocesan, trade union and school governor representatives work with elected members on this Commission.

Key scrutiny developments during 2021/22 included:

Scrutinising the continued impact of the pandemic – Throughout the year the commission carefully monitored the impact of the pandemic on school children, teachers and support staff. Reports were continually provided that accurately reflected the position across the city and identified those individuals and services most in need of support. The difficulties behind obtaining completed parental consent forms for vaccination was made clear to the commission, who supported the Council's stance in presenting concerns to the NHS.

Special Educational Needs and Disabilities (SEND) – The commission considered several reports relating to the delivery of SEND services. This included a report that detailed significant progress in relation to a number of areas that had previously required improvement. Subsequent reports through the year demonstrated further progress being made, with the wider SEND framework coming under review from the Government.

Dyslexia Support in Schools – the commission sought to examine the level of support available and as a result, gained an understanding of the diagnostic process, the role undertaken by schools and the range of services provided.

Ofsted Inspection Outcome - the outcome reported to the commission indicated an across-the-board improvement in performance across a wide range of services for children and young people within the city. The Commission praised the department's performance under very challenging conditions and asked to be kept informed of future Ofsted involvement with the City Council and any further outcomes.

Response to the task group report on the under-achievement of black Caribbean and white British working-class pupils – the commission had previously presented a range of recommendations following an extensive scrutiny task group review. A response report was presented that set out a series of measures and upcoming work designed to improve outcomes for these particular cohorts of pupils.

Scrutiny plans for 2022/23 include:

- Examining non-clinical mental health services available for children and young people.
- Understanding more about the impact of the pandemic upon children's learning outcomes.
- Exploring further the SEND transport contact; responsible for taking children from their homes to places of education.
- Further scrutiny of the work in response to the task group recommendations on the underachievement of black Caribbean and white British working-class pupils.

Further detail in relation to the work of CYPE during 2021/22 and detail of the meetings for 2022/23 can be accessed via <https://bit.ly/3SMiMKO>

Economic Development, Transport and Climate Emergency Scrutiny Commission

This commission reviews a range of matters which include regeneration, public transport and cycling provision, adult learning and job provision and tourism. It also now holds responsibility for examining climate emergency policy.

The key Economic Development, Transport and Climate Emergency scrutiny developments during 2021/22 included:

Traffic Regulation Orders – the scrutiny of these became standard practice for the commission and served as a method of increasing public engagement and providing comments and suggestions towards schemes.

Transforming Cities Fund - the Commission sought multiple transport updates on schemes that related to the Connecting Leicester programme. Members suggested that officers considered several alternative areas for schemes.

Local Level Review – the commission had previously completed a review that examined how the disadvantaged and economically excluded neighbourhoods in the city could be levelled-up. A response to this work was presented and it was noted that the recommendations from the scrutiny review had helped plan the strategic direction of the Council’s Economic Recovery plan.

Local Transport Plan and Workplace Parking Levy – a special meeting of the commission took place to examine the draft Local Transport Plan in advance of public consultation. The commission has also examined the process to date in respect of the Workplace Parking Levy consultation exercise. In response of the latter, a series of points were raised, and the commission will continue to scrutinise developments.

Leicester Biodiversity Action Plan 2021-31 – In inspecting this ten-year strategy, the commission sought a range of further information that related to pesticide use, a map of priority sites, methane emissions and the number of trees planted to offset emissions. On a broader level with regard to public engagement, several public questions were received in respect of the Council’s carbon reduction plans.

Adult Education Services – the commission received an update on how the service was operating following the pandemic. Amongst other things, it was recommended that digital skills be integrated into courses from the outset of learning.

Scrutiny plans for 2022/23 include:

- To consider the findings of the Workplace Parking Levy public consultation exercise.
- To review in greater detail issues around the economic recovery of Leicester, including an overview of graduate retention.
- To examine key policy in relation to the Climate Emergency, including the City Council’s Carbon Neutral Road Map.
- To understand the latest position in respect of inward investment opportunities and the work of the Leicester and Leicestershire Economic Partnership (LLEP)

Further detail in relation to the work of the commission during 2021/22 and detail of the meetings for 2022/23 can be accessed via <https://bit.ly/3QQHLuQ>

Heritage, Culture, Leisure and Tourism Scrutiny Commission

This commission is responsible for scrutinising a range of service areas which include parks and play areas, museums, festivals & events, burial space and sports services. It also holds responsibility for examining Leicester's overall tourism offer and strategy.

The key Heritage, Culture, Leisure and Tourism scrutiny developments during 2021/22 included:

Post-pandemic recovery of major services – a prime focus throughout the year was reviewing the recovery, re-opening, and promotion of culture and leisure services and venues in the city. Commission comments related to better use of digital technology and the need for an intensified marketing and publicity campaign.

Women's Participation in Sport – a task group review was initiated to gather evidence behind barriers to participation and to explore ways of increasing involvement. A range of local organisations and national bodies contributed to this work, which will conclude in the early part of 2022/23.

Leicester Museums– In light of the major programme of refurbishment, the commission carried out a site visit at the Jewry Wall redevelopment site, which assisted in understanding the vision behind the programme and has supported the ongoing scrutiny process. Members also scrutinised the changes to New Walk Museum Development project and posed several recommendations, primarily in relation to improved engagement with schools.

Tourism Action Plan – in scrutinising a proposed new plan, the commission lodged a number of recommendations, mainly relating to the performance and monitoring of the action plan goals.

Black History Month – in the build-up to Black History Month, the commission invited the organisers (Serendipity) to talk about the planning and programming of this annual event. Members were particularly interested in the involvement of schools and engagement with communities as well as examining ways to build on the successes of events in previous years.

Scrutiny plans for 2022/23 include:

- To conclude the work of the Women in Sport Task Group review and to present a series of recommendations to the Executive.
- To understand more about the future of the hotel industry in Leicester and the links between this and the tourism action plan.
- To review the major proposals for improvement and refurbishment within sports and leisure services.
- To have the opportunity to examine and influence proposals for major seasonal festivals throughout the city.

Further detail in relation to the work of HCLT during 2021/22 and detail of the meetings for 2022/23 can be accessed via <https://bit.ly/3QH11e8>

Health and Wellbeing Scrutiny Commission

This commission is responsible for examining the health services received by all Leicester residents, which includes the services provided by the local authority's public health team along with those delivered by the NHS and health sector partners.

The key Health and Wellbeing scrutiny developments during 2021/22 included:

Pandemic Recovery and Vaccination Programme – the commission sought regular updates on the impact on health services as a result of the pandemic and closely inspected the patterns of vaccination uptake across the city. In light of concerns raised in respect of an overall lower rate coupled with higher infection rates amongst school-aged children, the commission requested weekly updates on the latest data. The commission also made a number of recommendations in relation to the geographical spread of vaccination hubs and the associated communication strategy.

Health Inequalities Action Plan – the commission examined carefully the action plan concerning health inequalities and the associated links with the pandemic. The work of the City Council and health partners was commended, though the commission recommended further scrutiny in light of a reported fall in life expectancy and widening inequalities as a result of the pandemic.

Review into the Experience of Black People Working in Health Services in Leicester and Leicestershire – the commission continued a piece of work to map and highlight experiences and to explore practices and outcomes for black staff managers and directors. The evidence gathering stage of the work was completed and a final set of recommendations will be published later in 2022.

Community Pharmacy Scheme – the commission examined the implementation of this scheme and supported the increased use of pharmacies as an alternative access route for patients, provided that the referral system retained an element of face-to-face contact and that there was an option for patients to be referred out of the service for further treatment.

Services Commissioned by Public Health – the commission continued to monitor and recommend improvements to a range of key strategies in relation to services such as alcohol support, tobacco control, oral health and mental health. The key focus for the commission was to understand the extent to which these services had returned following the pandemic and to ascertain whether there was a subsequent increase in service demand and budgetary pressure.

Major regional developments in the wider health sector – alongside the work of Joint Health Committee, the commission also scrutinised major health sector led schemes which included the hospital reconfiguration programme and consultation as well as updates on the Integrated Care System proposals and associated Place Led Plans that were in development.

Scrutiny plans for 2022/23 include:

- Continuing to monitor major programmes of reconfiguration in the health sector, including the Integrated Care System (ISC) place led plan.
- To understand more about the current level of provision and demand for mental health support services.
- To build on previous scrutiny work in terms of the access to GP services in the city.
- To examine the programme of autumn/winter flu vaccinations as well as developments in relation to the covid-19 vaccination programme.

Further detail in relation to the work of HWB during 2021/22 and detail of the meetings for 2022/23 can be accessed via <https://bit.ly/3c3dpGB>

Leicester, Leicestershire and Rutland Joint Health Scrutiny Committee

In addition to Leicester City Council's Health Scrutiny Commission, scrutiny of health services is also undertaken on a regional basis along with elected members from Leicestershire County Council and Rutland County Council. This committee requires the presentation of evidence from local authorities across the region and from lead health sector partners.

The major Joint Health scrutiny developments during 2021/22 included:

Mental Health Service Provision - the Committee held a special meeting to examine the provision of mental health services across the region. In doing so, both the Step Up to Great Mental consultation and the outcome of the Leicester Partnership Trust CQC inspection were considered. This resulted in various recommendations and requests for further strands of information, including closer inspection of the key performance indicators (KPIs) and the need for a future dedicated meeting on mental health provision in 2022/23.

UHL Acute and Maternity Reconfiguration/Building Better Hospitals— A series of proposals were closely examined throughout the year. In scrutinising the outcome of the consultation process, a session took place which looked at the analysis on a thematic basis. The committee also inspected in detail the move of children's services from Glenfield Hospital to the Kensington Building at the LRI. The proposals were generally supported, and members were also kept informed of progress via several separate briefing sessions.

The Pandemic Recovery and Vaccination Programme – Further to the work of the Health and Wellbeing Commission, this was also carefully considered by the joint Committee throughout the year. Members identified barriers to accessing vaccinations from different areas and asked the Clinical Commissioning Groups (CCGs) to undertake a GP data exercise regarding vaccination uptake.

Integrated Care System (ICS) - the Committee considered multiple updates over the year regarding the development of the ICS Board and Partnership, including a delay to the process due to the legislative process taking longer than usual. The Committee reiterated the need for Health Partners to be as transparent as possible with the public on this development, which included sharing information more readily. The concerns of having private companies on the Board was also raised by the Committee, with partners providing reassurance that this would not be the case

Continued partnership working - Health Partners such as NHS Improvement (Dentistry) and East Midlands Ambulance Service (EMAS) engaged with the Committee, with the former presenting two reports on access to dentistry across the region. Members expressed issues with access to dentistry following the pandemic and requested a further update in the next municipal year.

Scrutiny plans for 2022/23 include:

- To develop a greater understanding of the financial position of University Hospitals Leicester (UHL) including the position for the UHL reconfiguration programme.
- To continue to examine Mental Health Service Provision and the outcomes of the Step Up to Mental Health consultation as well as the previous CQC inspection.
- To seek further updates on the progress with the ICS arrangements and its implications
- To understand more about the transformative care plans for learning disabilities services.

Further detail in relation to the work of JHSC during 2021/22 and detail of the meetings for 2022/23 can be accessed via <https://bit.ly/3ACrILL>

Housing Scrutiny Commission

The Housing Scrutiny Commission examines a wide range of issues relating to Housing and Homelessness. This covers council services as well as issues affecting private sector housing and housing associations. The commission actively engages with tenants and residents when conducting its business and it is common for reports to reflect the views of tenant participation groups.

Key housing scrutiny developments during 2021/22 included:

A task group review of a proposal to introduce a establish a central housing anti-social behaviour team – a small group of councillors initiated this review as a result of queries raised about the service at commission meetings. The group sought further evidence relating to a new service proposal and concluded that a dedicated in-house team was required. A range of further proposals were recommended which included ensuring that robust links were in place with other key agencies, establishing a comprehensive programme of training for the new team and undertaking an extensive communication strategy in terms of promoting the changes. An Executive response report was presented to the commission which confirmed that the scrutiny proposals had been accepted and documented progress to date.

Initiating a review of the Housing Crisis in Leicester – In light of an increasing shortage of affordable homes in the city, a Housing task group was formed to understand more about the reasons and implications of the current crisis and looked to make proposals aimed at both the City Council and national government. This work will continue throughout the summer of 2022.

Providing advice in relation to the departmental budget and the annual rent-setting process – the commission endorsed the proposed rent increases which were proposed, though it was noted that tenant representatives did not support the full increase. The commission developed an interest in the role of tenant representation more generally and is playing a key role in developing the Tenancy Support Strategy.

Reviewing the continued impact of the pandemic on key services – this featured heavily throughout the year and focussed on a range of services including the level of outstanding rent arrears and the impact of the programme on repairing and maintaining homes. The commission was broadly very supportive of the effective and flexible approaches in managing debt taken by the City Council under the most challenging of circumstances.

Work in relation to Private Sector landlords/discretionary licensing –along with OSC, the commission reviewed strategic plans for undertaking work within the private rented sector, as well as the proposal to introduce a discretionary licensing scheme throughout the city. A series of recommendations were raised which related to suggestions for priority locations and the need to engage with partners including local student unions.

Scrutiny plans for 2022/23 include:

- A continuation of the task group review into the Housing Crisis in Leicester
- Understanding more about plans to deliver more homes in Leicester
- Monitoring progress with settling refugees and new communities into the city
- Further input into key policy including the Private Rented Sector (PRS) strategy, Tenancy Support Strategy and the Homelessness Strategy

Further detail in relation to the work of HSC during 2021/22 and detail of the meetings for 2022/23 can be accessed via <https://bit.ly/3BXAJQx>

Neighbourhood Services Scrutiny Commission

The Neighbourhood Services Scrutiny Commission is responsible for examining many of the everyday services that people access within their own communities, including the provision of libraries, community centres, environmental and enforcement services. This commission also holds responsibility for looking at voluntary and community sector support and issues relating to community safety and community cohesion.

Key Neighbourhood Services scrutiny developments during 2021/22 included:

Draft Gambling Policy – the commission examined the policy prior to a Full Council decision. Members recommended greater consideration in terms of how a ‘No Casino’ Policy would be implemented and requested additional information to be added to the gambling policy in light of concerns raised about TV advertising impacts to gambling. The evidence and findings of the previous scrutiny task group review into ‘Gambling Policy’ influenced and helped to shape this new policy.

Community Lottery Review – the commission had previously launched a review into whether a community lottery should be initiated in Leicester. Upon receiving a considerable amount of evidence, it was recommended to not pursue the concept of a local lottery. The Executive presented a response to the work and supported the recommendation of the commission.

Litter and Fly tipping strategy – when examining a new strategy proposal, the commission recommended the inclusion of clearance costs to the strategy. An increase in the number of bins outside shops with a higher prevalence of litter was also suggested, along with an enhanced marketing campaign to deter fly-tipping and littering.

Hate Crime/Knife Crime Strategy – both strategies were carefully considered by the commission and included information provided by Leicestershire Police. It was recommended that greater publicity of them was required, along with further outreach work with schools and younger people.

Draft Domestic Abuse Strategy – prior to its implementation, this strategy was reviewed by the commission. Members identified a specific area of community engagement work with women in the Belgrave area of the city and cited this as best practice

Tree Strategy – members monitored and commended the progress made since the adoption of the strategy in 2018.

Pandemic Recovery work – the commission received regular updates and endorsed the Council’s approach in supporting people and communities and by continuing to provide a broad range of services throughout the pandemic.

Scrutiny plans for 2022/23 include:

- To further review the City Council’s Voluntary and Community Sector engagement and strategy work
- To inspect progress following the implementation of the Litter and Fly Tipping Strategy
- To scrutinise the work and operation of the Community Safety Partnership
- To explore potential income generation avenues for Neighbourhood and environmental services

Further detail in relation to the work of the commission during 2021/22 and detail of the meetings for 2022/23 can be accessed via <https://bit.ly/3JNgibb>

Contacting Scrutiny

For more information please contact the Scrutiny Team via **scrutiny@leicester.gov.uk**.

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<https://www.leicester.gov.uk/your-council/decisions-meetings-and-minutes/overview-and-scrutiny/>

Report of the Audit and Risk Committee to Council Covering 2021/22

Decision to be taken by: N/A

Date of Audit & Risk Committee meeting: 20th July 2022

Date of Council meeting: 29th September 2022

Lead director: Colin Sharpe, Deputy Director of Finance

Useful information

- Ward(s) affected: All
- Report author: Amy Oliver
- Author contact details: amy.oliver@leicester.gov.uk
- Report version number: 1.0

1. Purpose of Report

- 1.1 To present to the Council the report of the Audit and Risk Committee setting out the Committee's achievements over the municipal year 2021/22.
- 1.2 This report was presented to Committee for approval at its meeting on 20th July 2022.

2. Recommendations

- 2.1. Audit & Risk Committee is recommended to approve this report for submission to the Council.
- 2.2. Council is recommended to receive this report.

3. Summary

- 3.1. The Committee's terms of reference approved by Council require the submission of an annual report on its activities, conduct, business and effectiveness. Moreover, the CIPFA* guidance on Audit Committees states that the audit committee should be held to account on a regular basis by Council, and that the preparation of an annual report can be helpful in this regard. (* CIPFA – the Chartered Institute of Public Finance and Accountancy).
- 3.2. Following the Committee's approval, this report will proceed to Council.
- 3.3. The Audit and Risk Committee considered a wide range of business in fulfilment of its central role as part of the Council's system of corporate governance, risk management, fraud and internal control. It conducted its business in an appropriate manner through a programme of meetings and fulfilled the expectations placed upon it.

4. Report

- 4.1 The Committee's terms of reference are regularly reviewed. They formally confer upon it the role of 'the board' for the purposes of the *Public Sector Internal Audit Standards*, (the mandatory elements of the Institute of Internal Auditors' International Professional Practices Framework, interpreted and adopted for local government by CIPFA) as the recognised professional standards for local authority internal audit. Updated terms of reference were implemented for the 2021/22 municipal year.

- 4.2 During the municipal year 2021/22, the Committee met on four occasions. All meetings were properly constituted and quorate. The Committee's terms of reference required it to meet at least four times during the year. The Deputy Director of Finance and Leicestershire County Council's Head of Internal Audit and Assurance Service attended meetings of the Committee. In addition, and in the interests of providing the full range of legal, constitutional and financial advice and expertise, the Committee was supported by the Chief Operating Officer (S151) and the City Barrister & Head of Standards or their representatives.
- 4.3 CIPFA has a publication *Audit Committees – Practical Guidance for Local Authorities*, providing guidance on function and operation of audit committees. The position statement within the guidance, notes "*audit committees are a key component of an authority's governance framework. Their function is to provide an independent and high-level resource to support good governance and strong public financial management.*"
- 4.4 Further to this it notes the purpose of the governance committee is to provide those charged with governance independent assurance of the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and governance processes.
- 4.5 It is considered that Audit and Risk Committee met the requirements for an effective Audit Committee. In summary the reasons for this are:
- The Committee meets regularly, and its chair and membership are sufficiently independent of other functions in the Council. Meetings are conducted constructively and are free and open and are not subject to political influences;
 - The Committee's terms of reference provide a sufficient spread of responsibilities covering internal and external audit, risk management and governance;
 - The Committee plays a sufficient role in the management of Internal Audit, including approval of the audit plan, review of Internal Audit's performance and the outcomes of audit work and management's response to that; and
 - The Committee received reports from Grant Thornton as the Council's external auditor and maintains an overview of the external audit process including the fees charged.
 - The Committee was updated on changes in governance, local authority finances during the year.
- 4.6 However, it is acknowledged that Committee members need suitable training. Arrangements continue to be made to provide training on a relevant topics to the Committee. The Committee is subject, of course, to some turnover of membership each municipal year, an inevitable consequence of the political environment in a local authority. Should this happen, training for new members is offered.

4.7 The Committee has continued to make an important contribution to the effectiveness of the City Council's internal control and corporate governance frameworks. It is a central component of the Council's system of internal control. The key outcomes from the Committee's work included:

4.8.1. Internal Audit

- The Committee considered the Internal Audit annual plans and monitored delivery and outcomes during the year. The Committee also received the Internal Audit annual reports and opinion on the adequacy and effectiveness of the Council's framework of governance, risk management and control.
- The Committee reserves the right to summon relevant officers to attend its meetings to discuss in more depth specific issues raised by Internal Audit reports. This has helped to maintain the profile of the Committee and its role in promoting adherence to procedures and improved internal control.

4.8.2 Counter-Fraud

- The Committee maintained an effective overview of the Council's measures to combat fraud and financial irregularity. Specifically, the Committee:
 - Considered counter-fraud reports, which brought together the various strands of counter-fraud work with data on the various types of work carried out by the teams involved.
 - Reviewed and supported the Council's participation in the National Fraud Initiative.

4.8.3 External Audit

- The Committee considered the external auditor's plans and progress and the outcomes of this work, with particular reference to the annual audit of the Council's statutory financial statements and value for money arrangements.
- The Committee supported the recommendation to Council to opt into the national scheme for appointing our External Auditors from 2023/24 to 2027/28.

4.8.4 Risk Management

- The Committee maintained a regular overview of the risk management arrangements. This included the Council's strategic and operational risk registers, identifying potential emerging risks to the Council and its services, together with the Risk Management Strategy and Policy and Corporate Business Continuity Management Strategy.

4.8.5 Corporate Governance

- The Committee fulfilled the responsibilities of 'the board' for the purposes of the City Council's conformance to the *Public Sector Internal Audit Standards* in terms of overseeing the Council's arrangements for audit, the management of risk and the corporate governance assurance framework.

- The Committee maintained its oversight of the Council's corporate governance arrangements. The Council's updated assurance framework, which maps out the process for collating the various sources of assurance and preparing the Council's statutory Annual Governance Statement, was reviewed and approved by the Committee.
- The Committee approved the Annual Governance Statement for 2020/21.
- This annual report to Council is part of the governance arrangements, through giving a summary of the Committee's work and contribution to the good governance of the City Council and demonstrating the associated accountability.

4.8.6 Financial reporting

- The Committee received and approved the Council's statutory Statement of Accounts for 2020/21 and associated external audit reports. It approved the Council's letters of representation, by means of which the City Council gives assurance to the external auditor; there were no significant items that were not reflected in the Council's accounting statements.
- The external auditor's Annual Governance Reports were issued to the Committee as 'those charged with governance' and considered accordingly. In these reports, the auditor confirmed that their audit opinion on the Council's financial statements would be 'unqualified'.
- After receiving this confirmation, two issues have emerged nationally which have delayed the external auditors issuing their opinion. The first issue relates to how all councils with infrastructure assets (roads and pavements) account for and value them in their accounts. The second arises from delays by the Government in issuing the "Whole of Government Accounts" information they require from us. However, it is important to note the Committee has obtained assurances that neither of these issues will impact the resources the Council has available to deliver its services. The Audit & Risk Committee is continuing to track progress and is receiving updates from officers and the external auditors.

4.8.7 Other Work

- During the year the Committee also received updates and reports on the following areas:
 - Insurance
 - Corporate complaints
 - Procurement
 - Developments in local government finance, audit & Governance
- In addition to the above the Committee supported the change to the constitution for the appointment of an independent member to the Committee. This change has since been approved by Full Council.

5. Conclusions

- 5.1 The Committee fulfilled all of the requirements of its terms of reference and the good practice guidance issued by CIPFA.
- 5.2 It is the view of the Chief Operating Officer (the s151 officer) that the Audit & Risk Committee made a significant contribution to the good governance of the City Council. Through its work, it has reinforced the Council's systems of internal control and internal audit and has given valuable support to the arrangements for corporate governance, legal compliance and the management of risk.

6. Financial, legal, equalities, climate emergency and other implications

6.1 Financial implications

An adequate and effective Audit & Risk Committee is a central component in the governance and assurance processes intended to help ensure that the Council operates efficiently, cost effectively and with integrity. Its support for the processes of audit and internal control will help the Council as it continues to face the financially challenging times.

Colin Sharpe, Deputy Director of Finance

6.2 Legal implications

The Audit & Risk Committee aids the fulfilment by the Council of its statutory responsibilities under the Accounts and Audit Regulations 2015 by considering the findings of a review of the effectiveness of the Council's system of internal control. It is an important part of the way in which the duties of the responsible financial officer under s151 of the Local Government Act 1972 are met.

Kamal Adatia, City Barrister & Head of Standards, x37 1401

6.3 Equalities implications

There are no direct equality implications arising from this report, however any updates or reports received by the Committee for example on procurement would need to ensure equality considerations have been taken into account.

Sukhi Biring, Equalities Officer, 0116 454 4175

6.4 Climate Emergency implications

There are no significant climate emergency implications directly associated with this report.

Aidan Davis, Sustainability Officer, Ext 37 2284

6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

N/A

7. Background papers:

Agendas and Minutes of the Audit & Risk Committee meetings

8. Summary of Appendices:

N/A

9. Consultations

10. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

11. Is this a “key decision”? If so, why? No

